

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

51ST LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, MAY 17, 2005

12:35 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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51st Legislative Day**

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The House met pursuant to adjournment.
Speaker of the House Madigan in the chair.
Prayer by Reverend Dr. William Grice III, with First Congregation Church of Des Plaines in Des Plaines, IL.

Representative Bellock led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
116 present. (ROLL CALL 1)

By unanimous consent, Representatives Feigenholtz and McKeon were excused from attendance.

REPORTS

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

Compliance Examination for Department of Veterans' Affairs - Central Office, submitted by Office of the Auditor General.

Financial Audit for Industrial Commission Self-Insurers' Security Nonshared Proprietary Fund, submitted by Office of the Auditor General.

Compliance Examination for Department of Veterans' Affairs Illinois Veterans' Home at Anna, submitted by Office of the Auditor General.

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

Special Limited Scope Compliance Examination for Southwest Illinois Development Authority, submitted by Office of the Auditor General.

Compliance Examination for Illinois Veterans' Home at Mateno, submitted by Office of the Auditor General.

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

Financial Audit for Regional Office of Education #20, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #40, submitted by Office of the Auditor General.

Compliance Examination for Department of Veterans' Affairs - Illinois Veterans' Home at LaSalle, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #39, submitted by Office of the Auditor General.

Compliance Examination for Department of Veterans' Affairs - Illinois Veterans' Home at Quincy, submitted by Office of the Auditor General.

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

Compliance Examination for Office of the State Fire Marshal, submitted by Office of the Auditor General.

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

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

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

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

Financial Audit and Compliance Examination for Illinois Medical District Commission, submitted by Office of the Auditor General.

Compliance Examination for Department on Aging, submitted by Office of the Auditor General.
Financial Audit for Regional Office of Education #54, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for Department of Insurance, submitted by Office of the Auditor General.

Compliance Examination for University of Illinois Foundation, submitted by Office of the Auditor General.

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

Compliance Examination for University of Illinois, submitted by Office of the Auditor General.

Supplementary Financial Information for University of Illinois, submitted by Office of the Auditor General.

Financial Audits for University of Illinois, University of Illinois Auxiliary Facilities System, University of Illinois Willard Airport Facility, & University of Illinois Health Services Facilities System, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for Prairieland Energy, Inc., submitted by Office of the Auditor General.

Compliance Examination for University of Illinois Alumni Association, submitted by Office of the Auditor General.

Financial Statements for University of Illinois Alumni Association, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for Illinois Ventures, LLC, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for University of Illinois Research Park, LLC, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for Wolcott, Wood, and Taylor, Inc., submitted by Office of the Auditor General.

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

Financial Audit for Sangamon County Regional Office of Education #51, submitted by Office of the Auditor General.

Financial Audit for Tazewell County Regional Office of Education #53, submitted by Office of the Auditor General.

Compliance Examination for Illinois Finance Authority, submitted by Office of the Auditor General.

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

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

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

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

Financial Audit & Compliance Examination for Capital Development Board, submitted by Office of the Auditor General.

Compliance Examination for Department of Financial Institutions, submitted by Office of the Auditor General.

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

Compliance Examination for Department of Commerce & Economic Opportunity, submitted by Office of the Auditor General.

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

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

Compliance Examination for Historic Preservation Agency, submitted by Office of the Auditor General.

Compliance Examination for Sex Offender Management Board, submitted by Office of the Auditor General.

Compliance Examination for Office of the Comptroller - Nonfiscal Office Responsibilities, submitted by Office of the Auditor General.

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

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

Management Audit for Illinois School District Liquid Asset Fund Plus, submitted by Office of the Auditor General.

Compliance Examination for Illinois Building Commission, submitted by Office of the Auditor General.

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

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

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

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

Compliance Examination for Judges' Retirement System of Illinois, submitted by Office of the Auditor General.

Compliance Examination for Illinois State Board of Investment, submitted by Office of the Auditor General.

Compliance Examination for State Employees' Retirement System of Illinois, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #27, submitted by Office of the Auditor General.

Compliance Examination for State Universities Retirement System, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #46, submitted by Office of the Auditor General.

Compliance Examination for Teachers' Retirement System of the State of Illinois, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #31, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #56, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #14, submitted by Office of the Auditor General.

Financial Audit for Regional Office of Education #55, submitted by Office of the Auditor General.

Compliance Examination for General Assembly Retirement System, submitted by Office of the Auditor General.

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

Compliance Examination for Central Management Services, submitted by Office of the Auditor General.

Financial Audit for Central Management Services, submitted by Office of the Auditor General.

Report on CMS Responses & Auditor Generals Comments on the Compliance Examination of Central Management Services, submitted by Office of the Auditor General.

CMS Attachments to CMS Responses to Compliance Examination of Central Management Services, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Stateville Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Jacksonville Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Pinckneyville Correctional Center, submitted by Office of the Auditor General.

Compliance Examination & Department-Wide Financial Audit for Department of Corrections, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Tamms Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois River Correctional Center, submitted by Office of the Auditor General.

Financial Audit & Compliance Examination for Department of Corrections - Correctional Industries, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Danville Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Joliet, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Vandalia Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for East Moline Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Big Muddy Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Warrenville, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Sheridan Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Dwight Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Dixon Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Robinson Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Harrisburg, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Henry C. Hill Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Kewanee, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Menard Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Western Illinois Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Decatur Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Logan Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Pere Marquette, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for John A. Graham Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Lincoln Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Southwestern Illinois Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination For Shawnee Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - St. Charles, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Vienna Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Chicago, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Taylorville Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Centralia Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Pontiac Correctional Center, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Illinois Youth Center - Murphysboro, submitted by Office of the Auditor General.

Limited Scope Compliance Examination for Lawrence Correctional Center, submitted by Office of the Auditor General.

Supplemental Digest for Department of Corrections, submitted by Office of the Auditor General.

Traditional Budgetary Financial Report, submitted by Office of the Comptroller.

IJIS 2005 Annual Report, submitted by Illinois Integrated Justice Information System.

Report on the Reorganization of the Illinois Building Commission and the Capital Development Board, submitted by Capital Development Board.

Report on the Consolidation & Reorganization Activities, submitted by Department of Central Management Services.

Report on the Consolidation and Reorganization Activities, submitted by Department of Central Management Services.

Update on Progress of The Newly Formed Illinois Long Term Care Council, submitted by Public Action Foundation.

Revised FY 2006 Revenue Estimate, submitted by Commission on Government Forecasting & Accountability.

Monthly Briefing, April 2005, submitted by Commission on Government Forecasting & Accountability.

Biennial Report, 2003-2004, submitted by Legislative Information System.

Report on the City of Carmi - Phase III Flood Hazard mitigation Project, April 2005, submitted by Department of Natural Resources.

FY 2006 GAAP Report, submitted by Commission on Government Forecasting & Accountability.

Report on the Consolidation & Reorganization Activities, submitted by Department of Central Management Services.

Report on Abolished Entities, submitted by Department of Central Management Services.

Waivers of School Code Mandates: Spring 2005 Summary, submitted by State Board of Education.

FY 2006-2011 Proposed Highway Improvement Program Report, submitted by Department of Transportation.

2004 Annual Report, submitted by Illinois State Toll Highway Authority.

Report on Human Services Plan, FY 2005-2006, submitted by Department of Human Services.
2004 Annual Report, submitted by Legislative Audit Commission.

Illinois Child Care Report, FY 2004, submitted by Department of Human Services.

Construction Progress & Quality Control Report, May 2004, submitted by Metropolitan Pier & Exposition Authority.

Annual Report Summary, January 2005, submitted by Department of Central Management Services.

Quarterly Report, April 2005, submitted by Department of Corrections - Adult & Juvenile Facilities.

2003 Annual Report, submitted by State Rehabilitation Council.

Quarterly Report, January-March, submitted by Office of the Legislative Inspector General.

Certification for Designation - Takeda Pharmaceuticals North America, Inc., submitted by Department of Commerce & Economic Opportunity.

Title XX Social Services Block Grant Expenditures Report, FY 2004, submitted by Department of Human Services.

2004 Annual Report, submitted by Illinois Motor Vehicle Theft Prevention Council.

Annual Report of Medical Assistance Report, FY 2002-2004, submitted by Department of Public Aid.

FY 2006 Human Services Plan, submitted by Department of Public Aid.

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Medicaid Managed Care Task Force Recommendation #3 Report, submitted by Department of Public Aid.

Cost Analysis Status Report, March 2005, submitted by Department of Public Aid.

2004 Annual Report, submitted by Office of the Illinois State Fire Marshal.

Illinois Wine 2003 Accomplishment Report, submitted by Department of Commerce & Economic Opportunity.

Annual Report, 2003-2004, submitted by African-American Family Commission.

"State of The African-American Family" Symposium, submitted by African-American Family Commission.

Social & Economic Profile of African-Americans in Illinois, March 2004, submitted by African-American Family Commission.

School Finance Authority Annual Report & Plan, January 2005, submitted by Round Lake Area Schools District 116 School Finance Authority.

Round Lake SD 116 Enrollment Projection, 2003-04, submitted by Information Management Systems.

Auditor's Report on Round Lake Schools Community Unit District #116, submitted by Independent Auditor.

2005 First Quarter Procurement Activity Report, Oct-Dec. 2004, submitted by Metropolitan Pier & Exposition Authority.

Flex Time Annual Report, 2004, submitted by Department of Central Management Services.

LETTERS OF TRANSMITTAL

May 13, 2005

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 Final Action Deadline to May 27, 2005 for the following Senate Bills:

Senate Bills: 13, 17, 61, 122, 176, 357, 409, 417, 478, 1493, and 1977.

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 16, 2005

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 Final Action Deadline to May 31, 2005 for the following House and Senate Bills:

House Bills: 1038, 1098, 1666, 1731, 1752, 1812, 1813, 1871, 1921, 2048, 2065, 2133, 2414, 3031, 3464, 3767, and 3871.

Senate Bills: 201, 244, 274, 468, 502, 530, 553, 599, 662, 1701, 1740, 1828, 1853, 1883, 1909, 1930, 1968, and 2082.

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, 2005

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 Final Action Deadline to May 31, 2005 for the following Senate Bill:

Senate Bill: 69.

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

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lang replaced Representative Turner in the Committee on Rules on May 17, 2005.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 17, 2005, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bill be reported “approved for consideration” and be placed on the order of Second Reading--Short Debate: HOUSE BILL 1921.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE AMENDMENT No. 1 to HOUSE BILL 1666; HOUSE BILL 4078.
Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2048.
State Government Administration: HOUSE AMENDMENT No. 6 to HOUSE BILL 1038.

