

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

117TH LEGISLATIVE DAY

WEDNESDAY, APRIL 21, 2004

12:30 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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117th Legislative Day**

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The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by Father Louis Tosto with Christ the King Catholic Church in Wonder Lake, IL.

Representative Watson 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:

115 present. (ROLL CALL 1)

By unanimous consent, Representatives Dugan, Mautino and McGuire were excused from attendance.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lang will replace Representative Turner in the Committee on Rules for today only.

LETTER OF TRANSMITTAL

April 21, 2004

Mark Mahoney
Clerk of the House
402 Statehouse
Springfield, IL 62706

Dear Clerk of the House,

On April 2, 2004, I voted in the affirmative for the following bills: HB 6496, HB 6499, HB 7169, HB 7170, HB 7173, HB 7174, HB 7177, HB 7178, HB 7179, HB 7180, and HB 718.

I would like the record to reflect that I intend to vote NO on the above listed bills.

Sincerely,
s/Mike Bost
Assistant Republican Leader
Illinois House of Representatives
115th District

REPORT FROM THE COMMITTEE ON RULES

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

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 791, 799 and 819.

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

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

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

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

REQUEST FOR PENSION NOTE

Representative McCarthy requested that a Pension Note be supplied for HOUSE BILL 5189.

REQUEST FOR FISCAL NOTE

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 5789, as amended.

STATE MANDATES FISCAL NOTE SUPPLIED

A State Mandates Fiscal Note has been supplied for HOUSE BILL 5000, as amended.

HOME RULE NOTE SUPPLIED

A Home Rule Note has been supplied for HOUSE BILL 4015, as amended.

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for HOUSE BILL 6848, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has 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. 2409

A bill for AN ACT concerning taxes.

Passed by the Senate, April 20, 2004.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 2409 was ordered printed and to a First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 850

A bill for AN ACT in relation to taxes.

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

Senate Amendment No. 1 to HOUSE BILL NO. 850

Senate Amendment No. 2 to HOUSE BILL NO. 850

Passed the Senate, as amended, April 20, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 850 by replacing everything after the enacting clause with the following:

"Section 5. The Economic Development Area Tax Increment Allocation Act is amended by changing Section 6 as follows:

(20 ILCS 620/6) (from Ch. 67 1/2, par. 1006)

Sec. 6. Filing with county clerk; certification of initial equalized assessed value.

(a) The municipality shall file a certified copy of any ordinance authorizing tax increment allocation financing for an economic development project area with the county clerk, and the county clerk shall immediately thereafter determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, and shall certify such amount as the "total initial equalized assessed value" of the taxable real property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within that taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within that taxing district, shall in every year that tax increment allocation financing is in effect ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of allocating taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the economic development project area, terminating the economic development project area, and terminating the use of tax increment allocation financing for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-670, eff. 12-2-94.)

Section 10. The Property Tax Code is amended by changing Sections 14-15, 15-10, 15-170, 15-172, 15-175, and 20-178 and by adding Sections 15-176 and 18-53 as follows:

(35 ILCS 200/14-15)

Sec. 14-15. Certificate of error; counties of 3,000,000 or more.

(a) In counties with 3,000,000 or more inhabitants, if, after the assessment is certified pursuant to Section 16-150, but subject to the limitations of subsection (c) of this Section, the county assessor discovers an error or mistake in the assessment, the assessor shall execute a certificate setting forth the nature and cause of the error. The certificate when endorsed by the county assessor, or when endorsed by the county assessor and board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) where the certificate is executed for any assessment which was the subject of a complaint filed in the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) for the tax year for which the certificate is issued, may, either be certified according to the procedure authorized by this Section or be presented and received in evidence in any court of competent jurisdiction. Certification is authorized, at the discretion of the county assessor, for: (1) certificates of error allowing homestead exemptions pursuant to Sections 15-170, 15-172, ~~and 15-175~~, and 15-176; (2) certificates of error on residential property of 6 units or less; (3) certificates of error allowing exemption of the property pursuant to Section 14-25; and (4) other certificates of error reducing assessed value by less than \$100,000. Any certificate of error not certified shall be presented to the court. The county assessor shall develop reasonable procedures for the filing and processing of certificates of error. Prior to the certification or presentation to the court, the county assessor or his or her designee shall execute and include in the certificate of error a statement attesting that all procedural requirements pertaining to the issuance of the certificate of error have been met and that in fact an error exists. When so introduced in evidence such certificate shall become a part of the court records,

and shall not be removed from the files except upon the order of the court.

Certificates of error that will be presented to the court shall be filed as an objection in the application for judgment and order of sale for the year in relation to which the certificate is made or as an amendment to the objection under subsection (b). Certificates of error that are to be certified according to the procedure authorized by this Section need not be presented to the court as an objection or an amendment under subsection (b). The State's Attorney of the county in which the property is situated shall mail a copy of any final judgment entered by the court regarding any certificate of error to the taxpayer of record for the year in question.

Any unpaid taxes after the entry of the final judgment by the court or certification on certificates issued under this Section may be included in a special tax sale, provided that an advertisement is published and a notice is mailed to the person in whose name the taxes were last assessed, in a form and manner substantially similar to the advertisement and notice required under Sections 21-110 and 21-135. The advertisement and sale shall be subject to all provisions of law regulating the annual advertisement and sale of delinquent property, to the extent that those provisions may be made applicable.

A certificate of error certified under this Section shall be given effect by the county treasurer, who shall mark the tax books and, upon receipt of one of the following certificates from the county assessor or the county assessor and the board of review where the board of review is required to endorse the certificate of error, shall issue refunds to the taxpayer accordingly:

"CERTIFICATION

I,, county assessor, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment."

"CERTIFICATION

I,, county assessor, and we,, members of the board of review, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment and that any certificates of error required to be endorsed by the board of review have been so endorsed."

The county treasurer has the power to mark the tax books to reflect the issuance of certificates of error certified according to the procedure authorized in this Section for certificates of error issued under Section 14-25 or certificates of error issued to and including 3 years after the date on which the annual judgment and order of sale for that tax year was first entered. The county treasurer has the power to issue refunds to the taxpayer as set forth above until all refunds authorized by this Section have been completed.

To the extent that the certificate of error obviates the liability for nonpayment of taxes, certification of a certificate of error according to the procedure authorized in this Section shall operate to vacate any judgment or forfeiture as to that year's taxes, and the warrant books and judgment books shall be marked to reflect that the judgment or forfeiture has been vacated.

(b) Nothing in subsection (a) of this Section shall be construed to prohibit the execution, endorsement, issuance, and adjudication of a certificate of error if (i) the annual judgment and order of sale for the tax year in question is reopened for further proceedings upon consent of the county collector and county assessor, represented by the State's Attorney, and (ii) a new final judgment is subsequently entered pursuant to the certificate. This subsection (b) shall be construed as declarative of existing law and not as a new enactment.

(c) No certificate of error, other than a certificate to establish an exemption under Section 14-25, shall be executed for any tax year more than 3 years after the date on which the annual judgment and order of sale for that tax year was first entered, except that during calendar years 1999 and 2000 a certificate of error may be executed for any tax year, provided that the error or mistake in the assessment was discovered no more than 3 years after the date on which the annual judgment and order of sale for that tax year was first entered.

(d) The time limitation of subsection (c) shall not apply to a certificate of error correcting an assessment to \$1, under Section 10-35, on a parcel that a subdivision or planned development has acquired by adverse possession, if during the tax year for which the certificate is executed the subdivision or planned development used the parcel as common area, as defined in Section 10-35, and if application for the certificate of error is made prior to December 1, 1997.

(e) The changes made by this amendatory Act of the 91st General Assembly apply to certificates of error issued before, on, and after the effective date of this amendatory Act of the 91st General Assembly.

(Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655, eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff.

1-26-00.)

(35 ILCS 200/15-10)

Sec. 15-10. Exempt property; procedures for certification. All property granted an exemption by the Department pursuant to the requirements of Section 15-5 and described in the Sections following Section 15-30 and preceding Section 16-5, to the extent therein limited, is exempt from taxation. In order to maintain that exempt status, the titleholder or the owner of the beneficial interest of any property that is exempt must file with the chief county assessment officer, on or before January 31 of each year (May 31 in the case of property exempted by Section 15-170), an affidavit stating whether there has been any change in the ownership or use of the property or the status of the owner-resident, or that a disabled veteran who qualifies under Section 15-165 owned and used the property as of January 1 of that year. The nature of any change shall be stated in the affidavit. Failure to file an affidavit shall, in the discretion of the assessment officer, constitute cause to terminate the exemption of that property, notwithstanding any other provision of this Code. Owners of 5 or more such exempt parcels within a county may file a single annual affidavit in lieu of an affidavit for each parcel. The assessment officer, upon request, shall furnish an affidavit form to the owners, in which the owner may state whether there has been any change in the ownership or use of the property or status of the owner or resident as of January 1 of that year. The owner of 5 or more exempt parcels shall list all the properties giving the same information for each parcel as required of owners who file individual affidavits.

However, titleholders or owners of the beneficial interest in any property exempted under any of the following provisions are not required to submit an annual filing under this Section:

- (1) Section 15-45 (burial grounds) in counties of less than 3,000,000 inhabitants and owned by a not-for-profit organization.
- (2) Section 15-40.
- (3) Section 15-50 (United States property).

If there is a change in use or ownership, however, notice must be filed pursuant to Section 15-20.

An application for homestead exemptions shall be filed as provided in Section 15-170 (senior citizens homestead exemption), Section 15-172 (senior citizens assessment freeze homestead exemption), and Sections Section 15-175 and 15-176 (general homestead exemption), respectively.

(Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02.)

(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the maximum reduction shall be \$2,500 in counties with 3,000,000 or more inhabitants and \$2,000 in all other counties. For taxable years 2004 and thereafter, the maximum reduction shall be \$2,500 in all counties. For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections Section 15-175 and 15-176, "life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying

subsequently becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of \$5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In counties with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

(35 ILCS 200/15-172)

Sec. 15-172. Senior Citizens Assessment Freeze Homestead Exemption.

(a) This Section may be cited as the Senior Citizens Assessment Freeze Homestead Exemption.

(b) As used in this Section:

"Applicant" means an individual who has filed an application under this Section.

"Base amount" means the base year equalized assessed value of the residence plus the first year's equalized assessed value of any added improvements which increased the assessed value of the residence after the base year.

"Base year" means the taxable year prior to the taxable year for which the applicant first qualifies and

applies for the exemption provided that in the prior taxable year the property was improved with a permanent structure that was occupied as a residence by the applicant who was liable for paying real property taxes on the property and who was either (i) an owner of record of the property or had legal or equitable interest in the property as evidenced by a written instrument or (ii) had a legal or equitable interest as a lessee in the parcel of property that was single family residence. If in any subsequent taxable year for which the applicant applies and qualifies for the exemption the equalized assessed value of the residence is less than the equalized assessed value in the existing base year (provided that such equalized assessed value is not based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years), then that subsequent taxable year shall become the base year until a new base year is established under the terms of this paragraph. For taxable year 1999 only, the Chief County Assessment Officer shall review (i) all taxable years for which the applicant applied and qualified for the exemption and (ii) the existing base year. The assessment officer shall select as the new base year the year with the lowest equalized assessed value. An equalized assessed value that is based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years shall not be considered the lowest equalized assessed value. The selected year shall be the base year for taxable year 1999 and thereafter until a new base year is established under the terms of this paragraph.

"Chief County Assessment Officer" means the County Assessor or Supervisor of Assessments of the county in which the property is located.

"Equalized assessed value" means the assessed value as equalized by the Illinois Department of Revenue.

"Household" means the applicant, the spouse of the applicant, and all persons using the residence of the applicant as their principal place of residence.

"Household income" means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income" has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, except that, beginning in assessment year 2001, "income" does not include veteran's benefits.

"Internal Revenue Code of 1986" means the United States Internal Revenue Code of 1986 or any successor law or laws relating to federal income taxes in effect for the year preceding the taxable year.

"Life care facility that qualifies as a cooperative" means a facility as defined in Section 2 of the Life Care Facilities Act.

"Residence" means the principal dwelling place and appurtenant structures used for residential purposes in this State occupied on January 1 of the taxable year by a household and so much of the surrounding land, constituting the parcel upon which the dwelling place is situated, as is used for residential purposes. If the Chief County Assessment Officer has established a specific legal description for a portion of property constituting the residence, then that portion of property shall be deemed the residence for the purposes of this Section.

"Taxable year" means the calendar year during which ad valorem property taxes payable in the next succeeding year are levied.

