

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

128TH LEGISLATIVE DAY

MONDAY, MAY 17, 2004

2:00 O'CLOCK P.M.

HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Father Robert Sherry with the Church of Holy Apostles in McHenry, IL.

Representative Berrios 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:

117 present. (ROLL CALL 1)

By unanimous consent, Representative Hamos was excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Howard, should be recorded as present at the hour of 2:40 p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Osterman, should be recorded as present at the hour of 2:45 p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Feigenholtz, should be recorded as present at the hour of 3:02 p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Saviano replaced Representative Hultgren in the Committee on Labor on May 12, 2004.

Representative Beaubien replaced Representative Hultgren in the Committee on Appropriations-Public Safety on May 11, 2004.

Representative Poe replaced Representative Biggins in the Committee on Local Government on May 11, 2004.

Representative Biggins replaced Representative Coulson in the Committee on Health Care Availability Access on May 12, 2004.

Representative Froehlich replaced Representative Lindner in the Committee on State Government Administration on May 12, 2004.

Representative Dunn replaced Representative Hultgren in the Committee on Judiciary I - Civil Law on May 12, 2004.

Representative Pihos replaced Representative Krause in the Committee on Health Care Availability Access on May 12, 2004.

Representative Froehlich replaced Representative Winters in the Committee on Agriculture & Conservation on May 13, 2004.

Representative Saviano replaced Representative Cultra in the Committee on Labor on May 13, 2004.

Representative Bill Mitchell replaced Representative Munson in the Committee on Housing & Urban Development on May 13, 2004.

Representative Sullivan replaced Representative Eileen Lyons in the Committee on Judiciary II - Criminal Law on May 12, 2004.

Representative Joseph Lyons will replace Representative Hannig in the Committee on Rules for today only.

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

LETTER OF TRANSMITTAL

May 14, 2004

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

[May 17, 2004]

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Dear Clerk Mahoney:

Please be advised that I am extending the Committee and/or Third Reading Deadline to May 31, 2004 for the following Senate Bills:

Senate Bills: 31, 35, 86, 755, 797, 827, 833, 948, 1005, 1553, 1604, 1626, 1631, 1684, 1691, 1906, 1914, 1921, 1938, 1955, 2175, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2218, 2219, 2220, 2222, 2235, 2236, 2244, 2248, 2251, 2253, 2254, 2257, 2270, 2274, 2290, 2339, 2367, 2374, 2375, 2377, 2382, 2395, 2411, 2536, 2547, 2548, 2577, 2578, 2607, 2617, 2635, 2665, 2689, 2731, 2768, 2788, 2820, 2830, 2845, 2847, 2878, 2901, 2924, 2944, 3007, 3013, 3037, 3064, 3069, 3077, 3083, 3111, 3186, 3189, 3195, 3196, 3199, 3200, 3207 and 3211.

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

May 17, 2004

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Committee and/or Third Reading Deadline to May 31, 2004 for the following Senate Bills:

Senate Bills: 943, 1605.

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

REPORT FROM THE COMMITTEE ON RULES

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

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

Amendment No. 2 to HOUSE RESOLUTION 412.

Amendment No. 1 to SENATE BILL 1906.

Amendment No. 2 to SENATE BILL 2247.

Amendment No. 1 to SENATE BILL 2270.

Amendment No. 1 to SENATE BILL 2395.

Amendment No. 2 to SENATE BILL 2607.

Amendment No. 1 to SENATE BILL 2665.
 Amendment No. 2 to SENATE BILL 2768.
 Amendment No. 2 to SENATE BILL 2845.
 Amendment No. 2 to SENATE BILL 2878.
 Amendment No. 1 to SENATE BILL 2982.
 Amendment No. 1 to SENATE BILL 3211.

That the Floor Amendment be reported "recommends be adopted":
 Motion to Table Amendment No. 1 to SENATE BILL 2290.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading:
 SENATE BILLS 943 and 1605.

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4705.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4837.

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) (Joseph Lyons)
 Y Turner, Arthur(D) (Lang)

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

COMMITTEE ON RULES REFERRALS

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

Consumer Protection: HOUSE AMENDMENT No. 1 to SENATE BILL 2731.

Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to SENATE BILL 86; HOUSE AMENDMENT No. 1 to SENATE BILL 1955.

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 1631.

Financial Institutions: SENATE BILL 2908.

Human Services: HOUSE RESOLUTIONS 832 and 851.

Insurance: HOUSE AMENDMENT No. 1 to SENATE BILL 827; HOUSE AMENDMENT No. 2 to SENATE BILL 2238; HOUSE AMENDMENT No. 1 to SENATE BILL 2339.

Judiciary I - Civil Law: SENATE BILL 2496; HOUSE AMENDMENT No. 1 to SENATE BILL 2499.

Judiciary II - Criminal Law: HOUSE AMENDMENTS No. 2 and 3 to HOUSE BILL 6415.

Local Government: HOUSE AMENDMENTS No. 1 and 2 to SENATE BILL 2175; HOUSE AMENDMENT No. 1 to SENATE BILL 2222.

Registration & Regulation: SENATE BILL 2299; HOUSE AMENDMENT No. 1 to SENATE BILL 2617; HOUSE AMENDMENT No. 3 to SENATE BILL 3069.

State Government Administration: SENATE BILLS 1648 and 2961; HOUSE AMENDMENT No. 1 and 2 to SENATE BILL 2248.

RE-REFERRED TO THE COMMITTEE ON RULES

The following bills were re-referred to the Committee on Rules pursuant to Rule 19(a) SENATE BILLS 2217, 2221, 2223, 2224, 2225, 2226, 2231, 2232, 2233, 2234, 2240, 2242, 2245, 2246, 2255, 2256, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 3193, 3194, 3197, 3198, 3202, 3203 and 3204.

MOTIONS SUBMITTED

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4027.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4949.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1269.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4197.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4426.

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

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 6583.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4566.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4818.

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

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 4225.

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

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4318.

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

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4475.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4005.

Representative Black submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 4247.

Representative Madigan submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 599.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 5415.

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

MOTION

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of SENATE BILL 2995 and advance to the order of Second Reading - Standard Debate..

Representative Steve Davis submitted the following written motion, which was placed on the order of Motions:

MOTION

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 7299 and advance to the order of Second Reading - Standard Debate..

HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED

A Housing Affordability Impact Note has been supplied for HOUSE BILL 5000, as amended.

REQUEST FOR FISCAL NOTES

Representative Black requested that Fiscal Notes be supplied for SENATE BILLS 1906, as amended, and 2270, as amended.

REQUEST FOR HOME RULE NOTE

Representative Black requested that a Home Rule Note be supplied for SENATE BILL 1906, as amended.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE

Representative Black requested that a Housing Affordability Impact Note be supplied for SENATE BILL 1906, as amended.

MESSAGES FROM THE SENATE

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

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

HOUSE BILL 4856

A bill for AN ACT concerning disclosure of utility services to be provided by landlords.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4856

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 4856 by replacing everything after the enacting clause with the following:

"Section 5. The Rental Property Utility Service Act is amended by changing Section 1 as follows:
(765 ILCS 735/1) (from Ch. 80, par. 62)

Sec. 1. Utility payments; termination and restoration of service. Whenever, pursuant to any agreement, either written or verbal, a landlord or his or her agent is required to pay for any water, gas or electrical service, the landlord shall pay for the services to ensure that the services are available to the tenant throughout the term of the lease and shall pay for the services in a timely manner so as not to cause an interruption of the services. If and the landlord or his or her agent does not pay for such service, the tenant, or tenants in the event more than one tenant is served by a common system of water, gas or electrical service, including electrical service to common areas, which goes through a common meter in a single building, may either (i) terminate the lease; however, the termination of the lease under this Section does not absolve the landlord or tenant from any obligations that have arisen under the lease prior to its termination under this Section; or (ii) pay for such service if the nonpayment jeopardizes the continuation of the service to the tenant or tenants, as the case may be. The utility company shall not terminate service for such nonpayment until the utility company mails, delivers or posts a notice as specified in Section 3 to all tenants of buildings with 3 or more residential apartments. Upon receipt of such payment of the past due cost of such water, gas or electrical service owed by the landlord, the provider of such service shall immediately restore service to such tenant or tenants. In the alternative, the provider of such service shall immediately restore and continue such service to any tenant who (a) requests that the utility put the bill in his or her name; (b) establishes satisfactory credit references or provides for and pays a security deposit pursuant to the rules and regulations of the Illinois Commerce Commission applicable to applicants for new utility service; and (c) agrees to pay future bills. Any sums the tenant or tenants, as the case may be, pay for water, gas or electrical service that the landlord or his or her agent was required to pay may be deducted from the rent due by the tenant or tenants, and the total rent is diminished by the amount the tenant or tenants, as the case may be, have paid for the continuation of the water, gas or electrical service.

(Source: P.A. 87-177.)"

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4856 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 4818

A bill for AN ACT concerning public aid.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 4818
Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4818 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 3-2.5 as follows:
(305 ILCS 5/3-2.5 new)

Sec. 3-2.5. Sheltered care rates. The Department of Human Services shall increase the sheltered care rates in effect on June 30, 2004, by 10%.

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4818 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 4949

A bill for AN ACT concerning criminal law.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 4949
Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4949 on page 9, line 25, by changing "10" to "6";
and
on page 11, line 35, by changing "10" to "6"; and
on page 13, line 6, by changing "10" to "6".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4949 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4788

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4788

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4788 on page 1, line 8, by inserting after "grounds" the following:

"or public property adjacent to school grounds"; and

on page 1, by replacing line 10 with the following:

"recruitment on school grounds or public property adjacent to school grounds when on school grounds or public property adjacent to school grounds, he or she"; and

on page 1, line 15, by inserting after "grounds" the following:

"or public property adjacent to school grounds".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4788 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4612

A bill for AN ACT concerning health improvement.

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

Senate Amendment No. 2 to HOUSE BILL NO. 4612

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 4612 by replacing everything after the enacting clause with the following:

"Section 5. The Civil Administrative Code of Illinois is amended by changing Section 5-565 as follows:

(20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

Sec. 5-565. In the Department of Public Health.

(a) The General Assembly declares it to be the public policy of this State that all citizens of Illinois are entitled to lead healthy lives. Governmental public health has a specific responsibility to ensure that a system is in place to allow the public health mission to be achieved. To develop a system requires certain core functions to be performed by government. The State Board of Health is to assume the leadership role in advising the Director in meeting the following functions:

- (1) Needs assessment.
- (2) Statewide health objectives.
- (3) Policy development.
- (4) Assurance of access to necessary services.

There shall be a State Board of Health composed of 17 persons, all of whom shall be appointed by the Governor, with the advice and consent of the Senate for those appointed by the Governor on and after June

30, 1998, and one of whom shall be a senior citizen age 60 or over. Five members shall be physicians licensed to practice medicine in all its branches, one representing a medical school faculty, one who is board certified in preventive medicine, and one 2 who is are engaged in private practice. One member shall be a dentist; one an environmental health practitioner; one a local public health administrator; one a local board of health member; one a registered nurse; one a veterinarian; one a public health academician; one a health care industry representative; one a representative of the business community; one a representative of the non-profit public interest community; and 2 4 shall be citizens at large.

The terms of Board of Health members shall be 3 years, except that members shall continue to serve on the Board of Health until a replacement is appointed. Upon the effective date of this amendatory Act of the 93rd General Assembly, in the appointment of the Board of Health members appointed to vacancies or positions with terms expiring on or before December 31, 2004, the Governor shall appoint up to 6 members to serve for terms of 3 years; up to 6 members to serve for terms of 2 years; and up to 5 members to serve for a term of one year, so that the term of no more than 6 members expire in the same year. In the appointment of the first Board of Health members appointed after September 19, 1991 (the effective date of Public Act 87-633), the Governor shall appoint 5 members to serve for terms of 5 years; 5 members to serve for terms of 2 years; and 5 members to serve for a term of one year. Members appointed thereafter shall be appointed for terms of 3 years, except that when an appointment is made to fill a vacancy, the appointment shall be for the remaining term of the position vacated. The initial terms for the 2 additional members of the board who are citizens at large appointed under Public Act 90-607 shall be for 3 years each, with these positions thereafter being filled as with other members appointed by the Governor. All members shall be legal residents of the State of Illinois. The duties of the Board shall include, but not be limited to, the following:

- (1) To advise the Department of ways to encourage public understanding and support of the Department's programs.
- (2) To evaluate all boards, councils, committees, authorities, and bodies advisory to, or an adjunct of, the Department of Public Health or its Director for the purpose of recommending to the Director one or more of the following:
 - (i) The elimination of bodies whose activities are not consistent with goals and objectives of the Department.
 - (ii) The consolidation of bodies whose activities encompass compatible programmatic subjects.
 - (iii) The restructuring of the relationship between the various bodies and their integration within the organizational structure of the Department.
 - (iv) The establishment of new bodies deemed essential to the functioning of the Department.
- (3) To serve as an advisory group to the Director for public health emergencies and control of health hazards.
- (4) To advise the Director regarding public health policy, and to make health policy recommendations regarding priorities to the Governor through the Director.
- (5) To present public health issues to the Director and to make recommendations for the resolution of those issues.
- (6) To recommend studies to delineate public health problems.
- (7) To make recommendations to the Governor through the Director regarding the coordination of State public health activities with other State and local public health agencies and organizations.
- (8) To report on or before February 1 of each year on the health of the residents of Illinois to the Governor, the General Assembly, and the public.
- (9) To review the final draft of all proposed administrative rules, other than emergency or preemptory rules and those rules that another advisory body must approve or review within a statutorily defined time period, of the Department after September 19, 1991 (the effective date of Public Act 87-633). The Board shall review the proposed rules within 90 days of submission by the Department. The Department shall take into consideration any comments and recommendations of the Board regarding the proposed rules prior to submission to the Secretary of State for initial publication. If the Department disagrees with the recommendations of the Board, it shall submit a written response outlining the reasons for not accepting the recommendations.

In the case of proposed administrative rules or amendments to administrative rules regarding immunization of children against preventable communicable diseases designated by the

Director under the Communicable Disease Prevention Act, after the Immunization Advisory Committee has made its recommendations, the Board shall conduct 3 public hearings, geographically distributed throughout the State. At the conclusion of the hearings, the State Board of Health shall issue a report, including its recommendations, to the Director. The Director shall take into consideration any comments or recommendations made by the Board based on these hearings.

(10) To deliver to the Governor for presentation to the General Assembly a State Health Improvement Plan. The first and second such plans shall be delivered to the Governor on January 1, 2006 and on January 1, 2009 respectively, and then every 4 years thereafter.

The Plan shall recommend priorities and strategies to improve the public health system and the health status of Illinois residents, taking into consideration national health objectives and system standards as frameworks for assessment.

The Plan shall also take into consideration priorities and strategies developed at the community level through the Illinois Project for Local Assessment of Needs (IPLAN) and any regional health improvement plans that may be developed. The Plan shall focus on prevention as a key strategy for long-term health improvement in Illinois.