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

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

Y Currie(D), Chairperson
Y Hannig(D)
Y Lang(D)(replacing Turner)

N Black(R), Republican Spokesperson
N Hassert(R)

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 6, 7, 14, 16, 21, 26, 27, 30, 36, 41, 67, 86, 90, 93, 94, 96, 97, 99, 110, 157, 183, 184, 185, 192, 200, 204, 205, 208, 215, 230, 244, 245, 251, 262, 263, 272, 273, 274, 279, 293, 300, 304, 316, 318, 319, 320, 331, 334, 336, 339, 355, 380, 419, 429, 446, 458, 468, 470, 475, 500, 502, 505, 508, 513, 514, 518, 530, 542, 553, 555, 558, 564, 565, 569, 581, 582, 599, 610, 612, 615, 659, 660, 661, 662, 676, 716, 760, 761, 766, 770, 840, 850, 853, 892, 1120, 1208, 1296, 1325, 1355, 1435, 1442, 1445, 1446, 1449, 1453, 1465, 1466, 1479, 1485, 1494, 1503, 1505, 1620, 1622, 1623, 1624, 1625, 1647, 1661, 1670, 1675, 1681, 1682, 1683, 1684, 1693, 1696, 1697, 1701, 1705, 1707, 1708, 1709, 1711, 1712, 1714, 1715, 1727, 1739, 1740, 1741, 1753, 1767, 1792, 1827, 1828, 1833, 1843, 1850, 1865, 1879, 1883, 1888, 1889, 1894, 1895, 1908, 1909, 1911, 1912, 1914, 1930, 1944, 1949, 1955, 1959, 1964, 1965, 1966, 1968, 1969, 1971, 1972, 1983, 1989, 2015, 2030, 2038, 2049, 2053, 2071, 2072, 2075, 2078, 2082, 2084, 2088, 2094, 2095 and 2111.

**MOTIONS
SUBMITTED**

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

MOTION

Pursuant to Rule 58(a), I move to discharge the Committee on Rules from further consideration of SENATE BILL 251 and advance to the order of Second Reading-Standard Debate.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 2 to House Bill No. 4074 failed in the House on May 17, 2005.

Representative Osmond 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 316.

Representative Dunn 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 3648.

Representative Burke 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 1445.

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for SENATE BILL 1863.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 3767, as amended, and 4074.

LAND CONVEYANCE APPRAISAL NOTE SUPPLIED

A Land Conveyance Appraisal Note has been supplied for HOUSE BILL 2928.

HOME RULE NOTE SUPPLIED

A Home Rule Note has been supplied for HOUSE BILL 4074.

REQUEST FOR FISCAL NOTE

Representative Phelps requested that a Fiscal Note be supplied for SENATE BILL 1654.

Representative Eddy requested that a Fiscal Note be supplied for SENATE BILL 575.

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 1487

A bill for AN ACT concerning education.

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. 1487

Passed the Senate, as amended, May 16, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1487 as follows:
on page 1, line 24, after "college", by inserting the following: "Also beginning on July 1, 2005, one of the 11 members appointed by the Governor, by and with the advice and consent of the Senate, must be a member of the board of trustees of a public community college district. The membership requirements set forth in this Section apply only to the State Board and shall have no effect on the membership of the board of trustees of a community college district."; and
on page 2, line 11, by replacing "college," with "college".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1487 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 1517

A bill for AN ACT concerning remains.

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. 1517

Passed the Senate, as amended, May 16, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1517, on page 3, immediately below line 17, by inserting the following:

"If the disposition of my remains is by cremation, then:

() I do not wish to allow any of my survivors the option of canceling my cremation and selecting alternative arrangements, regardless of whether my survivors deem a change to be appropriate.

() I wish to allow only the survivors I have designated below the option of canceling my cremation and selecting alternative arrangements, if they deem a change to be appropriate:"; and

on page 7, by replacing line 2 with the following:

"will, a prepaid funeral or burial contract, a cremation authorization form that complies with the Crematory Regulation Act, or in a".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1517 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 in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 1458

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1486

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 1500

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1523

A bill for AN ACT concerning civil procedure.

HOUSE BILL NO. 1527
A bill for AN ACT in relation to public employee benefits.
HOUSE BILL NO. 1529
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1540
A bill for AN ACT concerning education.
HOUSE BILL NO. 1549
A bill for AN ACT concerning public health.
HOUSE BILL NO. 1550
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1569
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1575
A bill for AN ACT concerning agriculture.
HOUSE BILL NO. 1633
A bill for AN ACT concerning business.
HOUSE BILL NO. 1971
A bill for AN ACT concerning elections.
HOUSE BILL NO. 2241
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2260
A bill for AN ACT concerning government.
HOUSE BILL NO. 2341
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 2348
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 2375
A bill for AN ACT concerning insurance.
HOUSE BILL NO. 2411
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 2435
A bill for AN ACT concerning education.
HOUSE BILL NO. 2441
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 2445
A bill for AN ACT concerning missing children.
HOUSE BILL NO. 2460
A bill for AN ACT concerning child labor.
HOUSE BILL NO. 2490
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 2510
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 2525
A bill for AN ACT concerning business.
HOUSE BILL NO. 2547
A bill for AN ACT concerning human rights.
HOUSE BILL NO. 2550
A bill for AN ACT concerning recreation.
HOUSE BILL NO. 2564
A bill for AN ACT concerning elections.
HOUSE BILL NO. 2566
A bill for AN ACT concerning veterans.
HOUSE BILL NO. 2572
A bill for AN ACT concerning safety.
HOUSE BILL NO. 2580
A bill for AN ACT concerning utilities.
HOUSE BILL NO. 2589

A bill for AN ACT concerning education.
HOUSE BILL NO. 2594
A bill for AN ACT concerning business.
HOUSE BILL NO. 2689
A bill for AN ACT concerning counties.
HOUSE BILL NO. 2696
A bill for AN ACT concerning business.
Passed by the Senate, May 16, 2005.

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 of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 3048
A bill for AN ACT concerning regulation.
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. 3048
Passed the Senate, as amended, May 16, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 3048 as follows:
on page 2, by replacing line 8 with the following:
"licensure. The Department may accept the Portable Sanitation Association International's Health and Safety Certification Program as an acceptable educational and testing program."; and
on page 2, by replacing lines 21 and 22, with the following:
"(2) Soap or anti-bacterial hand cleanser and paper products shall be refilled in each unit at each pumping, if required."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 3048 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 3648
A bill for AN ACT concerning driving offenses, which may be referred to as Matt's 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. 3648
Passed the Senate, as amended, May 16, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 3648 by replacing everything after the enacting clause with the following:
"Section 5. The Unified Code of Corrections is amended by changing Sections 5-5-3.2 and 5-6-1 as follows:
(730 ILCS 5/5-5-3.2) (from Ch. 38, par. 1005-5-3.2)

Sec. 5-5-3.2. Factors in Aggravation.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1:

- (1) the defendant's conduct caused or threatened serious harm;
- (2) the defendant received compensation for committing the offense;
- (3) the defendant has a history of prior delinquency or criminal activity;
- (4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
- (5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
- (6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
- (7) the sentence is necessary to deter others from committing the same crime;
- (8) the defendant committed the offense against a person 60 years of age or older or such person's property;
- (9) the defendant committed the offense against a person who is physically handicapped or such person's property;
- (10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;
- (11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;
- (12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;
- (13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;
- (14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 12-12 of the Criminal Code of 1961, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-6, 11-11, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 against that victim;
- (15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;
- (16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;
- (16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;
- (17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community

policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 1961;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act; or

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm; or -

(20) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code.

For the purposes of this Section:

"School" is defined as a public or private elementary or secondary school, community college, college, or university.

"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.

(b) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter or reckless homicide in which the defendant has been convicted of causing the death of more than one individual; or

(4) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;

(ii) a person 60 years of age or older at the time of the offense or such person's property; or

(iii) a person physically handicapped at the time of the offense or such person's property; or

(5) In the case of a defendant convicted of aggravated criminal sexual assault or criminal sexual assault, when the court finds that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective; or

(6) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;

(ii) the theft of human corpses;

(iii) the kidnapping of humans;

(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or

(v) ritualized abuse of a child; or

(7) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(8) When a defendant is convicted of a felony other than conspiracy and the court finds

that the felony was committed under an agreement with 2 or more other persons to commit that offense and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(9) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 and the court finds that the defendant is a member of an organized gang; or

(10) When a defendant committed the offense using a firearm with a laser sight attached to it. For purposes of this paragraph (10), "laser sight" has the meaning ascribed to it in Section 24.6-5 of the Criminal Code of 1961; or

(11) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(12) When a defendant commits an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph (12), "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(b-1) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(c) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 where the victim was under 18 years of age at the time of the commission of the offense.

(d) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961.

(Source: P.A. 91-119, eff. 1-1-00; 91-120, eff. 7-15-99; 91-252, eff. 1-1-00; 91-267, eff. 1-1-00; 91-268, eff. 1-1-00; 91-357, eff. 7-29-99; 91-437, eff. 1-1-00; 91-696, eff. 4-13-00; 92-266, eff. 1-1-02.)

(730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

Sec. 5-6-1. Sentences of Probation and of Conditional Discharge and Disposition of Supervision. The General Assembly finds that in order to protect the public, the criminal justice system must compel compliance with the conditions of probation by responding to violations with swift, certain and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of probation, conditional discharge or disposition of supervision.

(a) Except where specifically prohibited by other provisions of this Code, the court shall impose a sentence of probation or conditional discharge upon an offender unless, having regard to the nature and circumstance of the offense, and to the history, character and condition of the offender, the court is of the opinion that:

(1) his imprisonment or periodic imprisonment is necessary for the protection of the public; or

(2) probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice; or

(3) a combination of imprisonment with concurrent or consecutive probation when an offender has been admitted into a drug court program under Section 20 of the Drug Court Treatment Act is necessary for the protection of the public and for the rehabilitation of the offender.

The court shall impose as a condition of a sentence of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation,

conditional discharge, or supervision, subject to the provisions of Section 5-6-4 of this Act.

(b) The court may impose a sentence of conditional discharge for an offense if the court is of the opinion that neither a sentence of imprisonment nor of periodic imprisonment nor of probation supervision is appropriate.

(b-1) Subsections (a) and (b) of this Section do not apply to a defendant charged with a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961 if the defendant within the past 12 months has been convicted of or pleaded guilty to a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under Section 9-3 of the Criminal Code of 1961.