(c) Beginning in taxable year 1994, a senior citizens assessment freeze homestead exemption is granted for real property that is improved with a permanent structure that is occupied as a residence by an applicant who (i) is 65 years of age or older during the taxable year, (ii) has a household income of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable ~~years year~~ 1999 through 2003, and \$45,000 or less in taxable year 2004 and thereafter, (iii) is liable for paying real property taxes on the property, and (iv) is an owner of record of the property or has a legal or equitable interest in the property as evidenced by a written instrument. This homestead exemption shall also apply to a leasehold interest in a parcel of property improved with a permanent structure that is a single family residence that is occupied as a residence by a person who (i) is 65 years of age or older during the taxable year, (ii) has a household income of \$35,000 or less prior to taxable year 1999, ~~or~~ \$40,000 or less in taxable ~~years year~~ 1999 through 2003, and \$45,000 or less in taxable year 2004 and thereafter, (iii) has a legal or equitable ownership interest in the property as lessee, and (iv) is liable for the payment of real property taxes on that property.

Through taxable year 2003, the ~~The~~ amount of this exemption shall be the equalized assessed value of the residence in the taxable year for which application is made minus the base amount. Beginning taxable year 2004 and thereafter, the amount of the exemption is as follows:

(1) For an applicant who has a household income of \$40,000 or less, the amount of the exemption is the equalized assessed value of the residence in the taxable year for which application is made minus the

base amount.

(2) For an applicant who has a household income exceeding \$40,000 but not exceeding \$41,250, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.8.

(3) For an applicant who has a household income exceeding \$41,250 but not exceeding \$42,500, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.6.

(4) For an applicant who has a household income exceeding \$42,500 but not exceeding \$43,750, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.4.

(5) For an applicant who has a household income exceeding \$43,750 but not exceeding \$45,000, the amount of the exemption is (i) the equalized assessed value of the residence in the taxable year for which application is made minus the base amount (ii) multiplied by 0.2.

When the applicant is a surviving spouse of an applicant for a prior year for the same residence for which an exemption under this Section has been granted, the base year and base amount for that residence are the same as for the applicant for the prior year.

Each year at the time the assessment books are certified to the County Clerk, the Board of Review or Board of Appeals shall give to the County Clerk a list of the assessed values of improvements on each parcel qualifying for this exemption that were added after the base year for this parcel and that increased the assessed value of the property.

In the case of land improved with an apartment building owned and operated as a cooperative or a building that is a life care facility that qualifies as a cooperative, the maximum reduction from the equalized assessed value of the property is limited to the sum of the reductions calculated for each unit occupied as a residence by a person or persons (i) 65 years of age or older, (ii) with a household income of \$35,000 or less prior to taxable year 1999, or \$40,000 or less in taxable years year 1999 through 2003, and \$45,000 or less in taxable year 2004 and thereafter, (iii) who is liable, by contract with the owner or owners of record, for paying real property taxes on the property, and (iv) who is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In the instance of a cooperative where a homestead exemption has been granted under this Section, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to credit that savings to an owner who qualifies for the exemption is guilty of a Class B misdemeanor.

When a homestead exemption has been granted under this Section and an applicant then becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall be granted in subsequent years so long as the residence (i) continues to be occupied by the qualified applicant's spouse or (ii) if remaining unoccupied, is still owned by the qualified applicant for the homestead exemption.

Beginning January 1, 1997, when an individual dies who would have qualified for an exemption under this Section, and the surviving spouse does not independently qualify for this exemption because of age, the exemption under this Section shall be granted to the surviving spouse for the taxable year preceding and the taxable year of the death, provided that, except for age, the surviving spouse meets all other qualifications for the granting of this exemption for those years.

When married persons maintain separate residences, the exemption provided for in this Section may be claimed by only one of such persons and for only one residence.

For taxable year 1994 only, in counties having less than 3,000,000 inhabitants, to receive the exemption, a person shall submit an application by February 15, 1995 to the Chief County Assessment Officer of the county in which the property is located. In counties having 3,000,000 or more inhabitants, for taxable year 1994 and all subsequent taxable years, to receive the exemption, a person may submit an application to the Chief County Assessment Officer of the county in which the property is located during such period as may be specified by the Chief County Assessment Officer. The Chief County Assessment Officer in counties of 3,000,000 or more inhabitants shall annually give notice of the application period by mail or by publication. In counties having less than 3,000,000 inhabitants, beginning with taxable year 1995 and thereafter, to receive the exemption, a person shall submit an application by July 1 of each taxable year to the Chief County Assessment Officer of the county in which the property is located. A county may, by ordinance, establish a date for submission of applications that is different than July 1. The applicant shall submit with the application an affidavit of the applicant's total household income, age, marital status (and if married the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall establish, by rule, a method for verifying

the accuracy of affidavits filed by applicants under this Section. The applications shall be clearly marked as applications for the Senior Citizens Assessment Freeze Homestead Exemption.

Notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 30 days after the applicant regains the capability to file the application, but in no case may the filing deadline be extended beyond 3 months of the original filing deadline. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner, and the date on which the applicant regained the capability to file the application.

Beginning January 1, 1998, notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 3 months. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, and that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner.

In counties having less than 3,000,000 inhabitants, if an applicant was denied an exemption in taxable year 1994 and the denial occurred due to an error on the part of an assessment official, or his or her agent or employee, then beginning in taxable year 1997 the applicant's base year, for purposes of determining the amount of the exemption, shall be 1993 rather than 1994. In addition, in taxable year 1997, the applicant's exemption shall also include an amount equal to (i) the amount of any exemption denied to the applicant in taxable year 1995 as a result of using 1994, rather than 1993, as the base year, (ii) the amount of any exemption denied to the applicant in taxable year 1996 as a result of using 1994, rather than 1993, as the base year, and (iii) the amount of the exemption erroneously denied for taxable year 1994.

For purposes of this Section, a person who will be 65 years of age during the current taxable year shall be eligible to apply for the homestead exemption during that taxable year. Application shall be made during the application period in effect for the county of his or her residence.

The Chief County Assessment Officer may determine the eligibility of a life care facility that qualifies as a cooperative to receive the benefits provided by this Section by use of an affidavit, application, visual inspection, questionnaire, or other reasonable method in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The Chief County Assessment Officer may request reasonable proof that the management firm has so credited that exemption.

Except as provided in this Section, all information received by the chief county assessment officer or the Department from applications filed under this Section, or from any investigation conducted under the provisions of this Section, shall be confidential, except for official purposes or pursuant to official procedures for collection of any State or local tax or enforcement of any civil or criminal penalty or sanction imposed by this Act or by any statute or ordinance imposing a State or local tax. Any person who divulges any such information in any manner, except in accordance with a proper judicial order, is guilty of a Class A misdemeanor.

Nothing contained in this Section shall prevent the Director or chief county assessment officer from publishing or making available reasonable statistics concerning the operation of the exemption contained in this Section in which the contents of claims are grouped into aggregates in such a way that information contained in any individual claim shall not be disclosed.

(d) Each Chief County Assessment Officer shall annually publish a notice of availability of the exemption provided under this Section. The notice shall be published at least 60 days but no more than 75 days prior to the date on which the application must be submitted to the Chief County Assessment Officer of the county in which the property is located. The notice shall appear in a newspaper of general circulation in the county.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523, eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98; 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99; 91-819, eff. 6-13-00.)

(35 ILCS 200/15-175)

Sec. 15-175. General homestead exemption. Except as provided in Section 15-176, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.

Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be \$4,500 in counties with 3,000,000 or more inhabitants and \$3,500 in all other counties. Except as provided in Section 15-176, for taxable years 2004 and thereafter, the maximum reduction shall be \$4,500 in all counties. If a county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that Section, then, for each taxable year after the provisions of Section 15-176 no longer apply, for owners whose qualified property has an assessed valuation that has increased by more than 20% over the previous assessed valuation of the property, there shall be an additional exemption of \$5,000 for owners with a household income of \$30,000 or less. For purposes of this paragraph, "household income" has the meaning set forth in this Section 15-175.

In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180 resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.

"Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on which the person is liable for the payment of property taxes. For land improved with an apartment building owned and operated as a cooperative or a building which is a life care facility as defined in Section 15-170 and considered to be a cooperative under Section 15-170, the maximum reduction from the equalized assessed value shall be limited to the increase in the value above the equalized assessed value of the property for 1977, up to the maximum reduction set forth above, multiplied by the number of apartments or units occupied by a person or persons who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For purposes of this Section, the term "life care facility" has the meaning stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse of the owner, and all persons using the residence of the owner as their principal place of residence.

"Household income", as used in this Section, means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income", as used in this Section, has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, except that "income" does not include veteran's benefits.

In a cooperative where a homestead exemption has been granted, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor.

Where married persons maintain and reside in separate residences qualifying as homestead property,

each residence shall receive 50% of the total reduction in equalized assessed valuation provided by this Section.

In all counties with more than 3,000,000 inhabitants, the assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption and the amount of the exemption by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department, provided that the taxpayer applying for an additional general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97; 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

(35 ILCS 200/15-176 new)

Sec. 15-176. Alternative general homestead exemption.

(a) For the assessment years as determined under subsection (j), in any county that has elected, by an ordinance in accordance with subsection (k), to be subject to the provisions of this Section in lieu of the provisions of Section 15-175, homestead property is entitled to an annual homestead exemption equal to a reduction in the property's equalized assessed value calculated as provided in this Section.

(b) As used in this Section:

(1) "Assessor" means the supervisor of assessments or the chief county assessment officer of each county.

(2) "Adjusted homestead value" means the lesser of the following values:

(A) The property's base homestead value increased by 7% for each tax year after the base year through and including the current tax year, or, if the property is sold or ownership is otherwise transferred, the property's base homestead value increased by 7% for each tax year after the year of the sale or transfer through and including the current tax year. The increase by 7% each year is an increase by 7% over the prior year.

(B) The property's equalized assessed value for the current tax year minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter.

(3) "Base homestead value".

(A) Except as provided in subdivision (b)(3)(B), "base homestead value" means the equalized assessed value of the property for the base year prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter, provided that it was assessed for that year as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property for that year. Except as provided in subdivision (b)(3)(B), if the property did not have a residential equalized assessed value for the base year, then "base homestead value" means the base homestead value established by the assessor under subsection (c).

(B) If the property is sold or ownership is otherwise transferred, other than sales or transfers between spouses or between a parent and a child, "base homestead value" means the equalized assessed value of the property at the time of the sale or transfer prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter, provided that it was assessed as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property.

(3.5) "Base year" means (i) tax year 2002 in Cook County or (ii) tax year 2002 or 2003 in all other counties in accordance with the designation made by the county as provided in subsection (k).

(4) "Current tax year" means the tax year for which the exemption under this Section is being applied.

(5) "Equalized assessed value" means the property's assessed value as equalized by the Department.

(6) "Homestead" or "homestead property" means:

(A) Residential property that as of January 1 of the tax year is occupied by its owner or owners as his, her, or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, that is occupied as a residence by a person who has a legal or equitable interest therein evidenced by a written instrument, as an owner or as a lessee, and on which the person is liable for the payment of property taxes. Residential units in an apartment building owned and operated as a cooperative, or as a life care facility, which are occupied by persons who hold a legal or equitable interest in the cooperative apartment building or life care facility as owners or lessees, and who are liable by contract for the payment of property taxes, shall be included within this definition of homestead property.

(B) A homestead includes the dwelling place, appurtenant structures, and so much of the surrounding land constituting the parcel on which the dwelling place is situated as is used for residential purposes. If the assessor has established a specific legal description for a portion of property constituting the homestead, then the homestead shall be limited to the property within that description.

(7) "Life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act.

(c) If the property did not have a residential equalized assessed value for the base year as provided in subdivision (b)(3)(A) of this Section, then the assessor shall first determine an initial value for the property by comparison with assessed values for the base year of other properties having physical and economic characteristics similar to those of the subject property, so that the initial value is uniform in relation to assessed values of those other properties for the base year. The product of the initial value multiplied by the equalized factor for the base year for homestead properties in that county, less (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter, is the base homestead value.

For any tax year for which the assessor determines or adjusts an initial value and hence a base homestead value under this subsection (c), the initial value shall be subject to review by the same procedures applicable to assessed values established under this Code for that tax year.

(d) The base homestead value shall remain constant, except that the assessor may revise it under the following circumstances:

(1) If the equalized assessed value of a homestead property for the current tax year is less than the previous base homestead value for that property, then the current equalized assessed value (provided it is not based on a reduced assessed value resulting from a temporary irregularity in the property) shall become the base homestead value in subsequent tax years.

(2) For any year in which new buildings, structures, or other improvements are constructed on the homestead property that would increase its assessed value, the assessor shall adjust the base homestead value as provided in subsection (c) of this Section with due regard to the value added by the new improvements.

(3) If the property is sold or ownership is otherwise transferred, the base homestead value of the property shall be adjusted as provided in subdivision (b)(3)(B). This item (3) does not apply to sales or transfers between spouses or between a parent and a child.