The Plan shall examine and make recommendations on the contributions and strategies of the public and private sectors for improving health status and the public health system in the State. In addition to recommendations on health status improvement priorities and strategies for the population of the State as a whole, the Plan shall make recommendations regarding priorities and strategies for reducing and eliminating health disparities in Illinois; including racial, ethnic, gender, age, socio-economic and geographic disparities.

The Director of the Illinois Department of Public Health shall appoint a Planning Team that includes a range of public, private, and voluntary sector stakeholders and participants in the public health system. This Team shall include: the directors of State agencies with public health responsibilities (or their designees), including but not limited to the Illinois Departments of Public Health and Department of Human Services, representatives of local health departments, representatives of local community health partnerships, and individuals with expertise who represent an array of organizations and constituencies engaged in public health improvement and prevention.

~~The State Board of Health shall hold at least 3 public hearings addressing drafts of the Plan in representative geographic areas of the State. Members of the Planning Team shall receive no compensation for their services, but may be reimbursed for their necessary expenses. To make recommendations to the Governor through the Director concerning the development and periodic updating of Statewide health objectives encompassing, in part, the periodically published federal health objectives for the nation, which will provide the basis for the policy development and assurance roles of the State Health Department, and to make recommendations to the Governor through the Director regarding legislation and funding necessary to implement the objectives.~~

(11) Upon the request of the Governor, to recommend to the Governor candidates for Director of Public Health when vacancies occur in the position.

(12) To adopt bylaws for the conduct of its own business, including the authority to establish ad hoc committees to address specific public health programs requiring resolution.

Upon appointment, the Board shall elect a chairperson from among its members.

Members of the Board shall receive compensation for their services at the rate of \$150 per day, not to exceed \$10,000 per year, as designated by the Director for each day required for transacting the business of the Board and shall be reimbursed for necessary expenses incurred in the performance of their duties. The Board shall meet from time to time at the call of the Department, at the call of the chairperson, or upon the request of 3 of its members, but shall not meet less than 4 times per year.

(b) (Blank).

(c) An Advisory Board on Necropsy Service to Coroners, which shall counsel and advise with the Director on the administration of the Autopsy Act. The Advisory Board shall consist of 11 members, including a senior citizen age 60 or over, appointed by the Governor, one of whom shall be designated as chairman by a majority of the members of the Board. In the appointment of the first Board the Governor shall appoint 3 members to serve for terms of 1 year, 3 for terms of 2 years, and 3 for terms of 3 years. The members first appointed under Public Act 83-1538 shall serve for a term of 3 years. All members appointed thereafter shall be appointed for terms of 3 years, except that when an appointment is made to fill a vacancy, the appointment shall be for the remaining term of the position vacant. The members of the Board shall be citizens of the State of Illinois. In the appointment of members of the Advisory Board the Governor shall appoint 3 members who shall be persons licensed to practice medicine and surgery in the State of

Illinois, at least 2 of whom shall have received post-graduate training in the field of pathology; 3 members who are duly elected coroners in this State; and 5 members who shall have interest and abilities in the field of forensic medicine but who shall be neither persons licensed to practice any branch of medicine in this State nor coroners. In the appointment of medical and coroner members of the Board, the Governor shall invite nominations from recognized medical and coroners organizations in this State respectively. Board members, while serving on business of the Board, shall receive actual necessary travel and subsistence expenses while so serving away from their places of residence.
(Source: P.A. 90-607, eff. 6-30-98; 91-239, eff. 1-1-00; 91-798, eff. 7-9-00.)"

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 4612 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4566

A bill for AN ACT concerning minors.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4566

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 4566 on page 3, line 13, by inserting after the period the following:

"The failure of the judge to inform the delinquent minor of his or her right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency, (ii) a new trial; or (iii) an appeal."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4566 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4558

A bill for AN ACT concerning public health.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4558

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 4558 as follows:

on page 5, line 27, by deleting "media"; and

on page 6, by replacing lines 2 through 9 with the following:

"(7) Increased training opportunities for volunteers, professionals, and other

caregivers to develop specific skills for assessing suicide risk and intervening to prevent suicide."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4558 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4489

A bill for AN ACT concerning vehicles.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4489

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4489 on page 1, line 5, by replacing "3-628 and 3-642" with "3-628, 3-642, and 3-806.3"; and on page 2, below line 31 by inserting the following:

"(625 ILCS 5/3-806.3) (from Ch. 95 1/2, par. 3-806.3)

Sec. 3-806.3. Senior Citizens.

~~Commencing with the 2001 registration year and extending through the 2003 registration year, the registration fee paid by any vehicle owner who has claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or who is the spouse of such a person shall be \$24 instead of the fee otherwise provided in this Code for passenger cars displaying standard multi-year registration plates issued under Section 3-414.1, motor vehicles displaying special registration plates issued under Section 3-616, motor vehicles registered at 8,000 pounds or less under Section 3-815(a) and recreational vehicles registered at 8,000 pounds or less under Section 3-815(b). Widows and widowers of claimants shall also be entitled to this reduced registration fee for the registration year in which the claimant was eligible.~~

Commencing with the 2004 registration year and extending through the 2005 registration year, the registration fee paid by any vehicle owner who has claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or who is the spouse of such a person shall be \$24 instead of the fee otherwise provided in this Code for passenger cars displaying standard multi-year registration plates issued under Section 3-414.1, motor vehicles displaying special registration plates issued under Section 3-616, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, or 3-651, motor vehicles registered at 8,000 pounds or less under Section 3-815(a), and recreational vehicles registered at 8,000 pounds or less under Section 3-815(b). Widows and widowers of claimants shall also be entitled to this reduced registration fee for the registration year in which the claimant was eligible.

Commencing with the 2006 registration year, the registration fee paid by any vehicle owner who has claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or who is the spouse of such a person shall be \$24 instead of the fee otherwise provided in this Code for passenger cars displaying standard multi-year registration plates issued under Section 3-414.1, motor vehicles displaying special registration plates issued under Section 3-607, 3-616, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, or 3-651, motor vehicles registered at 8,000 pounds or less under Section 3-815(a), and recreational vehicles registered at 8,000 pounds or less under Section 3-815(b). Widows and widowers of claimants shall also be entitled to this reduced registration fee for the registration year in which the claimant was eligible.

No more than one reduced registration fee under this Section shall be allowed during any 12 month period based on the primary eligibility of any individual, whether such reduced registration fee is allowed

to the individual or to the spouse, widow or widower of such individual. This Section does not apply to the fee paid in addition to the registration fee for motor vehicles displaying vanity or special license plates. (Source: P.A. 91-37, eff. 7-1-99; 92-651, eff. 7-11-02; 92-699, eff. 1-1-03.)".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4489 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4450

A bill for AN ACT concerning business transactions.

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. 4450

Senate Amendment No. 2 to HOUSE BILL NO. 4450

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 4450 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2Z as follows:

(815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

Sec. 2Z. Violations of other Acts. Any person who knowingly violates the Automotive Repair Act, the Home Repair and Remodeling Act, the Dance Studio Act, the Physical Fitness Services Act, the Hearing Instrument Consumer Protection Act, the Illinois Union Label Act, the Job Referral and Job Listing Services Consumer Protection Act, the Travel Promotion Consumer Protection Act, the Credit Services Organizations Act, the Automatic Telephone Dialers Act, the Pay-Per-Call Services Consumer Protection Act, the Telephone Solicitations Act, the Illinois Funeral or Burial Funds Act, the Cemetery Care Act, the Safe and Hygienic Bed Act, the Pre-Need Cemetery Sales Act, the High Risk Home Loan Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use Tax Act, the Electronic Mail Act, ~~or~~ paragraph (6) of subsection (k) of Section 6-305 of the Illinois Vehicle Code or the Automatic Contract Renewal Act commits an unlawful practice within the meaning of this Act.

(Source: P.A. 92-426, eff. 1-1-02; 93-561, eff. 1-1-04.)

Section 10. The Automatic Contract Renewal Act is amended by changing Sections 10, 15, and 20 as follows:

(815 ILCS 601/10)

Sec. 10. Automatic renewal; requirements.

(a) Any person, firm, partnership, association, or corporation that sells or offers to sell any products or services to a consumer pursuant to a contract, where such contract automatically renews unless the consumer cancels the contract, shall disclose the automatic renewal clause clearly and conspicuously in the contract, including the cancellation procedure. If a contract is subject to automatic renewal, the clause providing for automatic renewal must appear in the contract in a clear and conspicuous manner.

(b) Any person, firm, partnership, association, or corporation that sells or offers to sell any products or services to a consumer pursuant to a contract, where such contract term is a specified term of 12 months or more, and where such contract automatically renews for a specified term of more than one month unless the consumer cancels the contract, shall notify the consumer in writing of the automatic renewal. Written notice shall be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic renewal clause. Such written notice shall disclose clearly and conspicuously:

(i) that unless the consumer cancels the contract it will automatically renew; and

(ii) where the consumer can obtain details of the automatic renewal provision and cancellation procedure (for example, by contacting the business at a specified telephone number or address or by referring to the contract).

(c) A person, firm, partnership, association, or corporation will not be liable for a violation of this Act or the Consumer Fraud and Deceptive Business Practices Act if such person, firm, partnership, association, or corporation demonstrates that, as part of its routine business practice:

(i) it has established and implemented written procedures to comply with this Act and enforces compliance with the procedures;

(ii) any failure to comply with this Act is the result of error; and

(iii) where an error has caused a failure to comply with this Act, it provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the renewal until the date of the termination of the account, or the date of the subsequent notice of renewal, whichever occurs first.

(Source: P.A. 91-674, eff. 6-1-00.)

(815 ILCS 601/15)

Sec. 15. Violation. A violation of this Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. ~~If a contract does not comply with this Act, the automatic renewal provisions are not enforceable by a party who prepared the contract or directed its preparation.~~

(Source: P.A. 91-674, eff. 6-1-00.)

(815 ILCS 601/20)

Sec. 20. Applicability.

(a) This Act does not apply to a contract entered into before the effective date of this Act.

(b) This amendatory Act of the 93rd General Assembly does not apply to a contract entered into before the effective date of this amendatory Act of the 93rd General Assembly.

(c) This Act does not apply to business-to-business contracts.

(d) This Act does not apply to banks, trust companies, savings and loan associations, savings banks, or credit unions licensed or organized under the laws of any state or the United States, or any foreign bank maintaining a branch or agency licensed or organized under the laws of any state of the United States.

(e) This Act does not apply to a contract that is extended beyond the original term of the contract as the result of the consumer's initiation of a change in the original contract terms.

(Source: P.A. 91-674, eff. 6-1-00.)"

AMENDMENT NO. 2. Amend House Bill 4450 , AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 8, by replacing "States." with "States, or any subsidiary or affiliate thereof.".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4450 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 concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4481

A bill for AN ACT concerning public health.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4481

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4481 on page 4, immediately below line 30 by inserting the following:

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4481 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4475

A bill for AN ACT concerning public health.

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. 4475

Senate Amendment No. 2 to HOUSE BILL NO. 4475

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4475 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Excellence in Alzheimer's Disease Center Treatment Act.

Section 5. Purpose. This Act is intended to maintain and enhance excellence in Alzheimer's disease treatment in Illinois in order to develop strategies to treat and prevent Alzheimer's disease in Illinois and across the United States, ensure that all Illinois citizens obtain the highest quality clinical care for Alzheimer's disease and other dementias, reduce the enormous societal cost of this disease, ensure that Illinois is a national center for Alzheimer's disease research, and maintain and enhance Illinois' ability to attract additional federal and private funding for these purposes.

Section 15. Definitions. As used in this Act:

"Academic medical center hospital" means a hospital located in Illinois that is either (i) under common ownership with the college of medicine of a college or university or (ii) a free-standing hospital in which the majority of the clinical chiefs of service are department chairmen in an affiliated medical school.

"Qualified Academic Medical Center Hospital - Pre 1996 Designation" means any academic medical center hospital that was designated by the National Institutes of Health and National Institutes on Aging as an Alzheimer's Disease Core (or Research) Center prior to calendar year 1996.

"Qualified Academic Medical Center Hospital - Post 1996 Designation" means any academic medical center hospital that was designated by the National Institutes of Health and National Institutes on Aging as an Alzheimer's Disease Core (or Research) Center in or after calendar year 1996 through calendar year 2003.

"Medicaid inpatient day of care" means each day contained in the Illinois Department of Public Aid's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring during State fiscal year 1998 and adjudicated through June 30, 1999.

Section 20. Funds created.

(a) The Alzheimer's Disease Center Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

(b) The Alzheimer's Disease Center Expanded Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

(c) The Alzheimer's Disease Center Independent Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the

Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

Section 25. The Alzheimer's Disease Center Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation shall be eligible for payments from the Alzheimer's Disease Center Clinical Fund.

(b) Appropriations allocated to this Fund shall be divided among the qualifying hospitals. The Department of Public Aid shall calculate payment rates for each hospital qualifying under this Section as follows:

(1) Hospitals that qualify under the Qualified Academic Medical Center Hospital - Pre 1996 Designation shall be paid a rate of \$55.50 for each Medicaid inpatient day of care.

(2) No qualifying hospital shall receive payments under this Section that exceed \$1,200,000.

(c) Payments under this Section shall be made at least quarterly.

Section 30. The Alzheimer's Disease Center Expanded Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation or as a Qualified Academic Medical Center Hospital - Post 1996 Designation shall be eligible for payments from the Alzheimer's Disease Center Expanded Clinical Fund.

(b) Appropriations allocated to this Fund shall be divided among the qualifying hospitals. The Department of Public Aid shall calculate payment rates for each hospital qualifying under this Section as follows:

(1) Hospitals that are defined as a Qualifying Academic Medical Center Hospital - Pre 1996 Designation shall be paid \$13.90 for each Medicaid inpatient day of care.

(2) Hospitals that are defined as a Qualifying Academic Medical Center Hospital - Post 1996 Designation and do not meet the Pre 1996 Designation criterion, shall be paid \$10.75 for each Medicaid inpatient day of care.

(3) Hospitals that qualify under the Pre and Post 1996 Designation shall qualify for payments under this Section according to the payment guidelines for Pre 1996 Designated hospitals.

(4) No qualifying hospital shall receive payments under this Section that exceed \$300,000.

(c) Payments under this Section shall be made at least quarterly.

Section 35. The Alzheimer's Disease Center Independent Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation or as a Qualified Academic Medical Center Hospital - Post 1996 Designation may be eligible for payments from the Alzheimer's Disease Center Independent Clinical Fund.

(b) Appropriations allocated to this Fund shall be allocated to specific Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) for specific and unique clinical/research projects as determined by the General Assembly.

(c) Payments under this Section shall be made at least quarterly.

Section 40. Use of funds. Reimbursement for medical services under this Act eligible for federal financial participation under Title XIX of the Social Security Act shall be used for the following 6 general purposes:

(1) Clinical Care. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support clinical care for affected persons and their families. In addition to providing clinical care, the Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) shall serve as models of multi-disciplinary diagnostic and treatment facilities for Alzheimer's disease and other dementias.

(2) Underserved Community Outreach. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support some type of outreach program in underserved communities.