(c) The court may, upon a plea of guilty or a stipulation by the defendant of the facts supporting the charge or a finding of guilt, defer further proceedings and the imposition of a sentence, and enter an order for supervision of the defendant, if the defendant is not charged with: (i) a Class A misdemeanor, as defined by the following provisions of the Criminal Code of 1961: Sections 12-3.2; 12-15; 26-5; 31-1; 31-6; 31-7; subsections (b) and (c) of Section 21-1; paragraph (1) through (5), (8), (10), and (11) of subsection (a) of Section 24-1; (ii) a Class A misdemeanor violation of Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals Act; or (iii) felony. If the defendant is not barred from receiving an order for supervision as provided in this subsection, the court may enter an order for supervision after considering the circumstances of the offense, and the history, character and condition of the offender, if the court is of the opinion that:

- (1) the offender is not likely to commit further crimes;
- (2) the defendant and the public would be best served if the defendant were not to receive a criminal record; and
- (3) in the best interests of justice an order of supervision is more appropriate than a sentence otherwise permitted under this Code.

(d) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance when the defendant has previously been:

- (1) convicted for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or
- (2) assigned supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state; or
- (3) pleaded guilty to or stipulated to the facts supporting a charge or a finding of guilty to a violation of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance or any similar law or ordinance of another state, and the plea or stipulation was the result of a plea agreement.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(e) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 16A-3 of the Criminal Code of 1961 if said defendant has within the last 5 years been:

- (1) convicted for a violation of Section 16A-3 of the Criminal Code of 1961; or
- (2) assigned supervision for a violation of Section 16A-3 of the Criminal Code of 1961.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(f) The provisions of paragraph (c) shall not apply to a defendant charged with violating Sections 15-111, 15-112, 15-301, paragraph (b) of Section 6-104, Section 11-605, or Section 11-1414 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(g) Except as otherwise provided in paragraph (i) of this Section, the provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has within the last 5 years been:

- (1) convicted for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance; or
- (2) assigned supervision for a violation of Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance.

The court shall consider the statement of the prosecuting authority with regard to the standards set forth in this Section.

(h) The provisions of paragraph (c) shall not apply to a defendant under the age of 21 years charged with violating a serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code:

(1) unless the defendant, upon payment of the fines, penalties, and costs provided by law, agrees to attend and successfully complete a traffic safety program approved by the court under standards set by the Conference of Chief Circuit Judges. The accused shall be responsible for payment of any traffic safety program fees. If the accused fails to file a certificate of successful completion on or before the termination date of the supervision order, the supervision shall be summarily revoked and conviction entered. The provisions of Supreme Court Rule 402 relating to pleas of guilty do not apply in cases when a defendant enters a guilty plea under this provision; or

(2) if the defendant has previously been sentenced under the provisions of paragraph

(c) on or after January 1, 1998 for any serious traffic offense as defined in Section 1-187.001 of the Illinois Vehicle Code.

(i) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance if the defendant has been assigned supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(j) The provisions of paragraph (c) shall not apply to a defendant charged with violating Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance when the revocation or suspension was for a violation of Section 11-501 or a similar provision of a local ordinance, a violation of Section 11-501.1 or paragraph (b) of Section 11-401 of the Illinois Vehicle Code, or a violation of Section 9-3 of the Criminal Code of 1961 if the defendant has within the last 10 years been:

(1) convicted for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(2) assigned supervision for a violation of Section 6-303 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05)."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 3648 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 in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 2697

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 2699

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 2700

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 2920

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 3022

A bill for AN ACT concerning liquor.

HOUSE BILL NO. 3033

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 3045

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 3066

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3095

A bill for AN ACT concerning education.

HOUSE BILL NO. 3272

A bill for AN ACT concerning finance.

HOUSE BILL NO. 3420

A bill for AN ACT concerning health.

HOUSE BILL NO. 3449

A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 3471

A bill for AN ACT concerning employment.
HOUSE BILL NO. 3488

A bill for AN ACT concerning education.
HOUSE BILL NO. 3507

A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 3515

A bill for AN ACT concerning drug courts.
HOUSE BILL NO. 3526

A bill for AN ACT concerning State government.
HOUSE BILL NO. 3538

A bill for AN ACT concerning property.
HOUSE BILL NO. 3544

A bill for AN ACT concerning State government.
HOUSE BILL NO. 3595

A bill for AN ACT concerning civil law.
HOUSE BILL NO. 3597

A bill for AN ACT concerning law enforcement.
HOUSE BILL NO. 3622

A bill for AN ACT to repeal the Personnel Radiation Monitoring Act.
HOUSE BILL NO. 3646

A bill for AN ACT concerning education.
HOUSE BILL NO. 3651

A bill for AN ACT concerning highways.
Passed by the Senate, May 16, 2005.

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. 1571

A bill for AN ACT concerning local government.
HOUSE BILL NO. 3738

A bill for AN ACT in relation to vehicles.
HOUSE BILL NO. 3742

A bill for AN ACT concerning government.
HOUSE BILL NO. 3757

A bill for AN ACT concerning the Fire Truck Revolving Loan Program.
HOUSE BILL NO. 3785

A bill for AN ACT concerning animals.
HOUSE BILL NO. 3816

A bill for AN ACT concerning transportation.
HOUSE BILL NO. 3819

A bill for AN ACT concerning health care.
HOUSE BILL NO. 3821

A bill for AN ACT concerning education.
HOUSE BILL NO. 3822

A bill for AN ACT concerning education.
HOUSE BILL NO. 3831

A bill for AN ACT concerning local government.
HOUSE BILL NO. 3843

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3850

A bill for AN ACT concerning municipalities.

HOUSE BILL NO. 3851

A bill for AN ACT concerning state government.

HOUSE BILL NO. 4020

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4067

A bill for AN ACT concerning safety.

Passed by the Senate, May 16, 2005.

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 a bill of the following title to-wit:

HOUSE BILL NO. 1574

A bill for AN ACT concerning counties.

Passed by the Senate, May 17, 2005.

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 of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 132

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. 132

Passed the Senate, as amended, May 17, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 132 by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by changing Section 3 as follows:
(430 ILCS 65/3) (from Ch. 38, par. 83-3)

Sec. 3. (a) Except as provided in Section 3a, no person may knowingly transfer, or cause to be transferred, any firearm or any firearm ammunition to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner's Identification Card which has previously been issued in his name by the Department of State Police under the provisions of this Act. In addition, all firearm transfers by federally licensed firearm dealers are subject to Section 3.1.

(b) Any person within this State who transfers or causes to be transferred any firearm shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer; the description, serial number or other information identifying the firearm if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number. On or after January 1, 2006, the record shall contain the date of application for transfer of the firearm. On demand of a peace officer such transferor shall produce for inspection such record of transfer.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those

persons specified in paragraph (b) of Section 2 of this Act.
(Source: P.A. 92-442, eff. 8-17-01.)

Section 10. The Criminal Code of 1961 is amended by changing Sections 24-1, 24-1.1, 24-1.6, 24-3, and 24-3.1 as follows:

(720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

Sec. 24-1. Unlawful Use of Weapons.

(a) A person commits the offense of unlawful use of weapons when he knowingly:

(1) Sells, manufactures, purchases, possesses or carries any bludgeon, black-jack, slung-shot, sand-club, sand-bag, metal knuckles, throwing star, or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or a ballistic knife, which is a device that propels a knifelike blade as a projectile by means of a coil spring, elastic material or compressed gas; or

(2) Carries or possesses with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, stun gun or taser or any other dangerous or deadly weapon or instrument of like character; or

(3) Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older; or

(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode or fixed place of business any pistol, revolver, stun gun or taser or other firearm, except that this subsection (a) (4) does not apply to or affect transportation of weapons that meet one of the following conditions:

(i) are broken down in a non-functioning state; or

(ii) are not immediately accessible; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card; or

(5) Sets a spring gun; or

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries:

(i) a machine gun, which shall be defined for the purposes of this subsection as any weapon, which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manually reloading by a single function of the trigger, including the frame or receiver of any such weapon, or sells, manufactures, purchases, possesses, or carries any combination of parts designed or intended for use in converting any weapon into a machine gun, or any combination or parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person;

(ii) any rifle having one or more barrels less than 16 inches in length or a shotgun having one or more barrels less than 18 inches in length or any weapon made from a rifle or shotgun, whether by alteration, modification, or otherwise, if such a weapon as modified has an overall length of less than 26 inches; or

(iii) any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and Molotov cocktails or artillery projectiles; or

(8) Carries or possesses any firearm, stun gun or taser or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted.

This subsection (a)(8) does not apply to any auction or raffle of a firearm held pursuant to a license or permit issued by a governmental body, nor does it apply to persons engaged in firearm safety training courses; or

(9) Carries or possesses in a vehicle or on or about his person any pistol, revolver, stun gun or taser or firearm or ballistic knife, when he is hooded, robed or masked in such manner as to conceal his identity; or

(10) Carries or possesses on or about his person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or taser or other firearm, except that this subsection (a) (10) does not apply to or affect transportation of weapons that meet one of the following conditions:

- (i) are broken down in a non-functioning state; or
- (ii) are not immediately accessible; or
- (iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or

other container by a person who has been issued a currently valid Firearm Owner's Identification Card.

A "stun gun or taser", as used in this paragraph (a) means (i) any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning or (ii) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning; or

(11) Sells, manufactures or purchases any explosive bullet. For purposes of this paragraph (a) "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap; or

(12) (Blank).

(b) Sentence. A person convicted of a violation of subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or subsection 24-1(a)(11) commits a Class A misdemeanor. A person convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a person convicted of a violation of subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person convicted of a violation of subsection 24-1(a)(7)(i) commits a Class 2 felony, unless the weapon is possessed in the passenger compartment of a motor vehicle as defined in Section 1-146 of the Illinois Vehicle Code, or on the person, while the weapon is loaded, in which case it shall be a Class X felony. A person convicted of a second or subsequent violation of subsection 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3 felony. The possession of each weapon in violation of this Section constitutes a single and separate violation.

(c) Violations in specific places.

(1) A person who violates subsection 24-1(a)(6) or 24-1(a)(7) in any school, regardless of the time of day or the time of year, in residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(1.5) A person who violates subsection 24-1(a)(4), 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the time of day or the time of year, in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or

mixed-income development commits a Class 3 felony.

(2) A person who violates subsection 24-1(a)(1), 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the time of day or the time of year, in residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on the real property comprising any school, regardless of the time of day or the time of year, on residential property owned, operated or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 4 felony. "Courthouse" means any building that is used by the Circuit, Appellate, or Supreme Court of this State for the conduct of official business.

(3) Paragraphs (1), (1.5), and (2) of this subsection (c) shall not apply to law enforcement officers or security officers of such school, college, or university or to students carrying or possessing firearms for use in training courses, parades, hunting, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded enclosed in a suitable case, box, or transportation package.

(4) For the purposes of this subsection (c), "school" means any public or private elementary or secondary school, community college, college, or university.

(d) The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in subsection (a)(7) is prima facie evidence that it is in the possession of, and is being carried by, all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances: (i) if such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or (ii) if such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his trade, then such presumption shall not apply to the driver.