(e) The amount of the exemption under this Section is the equalized assessed value of the homestead property for the current tax year, minus the adjusted homestead value, with the following exceptions:

(1) The exemption under this Section shall not exceed \$20,000 for any taxable year.

(2) In the case of homestead property that also qualifies for the exemption under Section 15-172, the property is entitled to the exemption under this Section, limited to the amount of (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter.

(f) In the case of an apartment building owned and operated as a cooperative, or as a life care facility, that contains residential units that qualify as homestead property under this Section, the maximum cumulative exemption amount attributed to the entire building or facility shall not exceed the sum of the exemptions calculated for each qualified residential unit. The cooperative association, management firm, or other person or entity that manages or controls the cooperative apartment building or life care facility shall credit the exemption attributable to each residential unit only to the apportioned tax liability of the owner or other person responsible for payment of taxes as to that unit. Any person who willfully refuses to so credit the exemption is guilty of a Class B misdemeanor.

(g) When married persons maintain separate residences, the exemption provided under this Section shall be claimed by only one such person and for only one residence.

(h) In the event of a sale or other transfer in ownership of the homestead property, the exemption under

this Section shall remain in effect for the remainder of the tax year in which the sale or transfer occurs, but (other than for sales or transfers between spouses or between a parent and a child) shall be calculated using the new base homestead value as provided in subdivision (b)(3)(B). The assessor may require the new owner of the property to apply for the exemption in the following year.

(i) The assessor may determine whether property qualifies as a homestead under this Section by application, visual inspection, questionnaire, or other reasonable methods. Each year, at the time the assessment books are certified to the county clerk by the board of review, the assessor shall furnish to the county clerk a list of the properties qualified for the homestead exemption under this Section. The list shall note the base homestead value of each property to be used in the calculation of the exemption for the current tax year.

(j) In counties with 3,000,000 or more inhabitants, the provisions of this Section apply as follows:

(1) If the general assessment year for the property is 2003, this Section applies for assessment years 2003, 2004, and 2005. Thereafter, the provisions of Section 15-175 apply.

(2) If the general assessment year for the property is 2004, this Section applies for assessment years 2004, 2005, and 2006. Thereafter, the provisions of Section 15-175 apply.

(3) If the general assessment year for the property is 2005, this Section applies for assessment years 2005, 2006, and 2007. Thereafter, the provisions of Section 15-175 apply.

In counties with less than 3,000,000 inhabitants, this Section applies for assessment years (i) 2003, 2004, and 2005 if 2002 is the designated base year or (ii) 2004, 2005, and 2006 if 2003 is the designated base year. Thereafter, the provisions of Section 15-175 apply.

(k) To be subject to the provisions of this Section in lieu of Section 15-175, a county must adopt an ordinance to subject itself to the provisions of this Section within 6 months after the effective date of this amendatory Act of the 93rd General Assembly. In a county other than Cook County, the ordinance must designate either tax year 2002 or tax year 2003 as the base year.

(l) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(35 ILCS 200/18-53 new)

Sec. 18-53. Recovery of revenue lost due to tax refunds.

(a) When a school district is required to refund a portion of the property tax revenue distributed to that school district because of a decision of the Property Tax Appeal Board, an assessment or exemption decision of the Department of Revenue, a court order issued pursuant to an assessment valuation complaint under subdivision (b)(3) of Section 23-15, or an administrative decision of a local assessing official reducing the assessed value of a property within the district, that school district may, without referendum, adopt a levy to recapture the revenue lost by the refund or refunds. The recapture levy must not exceed an amount equal to the aggregate refunds paid by the district for the prior fiscal year. Within 45 days after a request by a school district, the county treasurer must certify the aggregate refunds paid by a school district for purposes of this Section. For purposes of the Property Tax Extension Limitation Law, the school district's aggregate extension base shall not include the recapture levy authorized under this Section.

(b) Whenever the county treasurer certifies aggregate refunds at the request of a school district under this Section, the treasurer shall keep records of the individual refunds included in the aggregate. All such information shall be provided to the county clerk. The county clerk shall keep a record of such information and of any recapture levy that may thereafter be extended, so that the amount of such extension may be distinguished from any other levies and extensions for that district. The county treasurer's and the county clerk's records under this Section shall be available to the public upon request.

(c) Any taxpayer who has received a refund of taxes paid on his or her property, which refund has been included in a recapture levy by a particular school district under this Section, shall have the right to have the extension of such district's levy against his or her property abated to the extent such extension exceeds \$500. The abatement shall be granted only upon application as provided in this Section. For purposes of this Section, the "property" for which the recapture extension may be abated is defined as one or more parcels which were the subject of a consolidated refund. If the school district's recapture levy and extension was made in a lesser amount than the aggregate of all refunds certified by the treasurer for that district, each abatement shall reflect that same proportionate reduction.

(d) A taxpayer seeking an abatement under this Section shall apply to the county treasurer no later than the due date under Section 23-10 for tax objection complaints regarding tax levies of the year for which the recapture levy was extended. The county treasurer may prescribe the form in which the application shall be made. The application shall include a copy of the decision or order that gave rise to the refund and shall specify the abatement claimed. The treasurer, assisted if necessary by the county clerk, shall confirm

whether the refund identified in the application was included within the appropriate treasurer's certification of aggregate refunds, and upon such confirmation the abatement shall be allowed as provided in this Section. If the taxes abated have been paid they shall be refunded. If the treasurer cannot determine whether the application should be allowed, or otherwise denies the application, any taxpayer who has paid the tax subject to the claimed abatement may petition the circuit court for a refund in the time and manner provided in Section 20-175. Any refund granted pursuant to an abatement shall not be included in a recapture levy under this Section.

(e) The county treasurer and county clerk shall mark their records to reflect any abatement under this Section.

(35 ILCS 200/20-178)

Sec. 20-178. Certificate of error; refund; interest. When the county collector makes any refunds due on certificates of error issued under Sections 14-15 through 14-25 that have been either certified or adjudicated, the county collector shall pay the taxpayer interest on the amount of the refund at the rate of 0.5% per month.

No interest shall be due under this Section for any time prior to 60 days after the effective date of this amendatory Act of the 91st General Assembly. For certificates of error issued prior to the effective date of this amendatory Act of the 91st General Assembly, the county collector shall pay the taxpayer interest from 60 days after the effective date of this amendatory Act of the 91st General Assembly until the date the refund is paid. For certificates of error issued on or after the effective date of this amendatory Act of the 91st General Assembly, interest shall be paid from 60 days after the certificate of error is issued by the chief county assessment officer to the date the refund is made. To cover the cost of interest, the county collector shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated.

This Section shall not apply to any certificate of error granting a homestead exemption under Section 15-170, 15-172, ~~or 15-175~~ or 15-176.

(Source: P.A. 91-393, eff. 7-30-99.)

Section 15. The County Economic Development Project Area Property Tax Allocation Act is amended by changing Section 6 as follows:

(55 ILCS 85/6) (from Ch. 34, par. 7006)

Sec. 6. Filing with county clerk; certification of initial equalized assessed value.

(a) The county shall file a certified copy of any ordinance authorizing property tax allocation financing for an economic development project area with the county clerk, and the county clerk shall immediately thereafter determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code. Upon receiving written notice from the Department of its approval and certification of such economic development project area, the county clerk shall immediately certify such amount as the "total initial equalized assessed value" of the taxable property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within that taxing district for the purpose of computing the rate percent of tax to be extended upon taxable property within the taxing district, shall in every year that property tax allocation financing is in effect ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area. The rate percent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate percent of tax is extended to all other taxable property in the taxing district. The method of allocating taxes established under this Section shall terminate when the county adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current

equalized assessed value of their taxable property as provided in the Property Tax Code.
(Source: P.A. 88-670, eff. 12-2-94.)

Section 20. The County Economic Development Project Area Tax Increment Allocation Act of 1991 is amended by changing Section 45 as follows:

(55 ILCS 90/45) (from Ch. 34, par. 8045)

Sec. 45. Filing with county clerk; certification of initial equalized assessed value.

(a) A county that has by ordinance approved an economic development plan, established an economic development project area, and adopted tax increment allocation financing for that area shall file certified copies of the ordinance or ordinances with the county clerk. Upon receiving the ordinance or ordinances, the county clerk shall immediately determine (i) the most recently ascertained equalized assessed value of each lot, block, tract, or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code (that value being the "initial equalized assessed value" of each such piece of property) and (ii) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within the economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, and shall certify that amount as the "total initial equalized assessed value" of the taxable real property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within the taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within the taxing district shall, in every year that tax increment allocation financing is in effect, ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in the area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the county adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 87-1; 88-670, eff. 12-2-94.)

Section 25. The Illinois Municipal Code is amended by changing Sections 11-74.4-8, 11-74.4-9, and 11-74.6-40 as follows:

(65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

Sec. 11-74.4-8. Tax increment allocation financing. A municipality may not adopt tax increment financing in a redevelopment project area after the effective date of this amendatory Act of 1997 that will encompass an area that is currently included in an enterprise zone created under the Illinois Enterprise Zone Act unless that municipality, pursuant to Section 5.4 of the Illinois Enterprise Zone Act, amends the enterprise zone designating ordinance to limit the eligibility for tax abatements as provided in Section 5.4.1 of the Illinois Enterprise Zone Act. A municipality, at the time a redevelopment project area is designated, may adopt tax increment allocation financing by passing an ordinance providing that the ad valorem taxes, if any, arising from the levies upon taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 each year after the effective date of the ordinance until redevelopment project costs and all municipal obligations financing redevelopment project costs incurred under this Division have been paid shall be divided as follows:

(a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(b) Except from a tax levied by a township to retire bonds issued to satisfy court-ordered damages, that portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation

of each taxable lot, block, tract or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the project area shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof. In any county with a population of 3,000,000 or more that has adopted a procedure for collecting taxes that provides for one or more of the installments of the taxes to be billed and collected on an estimated basis, the municipal treasurer shall be paid for deposit in the special tax allocation fund of the municipality, from the taxes collected from estimated bills issued for property in the redevelopment project area, the difference between the amount actually collected from each taxable lot, block, tract, or parcel of real property within the redevelopment project area and an amount determined by multiplying the rate at which taxes were last extended against the taxable lot, block, tract, or parcel of real property in the manner provided in subsection (c) of Section 11-74.4-9 by the initial equalized assessed value of the property divided by the number of installments in which real estate taxes are billed and collected within the county; provided that the payments on or before December 31, 1999 to a municipal treasurer shall be made only if each of the following conditions are met:

(1) The total equalized assessed value of the redevelopment project area as last determined was not less than 175% of the total initial equalized assessed value.

(2) Not more than 50% of the total equalized assessed value of the redevelopment project area as last determined is attributable to a piece of property assigned a single real estate index number.

(3) The municipal clerk has certified to the county clerk that the municipality has issued its obligations to which there has been pledged the incremental property taxes of the redevelopment project area or taxes levied and collected on any or all property in the municipality or the full faith and credit of the municipality to pay or secure payment for all or a portion of the redevelopment project costs. The certification shall be filed annually no later than September 1 for the estimated taxes to be distributed in the following year; however, for the year 1992 the certification shall be made at any time on or before March 31, 1992.

(4) The municipality has not requested that the total initial equalized assessed value of real property be adjusted as provided in subsection (b) of Section 11-74.4-9.

The conditions of paragraphs (1) through (4) do not apply after December 31, 1999 to payments to a municipal treasurer made by a county with 3,000,000 or more inhabitants that has adopted an estimated billing procedure for collecting taxes. If a county that has adopted the estimated billing procedure makes an erroneous overpayment of tax revenue to the municipal treasurer, then the county may seek a refund of that overpayment. The county shall send the municipal treasurer a notice of liability for the overpayment on or before the mailing date of the next real estate tax bill within the county. The refund shall be limited to the amount of the overpayment.

It is the intent of this Division that after the effective date of this amendatory Act of 1988 a municipality's own ad valorem tax arising from levies on taxable real property be included in the determination of incremental revenue in the manner provided in paragraph (c) of Section 11-74.4-9. If the municipality does not extend such a tax, it shall annually deposit in the municipality's Special Tax Increment Fund an amount equal to 10% of the total contributions to the fund from all other taxing districts in that year. The annual 10% deposit required by this paragraph shall be limited to the actual amount of municipally produced incremental tax revenues available to the municipality from taxpayers located in the redevelopment project area in that year if: (a) the plan for the area restricts the use of the property primarily to industrial purposes, (b) the municipality establishing the redevelopment project area is a home-rule community with a 1990 population of between 25,000 and 50,000, (c) the municipality is wholly located within a county with a 1990 population of over 750,000 and (d) the redevelopment project area was established by the municipality prior to June 1, 1990. This payment shall be in lieu of a contribution of ad valorem taxes on real property. If no such payment is made, any redevelopment project area of the municipality shall be dissolved.