(3) Research. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support research on aging and dementia.

(4) Education. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support education regarding aging and dementia.

(5) Brain Bank. Funds should be used by each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) to support a brain banking program.

(6) Administration. Funds, as needed, may be used to cover administrative costs,

facility costs, and other costs commonly incurred by clinical, research, and educational programs according to the rules governing each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation).

Section 45. Payment of funds. The Comptroller shall disburse all funds appropriated to the Alzheimer's Disease Center Clinical Fund, the Alzheimer's Disease Center Expanded Clinical Fund, and the Alzheimer's Disease Center Independent Clinical Fund to the appropriate Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) as the funds are appropriated by the General Assembly and come due under this Act. The payment of these funds shall be made through the Department of Public Aid.

Section 50. Reporting requirements. Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) receiving payments from the Alzheimer's Disease Center Clinical Fund, the Alzheimer's Disease Center Expanded Clinical Fund, or the Alzheimer's Disease Center Independent Clinical Fund shall submit annual reports to the Department of Public Health and the ADA Advisory Committee.

Section 55. Payment methodology. The Department of Public Aid shall promulgate rules necessary to make payments to the Qualifying Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) utilizing a reimbursement methodology consistent with this Act for distribution of all moneys from the funds in a manner that would help ensure these funds could be matchable to the maximum extent possible under Title XIX of the Social Security Act.

Section 60. Reimbursements of payments by the State. Nothing in this Act may be used to reduce reimbursements or payments by the State to a Qualifying Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) under any other Act.

Section 65. Contravention of law. Funds received under this Act shall not be used in contravention of any law of this State.

Section 900. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-215 as follows:

(20 ILCS 2310/2310-215) (was 20 ILCS 2310/55.62)

Sec. 2310-215. Center for Minority Health Services.

(a) The Department shall establish a Center for Minority Health Services to advise the Department on matters pertaining to the health needs of minority populations within the State.

(b) The Center shall have the following duties:

(1) To assist in the assessment of the health needs of minority populations in the State.

(2) To recommend treatment methods and programs that are sensitive and relevant to the unique linguistic, cultural, and ethnic characteristics of minority populations.

(3) To provide consultation, technical assistance, training programs, and reference materials to service providers, organizations, and other agencies.

(4) To promote awareness of minority health concerns, and encourage, promote, and aid in the establishment of minority services.

(5) To disseminate information on available minority services.

(6) To provide adequate and effective opportunities for minority populations to express their views on Departmental policy development and program implementation.

(7) To coordinate with the Department on Aging and the Department of Public Aid to coordinate services designed to meet the needs of minority senior citizens.

(8) To promote awareness of the incidence of Alzheimer's disease and related dementias among minority populations and to encourage, promote, and aid in the establishment of prevention and treatment programs and services relating to this health problem.

(c) For the purpose of this Section, "minority" shall mean and include any person or group of persons who are:

(1) African-American (a person having origins in any of the black racial groups in Africa);

(2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);

(3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or

(4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

(Source: P.A. 91-239, eff. 1-1-00.)

Section 905. The State Finance Act is amended by adding Sections 5.625, 5.626, and 5.627 as follows:

(30 ILCS 105/5.625 new)

Sec. 5.625. The Alzheimer's Disease Center Clinical Fund.

(30 ILCS 105/5.626 new)

Sec. 5.626. The Alzheimer's Disease Center Expanded Clinical Fund.

(30 ILCS 105/5.627 new)

Sec. 5.627. The Alzheimer's Disease Center Independent Clinical Fund.

Section 910. The Alzheimer's Disease Assistance Act is amended by changing Sections 2, 6, and 7 as follows:

(410 ILCS 405/2) (from Ch. 111 1/2, par. 6952)

Sec. 2. Policy declaration. The General Assembly finds that Alzheimer's disease and related disorders are devastating health conditions which destroy certain vital cells of the brain and which affect an estimated 4,500,000 ~~4,500,000~~ Americans. This means that approximately 200,000 ~~444,000~~ Illinois citizens are victims. The General Assembly also finds that 50% of all nursing home admissions in the State may be attributable to the Alzheimer's disease and related disorders and that these conditions are the fourth leading cause of death among the elderly. It is the opinion of the General Assembly that Alzheimer's disease and related disorders cause serious financial, social and emotional hardships on the victims and their families of such a major consequence that it is essential for the State to develop and implement policies, plans, programs and services to alleviate such hardships.

The General Assembly recognizes that there is no known cause or cure of Alzheimer's disease at this time, and that it can progress over an extended period of time and to such a degree that the victim's deteriorated condition makes him or her susceptible to other medical disorders that generally prove fatal. It is the intent of the General Assembly, through implementation of this Act, to establish a program for the conduct of research regarding the cause, cure and treatment of Alzheimer's disease and related disorders; and, through the establishment of Regional Alzheimer's Disease Assistance Centers and a comprehensive, Statewide system of regional and community-based services, to provide for the identification, evaluation, diagnosis, referral and treatment of victims of such health problems.

(Source: P.A. 85-1209.)

(410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)

Sec. 6. ADA Advisory Committee. There is created the Alzheimer's Disease Advisory Committee consisting of 21 voting members appointed by the Director of the Department, as well as 5 nonvoting members as hereinafter provided in this Section. The Director or his designee shall serve as one of the 21 voting members and as the Chairman of the Committee. Those appointed as voting members shall include persons who are experienced in research and the delivery of services to victims and their families. Such members shall include 4 physicians licensed to practice medicine in all of its branches, one representative of a postsecondary educational institution which administers or is affiliated with a medical center in the State, one representative of a licensed hospital, one registered nurse, one representative of a long term care facility under the Nursing Home Care Act, one representative of an area agency on aging as defined by Section 3.07 of the Illinois Act on the Aging, one social worker, one representative of an organization established under the Illinois Insurance Code for the purpose of providing health insurance, 5 family members or representatives of victims of Alzheimer's disease and related disorders, and 4 members of the general public. Among the physician appointments shall be persons with specialties in the fields of neurology, family medicine, psychiatry and pharmacology. Among the general public members, at least 2 appointments shall include persons 65 years of age or older.

In addition to the 21 voting members, the Secretary of Human Services (or his or her designee) and one additional representative of the Department of Human Services designated by the Secretary plus the Directors of the following State agencies or their designees shall serve as nonvoting members: Department on Aging, Department of Public Aid, and Guardianship and Advocacy Commission.

Each voting member appointed by the Director of Public Health shall serve for a term of 2 years, and until his successor is appointed and qualified. Members of the Committee shall not be compensated but shall be reimbursed for expenses actually incurred in the performance of their duties. No more than 11 voting members may be of the same political party. Vacancies shall be filled in the same manner as original appointments.

The Committee shall review all State programs and services provided by State agencies that are directed toward persons with Alzheimer's disease and related dementias, and recommend changes to improve the State's response to this serious health problem.

(Source: P.A. 89-507, eff. 7-1-97.)

(410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

Sec. 7. Regional ADA center funding. Pursuant to appropriations enacted by the General Assembly, the Department shall provide funds to hospitals affiliated with each Regional ADA Center for necessary research and for the development and maintenance of services for victims of Alzheimer's disease and related disorders and their families. For the fiscal year beginning July 1, 2003, and each year thereafter, the Department shall effect payments under this Section to hospitals affiliated with each Regional ADA Center through the Illinois Department of Public Aid under the Excellence in Alzheimer's Disease Center Treatment Act. The Department of Public Aid shall annually report to the Advisory Committee established under this Act regarding the funding of centers under this Act. The Department shall include the annual expenditures for this purpose in the plan required by Section 5 of this Act.

(Source: P.A. 93-20, eff. 6-20-03.)

Section 999. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 2. Amend House Bill 4475, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 22, by replacing "Appropriations made to this Fund are" with "This Fund is"; and on page 2, line 28, by replacing "Appropriations made to this Fund are" with "This Fund is"; and on page 3, line 1, by replacing "Appropriations made to this Fund are" with "This Fund is".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4475 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 concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4403

A bill for AN ACT concerning vehicles.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4403

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4403 on page 1, line 5, by replacing "and 6-208" with "6-208, and 6-306.6"; and on page 23, below line 3, by inserting the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-306.6 as follows:

(625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)

Sec. 6-306.6. Failure to pay traffic fines, penalties, ~~or and~~ court costs.

(a) Whenever any resident of this State fails to pay any traffic fine, penalty, ~~or and~~ cost imposed for a violation of this Code, or similar provision of local ordinance, the clerk may notify the Secretary of State, on a report prescribed by the Secretary, and the Secretary shall prohibit the renewal, reissue or reinstatement of such resident's driving privileges until such fine, penalty, ~~or and~~ cost has ~~have~~ been paid in full. The clerk shall provide notice to the driver, at the driver's last known address as shown on the court's records, stating that such action will be effective on the 46th day following the date of the above notice if payment is not received in full by the court of venue.

(a-1) Whenever any resident of this State who has made a partial payment on any traffic fine, penalty, or cost that was imposed under a conviction entered on or after the effective date of this amendatory Act of the 93rd General Assembly, for a violation of this Code or a similar provision of a local ordinance, fails to pay the remainder of the outstanding fine, penalty, or cost within the time limit set by the court, the clerk may notify the Secretary of State, on a report prescribed by the Secretary, and the Secretary shall prohibit

the renewal, reissue, or reinstatement of the resident's driving privileges until the fine, penalty, or cost has been paid in full. The clerk shall provide notice to the driver, at the driver's last known address as shown on the court's records, stating that the action will be effective on the 46th day following the date of the notice if payment is not received in full by the court of venue.

(b) Following receipt of the report from the clerk, the Secretary of State shall make the proper notation to the driver's file to prohibit the renewal, reissue or reinstatement of such driver's driving privileges. Except as provided in paragraph (2) of subsection (d) of this Section, such notation shall not be removed from the driver's record until the driver satisfies the outstanding fine, penalty, ~~or and~~ cost and an appropriate notice on a form prescribed by the Secretary is received by the Secretary from the court of venue, stating that such fine, penalty, ~~or and~~ cost has been paid in full. Upon payment in full of a traffic fine, penalty, ~~or and~~ court cost which has previously been reported under this Section as unpaid, the clerk of the court shall present the driver with a signed receipt containing the seal of the court indicating that such fine, penalty, ~~or and~~ cost ~~has have~~ been paid in full, and shall forward forthwith to the Secretary of State a notice stating that the fine, penalty, ~~or and~~ cost ~~has have~~ been paid in full.

(c) The provisions of this Section shall be limited to a single action per arrest and as a post conviction measure only. Fines, penalty, ~~or and~~ costs to be collected subsequent to orders of court supervision, or other available court diversions are not applicable to this Section. ~~A driver making a partial payment of any outstanding fine, penalty, and cost is not a sufficient basis for the clerk to notify the Secretary for any subsequent action pursuant to this Section.~~

(d) (1) Notwithstanding the receipt of a report from the clerk as prescribed in subsection (a), nothing in this Section is intended to place any responsibility upon the Secretary of State to provide independent notice to the driver of any potential action to disallow the renewal, reissue or reinstatement of such driver's driving privileges.

(2) The Secretary of State shall renew, reissue or reinstate a driver's driving privileges which were previously refused pursuant to this Section upon presentation of an original receipt which is signed by the clerk of the court and contains the seal of the court indicating that the fine, penalty, ~~or and~~ cost ~~has have~~ been paid in full. The Secretary of State shall retain such receipt for his records.

(Source: P.A. 89-71, eff. 1-1-96.)"

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4403 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4371

A bill for AN ACT in relation to human rights.

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

Senate Amendment No. 3 to HOUSE BILL NO. 4371

Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 3 . Amend House Bill 4371 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Human Rights Act is amended by changing Section 1-103 as follows:

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in the armed forces of the United States, status as a current member of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)

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

The foregoing message from the Senate reporting Senate Amendment No. 3 to HOUSE BILL 4371 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 4318

A bill for AN ACT concerning visitation.
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. 4318
Senate Amendment No. 2 to HOUSE BILL NO. 4318
Passed the Senate, as amended, May 13, 2004.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4318 on page 1, after line 17, by inserting the following:

"(a-3) Nothing in subsection (a-5) of this Section shall apply to a child in whose interests a petition under Section 2-13 of the Juvenile Court Act of 1987 is pending."; and
on page 1, line 21, after "denial of visitation", by inserting "by a parent"; and
on page 2, line 4, after "the court", by inserting ", other than a Juvenile Court.".

AMENDMENT NO. 2. Amend House Bill 4318 on page 2, by deleting lines 10 through 14; and
on page 2, line 15, by replacing "(E)" with "(D)"; and
on page 2, line 19, by replacing "(F)" with "(E)".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4318 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 concurred with the House in the adoption of the following joint resolution, to-wit:
HOUSE JOINT RESOLUTION NO. 85
Concurred in the Senate, May 13, 2004.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:
HOUSE BILL NO. 307

A bill for AN ACT in relation to court fees.

HOUSE BILL NO. 4057

A bill for AN ACT concerning asbestos abatement.

HOUSE BILL NO. 4092

A bill for AN ACT concerning mental health.

HOUSE BILL NO. 4227
 A bill for AN ACT concerning economic development.
 HOUSE BILL NO. 4269
 A bill for AN ACT concerning identification.
 HOUSE BILL NO. 4285
 A bill for AN ACT concerning economic development.
 HOUSE BILL NO. 4302
 A bill for AN ACT in relation to tobacco products.
 HOUSE BILL NO. 4361
 A bill for AN ACT concerning higher education.
 HOUSE BILL NO. 4372
 A bill for AN ACT concerning military service.
 HOUSE BILL NO. 4393
 A bill for AN ACT concerning professional regulation.
 HOUSE BILL NO. 4469
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 4652
 A bill for AN ACT concerning electronic fund transfer terminals.
 HOUSE BILL NO. 4716
 A bill for AN ACT concerning taxes.
 HOUSE BILL NO. 4751
 A bill for AN ACT concerning criminal law.
 HOUSE BILL NO. 4769
 A bill for AN ACT concerning food animals.
 HOUSE BILL NO. 4790
 A bill for AN ACT concerning criminal law.
 HOUSE BILL NO. 4944
 A bill for AN ACT relating to schools.
 Passed by the Senate, May 13, 2004.