(e) Exemptions. Crossbows, Common or Compound bows and Underwater Spearguns are exempted from the definition of ballistic knife as defined in paragraph (1) of subsection (a) of this Section.

(Source: P.A. 90-686, eff. 1-1-99; 91-673, eff. 12-22-99; 91-690, eff. 4-13-00.)

(720 ILCS 5/24-1.1) (from Ch. 38, par. 24-1.1)

Sec. 24-1.1. Unlawful Use or Possession of Weapons by Felons or Persons in the Custody of the Department of Corrections Facilities.

(a) It is unlawful for a person to knowingly possess on or about his person or on his land or in his own abode or fixed place of business any weapon prohibited under Section 24-1 of this Act or any firearm or any firearm ammunition if the person has been convicted of a felony under the laws of this State or any other jurisdiction. This Section shall not apply if the person has been granted relief by the Director of the Department of State Police under Section 10 of the Firearm Owners Identification Card Act.

(b) It is unlawful for any person confined in a penal institution, which is a facility of the Illinois Department of Corrections, to possess any weapon prohibited under Section 24-1 of this Code or any firearm or firearm ammunition, regardless of the intent with which he possesses it.

(c) It shall be an affirmative defense to a violation of subsection (b), that such possession was specifically authorized by rule, regulation, or directive of the Illinois Department of Corrections or order issued pursuant thereto.

(d) The defense of necessity is not available to a person who is charged with a violation of subsection (b) of this Section.

(e) Sentence. Violation of this Section by a person not confined in a penal institution shall be a Class 3 felony for which the person, if sentenced to a term of imprisonment, shall be sentenced to no less than 2 years and no more than 10 years. Violation of this Section by a person not confined in a penal institution who has been convicted of a forcible felony, a felony violation of Article 24 of this Code or of the Firearm Owners Identification Card Act, stalking or aggravated stalking, or a Class 2 or greater felony under the Illinois Controlled Substances Act or the Cannabis Control Act is a Class 2 felony for which the person, if sentenced to a term of imprisonment, shall be sentenced to not less than 3 years and not more than 14 years. Violation of this Section by a person who is on parole or mandatory supervised release is a Class 2 felony for which the person, if sentenced to a term of imprisonment, shall be sentenced to not less than 3 years and not more than 14 years. Violation of this Section by a person not confined in a penal institution is a Class X

felony when the firearm possessed is a machine gun. Any person who violates this Section while confined in a penal institution, which is a facility of the Illinois Department of Corrections, is guilty of a Class 1 felony, if he possesses any weapon prohibited under Section 24-1 of this Code regardless of the intent with which he possesses it, a Class X felony if he possesses any firearm, firearm ammunition or explosive, and a Class X felony for which the offender shall be sentenced to not less than 12 years and not more than 50 years when the firearm possessed is a machine gun. A violation of this Section while wearing or in possession of body armor as defined in Section 33F-1 is a Class X felony punishable by a term of imprisonment of not less than 10 years and not more than 40 years. The possession of each firearm or firearm ammunition in violation of this Section constitutes a single and separate violation.

(Source: P.A. 93-906, eff. 8-11-04.)

(720 ILCS 5/24-1.6)

Sec. 24-1.6. Aggravated unlawful use of a weapon.

(a) A person commits the offense of aggravated unlawful use of a weapon when he or she knowingly:

(1) Carries on or about his or her person or in any vehicle or concealed on or about his or her person except when on his or her land or in his or her abode or fixed place of business any pistol, revolver, stun gun or taser or other firearm; or

(2) Carries or possesses on or about his or her person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his or her own land or in his or her own abode or fixed place of business, any pistol, revolver, stun gun or taser or other firearm; and

(3) One of the following factors is present:

(A) the firearm possessed was uncased, loaded and immediately accessible at the time of the offense; or

(B) the firearm possessed was uncased, unloaded and the ammunition for the weapon was immediately accessible at the time of the offense; or

(C) the person possessing the firearm has not been issued a currently valid Firearm Owner's Identification Card; or

(D) the person possessing the weapon was previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a felony; or

(E) the person possessing the weapon was engaged in a misdemeanor violation of the Cannabis Control Act or in a misdemeanor violation of the Illinois Controlled Substances Act; or

(F) the person possessing the weapon is a member of a street gang or is engaged in street gang related activity, as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act; or

(G) the person possessing the weapon had a order of protection issued against him or her within the previous 2 years; or

(H) the person possessing the weapon was engaged in the commission or attempted commission of a misdemeanor involving the use or threat of violence against the person or property of another; or

(I) the person possessing the weapon was under 21 years of age and in possession of a handgun as defined in Section 24-3, unless the person under 21 is engaged in lawful activities under the Wildlife Code or described in subsection 24-2(b)(1), (b)(3), or 24-2(f).

(b) "Stun gun or taser" as used in this Section has the same definition given to it in Section 24-1 of this Code.

(c) This Section does not apply to or affect the transportation or possession of weapons that:

(i) are broken down in a non-functioning state; or

(ii) are not immediately accessible; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card.

(d) Sentence. Aggravated unlawful use of a weapon is a Class 4 felony; a second or subsequent offense is a Class 2 felony. Aggravated unlawful use of a weapon by a person who has been previously convicted of a felony in this State or another jurisdiction is a Class 2 felony. Aggravated unlawful use of a weapon while wearing or in possession of body armor as defined in Section 33F-1 by a person who has not been issued a valid Firearms Owner's Identification Card in accordance with Section 5 of the Firearm Owners Identification Card Act is a Class X felony. The possession of each firearm in violation of this Section constitutes a single and separate violation.

(Source: P.A. 93-906, eff. 8-11-04.)

(720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

Sec. 24-3. Unlawful Sale of Firearms.

(A) A person commits the offense of unlawful sale of firearms when he or she knowingly does any of the following:

- (a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age.
- (b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.
- (c) Sells or gives any firearm to any narcotic addict.
- (d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction.
- (e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years.
- (f) Sells or gives any firearms to any person who is mentally retarded.

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least 24 hours after application for its purchase has been made. However, this paragraph (g) does not apply to: (1) the sale of a firearm to a law enforcement officer if the seller of the firearm knows that the person to whom he or she is selling the firearm is a law enforcement officer or the sale of a firearm to a person who desires to purchase a firearm for use in promoting the public interest incident to his or her employment as a bank guard, armed truck guard, or other similar employment; (2) a mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; (3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; or (4) the sale of a firearm to a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). For purposes of this paragraph (g), "application" means when the buyer and seller reach an agreement to purchase a firearm.

(h) While holding any license as a dealer, importer, manufacturer or pawnbroker under the federal Gun Control Act of 1968, manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in the Firearm Owners Identification Card Act; and (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Sells or gives a firearm while engaged in the business of selling firearms at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (j):

A person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit, but does not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms.

"With the principal objective of livelihood and profit" means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection; however, proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism.

(k) Sells or transfers ownership of a firearm to a person who does not display to the seller or transferor of the firearm a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Department of State Police under the provisions of the Firearm Owners Identification Card Act. This paragraph (k) does not apply to the transfer of a firearm to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card means (i) a Firearm Owner's Identification Card that

has not expired or (ii) if the transferor is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923), an approval number issued in accordance with Section 3.1 of the Firearm Owners Identification Card Act shall be proof that the Firearm Owner's Identification Card was valid.

(B) Paragraph (h) of subsection (A) does not include firearms sold within 6 months after enactment of Public Act 78-355 (approved August 21, 1973, effective October 1, 1973), nor is any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of Public Act 78-355 subject to confiscation or seizure under the provisions of that Public Act. Nothing in Public Act 78-355 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of that Public Act.

(C) Sentence.

(1) Any person convicted of unlawful sale of firearms in violation of any of paragraphs (c) through (h) of subsection (A) commits a Class 4 felony.

(2) Any person convicted of unlawful sale of firearms in violation of paragraph (b) or (i) of subsection (A) commits a Class 3 felony.

(3) Any person convicted of unlawful sale of firearms in violation of paragraph (a) of subsection (A) commits a Class 2 felony.

(4) Any person convicted of unlawful sale of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony. Any person convicted of a second or subsequent violation of unlawful sale of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony for which the sentence shall be a term of imprisonment of no less than 5 years and no more than 15 years.

(5) Any person convicted of unlawful sale of firearms in violation of paragraph (a) or (i) of subsection (A) in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, or on any public way within 1,000 feet of the real property comprising any public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(6) Any person convicted of unlawful sale of firearms in violation of paragraph (j) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(7) Any person convicted of unlawful sale of firearms in violation of paragraph (k) of subsection (A) commits a Class 4 felony. A third or subsequent conviction for a violation of paragraph (k) of subsection (A) is a Class 1 felony.

(D) For purposes of this Section:

"School" means a public or private elementary or secondary school, community college, college, or university.

"School related activity" means any sporting, social, academic, or other activity for which students' attendance or participation is sponsored, organized, or funded in whole or in part by a school or school district.

(E) A prosecution for a violation of paragraph (k) of subsection (A) of this Section may be commenced within 6 years after the commission of the offense. A prosecution for a violation of this Section other than paragraph (g) of subsection (A) of this Section may be commenced within 5 years after the commission of the offense defined in the particular paragraph.

(Source: P.A. 93-162, eff. 7-10-03; 93-906, eff. 8-11-04.)

(720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

Sec. 24-3.1. Unlawful possession of firearms and firearm ammunition.

(a) A person commits the offense of unlawful possession of firearms or firearm ammunition when:

- (1) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person; or
- (2) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or
- (3) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or
- (4) He has been a patient in a mental hospital within the past 5 years and has any firearms or firearm ammunition in his possession; or
- (5) He is mentally retarded and has any firearms or firearm ammunition in his possession; or
- (6) He has in his possession any explosive bullet.

For purposes of this paragraph "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap; or

(b) Sentence.

Unlawful possession of firearms, other than handguns, and firearm ammunition is a Class A misdemeanor. Unlawful possession of handguns is a Class 4 felony. The possession of each firearm or firearm ammunition in violation of this Section constitutes a single and separate violation.

(c) Nothing in paragraph (1) of subsection (a) of this Section prohibits a person under 18 years of age from participating in any lawful recreational activity with a firearm such as, but not limited to, practice shooting at targets upon established public or private target ranges or hunting, trapping, or fishing in accordance with the Wildlife Code or the Fish and Aquatic Life Code.

(Source: P.A. 91-696, eff. 4-13-00; 92-839, eff. 8-22-02.)

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 132 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 190

A bill for AN ACT concerning liens.

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. 190

Passed the Senate, as amended, May 17, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 190 on page 1, after line 16, by inserting the following: "This amendatory Act of the 94th General Assembly applies to causes of action accruing on or after its effective date."; and on page 1, by deleting lines 18 and 19.