If a municipality has adopted tax increment allocation financing by ordinance and the County Clerk thereafter certifies the "total initial equalized assessed value as adjusted" of the taxable real property within such redevelopment project area in the manner provided in paragraph (b) of Section 11-74.4-9, each year after the date of the certification of the total initial equalized assessed value as adjusted until redevelopment project costs and all municipal obligations financing redevelopment project costs have been paid the ad valorem taxes, if any, arising from the levies upon the taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section

11-74.4-9 shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or "current equalized assessed value as adjusted" or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property existing at the time tax increment financing was adopted, minus the total current homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the redevelopment project area, over and above the initial equalized assessed value of each property existing at the time tax increment financing was adopted, minus the total current homestead exemptions pertaining to each piece of property provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code in the redevelopment project area, shall be allocated to and when collected shall be paid to the municipal Treasurer, who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof.

The municipality may pledge in the ordinance the funds in and to be deposited in the special tax allocation fund for the payment of such costs and obligations. No part of the current equalized assessed valuation of each property in the redevelopment project area attributable to any increase above the total initial equalized assessed value, or the total initial equalized assessed value as adjusted, of such properties shall be used in calculating the general State school aid formula, provided for in Section 18-8 of the School Code, until such time as all redevelopment project costs have been paid as provided for in this Section.

Whenever a municipality issues bonds for the purpose of financing redevelopment project costs, such municipality may provide by ordinance for the appointment of a trustee, which may be any trust company within the State, and for the establishment of such funds or accounts to be maintained by such trustee as the municipality shall deem necessary to provide for the security and payment of the bonds. If such municipality provides for the appointment of a trustee, such trustee shall be considered the assignee of any payments assigned by the municipality pursuant to such ordinance and this Section. Any amounts paid to such trustee as assignee shall be deposited in the funds or accounts established pursuant to such trust agreement, and shall be held by such trustee in trust for the benefit of the holders of the bonds, and such holders shall have a lien on and a security interest in such funds or accounts so long as the bonds remain outstanding and unpaid. Upon retirement of the bonds, the trustee shall pay over any excess amounts held to the municipality for deposit in the special tax allocation fund.

When such redevelopment projects costs, including without limitation all municipal obligations financing redevelopment project costs incurred under this Division, have been paid, all surplus funds then remaining in the special tax allocation fund shall be distributed by being paid by the municipal treasurer to the Department of Revenue, the municipality and the county collector; first to the Department of Revenue and the municipality in direct proportion to the tax incremental revenue received from the State and the municipality, but not to exceed the total incremental revenue received from the State or the municipality less any annual surplus distribution of incremental revenue previously made; with any remaining funds to be paid to the County Collector who shall immediately thereafter pay said funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Upon the payment of all redevelopment project costs, the retirement of obligations, the distribution of any excess monies pursuant to this Section, and final closing of the books and records of the redevelopment project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the redevelopment project area and terminating the designation of the redevelopment project area as a redevelopment project area. Title to real or personal property and public improvements acquired by or for the municipality as a result of the redevelopment project and plan shall vest in the municipality when acquired and shall continue to be held by the municipality after the redevelopment project area has been terminated. Municipalities shall notify affected taxing districts prior to November 1 if the redevelopment project area is to be terminated by December 31 of that same year. If a municipality extends estimated dates of completion of a redevelopment project and retirement of obligations to finance a redevelopment project, as allowed by this amendatory Act of 1993, that extension shall not extend the property tax increment

allocation financing authorized by this Section. Thereafter the rates of the taxing districts shall be extended and taxes levied, collected and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

Nothing in this Section shall be construed as relieving property in such redevelopment project areas from being assessed as provided in the Property Tax Code or as relieving owners of such property from paying a uniform rate of taxes, as required by Section 4 of Article 9 of the Illinois Constitution.

(Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)

(65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

Sec. 11-74.4-9. Equalized assessed value of property.

(a) If a municipality by ordinance provides for tax increment allocation financing pursuant to Section 11-74.4-8, the county clerk immediately thereafter shall determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within such redevelopment project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within such redevelopment project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, and shall certify such amount as the "total initial equalized assessed value" of the taxable real property within such project area.

(b) In reference to any municipality which has adopted tax increment financing after January 1, 1978, and in respect to which the county clerk has certified the "total initial equalized assessed value" of the property in the redevelopment area, the municipality may thereafter request the clerk in writing to adjust the initial equalized value of all taxable real property within the redevelopment project area by deducting therefrom the exemptions provided for by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code applicable to each lot, block, tract or parcel of real property within such redevelopment project area. The county clerk shall immediately after the written request to adjust the total initial equalized value is received determine the total homestead exemptions in the redevelopment project area provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code by adding together the homestead exemptions provided by said Sections on each lot, block, tract or parcel of real property within such redevelopment project area and then shall deduct the total of said exemptions from the total initial equalized assessed value. The county clerk shall then promptly certify such amount as the "total initial equalized assessed value as adjusted" of the taxable real property within such redevelopment project area.

(c) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in such area, then in respect to every taxing district containing a redevelopment project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within such district for the purpose of computing the rate per cent of tax to be extended upon taxable property within such district, shall in every year that tax increment allocation financing is in effect ascertain the amount of value of taxable property in a redevelopment project area by including in such amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area, except that after he has certified the "total initial equalized assessed value as adjusted" he shall in the year of said certification if tax rates have not been extended and in every year thereafter that tax increment allocation financing is in effect ascertain the amount of value of taxable property in a redevelopment project area by including in such amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value as adjusted" of all taxable real property in such area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the redevelopment project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the redevelopment project area. This Division shall not be construed as relieving property owners within a redevelopment project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-670, eff. 12-2-94.)

(65 ILCS 5/11-74.6-40)

Sec. 11-74.6-40. Equalized assessed value determination; property tax extension.

(a) If a municipality by ordinance provides for tax increment allocation financing under Section 11-74.6-35, the county clerk immediately thereafter:

(1) shall determine the initial equalized assessed value of each parcel of real property in the redevelopment project area, which is the most recently established equalized assessed value of each lot, block, tract or parcel of taxable real property within the redevelopment project area, minus the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code; and

(2) shall certify to the municipality the total initial equalized assessed value of all taxable real property within the redevelopment project area.

(b) Any municipality that has established a vacant industrial buildings conservation area may, by ordinance passed after the adoption of tax increment allocation financing, provide that the county clerk immediately thereafter shall again determine:

(1) the updated initial equalized assessed value of each lot, block, tract or parcel of real property, which is the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the vacant industrial buildings conservation area; and

(2) the total updated initial equalized assessed value of all taxable real property within the redevelopment project area, which is the total of the updated initial equalized assessed value of all taxable real property within the vacant industrial buildings conservation area.

The county clerk shall certify to the municipality the total updated initial equalized assessed value of all taxable real property within the industrial buildings conservation area.

(c) After the county clerk has certified the total initial equalized assessed value or the total updated initial equalized assessed value of the taxable real property in the area, for each taxing district in which a redevelopment project area is situated, the county clerk or any other official required by law to determine the amount of the equalized assessed value of all taxable property within the district for the purpose of computing the percentage rate of tax to be extended upon taxable property within the district, shall in every year that tax increment allocation financing is in effect determine the total equalized assessed value of taxable property in a redevelopment project area by including in that amount the lower of the current equalized assessed value or the certified total initial equalized assessed value or, if the total of updated equalized assessed value has been certified, the total updated initial equalized assessed value of all taxable real property in the redevelopment project area. After he has certified the total initial equalized assessed value he shall in the year of that certification, if tax rates have not been extended, and in every subsequent year that tax increment allocation financing is in effect, determine the amount of equalized assessed value of taxable property in a redevelopment project area by including in that amount the lower of the current total equalized assessed value or the certified total initial equalized assessed value or, if the total of updated initial equalized assessed values have been certified, the total updated initial equalized assessed value of all taxable real property in the redevelopment project area.

(d) The percentage rate of tax determined shall be extended on the current equalized assessed value of all property in the redevelopment project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the redevelopment project area. This Law shall not be construed as relieving property owners within a redevelopment project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-537; 88-670, eff. 12-2-94.)

Section 30. The Economic Development Project Area Tax Increment Allocation Act of 1995 is amended by changing Section 45 as follows:

(65 ILCS 110/45)

Sec. 45. Filing with county clerk; certification of initial equalized assessed value.

(a) A municipality that has by ordinance approved an economic development plan, established an economic development project area, and adopted tax increment allocation financing for that area shall file certified copies of the ordinance or ordinances with the county clerk. Upon receiving the ordinance or ordinances, the county clerk shall immediately determine (i) the most recently ascertained equalized assessed value of each lot, block, tract, or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code (that value being the "initial equalized assessed value" of each such piece of property) and (ii) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within the economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176

and 15-176 of the Property Tax Code, and shall certify that amount as the "total initial equalized assessed value" of the taxable real property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within the taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within the taxing district shall, in every year that tax increment allocation financing is in effect, ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in the area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving owners or lessees of property within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 89-176, eff. 1-1-96.)

Section 35. The School Code is amended by changing Section 18-8.05 as follows:

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is

authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is \$4,225. For the 1999-2000 school year, the Foundation Level of support is \$4,325. For the 2000-2001 school year, the Foundation Level of support is \$4,425.

(3) For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is \$4,560.

(4) For the 2003-2004 school year and each school year thereafter, the Foundation Level of support is \$4,810 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining

grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of \$218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for

sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code (i) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$4,500 in all counties in tax year 2004 and thereafter and (ii) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. The county clerk of any county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than \$30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under

subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed \$14,000,000. Claims shall be prorated if they exceed \$14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal

year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be \$800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be \$1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be \$1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be \$1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to \$1,243, \$1,600, and \$2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be \$1,273, \$1,640, and \$2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be \$675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be \$1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be \$1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be \$1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be \$2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be \$294.25 added to the product of \$2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2005-2006 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than \$261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of

this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition

under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted prior to the annexation or division, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing or resulting districts, as constituted upon such annexation or division, for the first 4 years of their existence. The total difference payment shall be allocated between or among the annexing or resulting districts in the same ratio as the pupil enrollment from that portion of the annexed or divided district or districts which is annexed to or included in each such annexing or resulting district bears to the total pupil enrollment from the entire annexed or divided district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation or division becomes effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing or resulting districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data which shall be certified to the State Board of Education, on forms which it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts, or resulting and divided districts are located.

(3.5) Claims for financial assistance under this subsection (I) shall not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I) shall be treated as separate from all other payments made pursuant to this Section.

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and

the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the

supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636, eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

Section 40. The Criminal Code of 1961 is amended by changing Section 17A-1 as follows:

(720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

Sec. 17A-1. Persons under deportation order; ineligible for benefits. An individual against whom a United States Immigration Judge has issued an order of deportation which has been affirmed by the Board of Immigration Review, as well as an individual who appeals such an order pending appeal, under paragraph 19 of Section 241(a) of the Immigration and Nationality Act relating to persecution of others on account of race, religion, national origin or political opinion under the direction of or in association with the Nazi government of Germany or its allies, shall be ineligible for the following benefits authorized by State law:

(a) The homestead ~~exemptions~~ ~~exemption~~ and homestead improvement exemption under Sections 15-170, 15-175, 15-176, and 15-180 of the Property Tax Code.

(b) Grants under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

(c) The double income tax exemption conferred upon persons 65 years of age or older by Section 204 of the Illinois Income Tax Act.

(d) Grants provided by the Department on Aging.

(e) Reductions in vehicle registration fees under Section 3-806.3 of the Illinois Vehicle Code.

(f) Free fishing and reduced fishing license fees under Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

(g) Tuition free courses for senior citizens under the Senior Citizen Courses Act.

(h) Any benefits under the Illinois Public Aid Code.

(Source: P.A. 87-895; 88-670, eff. 12-2-94.)

Section 90. The State Mandates Act is amended by adding Section 8.28 as follows:

(30 ILCS 805/8.28 new)

Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by the Senior Citizens Assessment Freeze Homestead Exemption under Section 15-172 of the Property Tax Code, the General Homestead Exemption under Section 15-175 of the Property Tax Code, the alternative General Homestead Exemption under Section 15-176 of the Property Tax Code, and by this amendatory Act of the 93rd General Assembly.

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

AMENDMENT NO. 2. Amend House Bill 0850, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, line 3, by replacing "Sections 15-176 and 18-53" with "Section 15-176"; and

on page 14, line 24, by replacing "2003" with "2002"; and

on page 14, line 25, by replacing "2004" with "2003"; and

on page 15, line 1, by replacing "2003" with "2002"; and

on page 15, line 2, by replacing "2004" with "2003"; and

on page 15, by replacing line 6 with the following: "The amount of this exemption"; and

on page 15, by replacing lines 9 through 34 with the following:

"amount."; and

on page 16, line 20, by replacing "2003" with "2002"; and

on page 16, line 21, by replacing "2004" with "2003"; and

on page 21, line 28, after "owners", by inserting the following:
"(i) who have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 for the taxable year and (ii)"; and
 by deleting lines 1 through 34 on page 31 and lines 1 through 32 on page 32.