Linda Hawker, Secretary of the Senate

RESOLUTIONS

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

HOUSE RESOLUTION 922

Offered by Representative Rose:

WHEREAS, Dextromethorphan is a cough suppressant that is available, alone and in combination with other nonprescription medications, in syrup, pill, and softgel form in a wide variety of nonprescription products; and

WHEREAS, When taken in an amount much greater than the therapeutic dosage, dextromethorphan produces hallucinations and intoxication and acts as a disassociative anesthetic and a central nervous system depressant; ingredients used in cough medicines along with dextromethorphan, such as acetaminophen, are extremely hazardous when consumed in high doses and can cause liver damage, heart attack, stroke, and death; and

WHEREAS, Under street names such as "DXM", "robo", and "skittles", dextromethorphan abuse has become widespread among young people in Illinois and overdoses have resulted in seizures, comas, and fatalities; abusers sometimes use dextromethorphan in combination with illegal drugs; the problem grows as websites are created to advise prospective users how to ingest it as a recreational drug; and

WHEREAS, The federal Controlled Substances Act, at 21 USC 811(g)(2), provides that dextromethorphan shall not be deemed to be included in any schedule of controlled substances unless it is controlled pursuant to specified provisions of that Act; the Illinois Controlled Substances Act has a similar

provision at 720 ILCS 570/201(f); and

WHEREAS, A 1997 amendment to the federal Food, Drug and Cosmetic Act, at 21 USC 379r, provides that, with certain exceptions, no State may establish or continue in effect any requirement that relates to the regulation of a nonprescription drug that is different from or in addition to, or that is otherwise not identical with specified federal laws, and also provides that a State or political subdivision may apply to the Secretary of Health and Human Services for an exemption from those provisions if the requirement would protect an important public interest that would otherwise be unprotected, including the health and safety of children, would not cause any drug to be in violation of any applicable requirement or prohibition under federal law, and would not unduly burden interstate commerce; and

WHEREAS, A number of methods to address the problem of dextromethorphan abuse have been suggested, including: prohibiting the sale of products containing dextromethorphan to minors, limiting the quantity of products containing dextromethorphan that may be purchased at one time by any individual, requiring warning signs where products containing dextromethorphan are sold at retail, restricting the display of products containing dextromethorphan, and prohibiting the sale, over the Internet or or by any other means, of dextromethorphan powder that has been extracted from cough syrup; and

WHEREAS, Before deciding whether to take any action regarding this matter of public health concern, the General Assembly should have as much information as possible concerning the steps that must be taken to ensure that any action it may take would be enforceable and in conformity with any applicable federal requirements; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Department of Public Health is requested to communicate with appropriate federal agencies and submit a report to the General Assembly, no later than December 31, 2004, setting forth its findings as to whether any of the suggested methods to regulate products containing dextromethorphan, if enacted, would require any exemptions or waivers from the federal government in order to become enforceable on the State level; the Illinois Department of Public Health is further requested to include with its report copies of any communications with federal agencies concerning its findings; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of the Illinois Department of Public Health.

HOUSE RESOLUTION 923

Offered by Representative Sacia:

WHEREAS, In 1963, the State of Illinois was the first State in the nation to create a program for protecting rare natural areas, known as the Illinois Nature Preserves Commission; and

WHEREAS, The Illinois Nature Preserves Commission works to preserve, protect, and defend natural areas and endangered species habitat for the benefit of the public; and

WHEREAS, In the last 40 years, the Illinois Nature Preserves Commission has dedicated and had oversight for 321 nature preserves in 79 counties totaling 43,382 acres and 108 land and water reserves in 50 counties totaling 33,789 acres; and

WHEREAS, The General Assembly recognized the importance of creating a perpetual funding source for conservation efforts in 1989 by dedicating portions of the real estate transfer tax to the Open Space Lands Acquisition and Development Fund and the Natural Areas Acquisition Fund; and

WHEREAS, The Real Estate Transfer Tax Law requires 35% of the real estate transfer tax revenue be deposited into the Open Space Lands Acquisition and Development Fund; and

WHEREAS, The Real Estate Transfer Tax Law also requires 15% of the real estate transfer tax revenue be deposited into the Natural Areas Acquisition Fund; and

WHEREAS, The Open Space Lands Acquisition and Development Program is a grant program run by the Department of Natural Resources that provides a primary source of funding for local governments, forest preserve and conservation districts, and park districts for local land acquisition and facilities management and maintenance; and

WHEREAS, The Natural Areas Acquisition Fund directly funds the Illinois Nature Preserves Commission and the Natural Heritage Program, which employ biologists, environmental professionals, and support staff directly involved in the protection, management, and restoration of natural areas, endangered species, and critical wildlife habitat on public and private lands across Illinois; and

WHEREAS, Illinois ranks 47th in the nation in public open space per capita; and
 WHEREAS, Governor Blagojevich's proposed FY05 budget eliminates new funding for both the Open Space Lands Acquisition and Development Program and the Natural Areas Acquisition Fund; and
 WHEREAS, Eliminating funding for the Open Space Lands Acquisition and Development Program will eliminate grant funds for local land acquisition and maintenance; and
 WHEREAS, Eliminating funding for the Natural Areas Acquisition Fund will reduce the level of protection, maintenance, and restoration of open land and endangered species habitat in Illinois, which may result in a corresponding loss of biodiversity and habitat and a degradation of natural areas; therefore, be it
 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY, that the members of the House of Representatives urge the Governor to continue funding the Open Space Lands Acquisition and Development and Natural Areas Acquisition programs for the 2005 fiscal year; and be it further
 RESOLVED, That we urge the Governor to reconsider the idea of redirecting dedicated funding for the Open Space Lands Acquisition and Development Program and the Natural Areas Acquisition Fund to the General Revenue Fund; and be it further
 RESOLVED, That a suitable copy of this resolution be delivered to the Governor of the State of Illinois and the Director of Natural Resources.

HOUSE RESOLUTION 924

Offered by Representative Osterman:

WHEREAS, Each year in Illinois, violent acts claim the lives of many Illinois residents; the reduction of violence needs to be a priority for the State of Illinois; information related to the incidents of violent death can assist health care professionals, law enforcement officials, and other government officials in developing public policy to reduce violence against Illinois residents; and
 WHEREAS, The Center for Disease Control and Prevention is considering applications to expand the National Violent Death Reporting System (NVDRS); and
 WHEREAS, Data related to violent deaths are typically housed in multiple agencies and are not shared among agencies for analysis, resulting in incomplete information and a distorted understanding of local, state, and national issues related to violent deaths; and
 WHEREAS, The NVDRS brings together data from all agencies investigating violent deaths to allow the fullest possible understanding of trends in violent deaths from data that is already being collected; and
 WHEREAS, Since 2002 the Center for Disease Control and Prevention has funded 13 states in the first phase of development of the National Violent Death Reporting System and this year will fund 2 or 3 additional states; and
 WHEREAS, The Illinois Department of Public Health has agreed to participate in the 2004 application for funding, with the Chicago Department of Public Health taking the lead in the first phase of the Illinois Violent Death Reporting System (IVDRS) and the Child Health Data Lab at Children's Memorial Hospital playing a supporting role by evaluating the system and facilitating state-wide implementation; and
 WHEREAS, The Department of Public Health, the State Police, the Chicago Department of Public Health, the Chicago Police Department, the Cook County Medical Examiner, the Peoria County Sheriff, the Peoria County Coroner, the Winnebago County Coroner, the City of Rockford Police, and the Illinois Child Death Review Team have all agreed to participate in data sharing for the IVDRS; and
 WHEREAS, The purpose of the IVDRS is to establish a state-wide violent death reporting system to analyze deaths caused by homicide, suicide, unintentional firearm injuries, and acts of terrorism, and to develop and evaluate preventative measures as well as to identify emerging trends in violent deaths in Illinois; therefore, be it
 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Center for Disease Control and Prevention to grant funding for the Illinois Violent Death Reporting System; and be it further
 RESOLVED, That a suitable copy of this resolution be sent to the Center for Disease Control and Prevention.

HOUSE RESOLUTION 927

Offered by Representative Parke:

WHEREAS, Good health is essential to every citizen of the world and access to the highest standards of health information and services is necessary to improve public health; and

WHEREAS, The World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all the people of the world; and

WHEREAS, The Republic of China's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, the eradication of such infectious diseases as cholera, smallpox and the plague, and the first to eradicate polio and provide children with hepatitis B vaccinations; and

WHEREAS, In recent years the Republic of China has expressed a willingness to assist financially and technically in international health activities supported by the World Health Organization; and

WHEREAS, Direct, unobstructed participation in international health forums and programs is essential to limit the spread of various infectious diseases and improve world health; and

WHEREAS, Taiwan's participation in the World Health Organization could bring many benefits to the state of health not only in Taiwan, but also regionally and globally; and

WHEREAS, The United States, in the 1994 Taiwan Policy review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, The United States Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, Illinois continues to acknowledge and appreciate its important economic, educational, and cultural ties with Taiwan recognized through the establishment of sister-state relations with Taiwan since 1992; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support Taiwan's admission as an observer to the World Health Organization and expresses the belief that the Republic of China (Taiwan) should be permitted to participate in a meaningful and appropriate way in the World Health Organization; and be it further

RESOLVED, That a suitable copy of this resolution be sent to World Health Organization.

HOUSE RESOLUTION 928

Offered by Representative Krause:

WHEREAS, The Federal Railroad Administration (FRA) in its Interim Final Rule for the Use of Horns at Highway-Rail Crossings, using the conclusions of a statistical study by the research corporation Westat, Inc., implies that the collision risk at gated crossings in Northeastern Illinois where the train horn is not routinely sounded is 17.3% higher than gated crossings in the continental United States where the horn is sounded, and due to this factor, municipalities that want to maintain existing quiet crossings will have to invest in expensive supplemental safety measures to lower the risk to make up for the implied 17.3% differential that results from routine horn blowing, meaning that the total cost will likely exceed \$10 million to maintain the existing quiet; and

WHEREAS, The FRA admits, however, that the Westat results are not statistically significant at a conventional level (the result of having only a 69% confidence level, or a nearly one in three chance of not being relevant), bearing out the "puzzling Chicago anomaly" described in an FRA study in 2000; and

WHEREAS, A team of statistical experts from TransInfo LLC and the University of Illinois at Chicago, contracted to conduct an analysis of the Westat study, analyzed the Westat risk assessment data and procedures and confirmed that, according to the standard principles used in statistical inference, the FRA/Westat conclusions were not statistically significant, and TransInfo/UIC offered a variation of the Westat model that produced statistically significant results, determining that a more likely estimate of the risk of a collision at an existing quiet crossing in Northeastern Illinois is 26.4% lower, when compared to crossings in the continental United States where the horn is blown; and

WHEREAS, The TransInfo/UIC study concluded that "based on the FRA data, there is no reason to believe that in the Chicago Area banning the sounding of horns increases the chance of collisions at gated

public highway-rail grade crossings in northeastern Illinois"; and

WHEREAS, The FRA's Interim Final Rule will force municipalities to spend millions of dollars on measures at quiet crossings that are sufficiently safe by the FRA's own standard, and this would be a wasteful and ineffective result from a flawed analysis that lacks any statistical validity and would not serve to improve overall railroad crossing safety in Northeastern Illinois; and

WHEREAS, The Illinois Commerce Commission worked with the communities and the railroads of Northeastern Illinois in determining where it was appropriate to excuse the routine blowing of the horns, every quiet crossing has been equipped with a minimum level of active safety equipment, every quiet crossing has to maintain an acceptable safety record or ICC will rescind the excusal until appropriate safety measures are put into place, and the ICC, railroads, and communities have invested a significant amount of resources in addressing the highest risk crossings with the appropriate safety measures necessary to reduce the risk of future collisions; and

WHEREAS, A focus on education programs such as Operation Lifesaver has supplemented those efforts of the ICC, the communities, and the railroads, and this combination of factors is perhaps the most likely reason behind the FRA's self-described "puzzling Chicago anomaly" and provides a model on which to build a common sense alternative to the FRA's Interim Final Rule; and

WHEREAS, The statutory mandate behind the Interim Final Rule provides that the U.S.

Secretary of Transportation may except from the horn-sounding requirement "any categories of rail operations or categories of highway-rail grade crossings...that the Secretary determines not to present a significant risk with respect to loss of life or serious personal injury"; and

WHEREAS, Northeastern Illinois as a whole appears to present a category of highway-rail grade crossings that must be considered by the regulations as allowed for under the Secretary of Transportation's exception: a region with a significant concentration of existing quiet crossings overseen by a State program where the statistical risk of collisions at crossings where the locomotive horn is not routinely sounded is no greater than if the locomotive horn is routinely sounded, and this categorical exception could apply to other regions that are similarly situated; and

WHEREAS, An alternative crossing safety program for Northeastern Illinois would include the following elements: delegation to an appropriate State of the authority to implement and manage the regional program allowed under the Secretary of Transportation's exception; retention by the FRA of oversight of this program, with the FRA responsible for monitoring the program's effectiveness; retention by the FRA of authority to recommend adjustments if the program is determined to have a detrimental impact on crossing safety; State agency supervision of the creation of any quiet zone; delegation to the appropriate State agency of authority to establish acceptable safety thresholds, designate quiet zone status, and enforce quiet zones, including the authority to enforce railroad compliance with the quiet zone; input from the railroads, affected agencies, public authorities, and municipal officials in determining the establishment of a quiet zone; adequate warning signs at all quiet zone crossings; a requirement that all crossings within a quiet zone demonstrate a proven safety record, as defined by an acceptable relevant collision experience, such as the current ICC standard of no more than three relevant collisions over a five year period; limitations on the creation of individual quiet crossings; and a public service campaign to educate motorists and pedestrians as to the consequences of unsafe behavior at railroad crossings and to warn them that trains will not routinely sound horns as they approach crossings; and

WHEREAS, The FRA apparently has already established precedence for allowing the regional exception approach, having provided a separate treatment to the Florida communities impacted by Emergency Order 15, allowing them to establish quiet zones prior to the publication of the Interim Final Rule; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the FRA to apply the Secretary of Transportation's exception to the FRA Interim Final Rule to any region that includes a significant concentration of existing quiet crossings overseen by a State program under which the statistical risk of collisions at crossings where the locomotive horn is not routinely sounded is no greater than if the locomotive horn is routinely sounded; and be it further

RESOLVED, That we urge application of the Secretary of Transportation's exception to the FRA Interim Final Rule to existing quiet crossings in Northeastern Illinois; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the U.S. Secretary of Transportation, to the Administrator of the Federal Railroad Administration, and to each member of the Illinois congressional delegation.

HOUSE RESOLUTION 929

Offered by Representative Flider:

WHEREAS, Improvements in the energy efficiency of institutional buildings will provide short-term and long-term operating cost reductions, reduce the overall use of energy in Illinois, and improve building comfort; and

WHEREAS, Reducing the use of energy promotes the reduction of air pollution from power plants and green house emissions and saves important environmental resources; and

WHEREAS, Illinois' public universities should lead by example in promoting the implementation of cost-effective energy efficiency measures; and

WHEREAS, Public universities use more than 50% of the energy consumed by State government, therefore cost savings through improvements in energy efficiency and conservation could make additional funds available for education programs at universities; and

WHEREAS, The Public University Energy Conservation Act authorizes public universities to enter into guaranteed energy savings contracts or energy performance contracts for preliminary analyses, recommendations of energy conservation measures, implementation of these measures, and monitoring by the contractor of savings; and

WHEREAS, House Resolution 222 (2003) directed the Department of Commerce and Economic Opportunity (Department) to assess energy conservation measures taken at each of the State's public universities; after documenting energy consumption and cost data for each of the State's public universities since 1995, the Department concluded that the universities could save an estimated \$18 to \$25 million a year in energy costs; and

WHEREAS, The Department's principal recommendation, in its January 2004 Report to the General Assembly, is that the State's public universities should adopt a shared uniform total utility management plan to reliably track energy information and enable quick analysis for continuous efficiency and purchasing improvements; the implementation of such a plan would allow for easily identifiable improvements that would result in significant savings for the State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the State's public universities are encouraged, with the advice of the Department, to prepare an energy efficiency and conservation plan for their buildings that sets specific annual efficiency goals for 3-year periods; and be it further

RESOLVED, That we urge the State's public universities to cooperate with the State Board of Higher Education and Department of Commerce and Economic Opportunity to prepare a request for funding proposal to develop an energy efficiency and conservation plan for the State's public universities and then submit the proposal to the Illinois Clean Energy Community Trust for funding; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Director of the Commerce and Economic Opportunity, the Executive Director of the Illinois Board of Higher Education, the Executive Director of the Illinois Clean Energy Community Trust, and the Board of Trustees of each public university in the State.