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 190 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 62

A bill for AN ACT creating a commission to study the problems and organic laws pertaining to local government.

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. 62

Passed the Senate, as amended, May 17, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 62 on page 2, by replacing lines 3 and 4, with the following:

"the Governor as follows:

- (1) One member selected from recommendations provided by an association representing counties;
- (2) One member selected from recommendations provided by an association representing municipalities;
- (3) One member selected from recommendations provided by an association representing townships;
- (4) One member selected from recommendations provided by an association representing park districts; and
- (5) One member who serves as an elected officer of a local governmental entity in Illinois other than a county, municipality, township, or park district."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 62 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 316

A bill for AN ACT in relation to insurance.

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. 316

Passed the Senate, as amended, May 17, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 316 on page 1, by replacing line 5 with "changing Sections 205.1 and 500-77 as follows:"; and on page 1, immediately below line 5, by inserting the following:

"(215 ILCS 5/205.1)

Sec. 205.1. Policyholder collateral, deductible reimbursements, and other policyholder obligations.

(a) Any collateral held by, for the benefit of, or assigned to the insurer or the Director as rehabilitator or liquidator to secure the obligations of a policyholder under a deductible agreement shall not be considered an asset of the estate and shall be maintained and administered by the Director as rehabilitator or liquidator as provided in this Section and notwithstanding any other provision of law or contract to the contrary.

(b) If the collateral is being held by, for the benefit of, or assigned to the insurer or subsequently the Director as rehabilitator or liquidator to secure obligations under a deductible agreement with a policyholder, subject to the provisions of this Section, the collateral shall be used to secure the policyholder's obligation to fund or reimburse claims payment within the agreed deductible amount.

(c) If a claim that is subject to a deductible agreement and secured by collateral is not covered by any guaranty association or the Illinois Insurance Guaranty Fund and the policyholder is unwilling or unable to take over the handling and payment of the non-covered claims, the Director as rehabilitator or liquidator shall adjust and pay the non-covered claims utilizing the collateral but only to the extent the available collateral after allocation under subsection (d), is sufficient to pay all outstanding and anticipated claims. If the collateral is exhausted and the insured is not able to provide funds to pay the remaining claims within the deductible after all reasonable means of collection against the insured have been exhausted, the Director's obligation to pay such claims from the collateral as the rehabilitator or liquidator terminates, and the remaining claims shall be claims against the insurer's estate subject to complying with other provisions in this Article for the filing and allowance of such claims. When the liquidator determines that the collateral is insufficient to pay all additional and anticipated claims, the liquidator may file a plan for equitably allocating the collateral among claimants, subject to court approval.

(d) To the extent that the Director as rehabilitator or liquidator is holding collateral provided by a policyholder that was obtained to secure a deductible agreement and to secure other obligations of the policyholder to pay the insurer, directly or indirectly, amounts that become assets of the estate, such as reinsurance obligations under a captive reinsurance program or adjustable premium obligations under a retrospectively rated insurance policy where the premium due is subject to adjustment based upon actual loss experience, the Director as rehabilitator or liquidator shall equitably allocate the collateral among such obligations and administer the collateral allocated to the deductible agreement pursuant to this Section. With respect to the collateral allocated to obligations under the deductible agreement, if the collateral secured reimbursement obligations under more than one line of insurance, then the collateral shall be equitably allocated among the various lines based upon the estimated ultimate exposure within the deductible amount for each line. The Director as rehabilitator or liquidator shall inform the guaranty association or the Illinois Insurance Guaranty Fund that is or may be obligated for claims against the insurer of the method and details of all the foregoing allocations.

(e) Regardless of whether there is collateral, if the insurer has contractually agreed to allow the policyholder to fund its own claims within the deductible amount pursuant to a deductible agreement, either through the policyholder's own administration of its claims or through the policyholder providing funds directly to a third party administrator who administers the claims, the Director as rehabilitator or liquidator shall allow such funding arrangement to continue and, where applicable, will enforce such arrangements to the fullest extent possible. The funding of such claims by the policyholder within the deductible amount will act as a bar to any claim for such amount in the liquidation proceeding, including but not limited to any such claim by the policyholder or the third party claimant. The funding will extinguish both the obligation, if any, of any guaranty association or the Illinois Insurance Guaranty Fund to pay such claims within the deductible amount, as well as the obligations, if any, of the policyholder or third party administrator to reimburse the guaranty association or the Illinois Insurance Guaranty Fund. No charge of any kind shall be made by the Director as rehabilitator or liquidator against any guaranty association or the Illinois Insurance Guaranty Fund on the basis of the policyholder funding of claims payment made pursuant to the mechanism set forth in this subsection.

(f) If the insurer has not contractually agreed to allow the policyholder to fund its own claims within the deductible amount, to the extent a guaranty association or the Illinois Insurance Guaranty Fund is required by applicable state law to pay any claims for which the insurer would be or would have been entitled to reimbursement from the policyholder under the terms of the deductible agreement and to the extent the claims have not been paid by a policyholder or third party, the Director as rehabilitator or liquidator shall promptly bill the policyholder for such reimbursement and the policyholder will be obligated to pay such amount to the Director as rehabilitator or liquidator for the benefit of the guaranty association or the Illinois Insurance Guaranty Fund that paid such claims. Neither the insolvency of the insurer, nor its inability to perform any of its obligations under the deductible agreement, shall be a defense to the policyholder's reimbursement obligation under the deductible agreement. When the policyholder reimbursements are collected, the Director as rehabilitator or liquidator shall promptly reimburse the guaranty association or the Illinois Insurance Guaranty Fund for claims paid that were subject to the deductible. If the policyholder fails to pay the amounts due within 60 days after such bill for such reimbursements is due, the Director as rehabilitator or liquidator shall use the collateral to the extent necessary to reimburse the guaranty association or the Illinois Insurance Guaranty Fund, and, at the same time, may pursue other collections efforts against the policyholder. If more than one guaranty association or the Illinois Insurance Guaranty Fund has a claim against the same collateral and the available collateral (after allocation under subsection (d)), along with billing and collection efforts, are together insufficient to pay each guaranty association or

the Illinois Insurance Guaranty Fund in full, then the Director as rehabilitator or liquidator will pro-rate payments to each guaranty association or the Illinois Insurance Guaranty Fund based upon the relationship the amount of claims each guaranty association or the Illinois Insurance Guaranty Fund has paid bears to the total of all claims paid by such guaranty association or the Illinois Insurance Guaranty Fund.

(g) Director's duties and powers as rehabilitator or liquidator.

(1) The Director as rehabilitator or liquidator is entitled to deduct from reimbursements owed to guaranty associations or the Illinois Insurance Guaranty Fund or collateral to be returned to a policyholder reasonable actual expenses incurred in fulfilling the responsibilities under this provision, not to exceed 3% of the collateral or the total deductible reimbursements actually collected by the Director as rehabilitator or liquidator.

(2) With respect to claim payments made by any guaranty association or the Illinois Insurance Guaranty Fund, the Director as rehabilitator or liquidator shall promptly provide the court, with a copy ~~to~~ of the guaranty associations or the Illinois Insurance Guaranty Fund, with a complete report of the Director's deductible billing and collection activities as rehabilitator or liquidator including copies of the policyholder billings when rendered, the reimbursements collected, the available amounts and use of collateral for each policyholder, and any pro-ratio of payments when it occurs. If the Director as rehabilitator or liquidator fails to make a good faith effort within 120 days of receipt of claims payment reports to collect reimbursements due from a policyholder under a deductible agreement based on claim payments made by one or more guaranty associations or the Illinois Insurance Guaranty Fund, then after such 120 day period such guaranty associations or the Illinois Insurance Guaranty Fund may pursue collection from the policyholders directly on the same basis as the Director as rehabilitator or liquidator, and with the same rights and remedies, and will report any amounts so collected from each policyholder to the Director as rehabilitator ~~or~~ liquidator, ~~or conservator~~. To the extent that guaranty associations or the Illinois Insurance Guaranty Fund pay claims within the deductible amount, but are not reimbursed by either the Director as rehabilitator, liquidator, or conservator under this Section or by policyholder payments from the guaranty associations' or the Illinois Insurance Guaranty Fund's own collection efforts, the guaranty association or the Illinois Insurance Guaranty Fund shall have a claim in the insolvent insurer's estate for such un-reimbursed claims payments.

(3) The Director as rehabilitator or liquidator shall periodically adjust the collateral being held as the claims subject to the deductible agreement are run-off, provided that adequate collateral is maintained to secure the entire estimated ultimate obligation of the policyholder plus a reasonable safety factor, and the Director as rehabilitator or liquidator shall not be required to adjust the collateral more than once a year. The guaranty associations or the Illinois Insurance Guaranty Fund shall be informed of all such collateral reviews, including but not limited to the basis for the adjustment. Once all claims covered by the collateral have been paid and the Director as rehabilitator or liquidator is satisfied that no new claims can be presented, the Director as rehabilitator or liquidator will release any remaining collateral to the policyholder.

(h) The Illinois Circuit Court having jurisdiction over the liquidation proceedings shall have jurisdiction to resolve disputes arising under this provision.

(i) Nothing in this Section is intended to limit or adversely affect any right the guaranty associations or the Illinois Insurance Guaranty Fund may have under applicable state law to obtain reimbursement from certain classes of policyholders for claims payments made by such guaranty associations or the Illinois Insurance Guaranty Fund under policies of the insolvent insurer, or for related expenses the guaranty associations or the Illinois Insurance Guaranty Fund incur.

(j) This Section applies to all receivership proceedings under Article XIII that either (1) commence on or after the effective date of this amendatory Act of the 93rd General Assembly or (2) are on file or open on the effective date of this amendatory Act of the 93rd General Assembly and in which an Order of Liquidation is entered on or after May 1, 2004. However, this Section applies to rehabilitation proceedings only to the extent that guaranty associations are required to pay claims and does not apply to receivership proceedings in which only an order of conservation has been entered.

(k) For purposes of this Section, a "deductible agreement" is any combination of one or more policies, endorsements, contracts, or security agreements, which provide for the policyholder to bear the risk of loss within a specified amount per claim or occurrence covered under a policy of insurance, and may be subject to the aggregate limit of policyholder reimbursement obligations. This Section shall not apply to first party claims, or to claims funded by a guaranty association or the Illinois Insurance Guaranty Fund in excess of the deductible unless subsection (e) above applies. The term "non-covered claim" shall mean a claim that is subject to a deductible agreement and is not covered by a guaranty

association or the Illinois Insurance Guaranty Fund.
(Source: P.A. 93-1028, eff. 8-25-04.)".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 316 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 551

A bill for AN ACT concerning taxes.