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 850 were placed on the Calendar on the order of Concurrence.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has 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. 2724

A bill for AN ACT concerning housing.
 Passed by the Senate, April 21, 2004.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 2724 was ordered printed and to a First Reading.

REPORTS FROM STANDING COMMITTEES

Representative Mautino, Chairperson, from the Committee on Insurance to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate:
 SENATE BILLS 2339 and 2491.

The committee roll call vote on Senate Bill 2339 and 2491 is as follows:
 13, Yeas; 0, Nays; 0, Answering Present.

Y Mautino, Frank(D), Chairperson	Y Berrios, Maria(D)
Y Bradley, Richard(D)	Y Brady, Dan(R)
Y Colvin, Marlow(D)	A Dunkin, Kenneth(D)
Y Dunn, Joe(R)	Y Mitchell, Bill(R)
Y Osmond, JoAnn(R)	Y Pankau, Carole(R)
Y Parke, Terry(R), Republican Spokesperson	Y Phelps, Brandon(D)
Y Rita, Robert(D)	Y Yarbrough, Karen(D), Vice-Chairperson

Representative Brosnahan, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate:
 SENATE BILLS 2148, 2378 and 2545.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2858.

The committee roll call vote on Senate Bill 2545 is as follows:
 9, Yeas; 0, Nays; 0, Answering Present.

Y Brosnahan, James(D), Chairperson	Y Churchill, Robert(R)
Y McCarthy, Kevin(D), Vice-Chairperson	A McGuire, Jack(D)
Y Mendoza, Susana(D)	Y Millner, John(R)
Y Parke, Terry(R)	Y Pihos, Sandra(R)
A Rita, Robert(D)	Y Tenhouse, Art(R), Republican Spokesperson

Y Washington,Eddie(D) (Nekritz)

The committee roll call vote on Senate Bill 2148, 2378 and 2858 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Brosnahan,James(D), Chairperson	Y Churchill,Robert(R)
Y McCarthy,Kevin(D), Vice-Chairperson	Y McGuire,Jack(D)
Y Mendoza,Susana(D)	Y Millner,John(R)
Y Parke,Terry(R)	Y Pihos,Sandra(R)
Y Rita,Robert(D)	Y Tenhouse,Art(R), Republican Spokesperson
Y Washington,Eddie(D)	

Representative Hoffman, Chairperson, from the Committee on Transportation & Motor Vehicles to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2429 and 2480.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2327.

The committee roll call vote on Senate Bill 2327 and 2480 is as follows:
17, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on Senate Bill 2429 is as follows:
15, Yeas; 2, Nays; 0, Answering Present.

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

Representative Hamos, Chairperson, from the Committee on Housing & Urban Development to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2329 and 2820.

The committee roll call vote on Senate Bill 2329 is as follows:
20, Yeas; 0, Nays; 0, Answering Present.

Y Hamos,Julie(D), Chairperson	Y Bailey,Patricia(D)
Y Biggins,Bob(R)	Y Feigenholtz,Sara(D)

Y Froehlich,Paul(R)	Y Graham,Deborah(D)
Y Jefferson,Charles(D)	Y Kelly,Robin(D)
Y Leitch,David(R), Republican Spokesperson	Y McKeon,Larry(D), Vice-Chairperson
Y Munson,Ruth(R)	Y Nekritz,Elaine(D)
Y Osterman,Harry(D)	Y Poe,Raymond(R)
Y Pritchard,Robert(R)	Y Rose,Chapin(R)
Y Ryg,Kathleen(D)	Y Slone,Ricca(D)
Y Sommer,Keith(R)	Y Stephens,Ron(R)

The committee roll call vote on Senate Bill 2820 is as follows:
19, Yeas; 0, Nays; 0, Answering Present.

Y Hamos,Julie(D), Chairperson	Y Bailey,Patricia(D)
Y Biggins,Bob(R)	Y Feigenholtz,Sara(D)
Y Froehlich,Paul(R)	Y Graham,Deborah(D)
Y Jefferson,Charles(D)	Y Kelly,Robin(D)
Y Leitch,David(R), Republican Spokesperson	Y McKeon,Larry(D), Vice-Chairperson
Y Munson,Ruth(R)	Y Nekritz,Elaine(D)
Y Osterman,Harry(D)	Y Poe,Raymond(R)
Y Pritchard,Robert(R)	Y Rose,Chapin(R)
Y Ryg,Kathleen(D)	A Slone,Ricca(D)
Y Sommer,Keith(R)	Y Stephens,Ron(R)

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2156, 2272, 2273 and 2457.

The committee roll call vote on Senate Bill 2156 is as follows:
15, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on Senate Bill 2272, 2273 and 2457 is as follows:
17, Yeas; 0, Nays; 0, Answering Present.

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

Representative Flowers, Chairperson, from the Committee on Health Care Availability Access to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 5818.

The committee roll call vote on Amendment No. 1 to House Bill 5818 is as follows:

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

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

Representative Joseph Lyons, Chairperson, from the Committee on Financial Institutions to which the following were referred, action taken on April 20, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2707.

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

Amendment No. 1 to HOUSE BILL 5856.

Amendment No. 1 to HOUSE BILL 6253.

The committee roll call vote on Senate Bill 2707 is as follows:

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

Y Lyons, Joseph(D), Chairperson	Y Bellock, Patricia(R)
Y Burke, Daniel(D), Vice-Chairperson	Y Capparelli, Ralph(D)
A Davis, Monique(D)	Y Davis, Steve(D)
Y Dunn, Joe(R)	Y Giles, Calvin(D)
Y Holbrook, Thomas(D)	Y Hultgren, Randall(R)
A Jones, Lovana(D)	Y Kosel, Renee(R)
Y Mathias, Sidney(R)	Y McAuliffe, Michael(R)
Y Meyer, James(R)	Y Mitchell, Bill(R), Republican Spokesperson
A Molaro, Robert(D)	Y Morrow, Charles(D)

The committee roll call vote on Amendment No. 1 to House Bills 5856 and 6253 is as follows:

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

Y Lyons, Joseph(D), Chairperson	Y Bellock, Patricia(R)
Y Burke, Daniel(D), Vice-Chairperson	Y Capparelli, Ralph(D)
A Davis, Monique(D)	Y Davis, Steve(D)
Y Dunn, Joe(R)	Y Giles, Calvin(D)
Y Holbrook, Thomas(D)	Y Hultgren, Randall(R)
Y Jones, Lovana(D)	Y Kosel, Renee(R)
Y Mathias, Sidney(R)	Y McAuliffe, Michael(R)
Y Meyer, James(R)	Y Mitchell, Bill(R), Republican Spokesperson
A Molaro, Robert(D)	Y Morrow, Charles(D)

CHANGE OF SPONSORSHIP

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Joseph Lyons asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 5856

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Franks asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 5417 Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Washington asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 5385.

RESOLUTIONS

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

HOUSE RESOLUTION 797

Offered by Representative Froehlich:

WHEREAS, The State is a highly visible model for Illinois' citizens, businesses, industries, and local governments; and

WHEREAS, The State can demonstrate leadership by incorporating environmentally sustainable practices into its buildings and operations that preserve natural resources, conserve energy and water, eliminate waste and emissions, and lessen overall environmental impact; and

WHEREAS, The State constitutes a large consumer of goods and services, which, in the course of their manufacture, use, and disposition, impact the quality of the environment and public health; and

WHEREAS, The procurement of environmentally preferable goods and services by the State can minimize the hazardous impacts of manufacturing and disposal, improve the safety of product users and building occupants, reduce the need to extract raw materials, such as oil and trees, and save energy and water usage in buildings; and

WHEREAS, Buying recycled content products can ensure that materials collected in community recycling programs will be used again in the manufacture of new products and support the creation of new businesses that use recycled feedstock in their manufacturing processes; and

WHEREAS, State government has made significant strides in the purchase of recycled content products as well as selected energy efficient and low toxicity products; and

WHEREAS, State procurement officials can apply the government's purchasing power to improve and strengthen markets for environmentally preferable products; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Governor to establish a Working Group on Environmentally Preferable Purchasing within State government, which shall be composed of the Director or Secretary or his or her designee of the following executive State agencies: the Office of Management and Budget, the Department of Central Management Services, the Environmental Protection Agency, the Department of Natural Resources, and the Department of Commerce and Economic Opportunity; and, immediately after appointment of members, the Working Group shall meet and organize by electing a chair and establishing operating guidelines; and be it further

RESOLVED, That the Working Group on Environmentally Preferable Purchasing shall review State purchasing policies and procedures to identify opportunities that would enhance the purchase of environmentally preferable products and services by State government, consistent with other traditional purchasing factors, such as price, performance, and availability considerations; and be it further

RESOLVED, That the Working Group on Environmentally Preferable Purchasing shall prepare and submit a report to the General Assembly that includes recommendations for administrative and legislative changes that may be necessary to enhance the purchase of environmentally preferable products by State government, including but not limited to, staff training, information dissemination, pilot testing of new and innovative products, changes in internal procedures and specifications, and tracking of product purchases; and be it further

RESOLVED, That the report shall be submitted to the General Assembly by January 1, 2005; Following submission of the report, the working group shall cease to exist; and be it further

RESOLVED, That all State agencies shall cooperate in information gathering by the Working Group on

Environmentally Preferable Purchasing for the purpose of evaluating the procurement of environmentally preferable products by State government; and be it further

RESOLVED, That environmentally preferable procurement is a process for purchasing products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose; and be it further

RESOLVED, That environmentally preferable products may include, but are not limited to: recycled content products, energy and water efficient products, alternative fuel and hybrid electric vehicles, bio-based products, low or non-toxic materials, and products using renewable energy.

HOUSE RESOLUTION 799

Offered by Representative Moffitt:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Major Arthur "Artie" Gene Ecklund; and

WHEREAS, Arthur "Artie" Ecklund was born in Galesburg on May 5, 1943; and

WHEREAS, Major Ecklund was drafted into the United States Army in 1966, attended basic training at Fort Bliss, Texas, and was later commissioned as an officer at Fort Sill Oklahoma; and

WHEREAS, Major Ecklund completed helicopter training at Fort Walters, Texas and Fort Rucker, Alabama; he graduated from training as a Huey gunship pilot to later serve his country as an Army air control pilot in Vietnam; and

WHEREAS, Major Ecklund arrived in Vietnam in November 1968 with the 183rd Aviation Company of the United States Army's 1st Aviation Brigade; and

WHEREAS, On April 3, 1969, Major Ecklund and his U.S. Air Force observer, Captain Perry Jefferson, were flying a visual reconnaissance mission out of Phan Pang airbase when their helicopter was shot down by enemy fire; and

WHEREAS, Thirty-five years to the date of his disappearance, on April 3, 2004, Major Ecklund was laid to rest; and

WHEREAS, The family of Artie Ecklund remember him as a devoted and generous son and brother, as well as an ambitious and self sufficient individual; and

WHEREAS, 9,087,000 United States military personnel courageously served their nation in the conflict in Vietnam; 58,169 military personnel were killed in the line of duty and 1,870 were declared to be missing in action from this conflict; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor Major Arthur "Artie" Ecklund along with all who knew and loved him and extend our sincere condolences to his family, friends, and community; and be it further

RESOLVED, That we honor the memory of Major Arthur Ecklund and his willingness to serve our country, which led to him making the ultimate sacrifice; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Major Arthur Ecklund as an expression of our deepest sympathy and appreciation.

HOUSE RESOLUTION 806

Offered by Representative Chapa LaVia:

WHEREAS, Medical Laboratory Week recognizes the contributions of the scientific and technical personnel whose work in the clinical laboratory helps us give our nation the best possible health care; and

WHEREAS, The clinical laboratorian is the key member of a health care team; the dedicated efforts of laboratory professionals often go unnoticed by the general public as well as by the very institutions employing their services; with the public now demanding the assurance of quality health care and professional accountability, organizations representing practitioners of this critical science have a responsibility to ensure that the public is well informed about the clinical laboratory competency; and

WHEREAS, The celebration of Medical Laboratory Week will help increase recognition for the profession as it improves the individual practitioner's sense of self-worth; and

WHEREAS, The week of April 18th through the 24th of 2004, will be observed nationally as Medical Laboratory Week; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Medical Laboratory Week and the dedicated efforts of laboratory professionals; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Elizabeth C. Warren, Rush Copley Medical Center Laboratory Week Coordinator, as a token of our respect.