HOUSE RESOLUTION 930

Offered by Representative Flowers:

WHEREAS, Falun Dafa practitioners observe the principles of truthfulness, compassion, and tolerance in their daily lives, striving to become better people in all environments and situations; and

WHEREAS, Falun Dafa has its roots in ancient Chinese practices of mind and body that promote the cultivation of body, mind, and spirit, inspiring millions of people through gentle exercise and efforts to develop their moral standards; and

WHEREAS, The practice of Falun Dafa should be allowed in all countries, and those countries that persecute against its practice are denying their people their basic human rights; and

WHEREAS, Practitioners are joyously celebrating the anniversary of Falun Dafa's introduction to the public on May 13, 1992; and

WHEREAS, On May 5, 2003, Practitioners from twelve midwest states came to the Federal Plaza in Chicago to celebrate World Falun Dafa Day; and

WHEREAS, On May 23, 2004, a regional conference will be held in Chicago for Practitioners from around the world; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the week of May 9-May 15, 2004 is designated as Falun Dafa Week; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Falun Dafa Practitioner, Hao Feng, as a token of our respect.

HOUSE RESOLUTION 931

Offered by Representative Flowers:

WHEREAS, Some 28 million school lunches are served up each weekday across the country; and

WHEREAS, Since 1990, more than 5,000 students and workers have gotten sick from eating what has been served in their lunchrooms; and

WHEREAS, There are growing questions about food safety in our nation's school cafeterias; and

WHEREAS, Health violations have included rats, mice, and roaches in cafeterias, meat not cooked at the right temperatures, foods not kept at the right temperatures on the food service lines, the presence of toxic materials, like those used for cleaning that are not labeled and properly stored, cafeteria workers not washing their hands, cafeteria workers with illnesses working on the serving lines, unclean food preparation area, utensils and equipments, and food unprotected from cross-contamination; and

WHEREAS, The Chicago Tribune has previously reported on problems in several Chicago schools; and

WHEREAS, NBC News has recently reported similar health problems in other school districts located in St. Louis, New York City, Washington D.C., Nashville, and San Diego; and

WHEREAS, Last year in response to this school health crisis, United States Senator Richard Durbin of Illinois introduced the Safe School Food Act into the United States Senate; and

WHEREAS, The Safe School Food Act calls for better training of cafeteria workers and higher standards for those who supply food to the school lunch program; and

WHEREAS, Taxpayer dollars are used to pay for school lunch programs and should not be used for programs that are substandard and lead to the illness of students; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we call upon the United States Congress to immediately pass the Safe School Food Act; and be it further

RESOLVED, That suitable copies of this resolution be sent to the Speaker of the U.S. House of Representatives, the President Pro Tempore of the Senate, and to each member of the Illinois congressional delegation.

HOUSE RESOLUTION 933

Offered by Representative Flowers:

WHEREAS, Falun Dafa practitioners observe the principles of truthfulness, compassion, and tolerance in their daily lives, striving to become better people in all environments and situations; and

WHEREAS, Falun Dafa has its roots in ancient Chinese practices of mind and body that promote the cultivation of body, mind, and spirit, inspiring millions of people through gentle exercise and efforts to develop their moral standards; and

WHEREAS, The practice of Falun Dafa should be allowed in all countries, and those countries that persecute against its practice are denying their people their basic human rights; and

WHEREAS, Practitioners are joyously celebrating the anniversary of Falun Dafa's introduction to the public on May 13, 1992; and

WHEREAS, On May 5, 2003, Practitioners from twelve midwest states came to the Federal Plaza in Chicago to celebrate World Falun Dafa Day; and

WHEREAS, On May 23, 2004, a regional conference will be held in Chicago for Practitioners from around the world; therefore, be it

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

ASSEMBLY OF THE STATE OF ILLINOIS, that the week of May 23-May 29, 2004 is designated as Falun Dafa Week; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Falun Dafa Practitioner, Hao Feng, as a token of our respect.

HOUSE RESOLUTION 934

Offered by Representative Flowers:

WHEREAS, The members of the Illinois House of Representatives recognize that Tuesday, May 18th is HIV Vaccine Awareness Day; and

WHEREAS, 46 million people around the world are living with HIV/AIDS; and

WHEREAS, The worldwide epidemic killed more than 3 million people this year and infected another 5 million with HIV; and

WHEREAS, There are more than 35,000 people living with HIV in Illinois; and

WHEREAS, Communities of color are disproportionately impacted by HIV/AIDS; and

WHEREAS, Community support for the development of an HIV vaccine is essential; and

WHEREAS, Thousands of volunteers, scientists, and health professionals are committed to finding a safe and effective HIV vaccine, and more than 12,000 individuals have already volunteered in HIV vaccine clinical trials; and

WHEREAS, We must educate Americans about the ongoing search for a vaccine to prevent the transmission of HIV and the critical need for such a vaccine; and

WHEREAS, Currently, there is no HIV vaccine available, but many scientists believe that a preventive HIV vaccine can be a reality; and

WHEREAS, A preventive HIV vaccine is a critical component of ending the AIDS pandemic; and

WHEREAS, A large scale HIV vaccine trial will require thousands more participants of all races and ethnicities, genders and socioeconomic backgrounds, to ensure that the vaccine is effective; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Tuesday, May 18, 2004, as HIV Vaccine Awareness Day, and commend the hard work of all scientists, community organizations, and individuals working to produce a vaccine and help bring about a world without AIDS.

HOUSE RESOLUTION 937

Offered by Representative Grunloh:

WHEREAS, Consideration is being given to introducing a new overlay area code in the 217 region of the State; and

WHEREAS, The Federal Communications Commission (FCC) currently requires 11-digit dialing when an overlay area code is implemented; and

WHEREAS, The FCC's 11-digit dialing mandate is a needless inconvenience for residential and business consumers; and

WHEREAS, Residents in the 217 region would be able to continue dialing 7 digits for all local calls if the FCC were to change its policy on mandatory 11-digit dialing in an overlay situation; and

WHEREAS, The FCC's mandatory 11-digit dialing policy could soon affect all the residents of Illinois, as the phone industry claims that every area code in the State will be out of telephone numbers by 2007; and

WHEREAS, On December 29, 2001, the FCC reversed its long-standing opposition to wireless-only overlays, signaling that the agency is potentially reconsidering its area code policies; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Federal Communications Commission to grant a permanent waiver of the 11-digit dialing mandate for the 217 region and to change its policy on overlay area codes; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Chairman of the FCC, the Chairman of the Illinois Commerce Commission, and each member of the Illinois congressional delegation.

HOUSE JOINT RESOLUTION 86

Offered by Representative Washington:

WHEREAS, Approximately 4,000,000 Africans and their descendants were enslaved in the United States and colonies that became the United States from 1619 to 1865; and

WHEREAS, The institution of slavery was constitutionally and statutorily sanctioned by the Government of the United States from 1789 through 1865; and

WHEREAS, The slavery that flourished in the United States constituted an immoral and inhumane deprivation of Africans' life, liberty, African citizenship rights, and cultural heritage, and denied them the fruits of their own labor; and

WHEREAS, Sufficient inquiry has not been made into the effects of the institution of slavery on living African-Americans and society in the United States; 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 there is established the Commission to Study the Transatlantic Slave Trade and its Past and Present Effects on African-Americans (hereinafter referred to as the Commission); and be it further

RESOLVED, That the Commission shall perform the following duties:

(1) Examine the institution of slavery which existed within the United States and the colonies that became the United States from 1619 through 1865; the Commission's examination shall include an examination of:

(A) the capture and procurement of Africans;

(B) the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport;

(C) the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; and

(D) the treatment of African slaves in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families;

(2) Examine the extent to which the Federal and State governments of the United States supported the institution of slavery in constitutional and statutory provisions, including the extent to which such governments prevented, opposed, or restricted efforts of freed African slaves to repatriate to their homeland;

(3) Examine Federal and State laws that discriminated against freed African slaves and their descendants during the period between the end of the Civil War and the present;

(4) Examine other forms of discrimination in the public and private sectors against freed African slaves and their descendants during the period between the end of the Civil War and the present;

(5) Examine the lingering negative effects of the institution of slavery and the matters described in paragraphs (1), (2), (3), and (4) on living African-Americans and on society in the United States;

(6) Recommend appropriate ways to educate the general public of the Commission's findings;

(7) Examine whether African-Americans still suffer from the lingering effects of the matters described in paragraphs (1), (2), (3), and (4); and be it further

RESOLVED, That the members of the Commission shall include the President of the Senate or his or her designee and the Speaker of the House of Representatives or his or her designee, each serving as co-chairpersons, the Governor or his or her designee, one vice-chairperson appointed by each of the co-chairpersons, and 25 appointed members, with the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives appointing 5 members each; and be it further

RESOLVED, That the appointed members shall be from diverse backgrounds so as to reflect the diverse citizenry of Illinois working together, and that their individual qualifications shall include varying educational, professional, and civic experiences that bring different perspectives and cooperative outlooks to the Commission; and be it further

RESOLVED, That the Commission shall broaden outreach by using established channels, including publicly-supported media and electronic, computer-assisted communication systems, and elicit voluntary assistance from educational, legal, civic, and professional organizations and institutions as well as notable individuals; and be it further

RESOLVED, That no later than February 1, 2006, the Commission shall report to the General Assembly, the Governor, and the general public on its activities, accomplishments, and recommendations; and that the Commission shall be dissolved after the filing of this report; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Governor of the State of Illinois.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 921

Offered by Representative Bost:

WHEREAS, The members of the House of Representatives of the State of Illinois were saddened to learn of the death of their former colleague, Senator Ralph Dunn, of DuQuoin, on Monday, May 3, 2004; and

WHEREAS, Ralph Dunn was born in 1914 in Pickneyville to Arthur and Florence Dunn; he graduated from Pickneyville High School in 1933; he married Ellen Fones in 1935; she preceded him in death in 1999; and

WHEREAS, Senator Dunn first became involved in politics when he worked in Chuck Percy's 1964 run for governor; in 1968, he was a delegate to the Republican National Convention; in 1969, he was elected to become a member of the Illinois Constitution Convention; at the convention, he fought for the right of Illinoisans to bear arms and to prevent efforts that allowed branch banking; and

WHEREAS, In 1972, Senator Dunn successfully ran for a seat in the House of Representatives, where he served from 1973 to 1984; he moved to the Senate in 1985 and served until his retirement in 1995; during his tenure as a legislator, Senator Dunn was most proud of helping to raise the drinking age to 21, protecting gun owner rights, and advocating for Southern Illinois University at Carbondale; and

WHEREAS, Senator Dunn and his two younger brothers started a ready-mix business, a trucking company, a car dealership, and owned a radio station; they were all pilots; and

WHEREAS, Senator Dunn was active in his local Cerebral Palsy chapter; he was known as a gentleman and for his willingness to stand up for what he believed in; and

WHEREAS, The passing of Senator Ralph Dunn has been deeply felt by many, especially his children, Reverend Jerry Dunn, Catherine Sunquist, Florence Dunn-O'Neal, and Janet Johnson; his brother James Dunn; and his numerous grandchildren and great-grandchildren; 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 Senator Ralph Dunn, our former colleague, and we extend our sincere condolences to his friends, family, and all who knew and loved him; and be it further

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

HOUSE RESOLUTION 925

Offered by Representative Joyce:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Gunde Iwersen-Burritt, a high school German teacher at Amos Alonzo Stagg High School in Palos Hills, on receiving the Lieutenant Governor's Award for Exemplary Teaching and Training from the Illinois Council on the Teaching of Foreign Languages; and

WHEREAS, Ms. Iwersen-Burritt has been a foreign language teacher at the school for the past four

years; she involves her students in cultural experiences as well as activities to promote language proficiency; every year Stagg high school German students visit the German Christmas Market and Chicago Brauhaus to enjoy crafts and food of the German culture; and

WHEREAS, She has organized trips to Germany for her German students and each year encourages her students to take the National German Examination; as a result, her students are able to compete and win a summer stipend for study in Germany; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Gunde Iwersen-Burritt on being honored by receiving the Exemplary Teaching and Training Award from the Illinois Council on the Teaching of Foreign Languages for recognition of her hard work and dedication; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Gunde Iwersen-Burritt as a token of our respect.

HOUSE RESOLUTION 926

Offered by Representative Joyce:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of former Chicago Police Captain Joseph Mullin on March 5, 2004; and

WHEREAS, Captain Mullin retired in 2001; he never forgot what it was like to be a police officer even though he had been a captain for many years; he took an active interest in what he was doing and never took his job or the people who worked for him for granted; and

WHEREAS, Captain Mullin was a charismatic leader, role model, and always in top physical form; he influenced many lives and will not be forgotten; and

WHEREAS, The passing of former Chicago Police Captain Joseph Mullin will be deeply felt by many, especially his wife of 48 years, Mary Ellen; his three children, Mary Jo, Joseph, and Donna; his seven grandchildren, Joseph, Kevin, Anne, Mandy, Matthew, Maura, and Emma; 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 Joseph Mullin 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 Joseph Mullin as an expression of our deepest sympathy.

HOUSE RESOLUTION 932

Offered by Representative Daniels:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of their former colleague State Representative William D. Walsh of Oak Brook on August 3, 2003; and

WHEREAS, William D. Walsh was born in Chicago on February 5, 1924; he valiantly served his country in the U.S. Navy during World War II; and

WHEREAS, Representative Walsh married the former Barbara Kennedy in 1948; he received a B.S. in Business Administration from Loyola University in Chicago in 1948; and

WHEREAS, Prior to his service in the legislature, Mr. Walsh worked as a sales representative for Burroughs Corporation (Unisys) in Chicago and as vice president of Alpine Plastic Bag in Chicago; he was a long-time partner in P.M. Walsh & Company in Oak Brook Terrace; in 1959, he was elected to the Memorial Park District Board of Commissioners; and

WHEREAS, Representative Walsh was elected for 10 terms to the Illinois House of Representatives and served from 1961 to 1981; during that time he filled many roles including Assistant Minority Leader, Assistant Majority Leader, and House Majority Leader; and

WHEREAS, Representative Walsh was known for his integrity and his knowledge of parliamentary procedure; he was a proponent of community-based treatment for the mentally ill; he played a leading role in the passage of the Regional Transportation Authority, the oversight board for regional mass transit; he

also sponsored legislation that made community colleges an integral part of the State's education system; he was named "Most Respected Legislator" in the Chicago Tribune poll of the House of Representative members in 1978; and

WHEREAS, Representative Walsh was a member of the Board of Directors of the Oak Trust and Savings Bank in Chicago, DuPage National Bank in West Chicago, the Regional Transportation Authority in Chicago, and was a member of the Prisoner Review Board from 1992 to 1998; and

WHEREAS, The passing of Representative William D. Walsh was deeply felt by many, especially his wife, Barbara; his sons, Thomas, William Jr., David, and Terrence; his daughters, Cynthia Cashen, Julie Doran, and Elizabeth Cullen; his brothers, John, Robert, and Richard; and his 10 grandchildren; his son, Peter, preceded him in death; 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 our former colleague, State Representative William D. Walsh, a man of integrity who was respected by his peers; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of William D. Walsh as an expression of our deepest condolences.