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. 551

Passed the Senate, as amended, May 17, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 551 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 21-15, 21-20, 21-25, 21-30, and 21-310 as follows:

(35 ILCS 200/21-15)

Sec. 21-15. General tax due dates; default by mortgage lender. Except as otherwise provided in this Section or Section 21-40, all property upon which the first installment of taxes remains unpaid on June 1 annually shall be deemed delinquent and shall bear interest after June 1 at the rate of 1 1/2% per month or portion thereof. Except as otherwise provided in this Section or Section 21-40, all property upon which the second installment of taxes remains due and unpaid on September 1, annually, shall be deemed delinquent and shall bear interest after September 1 at the same interest rate. All interest collected shall be paid into the general fund of the county. Payment received by mail and postmarked on or before the required due date is not delinquent.

Property not subject to the interest charge in Section 9-260 or Section 9-265 shall also not be subject to the interest charge imposed by this Section until such time as the owner of the property receives actual notice of and is billed for the principal amount of back taxes due and owing.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 ~~30~~ days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

Notwithstanding any other provision of law, when any unpaid taxes become delinquent under this Section through the fault of the mortgage lender, (i) the interest assessed under this Section for delinquent taxes shall be charged against the mortgage lender and not the mortgagor and (ii) the mortgage lender shall pay the taxes, redeem the property and take all necessary steps to remove any liens accruing against the property because of the delinquency. In the event that more than one entity meets the definition of mortgage lender with respect to any mortgage, the interest shall be assessed against the mortgage lender responsible for servicing the mortgage. Unpaid taxes shall be deemed delinquent through the fault of the

mortgage lender only if: (a) the mortgage lender has received all payments due the mortgage lender for the property being taxed under the written terms of the mortgage or promissory note secured by the mortgage, (b) the mortgage lender holds funds in escrow to pay the taxes, and (c) the funds are sufficient to pay the taxes after deducting all amounts reasonably anticipated to become due for all hazard insurance premiums and mortgage insurance premiums and any other assessments to be paid from the escrow under the terms of the mortgage. For purposes of this Section, an amount is reasonably anticipated to become due if it is payable within 12 months from the time of determining the sufficiency of funds held in escrow. Unpaid taxes shall not be deemed delinquent through the fault of the mortgage lender if the mortgage lender was directed in writing by the mortgagor not to pay the property taxes, or if the failure to pay the taxes when due resulted from inadequate or inaccurate parcel information provided by the mortgagor, a title or abstract company, or by the agency or unit of government assessing the tax.

(Source: P.A. 93-560, eff. 8-20-03.)

(35 ILCS 200/21-20)

Sec. 21-20. Due dates; accelerated billing in counties of less than 3,000,000. Except as otherwise provided in Section 21-40, in counties with less than 3,000,000 inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after a date not later than June 1 annually as provided for in the ordinance or resolution of the county board adopting the accelerated method, at the rate of 1 1/2% per month or portion thereof until paid or forfeited. The second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited. Payment received by mail and postmarked on or before the required due date is not delinquent.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 30 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

(Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

(35 ILCS 200/21-25)

Sec. 21-25. Due dates; accelerated billing in counties of 3,000,000 or more. Except as hereinafter provided and as provided in Section 21-40, in counties with 3,000,000 or more inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after March 1 at the rate of 1 1/2% per month or portion thereof until paid or forfeited. The second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited.

If the county board elects by ordinance adopted prior to July 1 of a levy year to provide for taxes to be paid in 4 installments, each installment for that levy year and each subsequent year shall be deemed delinquent and shall begin to bear interest 30 days after the date specified by the ordinance for mailing bills, at the rate of 1 1/2% per month or portion thereof, until paid or forfeited.

Payment received by mail and postmarked on or before the required due date is not delinquent.

Taxes levied on homestead property in which a member of the National Guard or reserves of the armed forces of the United States who was called to active duty on or after August 1, 1990, and who has an ownership interest, shall not be deemed delinquent and no interest shall accrue or be charged as a penalty on such taxes due and payable in 1991 or 1992 until one year after that member returns to civilian status.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 30

days after that member returns to civilian status. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

(Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

(35 ILCS 200/21-30)

Sec. 21-30. Accelerated billing. Except as provided in this Section, Section 9-260, and Section 21-40, in counties with 3,000,000 or more inhabitants, by January 31 annually, estimated tax bills setting out the first installment of property taxes for the preceding year, payable in that year, shall be prepared and mailed. The first installment of taxes on the estimated tax bills shall be computed at 50% of the total of each tax bill for the preceding year. If, prior to the preparation of the estimated tax bills, a certificate of error has been either approved by a court on or before November 30 of the preceding year or certified pursuant to Section 14-15 on or before November 30 of the preceding year, then the first installment of taxes on the estimated tax bills shall be computed at 50% of the total taxes for the preceding year as corrected by the certificate of error. By June 30 annually, actual tax bills shall be prepared and mailed. These bills shall set out total taxes due and the amount of estimated taxes billed in the first installment, and shall state the balance of taxes due for that year as represented by the sum derived from subtracting the amount of the first installment from the total taxes due for that year.

The county board may provide by ordinance, in counties with 3,000,000 or more inhabitants, for taxes to be paid in 4 installments. For the levy year for which the ordinance is first effective and each subsequent year, estimated tax bills setting out the first, second, and third installment of taxes for the preceding year, payable in that year, shall be prepared and mailed not later than the date specified by ordinance. Each installment on estimated tax bills shall be computed at 25% of the total of each tax bill for the preceding year. By the date specified in the ordinance, actual tax bills shall be prepared and mailed. These bills shall set out total taxes due and the amount of estimated taxes billed in the first, second, and third installments and shall state the balance of taxes due for that year as represented by the sum derived from subtracting the amount of the estimated installments from the total taxes due for that year.

The county board of any county with less than 3,000,000 inhabitants may, by ordinance or resolution, adopt an accelerated method of tax billing. The county board may subsequently rescind the ordinance or resolution and revert to the method otherwise provided for in this Code.

~~Taxes levied on homestead property in which a member of the National Guard or reserves of the armed forces of the United States who was called to active duty on or after August 1, 1990, and who has an ownership interest shall not be deemed delinquent and no interest shall accrue or be charged as a penalty on such taxes due and payable in 1991 or 1992 until one year after that member returns to civilian status.~~

(Source: P.A. 92-475, eff. 8-23-01; 93-560, eff. 8-20-03.)

(35 ILCS 200/21-310)

Sec. 21-310. Sales in error.

(a) When, upon application of the county collector, the owner of the certificate of purchase, or a municipality which owns or has owned the property ordered sold, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the property was not subject to taxation, or all or any part of the lien of taxes sold has become null and void pursuant to Section 21-95 or unenforceable pursuant to subsection (c) of Section 18-250 or subsection (b) of Section 22-40,

(2) the taxes or special assessments had been paid prior to the sale of the property,

(3) there is a double assessment,

(4) the description is void for uncertainty,

(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error (other than an error of judgment as to the value of any property),

(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision

applies only to homeowners, not their agents or third-party payors,

(6) prior to the tax sale a voluntary or involuntary petition has been filed by or against the legal or beneficial owner of the property requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13, ~~or~~

(7) the property is owned by the United States, the State of Illinois, a municipality, or a taxing district, or -

(8) the owner of the property is a reservist or guardsperson who is granted an extension of his or her due date under Sections 21-15, 21-20, and 21-25 of this Act.

(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7,

11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax deed.

(2) The improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy subsequent to the tax sale and prior to the issuance of the tax deed.

(3) There is an interest held by the United States in the property sold which could not be extinguished by the tax deed.

(4) The real property contains a hazardous substance, hazardous waste, or underground storage tank that would require cleanup or other removal under any federal, State, or local law, ordinance, or regulation, only if the tax purchaser purchased the property without actual knowledge of the hazardous substance, hazardous waste, or underground storage tank. This paragraph (4) applies only if the owner of the certificate of purchase has made application for a sale in error at any time before the issuance of a tax deed.

(c) When the county collector discovers, within one year after the date of sale if taxes were sold at an annual tax sale or within 180 days after the date of sale if taxes were sold at a scavenger tax sale, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(6), or (a)(7) of this Section, the county collector shall notify the last known owner of the certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall promptly pay the amount of the tax sale, together with interest and costs as provided in Section 21-315, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error, the county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the property was erroneously sold, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, pay any interest and costs as may be ordered under Sections 21-315 through 21-335, and cancel the certificate so far as it relates to the property. The county collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid.

(Source: P.A. 91-177, eff. 1-1-00; 91-357, eff. 7-29-99; 91-924, eff. 1-1-01; 92-224, eff. 1-1-02; 92-729, eff. 7-25-02.)

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 551 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 in the passage of bills of the following titles to-wit:

- A bill for AN ACT concerning State government.
HOUSE BILL NO. 18
- A bill for AN ACT in relation to criminal law.
HOUSE BILL NO. 29
- A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 35
- A bill for AN ACT concerning liquor.
HOUSE BILL NO. 48
- A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 53
- A bill for AN ACT concerning regulation.
HOUSE BILL NO. 59
- A bill for AN ACT concerning elections.
HOUSE BILL NO. 115
- A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 120
- A bill for AN ACT concerning civil procedure.
HOUSE BILL NO. 174
- A bill for AN ACT concerning children.
HOUSE BILL NO. 175
- A bill for AN ACT concerning State government.
HOUSE BILL NO. 211
- A bill for AN ACT concerning sexually dangerous persons.
HOUSE BILL NO. 245
- A bill for AN ACT concerning insurance.
HOUSE BILL NO. 265
- A bill for AN ACT concerning regulation.
HOUSE BILL NO. 298
- A bill for AN ACT concerning local government.
HOUSE BILL NO. 330
- A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 340
- A bill for AN ACT in relation to firearms.
HOUSE BILL NO. 348
- A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 349
- A bill for AN ACT concerning pollution control.
HOUSE BILL NO. 414
- A bill for AN ACT in relation to disabled persons.
HOUSE BILL NO. 438
- A bill for AN ACT concerning local government.
HOUSE BILL NO. 488
- A bill for AN ACT concerning revenue.
HOUSE BILL NO. 504
- A bill for AN ACT concerning regulation.
HOUSE BILL NO. 561
- A bill for AN ACT concerning families.
HOUSE BILL NO. 582
- A bill for AN ACT concerning privileged communications.
HOUSE BILL NO. 598
- A bill for AN ACT concerning State government.
HOUSE BILL NO. 610
- A bill for AN ACT concerning State government.
HOUSE BILL NO. 617

A bill for AN ACT concerning civil liabilities.
Passed by the Senate, May 17, 2005.

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. 657

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 672

A bill for AN ACT concerning health.

HOUSE BILL NO. 676

A bill for AN ACT concerning education.

HOUSE BILL NO. 700

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 715

A bill for AN ACT concerning elections.

HOUSE BILL NO. 721

A bill for AN ACT concerning land.