HOUSE RESOLUTION 810

Offered by Representative Brauer:

WHEREAS, The members of the House of Representatives wish to recognize Robert (Bob) McDonald, International Chairman of the Board of the Institute of Internal Auditors (IIA), for his presentation of "Embrace the Challenge", which is focused on risk assessment, communication, staff competency, and ethical conduct; and "International Perspective on Corporate Governance" at the April 21, 2004 Joint IIA Chapters Meeting in Decatur; and

WHEREAS, This State recognizes the importance of a strong internal audit function through the Fiscal Control and Internal Auditing Act and Executive Order Number 10 (2003); and

WHEREAS, The Institute of Internal Auditors was established in 1941 and serves approximately 90,000 members in internal auditing, governance and internal control, IT audit, education, and security worldwide; and

WHEREAS, The IIA also provides internal audit practitioners, executive management, boards of directors, and audit committees with standards, guidance, and information on the best practices in internal auditing; and

WHEREAS, The Springfield Chapter of the Institute of Internal Auditors was chartered on March 9, 1978 and serves primarily as a State governmental internal audit chapter; and

WHEREAS, Robert (Bob) McDonald, CIA, CGAP, FIIA, ASA, JP, is serving as the International Chairman of the Board of the IIA; he is the Director of Internal Audit for the Department of Natural Resources and Mines-Australia; and he has been an active member of the Institute of Internal Auditors for more than fifteen years; and

WHEREAS, Before assuming his role as 2003-2004 IIA Chairman of the Board, he served as IIA Vice Chairman and IIA Senior Vice Chairman of the Board; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Robert (Bob) McDonald's dedication to the Institute of Internal Auditors and the Internal Auditing profession and proclaim April 21, 2004 as Robert (Bob) McDonald Day in honor of Robert (Bob) McDonald; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Robert (Bob) McDonald as a token of our respect.

HOUSE RESOLUTION 819

Offered by Representative Ryg:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Marine Pfc. Geoffrey S. Morris on April 4, 2004, in combat with enemy forces near the towns of Fallujah and Ramadi in the Al Anbar Province of Iraq; and

WHEREAS, Pfc. Morris was with the weapons company of the 2nd Battalion, 4th Regiment, 1st Marine Division, 1st Marine Expeditionary Force; and

WHEREAS, Pfc. Morris grew up in Gurnee, the big brother of five other siblings; he played football at the Warren Township Center and local high school for eight years; and

WHEREAS, He enlisted in the Marine Corps in his last year of high school and began his training soon after graduation in 2003; he was last stationed at Camp Pendleton before being deployed to Iraq on February 15, 2004; and

WHEREAS, Pfc. Morris was a man of deep conviction and passion for God, his country, and the Marine

Corps; his commitment to the mission of bringing peace and stability to the Iraqi people and the region was unwavering; even at his young age, he was able to embody the spirit of the Marine Corps, being faithful always to his family, his friends, and his country; and

WHEREAS, Pfc. Morris loved to hunt pheasants, geese and ducks, and fish for salmon and trout on Lake Michigan with his father and friends; he felt fulfilled when playing paintball in the backyard with his buddies; he was most content teaching chess, playing games and entertaining younger kids, and had built some relationships with local Iraqi children; and

WHEREAS, The passing of Pfc. Geoffrey S. Morris will be deeply felt by many, especially his father, Kirk S. and devoted second mother, Vickie (Vander, Werff, Bisk); his siblings, Jennifer, Lauren, Taylor, Austin, and little Dylan; his grandparents, Ralph W. Morris, Virginia Balmes, and Gary L., and Jane Hein; his uncles, Doug and Gary Hein; his grandmother, Helen Lundstrom; his uncles, Christopher Morris, Timothy Morris, and Todd Woods; and his aunt, Melissa Barrett; and

WHEREAS, He was preceded in death by his mother, Leslie Marie (nee Hein) Morris; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Marine Pfc. Geoffrey S. Morris along with all who knew and loved him and extend our sincere condolences to his family, friends, and community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Marine Pfc. Geoffrey S. Morris as a token of our deepest sympathy.

HOUSE RESOLUTION 820

Offered by Representative Madigan:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Anthony Scariano on April 17, 2004; and

WHEREAS, Mr. Scariano was an attorney who previously served as a State Representative, assistant federal prosecutor, State racing board chairman, Illinois appellate court justice, and head of commissions aimed at improving the judiciary and nominating candidates; and

WHEREAS, Mr. Scariano was born January 12, 1918, on Chicago's North Side; he attended Lane Tech High School and graduated from Wells High School; after beginning college, he served as an intelligence officer in the Office of Strategic Services, the forerunner of the Central Intelligence Agency, in northern Italy during World War II; and

WHEREAS, After the war, Mr. Scariano graduated from Georgetown University's law school; while attending school in Washington, he also worked as a guard at the Capitol and for United States Senator Scott Lucas (D-Illinois); and

WHEREAS, From 1949 to 1954, Mr. Scariano served as an assistant U.S. attorney in Chicago, where he eventually became head of the civil division; in 1956, he was first elected to the Illinois House from the south suburbs; and

WHEREAS, During his tenure as a State lawmaker, which began in the mid-1950s, Mr. Scariano banded with a small group of independent Democrats who practiced what they called common-sense liberalism as they rebelled against the stifling political control of the day to push for government reform; demonstrating his stand against the political status quo, he was one of the architects of the State's first Open Meetings Act, aimed at providing the sunshine of public disclosure and input into the often-secretive closed-door meetings where government business was transacted; and

WHEREAS, In 1985, he was appointed to the State appellate court; he was then elected to a 10-year term on the court the next year; though he retired from the bench in 1996, he remained active in politics and an adamant supporter of selecting judges based on merit appointment rather than Illinois' system of an elected judiciary; in December 2002, Mr. Scariano was among a group of judges who urged then Governor George Ryan to push for dramatic reforms in the State's capital punishment system and urged Governor Ryan to grant clemency to those sentenced to death; and

WHEREAS, Mr. Scariano also was a founding member of the Sicilian American Cultural Association, of which he also served as president; and

WHEREAS, The passing of Anthony Scariano will be deeply felt by many, especially his wife of 61 years, Leah; his sons, Anthony and John; his two brothers, John and Joseph; his sister, Marie Makowski; and his two grandchildren; and

WHEREAS, He was preceded in death by his daughter, Mary Phyllis Scariano; therefore, be it
 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the death of Anthony Scariano along with all who knew and loved him and extend our sincere condolences to his family, friends, and community; and be it further

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

HOUSE JOINT RESOLUTION 76

Offered by Representative Hoffman:

WHEREAS, America's increasing dependence on foreign oil has contributed to rising gasoline prices throughout Illinois and the nation; and

WHEREAS, Illinois is one of the largest producers of ethanol, and pending federal legislation could help reduce gasoline prices by promoting renewable fuels like ethanol; and

WHEREAS, Numerous economic development and environmental benefits result from the use of renewable fuels, including strengthening our agricultural sector by increasing demand for soybeans and corn, improving net farm income, improving our rural economies, creating new renewable fuels industry related jobs, reducing our dependence on foreign oil, improving our energy security, and reducing greenhouse gas emissions; and

WHEREAS, National ethanol use under the proposed renewable fuels standard would roughly double, increasing from approximately 2.5 billion gallons per year today to 5 billion gallons by 2012; and

WHEREAS, The Volumetric Ethanol Excise Tax Credit (VEETC) would mitigate a serious flaw in the existing alcohol fuels tax credit, would stop penalizing ethanol usage, and would bring almost \$1.9 billion in additional highway trust fund dollars to Illinois over a 6-year period, allowing the State to improve infrastructure and create jobs; and

WHEREAS, American automakers have the technology today to achieve far greater improvements in fuel economy, and increasing the CAFE standard of passenger automobiles to 40 miles a gallon by 2015 and of non-passenger automobiles to 27.5 miles a gallon by 2015 would save more than 120 billion gallons of gasoline and more than 250 million metric tons of carbon dioxide emissions; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the United States Congress and the Administration to strongly support and expeditiously pass the Renewable Fuels Legislation, the Volumetric Ethanol Excise Tax Credit, and stronger CAFE standards; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the U.S. Department of Energy, the Secretary of the U.S. Department of Transportation, the Administrator of the U.S. Environmental Protection Agency, the Chair of the Council on Environmental Quality, the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

SENATE BILL ON FIRST READING

Having been printed, the following bill was taken up, read by title a first time and placed in the Committee on Rules: SENATE BILL 3183.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 796

Offered by Representatives Krause and Mulligan:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Dr. Robert T. Howard on the occasion of his retirement as Superintendent of Schools for Community Consolidated School District 59 after 37 years in education; and

WHEREAS, Dr. Howard received a B.S. in Education, an M.S. in Education, and his Ed.D from Northern Illinois University; and

WHEREAS, Dr. Howard began his long, successful career in education in the Northwest suburbs of Chicago as a staff member at Barrington High School, teaching Algebra and Basic Math from 1967 to 1969; he left Barrington High School in 1969 to become a Guidance Counselor at Sandwich High School in Sandwich; he remained in that position until 1973 when he became principal of that school; and

WHEREAS, Dr. Howard served his first superintendency at Gardner-South Wilmington High School in Gardner from 1977 to 1981; in 1981, he served as Superintendent of Bettendorf Community School District in Bettendorf, Iowa, until he returned to the Northwest suburbs of Chicago to assume the role of superintendent of Community Consolidated School District 59; and

WHEREAS, Since he became superintendent of School District 59 in July of 1993, Dr. Howard has been a strong advocate for all children; he adheres to a belief in education for the whole child; he has been a role model to students and staff alike; and

WHEREAS, Many programs in School District 59 have been put into place to assure that every child's individual needs are addressed; among the programs are a district wide Fine Arts Festival, CHARACTER COUNTS!, a new language arts program, the Ridge Family Center for Learning, the formation of over 90 focus groups involving over 1300 people, the formulation of a district mission and vision and a statement of core values and beliefs, and the adoption of district-wide aims and goals; and

WHEREAS, During Dr. Howard's tenure, he has overseen a district-wide renovation to equip all 14 schools with the resources needed for education in the 21st century; he leaves School District 59 with plans already on the drawing board for new science labs in the junior high schools; his legacy will continue to grow as he now plays a major role in establishing the new District 59 Education Foundation, which will foster partnerships that support excellence and innovation in the school district; and

WHEREAS, Upon his retirement in June 2004, Dr. Howard will have shared 11 years working tirelessly for the betterment of the schools and the communities within Community Consolidated School District 59; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Robert T. Howard on the occasion of his retirement as Superintendent of Schools for Community Consolidated School District 59 after 37 years in education; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Robert T. Howard as an expression of our respect and esteem and with best wishes for a relaxing retirement.

HOUSE RESOLUTION 798

Offered by Representative Sacia:

WHEREAS, This year marks the 125th Anniversary of the founding of the Clydesdale Breeders Association of the U.S.A.; the Association was organized April 23, 1879 and incorporated in the State of Illinois on December 4, 1879; and

WHEREAS, The first Stud Book was published in 1882 and contained 1050 entries; nearly half of those entries were the property of two owners, Robert Holloway of Illinois and the Powell Bros. of Pennsylvania; a large number of entries were imported, either from Canada or Scotland, before the American Association was started; and

WHEREAS, Clydesdale business was strong in the 1870s and 1880s and the Association held an annual show at the Illinois State Fair, and then held the show in Chicago starting in 1884; in 1893 the Association held a very successful show at the Chicago World's Fair; the International Livestock Show in Chicago was established in 1900 and was the top Clydesdale show in the country for fifty years with the Clydesdale hitches dominating the ring of interbreed hitch competition; and

WHEREAS, In 1931, because of a legal tax problem concerning the non-profit status, the Association was advised by the Secretary of State of Illinois that in order to be properly listed as not for profit, it would be necessary to dissolve and reorganize under a new name; as a result the Clydesdale Breeders of the

United States was incorporated in the State of Illinois on June 29, 1933; and

WHEREAS, In May 1934, the Chicago Stockyards burned, including the Clydesdale office, and all the records of the Association were lost; although the 1930s saw Clydesdale breeding stock facing hard times, Clydesdale hitches dominated the competition and were very popular in the eyes of the public; the repeal of Prohibition brought the debut of the Anheuser Busch Eight Horse Hitch and it has become the best advertisement for the Clydesdale horses in all times; and

WHEREAS, A small number of breeders kept the Association alive in the 1940s and 1950s with some generations still active within the Association to this time; the Association, which was considered a minor breed, had only twenty to thirty registrations a year during the 1950s and 1960s; by the end of that decade things had improved dramatically and many new people had joined the Association; and

WHEREAS, In 1972, the Association was outgrowing its rules and bylaws adopted in the reorganization of 1933; new bylaws were drawn up and the Association was reorganized a second time; in May 1976 the office of the Association was moved to Pecatonica where it remains today; the growth of the breed has continued in an uphill manner for the rest of the 20th century; in 1976 the number of registrations were 135 and has continued to grow each year resulting in 641 being registered in 2003; and

WHEREAS, In May 1985, the Association held its first National Clydesdale Sale in Decatur, and the sale was very successful; in 1986 the National Sale was moved to the Illinois State Fairgrounds in Springfield and has continued to be held in that location since; the Association also decided to hold their annual meetings in Springfield in conjunction with the National Sale, which proved to be an excellent decision; and

WHEREAS, The 2004 National Sale and Annual Meeting will take place on April 22-24; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the 125th Anniversary of the Clydesdale Breeders Association of the U.S.A.; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the current President of the Clydesdale Breeders Association of the U.S.A., Martin E. English, and secretary, Betty Groves, as a token of our esteem.