HOUSE RESOLUTION 935

Offered by Representatives Dunn and Meyer:

WHEREAS, In 1922, Walter Fredenhagen purchased a building at 324 S. Washington Street in Naperville and ran a coal and ice business that was later converted to a dairy and ice cream business; and

WHEREAS, In 1931, when Naperville's population grew to 6,000, Walter's wife Grace interviewed applicants to manage the ice cream shops he founded called "Prince Castles"; and

WHEREAS, The business known for its square scoops of ice cream and "one in a million" milkshakes grew to be the second largest employer in Naperville for a time; and

WHEREAS, In 1955, management began changing the names of the ice cream stores to Cock Robin; and in 1967, the thriving business had expanded to 25 locations and the Naperville store was renamed Cock Robin Restaurant; and

WHEREAS, In 1996, Rita Harvard and Ted Fredenhagen, children of Grace and Walter, contacted the city of Naperville with the idea to transfer their stock in exchange for building a park as a tribute to their parents for their inspiration and civic contributions; and

WHEREAS, At the end of 2000, while under independent management, the popular ice cream shop closed its doors; in 2001, the Cock Robin Sign was taken down to make way for the magical development of the gateway park; and

WHEREAS, The concept for the gateway park was designed, planned, and developed by the Riverwalk Commission with generous support from the community through donations to the Riverwalk Foundation; and

WHEREAS, Rita Harvard envisions a gathering place for the community where memories are made; and

WHEREAS, The Fredenhagen Park ribbon cutting took place on November 28, 2003, and the official dedication will be held May 22, 2004; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Rita Harvard and Ted Fredenhagen for their most generous contribution of the gateway park to the Naperville community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Rita Harvard and Ted Fredenhagen as a token of our respect.

HOUSE RESOLUTION 936

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to thank the SIU School of Dental Medicine in Alton for its participation in "Give Kids A Smile Day"; and

WHEREAS, "Give Kids A Smile Day" is a nationwide event sponsored by the American Dental Association; free dental treatment, including examinations, X-rays, cleanings, fluoride treatments, fillings,

and extractions, was provided; and

WHEREAS, Participants in the day included 10 faculty members, 54 dental students, and 19 staff members; in addition, 40 local dentists volunteered along with 34 members of their respective staffs, all serving 175 area children from 51 schools; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank the SIU School of Dental Medicine in Alton for its participation in "Give Kids A Smile Day"; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the SIU School of Dental Medicine in Alton as an expression of our respect and gratitude for the generosity of the many volunteers who participated in the event.

HOUSE RESOLUTION 938

Offered by Representative McCarthy:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Sr. Mary K. O'Brien, BVM, on the occasion of her retirement from St. Francis Xavier School in Wilmette after 25 dedicated years as principal; and

WHEREAS, We salute her for her dedication during her tenure at St. Francis Xavier showing commitment to the parish, to the countless young people she has so positively affected, and to the future of Catholic education; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we wish Sr. Mary K. O'Brien, BVM, a well deserved, happy and health retirement; and we wish her continued success as she determines how she will continue to serve the people of God; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Sr. Mary K. O'Brien, BVM, as a token of our respect and esteem.

HOUSE RESOLUTION 939

Offered by Representative McCarthy:

WHEREAS, The members of the Illinois House of Representatives wish to recognize David and Rose Rosenman who will both be celebrating their 100th birthdays in 2004; and

WHEREAS, David was born on August 15, 1904 and his wife, Rose, was born on December 10, 1904; they were married August 8, 1930 and have lived in Chicago for over 75 years; and

WHEREAS, David is a graduate of Columbia University's School of Pharmacy and Rose has spent her career as an executive secretary for the Sonnenschein law firm; and

WHEREAS, Their son, Robert, has had a successful law career in the State of Illinois and their daughter-in-law, Harriet, spent her entire career as a professor of English for the City Colleges of Chicago; their grandchildren Marc, Andrew, and Pamela have all graduated from universities with successful careers in medicine and law; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate David and Rose Rosenman on the occasion of their 100th birthdays and wish them good health and happiness in all their future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to David and Rose Rosenman as a token of our respect and esteem.

HOUSE RESOLUTION 940

Offered by Representative McCarthy:

WHEREAS, The members of the House of Representatives are pleased to congratulate the Tinley Park

Arts Alive Community Band on being selected to represent Illinois in the 2004 National Festival of the States World War II Memorial Dedication in Washington, D.C.; and

WHEREAS, The band will be participating in the national festival from May 27, 2004 to June 2, 2004, and they will perform at the World War II Memorial on the day of the dedication; and

WHEREAS, The Tinley Park Arts Alive Community Band was established in 1987 under the "Arts Alive!" program to encourage, promote, teach, and perform the fine arts; in addition to local concerts, the band performs annually at the Illinois State Fair and the Hobart, Indiana Summer Music Concert Series; the group has made 2 successful tours to Bűdingen, Germany, in conjunction with the Tinley Park/Bűdingen Sister Cities cultural exchange program; and

WHEREAS, Stephen J. Platko has directed the band since 1990; he has composed multiple scores for the group, Tinley Park, and other organizations; in 2000, he received the Studs Terkel Humanities Service Award; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Tinley Park Arts Alive Community Band on being selected to represent Illinois in the 2004 National Festival of the States World War II Memorial Dedication in Washington, D.C., and we wish them the best as they represent our State; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Tinley Park Arts Alive Community Band as an expression of our respect and esteem.

HOUSE RESOLUTION 941

Offered by Representative Tenhouse:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of Carlene Amanda Meinhardt Geisler of Mesa, Arizona, formerly of Quincy, on Wednesday, May 12, 2004; and

WHEREAS, Mrs. Geisler will be remembered as a great lady who gave of her resources and her heart to help the Quincy community and its children; some of her favorite causes included the Quincy YMCA and supporting young people and programs at Chaddock, Quincy Notre Dame High School, and Culver-Stockton College, where she served on the Board of Trustees since 1983; and

WHEREAS, Mrs. Geisler's giving reached far beyond financial contributions; she participated in the organizations that she believed in supporting; she and her husband, Harry, attended ball games at the YMCA, cheering and supporting young people, many of whom they knew by name; she was known as an advocate for the underdog; and

WHEREAS, Mrs. Geisler was a long-time supporter of Chaddock and had operated Grandma's Closet on the school campus as a way of distributing needed items to the students year-round; and

WHEREAS, Mrs. Geisler leaves behind a legacy of giving and a challenge to those left behind to step up and fill the gap that is left by her absence; and

WHEREAS, The passing of Carlene Amanda Meinhardt Geisler has been deeply felt by many, especially her husband, Harry; her daughter, Sharon Cushman; her grandchildren, Steven Cushman and his wife Laurie and Tamara Fatheree and her husband Arnold; her great-grandchildren, Jana, Jamie, Jennifer, Bridget, and Chelsie; and her sister, Ruth; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that together with her family, friends, and her community, we mourn the passing of Carlene Amanda Meinhardt Geisler, a woman whose continuing example of selfless service and devotion to the needs of others will be long remembered; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Carlene Amanda Meinhardt Geisler as an expression of our sincerest condolences during their time of bereavement.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Saviano, SENATE BILL 2252 was taken up and read by title a third time.

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

(ROLL CALL 2)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Saviano, SENATE BILL 2254 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
109, Yeas; 5, Nays; 0, Answering Present.

(ROLL CALL 3)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Coulson, SENATE BILL 2377 was taken up and read by title a third time.

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

(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Fritchey, SENATE BILL 2517 was taken up and read by title a third time.

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

(ROLL CALL 5)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Hassert, SENATE BILL 2559 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
111, Yeas; 0, Nays; 3, Answering Present.

(ROLL CALL 6)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Saviano, SENATE BILL 2887 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
112, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 7)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

RECALL

By unanimous consent, on motion of Representative John Bradley, SENATE BILL 2244 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Ryg, SENATE BILL 2901 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 3, Nays; 0, Answering Present.
(ROLL CALL 8)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Moffitt, SENATE BILL 3189 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 9)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Joseph Lyons, SENATE BILL 3021 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 10)

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

Ordered that the Clerk inform the Senate.

SENATE BILL ON SECOND READING

SENATE BILL 2270. Having been recalled on May 4, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Mendoza offered the following amendment and moved its adoption.

AMENDMENT NO. 1 . Amend Senate Bill 2270 on page 1, line 9, after "Department shall", by inserting "subject to appropriation and".

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was held on the order of Second Reading.

RECALL

By unanimous consent, on motion of Representative Joseph Lyons, SENATE BILL 2290 was recalled from the order of Third Reading to the order of Second Reading.

SENATE BILLS ON SECOND READING

SENATE BILL 2290. Having been recalled on earlier today, and held on the order of Second Reading, the same was again taken up.

On the Motion of Representative Joseph Lyons, Amendment No. 1 was ordered to lie on the table.

There being no further amendments, the bill was again advanced to the order of Third Reading.

SENATE BILL 2395. Having been recalled on May 13, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Eddy offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 2395, on page 1, line 17, by replacing "Holds (A)" with "~~Holds~~ (A) Holds"; and

on page 1, line 19, after "(B)", by inserting "holds"; and
on page 1, line 27, after "(C)", by inserting "holds or has applied for"; and
on page 1, by replacing line 29 with the following:

"~~Act and has completed an approved program.~~"; and
on page 2, by replacing lines 4 through 13 with the following:

~~"(3) Either (i) has completed a program of study before July 1, 2002 that includes course work and supervised clinical experience sufficient in breadth and depth to demonstrate knowledge and skills related to the specific problems, methods and procedures applicable to students with disabilities in a school setting serving ages 3 through 21 or (ii) meets the content area~~

standards for speech-language pathologists approved adopted by the State Board of Education, in consultation with the State Teachers Certification Board, (ii) has completed a program in another state, territory, or possession of the United States that is comparable to an approved program of study described in item (i), or (iii) holds a certificate issued by another state, territory, or possession of the United States that is comparable to the school service personnel certificate with a speech-language endorsement. If the requirements described in items (i), (ii), or (iii) of this paragraph (3) have not been met, a person must provide evidence that he or she has completed at least 150 clock hours of supervised experience in speech-language pathology with students with disabilities in a school setting; however, a person who lacks such experience may obtain interim certification as established by the Illinois State Board of Education, in consultation with the State Teacher Certification Board, and shall participate in school-based professional experience of at least 150 clock hours to meet this requirement."; and

on page 3, by replacing lines 13 through 22 with the following:

~~"(2) either (i) has completed a program of study prior to July 1, 2002 that includes course work and supervised clinical experience sufficient in breadth and depth to demonstrate knowledge and skills related to the specific problems, methods, and procedures applicable to students with disabilities in a school setting serving ages 3 to 21 or (ii) meets the content-area~~

standards for speech-language pathologists approved adopted by the State Board of Education, in consultation with the State Teacher Certification Board, (ii) has completed a program in another state, territory, or possession of the United States that is comparable to an approved program of study described in item (i), or (iii) holds a certificate issued by another state, territory, or possession of the United States that is comparable to the school service personnel certificate with a speech-language endorsement. If the requirements described in items (i), (ii), or (iii) of this paragraph (2) have not been met, a person must provide evidence that he or she has completed at least 150 clock hours of supervised experience in speech-language pathology with students with disabilities in a school setting; however, a

person who lacks such experience may obtain interim certification as established by the Illinois State Board of Education, in consultation with the State Teacher Certification Board, and shall participate in school-based professional experience of at least 150 clock hours to meet this requirement."; and on page 4, by replacing lines 6 through 9 with the following:

pursuant to a contract must ~~hold~~:

"(1) hold a speech-language pathology license under the Illinois Speech-Language Pathology and Audiology Practice Act or hold or have applied for a temporary license issued under Section 8.1"; and

on page 4, line 11, after "(2)", by inserting "hold"; and

on page 4, by replacing lines 30 through 32 with the following:

"by the Department certifying that his or her professional experience will be supervised by demonstrating that a licensed speech-language pathologist has agreed to supervise the professional experience of the applicant. A temporary license".

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 2607. Having been recalled on May 11, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Delgado offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 2607, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 10, by replacing lines 1 and 2 with the following:

"(H) As used in this Article, "school" means any public or private educational institution, including, but not limited to, any elementary or secondary school, trade or professional institution, or institution of higher education."; and

on page 10, by replacing lines 11 and 12 with the following:

"current address, current place of employment, and school attended. The sex offender or"; and

on page 11, lines 17 and 18, by deleting "institution of higher education"; and

by deleting line 34 of page 11 and lines 1 through 11 on page 12; and

on page 12, lines 15 and 16, by deleting "attendance at an institution of higher education"; and

on page 12, lines 20 and 21, by deleting "attendance at an institution of higher education".

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 2768. Having been printed, was taken up and read by title a second time.

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

Representative Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend Senate Bill 2768 by replacing everything after the enacting clause with the following:

"Section 5. The Assisted Living and Shared Housing Act is amended by changing Sections 10, 40, 55, 76, 110, and 125 as follows:

(210 ILCS 9/10)

Sec. 10. Definitions. For purposes of this Act:

"Activities of daily living" means eating, dressing, bathing, toileting, transferring, or personal hygiene.

"Advisory Board" means the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board.

"Assisted living establishment" or "establishment" means a home, building, residence, or any other place where sleeping accommodations are provided for at least 3 unrelated adults, at least 80% of whom are 55 years of age or older and where the following are provided consistent with the purposes of this Act:

- (1) services consistent with a social model that is based on the premise that the resident's unit in assisted living and shared housing is his or her own home;
- (2) community-based residential care for persons who need assistance with activities of daily living, including personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident;
- (3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or resident's representative; and
- (4) a physical environment that is a homelike setting that includes the following and such other elements as established by the Department in conjunction with the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board: individual living units each of which shall accommodate small kitchen appliances and contain private bathing, washing, and toilet facilities, or private washing and toilet facilities with a common bathing room readily accessible to each resident. Units shall be maintained for single occupancy except in cases in which 2 residents choose to share a unit. Sufficient common space shall exist to permit individual and group activities.