HOUSE BILL NO. 748

A bill for AN ACT concerning State government.

HOUSE BILL NO. 756

A bill for AN ACT concerning State government.

HOUSE BILL NO. 766

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 767

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 780

A bill for AN ACT concerning criminal law.

Passed by the Senate, May 17, 2005.

Linda Hawker, Secretary of the Senate

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 434

Offered by Representatives Madigan and Berrios:
Congratulates Gerhard (Gary) Seibert on being named Hawaii Hilton Hotel's area vice-president and managing director effective June 1, 2005.

HOUSE RESOLUTION 435

Offered by Representative Flider:
Mourns the death of Edwin J. "Ed" Tangney of Decatur.

HOUSE RESOLUTION 437

Offered by Representative Brosnahan:

Congratulates Edward Polaszewski of Evergreen Park on the occasion of his 100th birthday.

HOUSE RESOLUTION 440

Offered by Representative Miller:

Congratulates Timothy Credo on being named to USA TODAY'S 2005 All-USA High School Academic First Team.

HOUSE RESOLUTION 441

Offered by Representative Flowers:

Mourns the death of Vernona "Nonie" Harrell.

HOUSE RESOLUTION 442

Offered by Representative Granberg:

Congratulates the owners of Shorty's Tavern in Albers on the occasion of its 70th anniversary.

RECESS

At the hour of 12:49 o'clock p.m., Representative Brady moved that the House do now take a recess until 2:00 p.m..

The motion prevailed.

At the hour of 2:35 o'clock p.m., the House resumed its session.

Representative Hannig in the Chair.

SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Osmond, SENATE BILL 58 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; 1, Answering Present.

(ROLL CALL 2)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Lang, SENATE BILL 63 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; 1, Nay; 0, Answering Present.

(ROLL CALL 3)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Joyce, SENATE BILL 74 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; 1, Nay; 0, Answering Present.

(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Delgado, SENATE BILL 88 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: 116, 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 Bassi, SENATE BILL 100 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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 Black, SENATE BILL 123 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 159 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: 116, Yeas; 0, 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 Delgado, SENATE BILL 162 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; 1, 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 Flider, SENATE BILL 169 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: 116, 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.

On motion of Representative Ryg, SENATE BILL 171 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:
116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 11)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Reitz, SENATE BILL 190 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:
116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Lang, SENATE BILL 211 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; 1, Nay; 0, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Kosel, SENATE BILL 223 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:
116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)

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 Franks, SENATE BILL 248 was taken up and read by title a third time.
The Chair rules to place this bill on Standard Debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
102, Yeas; 13, Nays; 1, Answering Present.

(ROLL CALL 15)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Rita, SENATE BILL 253 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:
116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Lang, SENATE BILL 287 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Granberg, SENATE BILL 299 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 18)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Froehlich, SENATE BILL 301 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Jakobsson, SENATE BILL 323 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: 105, Yeas; 0, Nays; 11, Answering Present.

(ROLL CALL 20)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Eddy, SENATE BILL 427 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; 1, Answering Present.

(ROLL CALL 21)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Delgado, SENATE BILL 10 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Jones, SENATE BILL 23 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 89, Yeas; 23, Nays; 4, Answering Present.

(ROLL CALL 23)

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

Ordered that the Clerk inform the Senate.

RECALLS

At the request of the principal sponsor, Representative Nekritz, HOUSE BILL 1098 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Saviano, SENATE BILL 158 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative John Bradley, SENATE BILL 562 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Reitz, SENATE BILL 1814 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 21 in relation to House Bills 3464 and 3871, Senate Bills 201, 244, 274, 468, 502, 530, 553, 599, 662, 1701, 1740, 1828, 1853, 1883, 1909, 1930, 1968 and 2082, House Resolutions 364, 369, 370 and 389, House Joint Resolution 54 and Senate Joint Resolution 6.

The motion prevailed.

At the hour of 4:13 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, May 18, 2005, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

May 17, 2005

0 YEAS

0 NAYS

116 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 58
SCH CD-INSTITUTES-FIRST AID
THIRD READING
PASSED

May 17, 2005

115 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 63
MEDICAID-NURSING HOME RATES
THIRD READING
PASSED

May 17, 2005

115 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 74
 CRIM PRO-COMM INTERCEPT
 THIRD READING
 PASSED

May 17, 2005

115 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 88
 SCH CD-MANDATE WAIVERS-PHYS ED
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 100
CRIM CD-SEX OFFENDERS-PRESENCE
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 123
DNR-HUNTING LICENSES
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 159
HOME CARE SRVCS-PLACEMT AGENCY
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 162
 SCH CD-WELLNESS POLICIES
 THIRD READING
 PASSED

May 17, 2005

115 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 169
MUNI CD-PEST EXTERMINATN LIENS
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 171
 TOWNSHIP OPEN SPACES FUNDS
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 190
CRIM CD-EMERGENCY MAN WKR
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 211
 SCH CD-PHYS ED CURRICULUM
 THIRD READING
 PASSED

May 17, 2005

115 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 223
SCH CD-GIFTED EDUCATION
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 248
 TRANSPORTATION-TECH
 THIRD READING
 PASSED

May 17, 2005

102 YEAS

13 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 253
 PEN CD-EMERGING INVESTMENT MGR
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 287
 CRIM CD-HATE CRIME-ELECTRONIC
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 299
REND LAKE CONS DIST-BD MEMBERS
THIRD READING
PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 301
 VEH CD-NEW RESIDENTS-REVOKED
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 323
DCEO-RESERVIST BUSINESS LOAN
THIRD READING
PASSED

May 17, 2005

105 YEAS

0 NAYS

11 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 427
 SCHL CD-PRINCIPALS-RECLASSIFY
 THIRD READING
 PASSED

May 17, 2005

115 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 10
 SCH CD-PARENT PILOT PROJECT
 THIRD READING
 PASSED

May 17, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 23
 STATE INVESTMENTS-SUDAN
 THIRD READING
 PASSED

May 17, 2005

89 YEAS

23 NAYS

4 PRESENT

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

E - Denotes Excused Absence

51ST LEGISLATIVE DAY

Perfunctory Session

TUESDAY, MAY 17, 2005

At the hour of 8:34 o'clock a.m., the House convened perfunctory session.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 16, 2005, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bills be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1038, 1666, 1731, 1752, 1812, 1813, 1871, 2048, 2065, 2133, 2414, 3031 and 3767.

That the bill be reported "approved for consideration" and be placed on the order of Third Reading-- Standard Debate: 1098.

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

Amendments numbered 4 and 5 to HOUSE BILL 4074.

Amendment No. 1 to SENATE BILL 54.

Amendment No. 2 to SENATE BILL 66.

Amendment No. 2 to SENATE BILL 139.

Amendment No. 1 to SENATE BILL 210.

Amendment No. 1 to SENATE BILL 511.

Amendment No. 1 to SENATE BILL 519.

Amendment No. 1 to SENATE BILL 1638.

Amendment No. 1 to SENATE BILL 1699.

Amendment No. 2 to SENATE BILL 1862.

Amendment No. 1 to SENATE BILL 1892.

Amendment No. 2 to SENATE BILL 1910.

Amendment No. 2 to SENATE BILL 2012.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Child Support Enforcement: SENATE BILL 530.

Elections & Campaign Reform: SENATE BILL 599.

Elementary & Secondary Education: HOUSE JOINT RESOLUTION 54; SENATE BILL 1853.

Environment & Energy: SENATE BILLS 1701 and 1909.

Environmental Health: HOUSE RESOLUTION 389.

Executive: HOUSE AMENDMENT No. 2 to HOUSE BILL 2151; SENATE BILLS 244, 502, 1828 and 1968.

Higher Education: HOUSE RESOLUTION 364.

Housing and Urban Development: HOUSE AMENDMENT No. 1 to SENATE BILL 966; HOUSE RESOLUTION 369.

Judiciary I - Civil Law: HOUSE AMENDMENT No. 4 to HOUSE BILL 1063; HOUSE BILL 3464; SENATE BILLS 1740, 1883 and 1930.

Judiciary II - Criminal Law: SENATE BILL 2082.

Labor: HOUSE RESOLUTION 370; SENATE BILL 274.

Registration and Regulation: HOUSE AMENDMENT No. 2 to HOUSE BILL 3167; SENATE BILL 201.

Revenue: SENATE BILL 553.

State Government Administration: HOUSE AMENDMENT No. 1 to SENATE BILL 1666; HOUSE BILL 3871; SENATE BILL 468.

Transportation and Motor Vehicles: SENATE JOINT RESOLUTION 6.

Developmental Disabilities and Mental Illness: HOUSE AMENDMENT No. 3 to HOUSE BILL 3031.

Fee-For-Service Initiatives: SENATE BILL 662.

Gaming: HOUSE AMENDMENT No. 1 to HOUSE BILL 1919.

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

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

Y Currie(D), Chairperson

N Black(R), Republican Spokesperson

Y Hannig(D)

A Hassert(R)

Y Turner(D)

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4078. Introduced by Representative Smith, AN ACT concerning government.

At the hour of 9:38 o'clock a.m., the House Perfunctory Session adjourned.

At the hour of 4:19 o'clock p.m., the House reconvened perfunctory session.

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4079. Introduced by Representatives Boland - Moffitt, AN ACT concerning government.

SENATE BILL ON FIRST READING

Having been reproduced, the following bill was taken up, read by title a first time and placed in the Committee on Rules: SENATE BILL 1548 (Madigan).

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 433

Offered by Representative Feigenholtz:

WHEREAS, There are nearly 30,000 Illinoisans living with HIV/AIDS and most struggle to obtain adequate basic health care, stable housing, and food; and

WHEREAS, The federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act has been critical to meeting these needs in Illinois; and

WHEREAS, The State, city of Chicago, and private providers currently receive more than \$35,000,000 annually to provide counseling services, primary health care, dental care, mental health services, substance abuse services, drug reimbursement, legal services, nutrition counseling, and food; and

WHEREAS, Congress created the Ryan White CARE Act in 1990 and it must be reauthorized every 5 years, this year Congress must reauthorize the Ryan White CARE Act by September 30, 2005; and

WHEREAS, Some in Congress would refocus the Ryan White CARE Act to allow only medically related services, eliminating services such as legal assistance, housing support, and food; and

WHEREAS, Without legal assistance, housing support, nutrition counseling, and food, Illinoisans living with HIV/AIDS will be unable to adhere to their complex medical regimens, unable to sustain their health, and die; and

WHEREAS, The sick will be forced into hospitals for complex and expensive health care paid for by U.S. Medicaid and the State, and the State will pay for more intensive and expensive health interventions than the Ryan White CARE Act provides; and

WHEREAS, Private and non-profit organizations throughout the State have created effective and efficient services to help people living with HIV/AIDS obtain health care, secure stable housing, address mental health and substance abuse, and support medical regimens through quality and nutritious food; and

WHEREAS, The organizations' efforts, funded primarily through the Ryan White CARE Act, will be jeopardized; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Congress of the United States of America to reauthorize the Ryan White CARE Act this year in its current format, with its current language, and with its current funding under local control for supportive services such as legal assistance, housing support, and food; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, the Secretary of the U.S. Department of Health and Human Services, Governor Rod Blagojevich, and each member of the Illinois congressional delegation.

HOUSE RESOLUTION 436

Offered by Representative Hamos:

WHEREAS, Illinois' life science and biotechnology industry is a national leader in developing innovative products and techniques to improve the quality of healthcare, agriculture, manufacturing, environment, and homeland defense; and

WHEREAS, The State of Illinois is ranked among the top three states in the country for life science and biotechnology; and

WHEREAS, It is desirable for Illinois' biotechnology industry, which directly or indirectly employs more than 127,000 people in Illinois, to continue to grow rapidly and to generate increased State revenue and high paying jobs for Illinois citizens; and

WHEREAS, According to a recent national study, only two states Illinois and California have sizable employment in all four major life sciences specialties: research and development; medical devices and instruments; pharmaceuticals and medicine; and agriculture, food, and chemicals; and

WHEREAS, In April 2006, the City of Chicago and State of Illinois will host "The Olympics of Biotech" - The Biotechnology International Convention; and

WHEREAS, The Biotechnology International Convention is expected to attract more than 20,000 participants and attendees from more than 65 countries; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the House of Representatives of the State of Illinois directs the Department of Commerce and Economic Opportunity to work with the Office of the Governor, the General Assembly, the City of Chicago, and the Illinois Biotechnology Industry Organization and other representative members of the industry: (i) to formulate and make recommendations and to thereafter report to the House those recommendations regarding the State's commitment to the continued growth and development of the life sciences and biotechnology in the State of Illinois; and (ii) to identify measures and make recommendations to promote and market "BIO 2006", the BIO International Convention scheduled for Chicago on April 9-12, 2006; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Governor, the Mayor of the City of Chicago, and the President of the Biotechnology Industry Organization.

HOUSE RESOLUTION 438

Offered by Representative Millner:

WHEREAS, The United States is a nation of immigrants from around the world, with a wide diversity of cultures and faiths; and

WHEREAS, Every faith tradition has a basic tenet that its followers contribute to charity to aid the poor and sick; and

WHEREAS, One of the five pillars of Islam is the principle of Zakat, commanding Muslims to give to charity; and

WHEREAS, Muslims also follow the principle of Sadaqa, which asks that they give voluntarily to charity; and

WHEREAS, Devout Muslims comply with this principle by giving to charities that provide educational, medical, and other humanitarian assistance; and

WHEREAS, The civil rights and liberties of American Muslims and the operational intent of Muslim charitable organizations have come under intense governmental scrutiny since the 9-11 terrorist attacks; several charitable organizations based in Illinois have been targeted for investigation and prosecution based on alleged ties to terrorist activity; during the course of these investigations and prosecutions, the federal government has frozen the assets of these organizations, which total in the millions of dollars; and

WHEREAS, Good-faith and legitimate contributions made to these organizations by devout Muslims have gone unused for charitable purposes, contrary to the intentions of the contributors; and

WHEREAS, American Muslim contributors have become increasingly concerned not only that their contributions will go unused, but that past contributions may be used against them retroactively in criminal or immigration prosecutions if the specific charitable organization in question is, in a future investigation, suspected of having ties to terrorist activity that the contributor was not aware of at the time of contribution; and

WHEREAS, Congress is currently considering the REAL ID bill (HR 1268) which, among other provisions, would threaten immigrant contributors to charitable organizations with deportation ex post facto of a good faith contribution to a charity that was in good standing at the time of contribution; and

WHEREAS, Americans giving charity to Muslim charities need assurance that the charitable contributions they make in good faith to charities in good standing will indeed go to humanitarian purposes and will not give rise to potential retroactive criminal or immigration prosecution; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the U.S. Department of Treasury, U.S. Department of Justice, and U.S. Department of Homeland Security to develop a list of charitable organizations, including Muslim charitable organizations, that provide international relief and are safe for Americans of all ethnic and faith backgrounds to contribute to without fear of personal prosecution and with assurance that their contributions will indeed be used for their intended charitable purposes; and be it further

RESOLVED, That a copy of this resolution be sent to the U.S. Department of Treasury, U.S. Department of Justice, U.S. Department of Homeland Security, and every member of the Illinois Congressional Delegation.

HOUSE RESOLUTION 439

Offered by Representative Millner:

WHEREAS, It is with deep concern for the hundreds of thousands of citizens nationwide who face increasing difficulties feeding their families that this body joins with the Illinois Interagency Nutrition Council, the Illinois Food Bank Association, and its individual Food Bank members as they support America's Second Harvest's National Hunger Awareness campaign to provide food assistance to hungry children; and

WHEREAS, Because of the sharp downturn in the economy, numerous families on a daily basis are relying on food banks to secure food for their families; and

WHEREAS, In Illinois, nine food banks provide food assistance to needy families and their children with a variety of feeding programs, including Kid's Cafes, Summertime Lunch Bag, and After School Snack programs throughout the year that are all designed to reduce childhood hunger; and

WHEREAS, America's Second Harvest, the largest hunger-relief organization in the United States, has seen an increase in the demand for food, particularly among families with children, and it has launched a national campaign to secure additional resources to help ease child hunger; and

WHEREAS, The date of June 7, 2005, has been designated "National Hunger Awareness Day" and the Illinois Food Bank Association members: the Central Illinois Food Bank in Springfield; the Eastern Illinois Food Bank in Urbana; the Greater Chicago Food Depository in Chicago; the Hunger Connection Food Bank in Rockford; the Northern Illinois Food Bank in St. Charles; the Peoria Area Food Bank in Peoria; the River Bend Food Bank in Moline; the St. Louis Food Bank in St. Louis, Missouri; and the Tri-State Food Bank in Evansville, Indiana, in partnership with over 2,000 emergency food providers, have committed their support for America's Second Harvest's national campaign to provide additional resources from our communities to combat child hunger; and

WHEREAS, The additional attention generated by this National Hunger Awareness Day will benefit the more than one million adults and children who are at or below the poverty level and likely in need of food assistance within Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim June 7, 2005, as "National Hunger Awareness Day" in Illinois to help secure additional resources to help end child hunger; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Illinois Food Bank Association members.

HOUSE RESOLUTION 443

Offered by Representative Sacia:

WHEREAS, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, has made recommendations about which military installations are to be considered for closure or realignment in cost-cutting measures for the military; and

WHEREAS, The State of Illinois has a distinct and important military installation that is listed for realignment, the Rock Island Arsenal; and

WHEREAS, Under the U.S. Department of Defense recommendations the Rock Island Arsenal will suffer a net loss of 1,263 jobs; and

WHEREAS, The U.S. Department of Defense recommendations, if adopted, would force the Rock Island Arsenal to eliminate approximately 20% of the approximately 6,500 job positions currently utilized by this facility; and

WHEREAS, The Rock Island Arsenal is one of the remaining facilities at the center of the continental United States and is perfectly situated for expedient transportation anywhere in the nation; and

WHEREAS, The Rock Island Arsenal is a major Army installation that is home to over 60 tenant organizations that provide critical products and services to all of our Armed Services; and

WHEREAS, The Rock Island Arsenal is indispensable in both our current and future efforts to counter threats to our security; and

WHEREAS, The Rock Island Arsenal is also a National Historic Site with a Confederate Cemetery, the Colonel Davenport House Museum, the Rock Island Arsenal Museum, and the historic Government Bridge over the Mississippi River; and

WHEREAS, The people of the State of Illinois have long been at the forefront of our nation's defense, are first to join and send troops in any conflict, and have a strong tradition of support and appreciation for the bases within our borders; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we take this opportunity to convey our appreciation for the advocacy and support for the Rock Island Arsenal that the Congress of the United States and the Illinois

Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of this installation in this time of war on terrorism and the vital need to protect our nation; and be it further

RESOLVED, That suitable copies of this resolution be transmitted to the President Pro-Tem of the United States Senate, to the Speaker of the United States House of Representatives, each member of the Illinois Congressional Delegation, each member of the Base Realignment and Closure Commission (BRAC), and the President of the United States of America.

HOUSE JOINT RESOLUTION 56

Offered by Representative Jefferson:

WHEREAS, More than two years into the crisis, the western Sudanese region of Darfur is acknowledged to be a humanitarian and human rights tragedy of the first order; as many as 10,000 people - overwhelmingly civilians - are dying every month; a total of 370,000 people have died in the conflict; and

WHEREAS, The humanitarian, security, and political situations continue to deteriorate; atrocity crimes are continuing; people are still dying in large numbers of malnutrition and disease; and a new famine is feared; the international community is failing to protect civilians or to influence the Sudanese government to do so; and

WHEREAS, The UN Commission of Inquiry on Darfur described the massive scope of atrocities carried out in the territory, primarily by the government and its allied Janjaweed militias, and the situation on the ground shows a number of negative trends, which have been developing since the last quarter of 2004: deteriorating security, including the targeting of humanitarian workers; a credible threat of famine; mounting civilian casualties; the cease-fire in shambles; the negotiation process at a standstill; the rebel movements beginning to splinter; and new armed movements appearing in Darfur and neighboring states; chaos and a culture of impunity are taking root in the region; and

WHEREAS, At the end of March 2005, the UN Security Council passed three resolutions on various aspects of the Sudan crisis, establishing the UN Mission in Sudan (UNMIS), extending the arms embargo in Darfur to include the government, and referring the situation in Darfur to the International Criminal Court; despite these resolutions, the situation in Sudan remains grave and even stronger measures are needed to restore security and prevent further mass deaths; more effective measures are also needed to preserve and implement the peace deal that was signed on January 9, 2005, to end the long war between the government and the Sudan People's Liberation Army/Movement (SPLM); proactive measures are still needed to forestall the outbreak of a serious new civil conflict in the eastern part of the country; and

WHEREAS, To this end, key international organizations and concerned governments should urgently agree and coordinate at a high level on what is necessary, without regard to institutional prerogatives or national prestige; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge President George W. Bush and United Nations Secretary-General Kofi Annan to recognize the conflict in the Darfur region of the Sudan as genocide and to intervene; and be it further

RESOLVED, That we urge President Bush to send humanitarian aid to the Sudan; and be it further

RESOLVED, That copies of this resolution be presented to President George W. Bush and to United Nations Secretary-General Kofi Annan.

At the hour of 4:21 o'clock p.m., the House Perfunctory Session adjourned.