HOUSE RESOLUTION 800

Offered by Representative Miller:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Thornton Fractional South High School's winter guard on winning its fourth straight State title in the Class AA long-flag competition; and

WHEREAS, The team defeated 3 other schools in the finals, scoring an 89 for a routine performed to music from "Pirates of the Caribbean"; and

WHEREAS, The winter guard, known as the color guard in fall competition, utilizes flags to perform routines to recorded music; the long-flag competition is divided into 6 classes, based on the size of each school's enrollment; a total of 132 teams competed in a variety of events at the winter guard State finals at the University of Illinois in Urbana-Champaign; and

WHEREAS, The coach of the winter guard team is Carolyn Olson; she became coach of the winter guard during the 2000-2001 school year, and the team has taken first place in the event each year since; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Thornton Fractional South High School's winter guard on winning its fourth straight State title in the Class AA long-flag competition; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the winter guard team of Thornton Fractional South High School as an expression of our esteem.

HOUSE RESOLUTION 802

Offered by Representatives Joseph Lyons, McGuire Burke and Lang:

WHEREAS, The members of the Illinois House of Representatives wish to posthumously recognize Pat Polas on receiving the 2003 Eleanor Roosevelt Outstanding Democratic Women of the Year Award given by the Illinois Democratic Women (IDW); and

WHEREAS, Pat Polas was born in 1921; she started in politics in 1932, when she was in the fourth grade, by helping her father work precincts and wearing all her Democratic buttons to school, which aggravated the teachers, most of whom were Republican; and

WHEREAS, She continued to work on campaigns through high school, and, as a college student, she worked on a successful gubernatorial campaign in Indiana; and

WHEREAS, She married Harry F. Polas, an attorney and former Chief Justice of the Illinois Court of Claims, had two sons, and followed the "Mommy Track", as it was called back then, with PTA, scouts, and YMCA; and became the proud grandmother of six; and

WHEREAS, After her sons graduated from grammar school, she went back to college and received a degree from Mundelein College of Loyola; and

WHEREAS, Then her husband decided to enter politics; still attending college, she managed his congressional campaign for an open seat; she later became very involved in Senator Esther Saperstein's campaign; after graduating from college, she went to work for Senator Saperstein; when the Senator ran for re-election in 1972, she resigned her position as the Senator's legislative assistant to manage the Senator's campaign; and

WHEREAS, Following that experience she started her own consulting business, and was a very dedicated and powerful lobbyist for the Equal Rights Amendment (ERA); she fought to increase feminine representation in the Illinois Delegation to the Democratic National Convention, and the Democratic State Central Committee; and

WHEREAS, In 1976, she was part of the original steering committee of the Illinois Democratic Caucus, later to be known as the Illinois Democratic Women; she was one of the co-conveners in 1978 through 1979, and also became the first President of IDW, as it is known today, from 1980-1982; and

WHEREAS, Mrs. Polas was never content to sit on the sidelines, and, in 1980, she managed Senator Howard Carroll's campaigns for State Senator and Ward Committeeman; after those successful campaigns Senator Carroll hired her as his Legislative Assistant; she also served as Treasurer of the 50th Ward Democratic Organization in Chicago; and

WHEREAS, Never one to take a minute for herself, she served on the Board of Directors of the American Civil Liberties Union (ACLU) of Illinois, working as Vice President for Legislation; she served as President of Northtown-Rogers Park Mental Health Council and ERA of Illinois; she was a member of the Community Mental Health Board of Chicago and the ERA Summit; she was a historian for IDW and a staunch advocate for AARP issues; and

WHEREAS, Pat Polas who passed away on June 26, 2003, was most deserving of this long overdue recognition; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor the memory and legacy of Pat Polas and recognize her hard work and dedication over the years; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Pat Polas as an expression of our respect.

HOUSE RESOLUTION 803

Offered by Representatives Flider and Bill Mitchell:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate the City of Decatur and Macon County on the occasion of their 175th anniversaries; and

WHEREAS, Macon County was established on January 19, 1829; the first families to live in Macon County were the Leonard Stevens Family (1821), the Ward Family, the Austin family, the Smith family, the Warnicks family, and several other families; and

WHEREAS, Macon County was originally part of Shelby County; Benjamin R. Austin, Andrew W. Smith, and John Ward traveled to the State capital of Vandalia to petition the legislature to create Macon County, with the seat of justice to be called Decatur; the county was named after the Revolutionary War Patriot of Carolina, Nathaniel Macon, who refused to accept pay for his services in the war; and

WHEREAS, The City of Decatur was established on April 10, 1829; Benjamin R. Austin, Macon County

surveyor, was paid the sum of \$24 for his services in laying out the town of Decatur; the county seat of justice was named for Commodore Stephen Decatur, the popular naval hero; and

WHEREAS, In 1836, the first municipal government in Macon County was that of the Village of Decatur; the Board of Trustees was elected with Richard Oglesby, the uncle of Governor Richard J. Oglesby, serving as the president of the board; and

WHEREAS, In 1839, the Town of Decatur was incorporated, and in 1855, a new charter from the State legislature was given; this charter provided for an aldermanic form of government, and on January 7, 1856, the first city officers were elected with John P. Post chosen as Decatur's first mayor; the first marshal of Decatur was Captain John W. Harley, a veteran of the Mexican and Civil Wars; and

WHEREAS, The Lincoln Log Cabin Courthouse was built in 1830 and was the first courthouse in the county; it was also used for public gatherings, church services, and as a school; the Lincoln family first arrived in what is now Decatur's Lincoln Square in 1830; and

WHEREAS, Decatur was the site where Illinois Republicans gathered at the Wigwam Convention Building and first mentioned Abraham Lincoln for president of the United States; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the City of Decatur and Macon County on the occasion of their 175th anniversaries; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the City of Decatur and Macon County as an expression of our respect and esteem.

HOUSE RESOLUTION 804

Offered by Representative John Bradley:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to honor the Marion Elks B.P.O.E. 800 for its many contributions to the community; and

WHEREAS, The Marion Elks participate in several events throughout the year; its two main charities are the Elks National Foundation and the Elks Crippled Children's Program; and

WHEREAS, The Elks National Foundation (ENF) was created in 1928 and to be the Philanthropic arm of the Benevolent and Protective Order of Elks of the USA; the 3 outstanding characteristics of the ENF include that it is a permanent fund, its contributions are raised by voluntary gifts, and the entire income from the principal fund is available for the Elks' Charitable and Benevolent work; and

WHEREAS, The Illinois Elks Crippled Children's Program generates direct assistance to physically challenged children and scholarship assistance to physical/occupational therapy students in Illinois; the Marion Elks sponsor several fundraisers each year for this fund, including an annual dart tournament and an auction with prizes and gifts donated from local business and members of the lodge; the group raises an average of \$7,000 to \$10,000 a year for the Elks Crippled Children's Program; and

WHEREAS, The Marion Elks also provide assistance to people in their own community and area; each year the group cooks at the fair for DCFS, where they serve anywhere from 2,000 to 4,000 children and foster parents; the group also holds a Labor Day Cookout at the State Fair, serving 2,000 to 3,000 people; the Lodge sponsors an annual 4th of July event at Lake Egypt with fireworks; members of the Elks participate in several events throughout the Marion area to help raise money for things such as Main Street and the Civic Center; the group sponsors an annual Christmas Party with Santa and gifts for underprivileged children; and

WHEREAS, One member of the Marion Elks, Penny Bagbey, has been honored by the Elks State Association for his work with veterans at that Veterans Hospital in Marion; throughout the year, Mr. Bagbey and several other members make monthly trips to the hospital and nursing home; Mr. Bagbey holds fishing trips, cookouts, and several other events each year for the veterans; and

WHEREAS, Another charitable event that the Marion Elks sponsor is Kozy Kidz; this is set up as a local charity to help buy coats and gloves for children in Marion; in the past 7 years, the charity has raised approximately \$24,000; purchased over 800 coats; helped a homeless family with 2 children get an apartment, and obtained donations of furniture, clothing, and household supplies; and provided children from 6 families a Christmas that they would not have had otherwise; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that that we honor the Marion Elks B.P.O.E. 800 for its many contributions to the community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Marion Elks B.P.O.E. 800 as an expression of our respect and esteem.

HOUSE RESOLUTION 805

Offered by Representative John Bradley:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Carterville High School's Scholastic Bowl team on its successful 2004 season; and

WHEREAS, This year's team is the "most decorated" team in the history of Scholastic Bowl at Carterville High School based on the number of tournament championships they have won this year and an overall record of 54 wins and 3 losses; and

WHEREAS, The team's accomplishments over the 2003-2004 season include: SIU Scholastic Hi-Q Champions, Illinois High School Scholastic Bowl Coaches Association (IHSSBCA) Kick-off Tournament Champions, John A. Logan Scholastic Bowl Tournament Champions, Carterville Octangular Tournament Champions, Illinois Masonic Academic Bowl Nashville Regional Tournament Champions, and IHSA Carterville Regional and Sectional Scholastic Bowl Champions, and the team placed second in the IHSA State Scholastic Bowl Class A Championship; and

WHEREAS, The members of the team include Ashton Ellet (captain), Raymond Beer, Benjamin Bleyer, Laura Gibson, R.J. Heninger, Uzair Mansuri, Jason Nagle, Joseph Wheeler, Alexander Carl, Hope David, Pamela Ennis, Ashley Gibson, Megan Loyd, Kaif Mansuri, Austin McCree, Paul Simmons, Jessica Stewart, and Christopher Suits; and

WHEREAS, The team is lead by Varsity Coach, Mary Jo Osborn, and Junior Varsity Coach, Emily Hayes; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Carterville High School Scholastic Bowl team on their many accomplishments and wish the team well in all its future endeavors; and be it further

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

HOUSE RESOLUTION 807

Offered by Representative Jakobsson:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate the University of Illinois Fighting Illini Men's Gymnastics team on a championship season; and

WHEREAS, Five members of the team became All-American in seven events, the first time that has happened since 1957, and two members won championships in separate events, the first time Illinois has had two champions since 1958; and

WHEREAS, Bob Rogers was crowned champion for pommel horse with a score of 9.775 and Justin Spring was crowned champion for the high bar competition with a score of 9.775; and

WHEREAS, Ben Newman is All-American with a fourth place finish in the pommel horse competition and Peter Shostchuk is All-American with a fifth place finish in the pommel horse competition; and

WHEREAS, Adam Pummer is a two time All-American with a second place finish in the vault competition and a sixth place finish in the floor exercise competition; and

WHEREAS, Justin Spring is a two time All-American with a first place finish in the high bar competition and a fifth place finish in the parallel bars competition; and

WHEREAS, Coach Yoshi Hayasa Oki was named Big Ten Coach of the Year for the third time in his career; and

WHEREAS, Jon Valdez is the Assistant Coach and Bob Spelic is the Intern Coach, and the members of the Fighting Illini Men's Gymnastics team are Ted Brown, Mike Filla, Erik Garnett, Nick Hand, Casey Hayasaki, Matt Michalek, Ben Newman, Adam Pummer, Bob Rogers, Anthony Russo, Peter Shostchuk, Justin Spring, and Scott Wetherling, all of whom share in Illinois' 2004 championship season; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the team members and coaches of the Fighting Illini Men's Gymnastics team on their outstanding 2004 season; and be it further

RESOLVED, That suitable copies of this resolution be presented to each of the coaches and members of the team as a token of our respect and esteem and with our best wishes for future success as a team.

HOUSE RESOLUTION 808

Offered by Representative Flider:

WHEREAS, One of the great attractions of the Lake Shelbyville area is tourism and the area has recently been working to increase tourism and promote the lake; as a result of cooperative efforts to bolster tourism at Lake Shelbyville and surrounding areas, the first Spores 'N More Spring Fling Festival will be held the weekend of April 23rd through the 25th, 2004; and

WHEREAS, The Festival is being sponsored by the United States Army Corps of Engineers and the Lake Shelbyville-area municipalities of Findlay, Sullivan, Bethany, and Shelbyville; the events to be held include a rummage sale, flea market, art show, golf tournament, off-road show, 5K run, car show, horseshoe tournament, three-on-three basketball tournament, and nature awareness programs; and

WHEREAS, The highlight of this year's festival will be a morel mushroom hunt and mushroom auction; the week prior to the Spores 'N More Festival, communities are sponsoring a biggest "shroom" contest, where trophies will be given to the biggest and smallest mushroom in each community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the importance of increasing tourism in the Lake Shelbyville area and support the efforts of the communities in hosting the 2004 Spores 'N More Spring Fling Festival.

HOUSE RESOLUTION 809

Offered by Representative Gordon:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate the Morris Community High School Lady Redskins varsity pom pon squad on winning the State Championships in the Class AA Hip Hop and Class AA Pom Dance divisions at the Illinois Drill Team Association State Contest; and

WHEREAS, The Illinois Drill Team Association State Contest was held Saturday, March 27, 2004 at the University of Illinois Assembly Hall in Urbana; and

WHEREAS, This marks the seventh straight year that the squad has won the hip hop title, and the fifth straight year that it has won the pom dance title; the squad has won a total of 14 State Championships; and

WHEREAS, The senior members of the squad are Mallory Barr, Sara Fleetwood, Nicole Fuentes, Sara Ingold, Ashley Mosey, Stephanie Mueller, Melissa Pritzel, Kelsey Ranz, Heather Sheedy, Becky Struck, Laura Thompson, and Meagan Valentine; and

WHEREAS, The junior members of the squad are Lindsey Babcock, Jenny Oehlwein, Jennie Reeder, Taryn Tesdal; the sophomore members are Tara Hanson and Jessica Strait; the freshman squad members are Ashley Howell, Brittney Smith, and Tara Wrobel; and

WHEREAS, The manager of the squad is senior Madison Ultis; the coaches of the Lady Redskins are Kristin Staver and Laurie Sobol; and

WHEREAS, The Morris Community High School junior varsity pom pon squad won the JV Hip Hop title on Saturday, March 20, 2004; the members of the junior varsity squad are Rachel Heisterman, Kayla Iverson, Sarah Keblesh, Molly McFarland, Amber McNelis, Jessica McNelis, Alex Robinson, Erica Sarti, Lauren Smego, Brooke Watland, and Brittany Wright; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the varsity and junior varsity pom pon squads of Morris Community High School on their recent success as State Champions; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Morris Community High School as an expression of our respect and esteem.

HOUSE RESOLUTION 811

Offered by Representative Daniels:

WHEREAS, The members of the Illinois House of Representatives offer our sincere congratulations to Coach Joe Newton on his 75th birthday and on his many years of success; and

WHEREAS, Joe Newton is one of the most talented and successful cross country and track coaches in history; and

WHEREAS, Coach Newton's love for the sport began as a student at Parker High School on Chicago's South Side, where he was named a High School All-American and won 12 major letters; and

WHEREAS, His running career continued as a sprinter at Northwestern University where he received his Bachelor of Science degree in 1951 and his Master of Arts degree in 1952; and

WHEREAS, He answered the call to serve his country as a member of the United States Army; and

WHEREAS, Prior to beginning his high school coaching career, Coach Newton was the Head Track Coach at Ft. Leonard Wood, Missouri, where he coached three Olympic runners; and

WHEREAS, His coaching career as member of the York Community High School family began in 1956; and

WHEREAS, Coach Newton has lead the York Community High School Dukes to an unprecedented 24 State Championship Titles and 19 National Cross Country Championships; and

WHEREAS, The Northern Illinois Track Coaches Association has named Coach Newton the High School Cross Country Coach of the Year 16 times in addition to being named the Illinois High School Coaches Association's Coach of the Year 15 times; and

WHEREAS, The success and leadership of Coach Newton was recognized when he became the first high school coach to be selected to represent our country as an Olympic Coach for the United States Track and Field Team in 1988 at Seoul, Korea; and

WHEREAS, The National High School Athletic Coaches Association Hall of Fame, the United States Track Coaches Association Hall of Fame, the Northwestern University Hall of Fame, the United States Track and Field Federation Hall of Fame, the Northern Illinois Track and Cross Country Association Hall of Fame, and the Gatorade Coaches Hall of Fame have all bestowed upon Coach Newton the honor of being an inductee; and

WHEREAS, Coach Newton touches the lives of runners and coaches across the nation as a gifted author and motivational speaker; and

WHEREAS, Coach Newton's dynamic, energetic, and zealous devotion to his students has taught us the true definition of a champion; and

WHEREAS, He has touched the lives of countless young athletes and taught them to achieve greatness both on and off the field; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby offer our congratulations to Coach Joe Newton on the occasion of his 75th birthday and on his many years of success; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Coach Joe Newton and his family.

HOUSE RESOLUTION 812

Offered by Representative Dunn:

WHEREAS, The members of the Illinois House of Representatives wish to recognize the accomplishments and achievements of the Naperville Central High School Girls' basketball team in the 2003-2004 season; and

WHEREAS, The Naperville Central High School Girls' Basketball Team finished first in the DuPage Valley Conference with a 14-0 record, the Naperville Central Tip-Off Tournament, the Dundee Crown Christmas Tournament, the Plainfield South IHSA Regional Tournament, and the Waubonsie IHSA Sectional Tournament; and

WHEREAS, The Naperville Central High Schools Girls' Basketball Team defeated Benet Academy in the University of Illinois at Chicago's IHSA Super-sectional tournament by a score of 59-46 to advance to

the IHSA State finals; and

WHEREAS, The team then defeated Peoria Richwoods in the quarterfinals by a score of 61-53 and Chicago Heights-Marian in the semi-finals by a score of 56-44; and

WHEREAS, The team won the Class AA girls basketball championship game by defeating Winnetka New Trier High School in the State championship game by a score of 48-37; this was the second consecutive State championship for the team; they finished the 2003-2004 season as State champions with a record of 33-2; and

WHEREAS, The members of the team include Candace Parker, Erica Carter, Seanna O'Malley, Gelisa Komegay (manager), Rachel Crissy, Julie Joyce, Ashley Lowry, Christina Sahly, Tiffany Hudson, Kristen Ludwig, Brittany Utrata, Marylee Richardson, Lauren Grochowski, Jackie Pryor, Sarah Seward, and Jen Maddaugh; and

WHEREAS, The team is led by Head Coach Andy Nussbaum, and Assistant Coaches Jane Mucci, Patrick Keating, Nick DiGiovanni, and Alan Harris; and

WHEREAS, These students have brought honor and distinction to their families, school, and community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Naperville Central High School Girls' basketball team on an outstanding season and recognize them for their dedication to their school and community; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Head Coach, Assistant Coaches, and to each member of the team as an expression of our respect.

HOUSE RESOLUTION 813

Offered by Representative William Davis:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate the Harvey Park District Twister Wrestling Team on winning the 2004 Illinois Kids Wrestling Federation (IKWF) State Championship; and

WHEREAS, This marks the sixteenth year the wrestling team has achieved this honor; and

WHEREAS, Since the wrestling team was founded in 1981 by the late Harvey Alderman, Donald Whitted, the Harvey Park District has become a nationally recognized kids' wrestling team that is rich in pride and tradition; and

WHEREAS, Some of the outstanding achievements from 2004's team include: the Twisters having the highest team score in State history; Makeba Elliot being the first girl to win a championship participating in a boy's division; two brothers, Nkosi and Jabari Moody, having to wrestle for the State championship; and eleven of the team's wrestlers advancing to the finals; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Harvey Park District Twister Wrestling Team on winning the 2004 IKWF State Championship and wish them well in all their future successes as a team; and be it further

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

HOUSE RESOLUTION 815

Offered by Representative Black:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Richard Donahue on the occasion of his retirement after over 40 years of association with Danville Area Community College (DACC); and

WHEREAS, Mr. Donahue began attending DACC as a part-time student in August of 1963, while he was working full-time as a broadcast engineer for WICD-TV in Champaign and Danville; he completed his associate's degree and then began teaching electronics part-time while continuing his broadcast engineering job; in 1976, he was ready for a new challenge and took on the position as director of the physical plant at

DACC; and

WHEREAS, In his position as director of the physical plant for the college, Mr. Donahue was responsible for all the physical properties, buildings, utilities, and security; he oversaw 15 building service attendants, 8 maintenance people, an office assistant, 6 security officers, and several part-time students; and

WHEREAS, Mr. Donahue retired at the end of March after 27 years as director of the physical plant; and

WHEREAS, During his retirement, Mr. Donahue and his wife, Jayne, plan on continuing to support the athletic teams at DACC and hope to expand their attendance from men's and women's basketball to include baseball, softball, and cross country; they are boosters for the athletic program and served as mentors and friends to many DACC students; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Richard Donahue on the occasion of his retirement after over 40 years of association with Danville Area Community College; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mr. Donahue as an expression of our respect and admiration and with best wishes for a relaxing retirement.

HOUSE RESOLUTION 816

Offered by Representative Biggins:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Firefighter/Paramedic Brian Baldwin of Brookfield on being named 2003 Firefighter/Paramedic of the Year by the Brookfield-LaGrange Park Lions Club; and

WHEREAS, Brian Baldwin has repeatedly been involved in emergency medical situations where his exemplary actions as the senior paramedic have greatly benefitted the patient; he has become well-known for providing quick medical intervention to keep people alive when he is in charge of a traumatic medical event ambulance response; and

WHEREAS, On January 23, 2003, Firefighter/Paramedic Baldwin used his superior skills and proper judgment to treat and assess a 77-year old female who had fallen and complained of facial pain; the injuries were much worse than perceived, but the pre-hospital care and intervention by Firefighter/Paramedic Baldwin resulted in a favorable outcome for the patient; and

WHEREAS, He is a major contributor to projects at the fire station that greatly benefit everyone; his outstanding skills and dedication led to him receiving this award; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Firefighter/Paramedic Brian Baldwin of Brookfield on being named 2003 Firefighter/Paramedic of the Year by the Brookfield-LaGrange Park Lions Club; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Firefighter/Paramedic Brian Baldwin as an expression of our respect and esteem.

HOUSE RESOLUTION 817

Offered by Representative Biggins:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Sergeant William Beudway of LaGrange Park on being named 2003 Police Officer of the Year by the Brookfield-LaGrange Park Lions Club; and

WHEREAS, Sergeant Beudway joined the LaGrange Park Police Department in 1979 and is a lifelong resident of LaGrange Park; he serves as the supervisor for the LaGrange Park Crime Prevention and Neighborhood Watch programs and is also a certified Child Safety Seat Officer; and

WHEREAS, During 2003, Sergeant Beudway volunteered for an assignment as the department's Reverse 911 Coordinator; through his involvement, Brookfield, LaGrange, and LaGrange Park now have a system in place for making community-wide notifications in times of need through innovative technology; and

WHEREAS, Sergeant Beudway is an active member of the department's Adopt-A-Cop program and

regularly participates in local events with his family; he exemplifies the ideals of a community police officer; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Sergeant William Beaudway of LaGrange Park on being named 2003 Police Officer of the Year by the Brookfield-LaGrange Park Lions Club; and be it further

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

HOUSE RESOLUTION 818

Offered by Representative Biggins:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Firefighter/EMT John Fagan of LaGrange Park on being named 2003 Firefighter of the Year by the Brookfield-LaGrange Park Lions Club; and

WHEREAS, John Fagan is a valuable asset to the LaGrange Park Fire Department and his hard-working attitude is noteworthy; he pursues additional educational opportunities and takes all of his tasks seriously; he displays exceptional courtesy to everyone he deals with; and

WHEREAS, Firefighter Fagan is especially interested in assisting the education of new personnel and providing direction to young firefighters; he has displayed impressive qualities that have led to his being selected Firefighter of the Year; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Firefighter/EMT John Fagan of LaGrange Park on being named 2003 Firefighter of the Year by the Brookfield-LaGrange Park Lions Club; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Firefighter/EMT John Fagan as an expression of our respect and esteem.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 740 and 780 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

RESOLUTION

Having been reported out of the Committee on Rules on April 20, 2004, HOUSE RESOLUTION 801 was taken up for consideration.

Representative Burke moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 1:22 o'clock p.m.

RESOLUTION

Having been reported out of the Committee on Rules earlier today, HOUSE RESOLUTION 799 was taken up for consideration.

Representative Moffitt moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

SUSPEND POSTING REQUIREMENTS

Pursuant to the motion submitted previously, Representative Howard moved to suspend the posting requirements in Rule 25 in relation to Senate Bill 3007.

The motion prevailed.

At the hour of 4:30 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, April 22, 2004, at 12:00 o'clock noon.

The motion prevailed.

And the House stood adjourned.

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

April 21, 2004

0 YEAS

0 NAYS

115 PRESENT

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

E - Denotes Excused Absence