"Assisted living establishment" or "establishment" does not mean any of the following:

- (1) A home, institution, or similar place operated by the federal government or the State of Illinois.
- (2) A long term care facility licensed under the Nursing Home Care Act. However, a long term care facility may convert distinct parts of the facility to assisted living. If the long term care facility elects to do so, the facility shall retain the Certificate of Need for its nursing and sheltered care beds that were converted.
- (3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.
- (4) A facility for child care as defined in the Child Care Act of 1969.
- (5) A community living facility as defined in the Community Living Facilities Licensing Act.
- (6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.
- (7) A facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.
- (8) A supportive residence licensed under the Supportive Residences Licensing Act.
- (9) A life care facility as defined in the Life Care Facilities Act; a life care facility may apply under this Act to convert sections of the community to assisted living.
- (10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.
- (11) A shared housing establishment.
- (12) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Emergency situation" means imminent danger of death or serious physical harm to a resident of an establishment.

"License" means any of the following types of licenses issued to an applicant or licensee by the Department:

- (1) "Probationary license" means a license issued to an applicant or licensee that has not held a license under this Act prior to its application or pursuant to a license transfer in accordance with Section 50 of this Act.
- (2) "Regular license" means a license issued by the Department to an applicant or licensee that is in substantial compliance with this Act and any rules promulgated under this Act.

"Licensee" means a person, agency, association, corporation, partnership, or organization that has been issued a license to operate an assisted living or shared housing establishment.

"Licensed health care professional" means a registered professional nurse, an advanced practice nurse, a

physician assistant, and a licensed practical nurse.

"Mandatory services" include the following:

- (1) 3 meals per day available to the residents prepared by the establishment or an outside contractor;
- (2) housekeeping services including, but not limited to, vacuuming, dusting, and cleaning the resident's unit;
- (3) personal laundry and linen services available to the residents provided or arranged for by the establishment;
- (4) security provided 24 hours each day including, but not limited to, locked entrances or building or contract security personnel;
- (5) an emergency communication response system, which is a procedure in place 24 hours each day by which a resident can notify building management, an emergency response vendor, or others able to respond to his or her need for assistance; and
- (6) assistance with activities of daily living as required by each resident.

"Negotiated risk" is the process by which a resident, or his or her representative, may formally negotiate with providers what risks each are willing and unwilling to assume in service provision and the resident's living environment. The provider assures that the resident and the resident's representative, if any, are informed of the risks of these decisions and of the potential consequences of assuming these risks.

"Owner" means the individual, partnership, corporation, association, or other person who owns an assisted living or shared housing establishment. In the event an assisted living or shared housing establishment is operated by a person who leases or manages the physical plant, which is owned by another person, "owner" means the person who operates the assisted living or shared housing establishment, except that if the person who owns the physical plant is an affiliate of the person who operates the assisted living or shared housing establishment and has significant control over the day to day operations of the assisted living or shared housing establishment, the person who owns the physical plant shall incur jointly and severally with the owner all liabilities imposed on an owner under this Act.

"Physician" means a person licensed under the Medical Practice Act of 1987 to practice medicine in all of its branches.

"Resident" means a person residing in an assisted living or shared housing establishment.

"Resident's representative" means a person, other than the owner, agent, or employee of an establishment or of the health care provider unless related to the resident, designated in writing by a resident to be his or her representative. This designation may be accomplished through the Illinois Power of Attorney Act, pursuant to the guardianship process under the Probate Act of 1975, or pursuant to an executed designation of representative form specified by the Department.

"Self" means the individual or the individual's designated representative.

"Shared housing establishment" or "establishment" means a publicly or privately operated free-standing residence for ~~16~~ 12 or fewer persons, at least 80% of whom are 55 years of age or older and who are unrelated to the owners and one manager of the residence, where the following are provided:

- (1) services consistent with a social model that is based on the premise that the resident's unit is his or her own home;
- (2) community-based residential care for persons who need assistance with activities of daily living, including housing and personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident; and
- (3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or the resident's representative.

"Shared housing establishment" or "establishment" does not mean any of the following:

- (1) A home, institution, or similar place operated by the federal government or the State of Illinois.
- (2) A long term care facility licensed under the Nursing Home Care Act. A long term care facility may, however, convert sections of the facility to assisted living. If the long term care facility elects to do so, the facility shall retain the Certificate of Need for its nursing beds that were converted.
- (3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.
- (4) A facility for child care as defined in the Child Care Act of 1969.
- (5) A community living facility as defined in the Community Living Facilities Licensing Act.

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human Services as a community-integrated ~~community intergrated~~ living arrangement

as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the Supportive Residences Licensing Act.

(9) A life care facility as defined in the Life Care Facilities Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.

(11) An assisted living establishment.

(12) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

"Total assistance" means that staff or another individual performs the entire activity of daily living without participation by the resident.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/40)

Sec. 40. Probationary licenses. If the applicant has not been previously licensed under this Act or if the establishment is not in operation at the time the application is made and if the Department determines that the applicant meets the licensure requirements of this Act, the Department ~~shall~~ ~~may~~ issue a probationary license. A probationary license shall be valid for 120 days unless sooner suspended or revoked. Within 30 days prior to the termination of a probationary license, the Department shall fully and completely review the establishment and, if the establishment meets the applicable requirements for licensure, shall issue a license. If the Department finds that the establishment does not meet the requirements for licensure, but has made substantial progress toward meeting those requirements, the license may be renewed once for a period not to exceed 120 days from the expiration date of the initial probationary license.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/55)

Sec. 55. Grounds for denial of a license. An application for a license may be denied for any of the following reasons:

(1) failure to meet any of the standards set forth in this Act or by rules adopted by the Department under this Act;

(2) conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or if a corporation, the conviction of the corporation or any of its officers or stockholders, or of the person designated to manage or supervise the establishment, of a felony or of 2 or more misdemeanors involving moral turpitude during the previous 5 years as shown by a certified copy of the record of the court of conviction;

(3) personnel insufficient in number or unqualified by training or experience to properly care for the residents;

(4) insufficient financial or other resources to operate and conduct the establishment in accordance with standards adopted by the Department under this Act;

(5) revocation of a license during the previous 5 years, if such prior license was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant; or any affiliate of the individual applicant or controlling owner of the applicant and such individual applicant, controlling owner of the applicant or affiliate of the applicant was a controlling owner of the prior license; provided, however, that the denial of an application for a license pursuant to this Section must be supported by evidence that the prior revocation renders the applicant unqualified or incapable of meeting or maintaining an establishment in accordance with the standards and rules adopted by the Department under this Act; or

(6) the establishment is not under the direct supervision of a full-time director, as defined by rule.

The Department shall deny an application for a license if 6 months after submitting its initial application the applicant has not provided the Department with all of the information required for review and approval or the applicant is not actively pursuing the processing of its application. In addition, the Department shall determine whether the applicant has violated any provision of the Nursing Home Care Act.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/76)

Sec. 76. Vaccinations. ~~Pneumonia shots.~~

(a) Before a prospective resident's admission to an assisted living establishment or a shared housing establishment that does not provide medication administration as an optional service, the establishment shall advise the prospective resident to consult a physician to determine whether the prospective resident should obtain a vaccination against pneumococcal pneumonia or influenza, or both.

(b) An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall annually administer a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 or over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention determines that dates of administration other than those stated in this Section are optimal to protect the health of residents, the Department is authorized to adopt rules to require vaccinations at those times rather than the times stated in this Section. An establishment shall document in the resident's medication record that an annual vaccination against influenza was administered, refused, or medically contraindicated.

An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 or over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the establishment, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. An establishment shall document in each resident's medication record that a vaccination against pneumococcal pneumonia was offered and administered, refused, or medically contraindicated.

(Source: P.A. 92-562, eff. 6-24-02.)

(210 ILCS 9/110)

Sec. 110. Powers and duties of the Department.

(a) The Department shall conduct an annual unannounced on-site visit at each assisted living and shared housing establishment to determine compliance with applicable licensure requirements and standards. Additional visits may be conducted without prior notice to the assisted living or shared housing establishment.

(b) Upon receipt of information that may indicate the failure of the assisted living or shared housing establishment or a service provider to comply with a provision of this Act, the Department shall investigate the matter or make appropriate referrals to other government agencies and entities having jurisdiction over the subject matter of the possible violation. The Department may also make referrals to any public or private agency that the Department considers available for appropriate assistance to those involved. The Department may oversee and coordinate the enforcement of State consumer protection policies affecting residents residing in an establishment licensed under this Act.

(c) The Department shall establish by rule complaint receipt, investigation, resolution, and involuntary residency termination procedures. Resolution procedures shall provide for on-site review and evaluation of an assisted living or shared housing establishment found to be in violation of this Act within a specified period of time based on the gravity and severity of the violation and any pervasive pattern of occurrences of the same or similar violations.

(d) The Governor shall establish an Assisted Living and Shared Housing Standards and Quality of Life Advisory Board.

(e) The Department shall by rule establish penalties and sanctions, which shall include, but need not be limited to, the creation of a schedule of graduated penalties and sanctions to include closure.

(f) The Department shall by rule establish procedures for disclosure of information to the public, which shall include, but not be limited to, ownership, licensure status, frequency of complaints, disposition of substantiated complaints, and disciplinary actions.

(g) ~~(Blank). The Department shall cooperate with, seek the advice of, and collaborate with the Assisted Living and Shared Housing Quality of Life Advisory Committee in the Department on Aging on matters related to the responsibilities of the Committee. Consistent with subsection (d) of Section 125, the~~

~~Department shall provide to the Department on Aging for distribution to the committee copies of all administrative rules and changes to administrative rules for review and comment prior to notice being given to the public. If the Committee, having been asked for its review, fails to respond within 90 days, the rules shall be considered acted upon.~~

(h) Beginning January 1, 2000, the Department shall begin drafting rules necessary for the administration of this Act.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/125)

Sec. 125. Assisted Living and Shared Housing Standards and Quality of Life Advisory Board.

(a) The Governor shall appoint the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board which shall be responsible for advising the Director in all aspects of the administration of the Act. The Board shall give advice to the Department concerning activities of the assisted living ombudsman and all other matters deemed relevant by the Director and to the Director concerning the delivery of personal care services, the unique needs and concerns of seniors residing in housing projects, and all other issues affecting the quality of life of residents.

(b) The Board shall be comprised of the following persons:

- (1) the Director who shall serve as chair, ex officio and nonvoting;
- (2) the Director of Aging who shall serve as vice-chair, ex officio and nonvoting;
- (3) one representative each of the Departments of Public Health, Public Aid, and Human Services, ~~the Department on Aging~~, the Office of the State Fire Marshal, and the Illinois Housing Development Authority, and 2 representatives of the Department on Aging, all nonvoting members;
- (4) the State Ombudsman or his or her designee;
- (5) one representative of the Association of Area Agencies on Aging;
- (6) four members selected from the recommendations by provider organizations whose membership consist of nursing care or assisted living establishments;
- (7) one member selected from the recommendations of provider organizations whose membership consists of home health agencies;
- (8) two residents of assisted living or shared housing establishments;
- (9) three members selected from the recommendations of consumer organizations which engage solely in advocacy or legal representation on behalf of the senior population;
- (10) one member who shall be a physician;
- (11) one member who shall be a registered professional nurse selected from the recommendations of professional nursing associations; ~~and~~
- (12) two citizen members with expertise in the area of gerontology research or legal research regarding implementation of assisted living statutes; -
- (13) two members representing providers of community care services; and
- (14) one member representing agencies providing case coordination services.

(c) Members of the Board appointed under paragraphs (5) through (14) of subsection (b) created by this Act shall be appointed to serve for terms of 3 years except as otherwise provided in this Section. All members shall be appointed by January 1, 2001, except that the 2 members representing the Department on Aging appointed under paragraph (3) of subsection (b) and the members appointed under paragraphs (13) and (14) of subsection (b) shall be appointed by January 1, 2005. One third of the Board members' initial terms shall expire in one year; one third in 2 years, and one third in 3 years. Of the 3 members appointed under paragraphs (13) and (14) of subsection (b), one shall serve for an initial term of one year, one shall serve for an initial term of 2 years, and one shall serve for an initial term of 3 years. A member's term does not expire until a successor is appointed by the Governor. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of that term. The Board shall meet at the call of the Director. The affirmative vote of 10 ~~9~~ members of the Board shall be necessary for Board action. Members of this Board shall receive no compensation for their services, however, resident members shall be reimbursed for their actual expenses.

(d) The Board shall be provided copies of all administrative rules and changes to administrative rules for review and comment prior to notice being given to the public. If the Board, having been asked for its review, fails to advise the Department within 90 days, the rules shall be considered acted upon.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/130 rep.)

Section 6. The Assisted Living and Shared Housing Act is amended by repealing Section 130.

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

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 2845. Having been recalled on May 11, 2004, and held on the order of Second Reading, the same was again taken up.

Representative McGuire offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 2845, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, line 22, by replacing "Appropriations made to this Fund are" with "This Fund is"; and on page 2, line 28, by replacing "Appropriations made to this Fund are" with "This Fund is"; and on page 3, line 1, by replacing "Appropriations made to this Fund are" with "This Fund is".

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 2665. Having been read by title a second time on May 12, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Howard offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 2665 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Worker Adjustment and Retraining Notification Act.

Section 5. Definitions. As used in this Act:

(a) "Affected employees" means employees who may reasonably be expected to experience an employment loss as a consequence of a proposed plant closing or mass layoff by their employer.

(b) "Employment loss" means:

- (1) an employment termination, other than a discharge for cause, voluntary departure, or retirement;
- (2) a layoff exceeding 6 months; or
- (3) a reduction in hours of work of more than 50% during each month of any 6-month period.

"Employment loss" does not include instances when the plant closing or layoff is the result of the relocation or consolidation of part or all of the employer's business and, before the closing or layoff, the employer offers to transfer the employee to a different site of employment within a reasonable commuting distance with no more than a 6-month break in employment, or the employer offers to transfer the employee to any other site of employment, regardless of distance, with no more than a 6-month break in employment, and the employee accepts within 30 days of the offer or of the closing or layoff, whichever is later.

(c) "Employer" means any business enterprise that employs:

- (1) 75 or more employees, excluding part-time employees; or
- (2) 75 or more employees who in the aggregate work at least 4,000 hours per week (exclusive of hours of overtime).

(d) "Mass layoff" means a reduction in force which:

- (1) is not the result of a plant closing; and
- (2) results in an employment loss at the single site of employment during any 30-day period for:

(A) at least 33% of the employees (excluding any part-time employees) and at least 25 employees (excluding any part-time employees); or

(B) at least 250 employees (excluding any part-time employees).

(e) "Part-time employee" means an employee who is employed for an average of fewer than 20 hours per week or who has been employed for fewer than 6 of the 12 months preceding the date on which notice is required.

(f) "Plant closing" means the permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at the single site of employment during any 30-day period for 50 or more employees excluding any part-time employees.

(g) "Representative" means an exclusive representative of employees within the meaning of Section 9(a) or 8(f) of the National Labor Relations Act (29 U.S.C. 159(a), 158(f)) or Section 2 of the Railway Labor Act (45 U.S.C. 152).

Section 10. Notice.

(a) An employer may not order a mass layoff, relocation, or employment loss unless, 60 days before the order takes effect, the employer gives written notice of the order to the following:

(1) affected employees and representatives of affected employees; and

(2) the Department of Commerce and Economic Opportunity and the chief elected official of each municipal and county government within which the employment loss, relocation, or mass layoff occurs.

(b) An employer required to give notice of any mass layoff, relocation, or employment loss under this Act shall include in its notice the elements required by the federal Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

(c) Notwithstanding the requirements of subsection (a), an employer is not required to provide notice if a mass layoff, relocation, or employment loss is necessitated by a physical calamity or an act of terrorism or war.

(d) The mailing of notice to an employee's last known address or inclusion of notice in the employee's paycheck shall be considered acceptable methods for fulfillment of the employer's obligation to give notice to each affected employee under this Act.

(e) In the case of a sale of part or all of an employer's business, the seller shall be responsible for providing notice for any plant closing or mass layoff in accordance with this Section, up to and including the effective date of the sale. After the effective date of the sale of part or all of an employer's business, the purchaser shall be responsible for providing notice for any plant closing or mass layoff in accordance with this Section. Notwithstanding any other provision of this Act, any person who is an employee of the seller (other than a part-time employee) as of the effective date of the sale shall be considered an employee of the purchaser immediately after the effective date of the sale.

(f) An employer which is receiving State or local economic development incentives for doing or continuing to do business in this State may be required to provide additional notice pursuant to Section 15 of the Business Economic Support Act.

(g) The rights and remedies provided to employees by this Act are in addition to, and not in lieu of, any other contractual or statutory rights and remedies of the employees, and are not intended to alter or affect such rights and remedies, except that the period of notification required by this Act shall run concurrently with any period of notification required by contract or by any other law.

(h) It is the sense of the General Assembly that an employer who is not required to comply with the notice requirements of this Section should, to the extent possible, provide notice to its employees about a proposal to close a plant or permanently reduce its workforce.

Section 15. Exceptions.

(a) In the case of a plant closing, an employer is not required to comply with the notice requirement in subsection (a) of Section 10 if:

(1) the Department of Labor determines:

(A) at the time that notice would have been required, the employer was actively seeking capital or business; and

(B) the capital or business sought, if obtained, would have enabled the employer to avoid or postpone the relocation or termination; and

(C) the employer reasonably and in good faith believed that giving the notice required by subsection (a) of Section 10 would have precluded the employer from obtaining the needed capital or business; or

(2) the Department of Labor determines that the need for a notice was not reasonably foreseeable at the time the notice would have been required.

(b) To determine whether the employer was actively seeking capital or business, or that the need for notice was not reasonably foreseeable under subsection (a), the employer shall provide to the Department of Labor:

(1) a written record consisting of those documents relevant to the determination of whether the employer was actively seeking capital or business, or that the need for notice was not reasonably foreseeable; and

(2) an affidavit verifying the contents of the documents contained in the record.

(c) An employer is not required to comply with the notice requirement in subsection (a) of Section 10 if:

(1) the plant closing is of a temporary facility or the plant closing or layoff is the result of the completion of a particular project or undertaking, and the affected employees were hired with the understanding that their employment was limited to the duration of the facility or the project or undertaking; or

(2) the closing or layoff constitutes a strike or constitutes a lockout not intended to evade the requirements of this Act. Nothing in this Act shall require an employer to serve written notice when permanently replacing a person who is deemed to be an economic striker under the National Labor Relations Act (29 U.S.C. 151 et seq.). Nothing in this Act shall be deemed to validate or invalidate any judicial or administrative ruling relating to the hiring of permanent replacements for economic strikers under the National Labor Relations Act.

(d) An employer relying on this Section shall provide as much notice as is practicable and at that time shall provide a brief statement of the basis for reducing the notification period.

Section 20. Extension of layoff period. A layoff of more than 6 months which, at its outset, was announced to be a layoff of 6 months or less shall be treated as an employment loss under this Act unless:

(1) the extension beyond 6 months is caused by business circumstances (including unforeseeable changes in price or cost) not reasonably foreseeable at the time of the initial layoff; and

(2) notice is given at the time it becomes reasonably foreseeable that the extension beyond 6 months will be required.

Section 25. Determinations with respect to employment loss. In determining whether a plant closing or mass layoff has occurred or will occur, employment losses for 2 or more groups at a single site of employment, each of which is less than the minimum number of employees specified in subsection (d) or (f) of Section 5 of this Act but which in the aggregate exceed that minimum number, and which occur within any 90-day period shall be considered to be a plant closing or mass layoff unless the employer demonstrates that the employment losses are the result of separate and distinct actions and causes and are not an attempt by the employer to evade the requirements of this Act.

Section 30. Powers of Director of Labor.

(a) Pursuant to the Illinois Administrative Procedure Act, the Director of Labor shall prescribe such rules as may be necessary to carry out this Act. The rules shall, at a minimum, include provisions that allow the parties access to administrative hearings for any actions of the Department under this Act. The provisions of the Administrative Review Law, and the rules adopted pursuant thereto, apply to and govern all proceedings for the judicial review of decisions under this Act.

(b) In any investigation or proceeding under this Act, the Director of Labor has, in addition to all other powers granted by law, the authority to examine the books and records of an employer, but only to the extent to determine whether a violation of this Act has occurred.

(c) Except as provided in this Section, information obtained from any employer subject to this Act regarding the books, records, or wages paid to workers during the administration of this Act shall:

(1) be confidential;

(2) not be published or open to public inspection;

(3) not be used in any court in any pending action or proceeding; and

(4) not be admissible in evidence in any action or proceeding other than one arising out of this Act.

(d) No finding, determination, decision, ruling, or order (including any finding of fact, statement, or conclusion made therein) issued pursuant to this Act shall be admissible or used in evidence in any action other than one arising out of this Act, nor shall it be binding or conclusive except as provided in the Act, nor shall it constitute res judicata, regardless of whether the actions were between the same or related parties or involved the same facts.

(e) Any officer or employer of this State, any officer or employee of any entity authorized to obtain information pursuant to this Section, and any agent of this State or of such entity who, except with authority of the Director under this Section, discloses information is guilty of a Class B misdemeanor and is disqualified from holding any appointment or employment by the State.

(f) The Director of Labor has the authority to determine any liabilities or civil penalties under Section 35 and Section 40 of this Act.

Section 35. Violation; liability.

(a) An employer who fails to give notice as required by paragraph (1) of subsection (a) of Section 10 before ordering a mass layoff, relocation, or employment loss is liable to each employee entitled to notice who lost his or her employment for:

(1) Back pay at the average regular rate of compensation received by the employee during the last three years of his or her employment, or the employee's final rate of compensation, whichever is higher.

(2) The value of the cost of any benefits to which the employee would have been entitled had his or her employment not been lost, including the cost of any medical expenses incurred by the employee that would have been covered under an employee benefit plan.

(b) Liability under this Section is calculated for the period of the employer's violation, up to a maximum of 60 days, or one-half the number of days that the employee was employed by the employer, whichever period is smaller.

(c) The amount of an employer's liability under subsection (a) is reduced by the following:

(1) Any wages, except vacation moneys accrued before the period of the employer's violation, paid by the employer to the employee during the period of the employer's violation.

(2) Any voluntary and unconditional payments made by the employer to the employee that were not required to satisfy any legal obligation.

(3) Any payments by the employer to a third party or trustee, such as premiums for health benefits or payments to a defined contribution pension plan, on behalf of and attributable to the employee for the period of the violation.

(4) Any liability paid by the employer under federal law.

(d) Any liability incurred by an employer under subsection (a) of this Section with respect to a defined benefit pension plan may be reduced by crediting the employee with service for all purposes under such a plan for the period of the violation.

(e) If an employer proves to the satisfaction of the Director that the act or omission that violated this Act was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of this Act, the Director may in his or her discretion reduce the amount of liability provided for in this Section.

Section 40. Civil penalty.

(a) An employer who fails to give notice as required by paragraph (2) of subsection (a) of Section 10 is subject to a civil penalty of not more than \$500 for each day of the employer's violation. The employer is not subject to a civil penalty under this Section if the employer pays to all applicable employees the amounts for which the employer is liable under Section 35 within 3 weeks from the date the employer orders the mass layoff, relocation, or employment loss.

(b) The total amount of penalties for which an employer may be liable under this Section shall not exceed the maximum amount of penalties for which the employer may be liable under federal law for the same violation.

(c) Any penalty amount paid by the employer under federal law shall be considered a payment made under this Act.

(d) If an employer proves to the satisfaction of the Director that the act or omission that violated this Act was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of this Act, the Director may in his or her discretion reduce the amount of the penalty provided for in this Section.

Section 45. Advisory notice from Department of Commerce and Economic Opportunity. Before September 30 of each year, the Department of Commerce and Economic Opportunity, with the cooperation of the Department of Employment Security, must issue a written notice to each employer that reported to the Department of Employment Security that the employer paid wages to 75 or more individuals with respect to any quarter in the immediately preceding calendar year. The notice must indicate that the employer may be subject to this Act and must generally advise the employer about the requirements of this Act and the remedies provided for violations of this Act.

Section 50. Applicability. This Act applies to plant closings or relocations occurring on or after January 1, 2005.

Section 55. Interpretation. Whenever possible, this Act shall be interpreted in a manner consistent with the federal Worker Adjustment and Retraining Notification Act and the federal regulations and court decisions interpreting that Act to the extent that the provisions of federal and State law are the same.

(20 ILCS 1005/1005-60 rep.)

Section 85. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by repealing Section 1005-60.

Section 90. The Unemployment Insurance Act is amended by adding Section 500.1 as follows:

(820 ILCS 405/500.1 new)

Sec. 500.1. Illinois Worker Adjustment and Retraining Notification Act; federal Worker Adjustment and Retraining Notification Act. Benefits payable under this Act may not be denied or reduced because of the receipt of payments related to an employer's violation of the Illinois Worker Adjustment and Retraining Notification Act or the federal Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect January 1, 2005."

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 2982. Having been printed, was taken up and read by title a second time.

Representative Fritchey offered the following amendment and moved its adoption:

AMENDMENT NO. 1 . Amend Senate Bill 2982 on page 88, by deleting lines 23 through 27.

The motion prevailed and the amendment was adopted and ordered printed.

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

SENATE BILL 3211. Having been printed, was taken up and read by title a second time.

Representative Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 . Amend Senate Bill 3211, on page 2, by deleting lines 1 through 34; and on page 3, by deleting line 1.

The motion prevailed and the amendment was adopted and ordered printed.

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

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 3088, having been printed, was taken up for consideration.

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

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

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

(ROLL CALL 11)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3088.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 4705, having been printed, was taken up for consideration.

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

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

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

(ROLL CALL 12)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 4705.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 4837, having been printed, was taken up for consideration.

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

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

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

(ROLL CALL 13)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 4837.

Ordered that the Clerk inform the Senate.

RECALL

By unanimous consent, on motion of Representative Ryg, SENATE BILL 3013 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

SUSPEND POSTING REQUIREMENTS

Pursuant to the motion submitted previously, Representative Currie moved to suspend the posting requirements in Rule 25 in relation to Senate Bill 1648, 2299, 2496, 2908 and 2961.

The motion prevailed.

SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto was printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative McKeon, SENATE BILL 3207 was taken up and read by title a third time.

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

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

(ROLL CALL 14)

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

Ordered that the Clerk inform the Senate.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 925, 926, 935, 936, 938, 939, 940 and 941 were taken up for consideration. Representative Currie moved the adoption of the agreed resolutions. The motion prevailed and the Agreed Resolutions were adopted.

RESOLUTIONS

Having been reported out of the Committee on Housing & Urban Development on May 13, 2004, HOUSE RESOLUTION 412 was taken up for consideration.

The following amendment was offered in the Committee on Housing & Urban Development, adopted and printed:

AMENDMENT NO. 1. Amend House Resolution 412 on page 5, line 8, by changing "January 1, 2004" to "January 12, 2005".

Representative Younge offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Resolution 412 on page 4, line 12, by changing "5 members" to "6 members"; and on page 4, line 13, by changing "and 2" to "and 3".

The motion prevailed and the amendment was adopted and ordered printed.

Representative Younge moved the adoption of the resolution.

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

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

(ROLL CALL 15)

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

At the hour of 3:42 o'clock p.m., Representative Currie moved that the House do now adjourn until Tuesday, May 18, 2004, at 11:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

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

May 17, 2004

0 YEAS

0 NAYS

117 PRESENT

P Acevedo	P Delgado	P Kurtz	P Phelps
P Aguilar	P 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	P Mautino	P Ryg
P Black	P Franks	P May	P Sacia
P Boland	P Fritchey	P McAuliffe	P Saviano
P Bost	P Froehlich	P McCarthy	P Schmitz
P Bradley, John	P Giles	P McGuire	P Scully
P Bradley, Richard	P Gordon	P McKeon	P Slone
P Brady	P Graham	P Mendoza	P Smith
P Brauer	P Granberg	P Meyer	P Sommer
P Brosnahan	P Grunloh	P Miller	P Soto
P Burke	E 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

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2252
REGULATION OF PROFESSIONS-TECH
THIRD READING
PASSED

May 17, 2004

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2254
PROFESSIONS-TECH
THIRD READING
PASSED

May 17, 2004

109 YEAS

5 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2377
 HEALTH CR-APNS & PHYS ASST
 THIRD READING
 PASSED

May 17, 2004

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2517
 ACCESSIBLE ELECTRONIC INFO
 THIRD READING
 PASSED

May 17, 2004

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2559
SECURITIES LAW-SECURITY DEFINE
THIRD READING
PASSED

May 17, 2004

111 YEAS

0 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2887
 REAL ESTATE LIC-CONTINUING ED
 THIRD READING
 PASSED

May 17, 2004

112 YEAS

2 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2901
CONS FRAUD DECEP BUS-GIFT CERT
THIRD READING
PASSED

May 17, 2004

111 YEAS

3 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 3189
 VEH CD-9/11 LICENSE PLATES
 THIRD READING
 PASSED

May 17, 2004

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 3021
FIN REG-CREDIT UNIONS
THIRD READING
PASSED

May 17, 2004

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3088
PRIV BUS-VOC SCHOOLS-EXEMPTION
MOTION TO CONCUR IN SENATE AMENDMENT NO.1
CONCURRED

May 17, 2004

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4705
CTY CD-MUNI CD-REBATE OCC TAX
MOTION TO CONCUR IN SENATE AMENDMENT NO.1
CONCURRED

May 17, 2004

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4837
 DAGING-RESIDENTIAL FACILITIES
 MOTION TO CONCUR IN SENATE AMENDMENT NO.1
 CONCURRED

May 17, 2004

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 3207
 ATTY GEN-ENVIRONMENT LITIGATION
 THIRD READING
 PASSED

May 17, 2004

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 412
HOMELESS RIGHTS-TASK FORCE
ADOPTED

May 17, 2004

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence