

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**56TH LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**TUESDAY, MAY 24, 2005**

**1:42 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
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The House met pursuant to adjournment.

Representative Lyons in the chair.

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

Representative Richard Bradley 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 McKeon and Verschoore were excused from attendance.

### **REQUEST TO BE SHOWN ON QUORUM**

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Verschoore, should be recorded as present at the hour of 5:10 o'clock p.m.

### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Osmond replaced Representative Munson in the Committee on Registration and Regulation on May 24, 2005.

Representative Hassert replaced Representative Sullivan in the Committee on Registration and Regulation on May 24, 2005.

Representative Miller replaced Representative John Bradley in the Committee on International Trade & Commerce on May 24, 2005.

Representative Chavez replaced Representative Chapa LaVia in the Committee on International Trade & Commerce on May 24, 2005.

Representative Gordon replaced Representative Kelly in the Committee on Local Government on May 24, 2005.

Representative Eddy replaced Representative Watson in the Committee on Local Government on May 24, 2005.

Representative Winters replaced Representative Tryon in the Committee on Local Government on May 24, 2005.

Representative Eddy replaced Representative Cultra in the Committee on Judiciary II - Criminal Law on May 24, 2005.

Representative Miller replaced Representative Fritchey in the Committee on Financial Institutions on May 24, 2005.

Representative Eileen Lyons replaced Representative Jenisch in the Committee on Revenue on May 24, 2005.

Representative Chapa LaVia replaced Representative Fritchey in the Committee on Judiciary I - Civil Law on May 24, 2005.

Representative Eddy replaced Representative Rose in the Committee on Judiciary I - Civil Law on May 24, 2005.

### **LETTER OF TRANSMITTAL**

[May 24, 2005]

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May 24, 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 Final Action Deadline to May 31, 2005 for the following Senate Bill:

**Senate Bill: 27.**

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

With kindest personal regards, I remain

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

#### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 24, 2005, reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 55.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 60.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 62.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 188.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 295.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 515.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 760.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1071.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1149.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1511.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2343.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2345.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2380.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2853.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 3648.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4014.

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Elementary & Secondary Education: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 3678.

Environment & Energy: Motion to concur with SENATE AMENDMENTS Numbered 1 and 3 to HOUSE BILL 669.

Higher Education: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 1487.

Judiciary II - Criminal Law: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 457, Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 864 and Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 3532.

Labor: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 1480.

Local Government: Motion to concur with SENATE AMENDMENT No. 3 to HOUSE BILL 212.

Personnel and Pensions: SENATE BILL 27.

Registration and Regulation: Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 866.

State Government Administration: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 1316.

Transportation and Motor Vehicles: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 1387; HOUSE AMENDMENT No. 2 to HOUSE BILL 3814.

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

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

Y Currie,Barbara(D), Chairperson

Y Black,William(R), Republican Spokesperson

A Hannig,Gary(D)

Y Hassert,Brent(R)

Y Turner,Arthur(D)

### REPORTS FROM STANDING COMMITTEES

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

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

Amendment No. 2 to SENATE BILL 1354.

The committee roll call vote on Amendment No. 2 to Senate Bill 1354 is as follows:

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

Y Franks,Jack(D), Chairperson

Y Bradley,John(D)

Y Chavez,Michelle(D)

A Collins,Annazette(D)

Y Dugan,Lisa(D), Vice-Chairperson

Y Lindner,Patricia(R)

A Mitchell,Bill(R)

Y Myers,Richard(R)

Y Stephens,Ron(R), Republican Spokesperson

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 678.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 678 is as follows:

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

A Giles,Calvin(D), Chairperson

Y Davis,Monique(D), Vice-Chairperson

Y Bassi,Suzanne(R)

Y Beiser,Daniel(D)

Y Chapa LaVia,Linda(D)

A Colvin,Marlow(D)

Y Dugan,Lisa(D)

Y Eddy,Roger(R)

Y Flider,Robert(D)

Y Joyce,Kevin(D)

A Miller,David(D)

A Mitchell,Jerry(R), Republican Spokesperson

Y Moffitt,Donald(R)

A Mulligan,Rosemary(R)

Y Munson,Ruth(R)

Y Osterman,Harry(D)

Y Pihos,Sandra(R)

Y Pritchard,Robert(R)

Y Reis,David(R)  
Y Watson,Jim(R)

A Smith,Michael(D)

Representative Saviano, Chairperson, from the Committee on Registration and Regulation to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1445.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 1445 is as follows:

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

Y Saviano,Angelo(R), Chairperson	Y Acevedo,Edward(D)
Y Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	Y Burke,Daniel(D)
Y Coulson,Elizabeth(R), Republican Spokesperson	A Davis,Monique(D)
Y Delgado,William(D)	A Fritchey,John(D), Vice-Chairperson
Y Froehlich,Paul(R)	Y Granberg,Kurt(D)
A Holbrook,Thomas(D)	A Joyce,Kevin(D)
Y Kosel,Renee(R)	Y Mautino,Frank(D)
Y McAuliffe,Michael(R)	A Mendoza,Susana(D)
A Miller,David(D)	A Millner,John(R)
Y Mulligan,Rosemary(R)	Y Osmond(R) (replacing Munson)
Y Phelps,Brandon(D)	Y Reis,David(R)
A Reitz,Dan(D)	Y Hassert(R) (replacing Sullivan)

Representative Mendoza, Chairperson, from the Committee on International Trade & Commerce to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 1 to SENATE BILL 1251.

The committee roll call vote on Amendment No. 1 to Senate Bill 1251 is as follows:  
12, Yeas; 0, Nays; 0, Answering Present.

Y Mendoza,Susana(D), Chairperson	A Acevedo,Edward(D)
Y Bellock,Patricia(R)	Y Berrios,Maria(D)
Y Miller(D) (replacing Bradley,J)	Y Chavez(D) (replacing Chapa LaVia)
Y Davis,William(D)	Y Dugan,Lisa(D)
A Flowers,Mary(D)	Y Franks,Jack(D), Vice-Chairperson
Y Hultgren,Randall(R)	A Kelly,Robin(D)
A Krause,Carolyn(R)	Y Lyons,Eileen(R)
Y Myers,Richard(R)	A Reis,David(R)
Y Sacia,Jim(R)	A Sommer,Keith(R), Republican Spokesperson

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 909.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1517.

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 to SENATE BILL 847.

The committee roll call vote on Amendment No. 2 to House Bill 847 and Motion to Concur with Senate Amendment No. 1 to House Bills 909 and 1517 is as follows:



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

Y Osterman,Harry(D), Chairperson	Y Beiser,Daniel(D)
Y Flider,Robert(D), Vice-Chairperson	Y Gordon(D) (replacing Kelly)
Y Mathias,Sidney(R), Republican Spokesperson	Y Moffitt,Donald(R)
Y Ryg,Kathleen(D)	Y Sommer,Keith(R)
Y Winters(R) (replacing Tryon)	Y Eddy(R) (replacing Watson)
A Younge,Wyvetter(D)	

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE BILL 132.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 132 is as follows:

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

Y Molaro,Robert(D), Chairperson	A Bailey,Patricia(D)
Y Bradley,John(D)	A Collins,Annazette(D)
Y Eddy(R) (replacing Cultra)	A Delgado,William(D), Vice-Chairperson
Y Gordon,Careen(D)	Y Howard,Constance(D)
A Jones,Lovana(D)	Y Lindner,Patricia(R), Republican Spokesperson
Y Mautino,Frank(D)	Y Millner,John(R)
Y Reis,David(R)	Y Sacia,Jim(R)
Y Stephens,Ron(R)	Y Wait,Ronald(R)

Representative Boland, Chairperson, from the Committee on Financial Institutions to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar: Motion to concur with Senate Amendments numbered 1 and 3 to HOUSE BILL 1100.

The committee roll call vote on Motion to Concur with Senate Amendments No. 1 and 3 to House Bill 1100 is as follows:

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

Y Boland,Mike(D), Chairperson	Y Acevedo,Edward(D)
Y Bellock,Patricia(R)	Y Bradley,Richard(D)
Y Brauer,Rich(R)	Y Burke,Daniel(D), Vice-Chairperson
Y Coulson,Elizabeth(R)	Y Cultra,Shane(R)
Y Davis,Monique(D)	A Dunkin,Kenneth(D)
Y Dunn,Joe(R)	Y Miller(D) (replacing Fritchey)
A Giles,Calvin(D)	A Holbrook,Thomas(D)
Y Hultgren,Randall(R)	Y Jenisch,Roger(R)
Y Jones,Lovana(D)	A Lyons,Joseph(D)
Y Mautino,Frank(D)	Y McAuliffe,Michael(R)
A McCarthy,Kevin(D)	Y Mitchell,Bill(R), Republican Spokesperson
Y Munson,Ruth(R)	Y Osterman,Harry(D)
A Reis,David(R)	A Reitz,Dan(D)
A Rose,Chapin(R)	Y Schock,Aaron(R)
A Smith,Michael(D)	Y Watson,Jim(R)

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2053.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1965.

The committee roll call vote on Senate Bills 1965 and 2053 is as follows:

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

- |   |                                       |
|---|---------------------------------------|
| Y Reitz,Dan(D), Chairperson               | Y Beaubien,Mark(R)                    |
| Y Biggins,Bob(R), Republican Spokesperson | A Currie,Barbara(D), Vice-Chairperson |
| A Hannig,Gary(D)                          | Y Holbrook,Thomas(D)                  |
| Y Lyons, E(R) (replacing Jenisch)         | Y Krause,Carolyn(R)                   |
| Y McGuire,Jack(D)                         | A Smith,Michael(D)                    |
| Y Sullivan,Ed(R)                          | Y Younge,Wyvetter(D)                  |

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 26.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 973.

The committee roll call vote on Senate Bills 26 and 973 is as follows:

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

- |                                   |  |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D)              | Y Collins,Annazette(D)                         |
| Y Coulson,Elizabeth(R)            | A Cultra,Shane(R)                              |
| Y Dunn,Joe(R)                     | Y Flowers,Mary(D)                              |
| Y Howard,Constance(D)             | Y Jakobsson,Naomi(D)                           |
| Y Jenisch,Roger(R)                | A Rita,Robert(D), Vice-Chairperson             |

Representative John Bradley, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE BILL 712.

Motion to concur with Senate Amendments numbered 2 and 3 to HOUSE BILL 4023.

That the Floor Amendment be reported “recommends be adopted”: Amendment No. 2 to SENATE BILL 1883.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1446.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 712 and Senate Bill 1446 is as follows:

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

- |  |                                     |
|--|-------------------------------------|
| Y Chapa LaVia(D) (replacing Fritchey)          | Y Bradley,John(D), Vice-Chairperson |
| Y Brosnahan,James(D)                           | Y Gordon,Careen(D)                  |
| Y Hamos,Julie(D)                               | A Hoffman,Jay(D)                    |
| Y Hultgren,Randall(R), Republican Spokesperson | Y Lang,Lou(D)                       |
| Y Mathias,Sidney(R)                            | Y Nekritz,Elaine(D)                 |
| Y Osmond,JoAnn(R)                              | Y Eddy(R) (replacing Rose)          |
| Y Sacia,Jim(R)                                 | Y Wait,Ronald(R)                    |

The committee roll call vote on Amendment No. 2 to Senate Bill 1883 is as follows:

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

N Chapa LaVia(D) (replacing Fritchey)	Y Bradley,John(D), Vice-Chairperson
Y Brosnahan,James(D)	Y Gordon,Careen(D)
Y Hamos,Julie(D)	A Hoffman,Jay(D)
N Hultgren,Randall(R), Republican Spokesperson	Y Lang,Lou(D)
Y Mathias,Sidney(R)	Y Nekritz,Elaine(D)
N Osmond,JoAnn(R)	N Eddy(R) (replacing Rose)
N Sacia,Jim(R)	Y Wait,Ronald(R)

The committee roll call vote on Motion to Concur with Senate Amendments No. 2 and 3 to House Bill 4023 is as follows:

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

Y Chapa LaVia(D) (replacing Fritchey)	Y Bradley,John(D), Vice-Chairperson
Y Brosnahan,James(D)	Y Gordon,Careen(D)
Y Hamos,Julie(D)	A Hoffman,Jay(D)
Y Hultgren,Randall(R), Republican Spokesperson	Y Lang,Lou(D)
Y Mathias,Sidney(R)	Y Nekritz,Elaine(D)
Y Osmond,JoAnn(R)	Y Eddy(R) (replacing Rose)
N Sacia,Jim(R)	Y Wait,Ronald(R)

### MOTIONS SUBMITTED

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

#### MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 655.

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

#### MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2613.

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

#### MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2611.

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

#### MOTION

I move to concur with Senate Amendment No. 5 to HOUSE BILL 875.

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

#### MOTION

I move to concur with Senate Amendment No. 4 to HOUSE BILL 1074.

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

**MOTION**

I move to concur with Senate Amendment No. 3 to HOUSE BILL 3480.

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

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 1058.

Representative Munson 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 128.

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

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 2417.

Representative Soto 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 1565.

Representative Flider 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 2596.

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

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 315.

Representative Leitch 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 2351.

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

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 1870.

Representative Monique Davis 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 383.

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

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 612.

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

**MOTION**

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 596.

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

**MOTION**

I move to non-concur with Senate Amendment No. 3 to HOUSE BILL 870.

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

**MOTION #2**

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 601.

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

**MOTION**

I move to non-concur with Senate Amendment No. 2 to HOUSE BILL 3480.

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

**MOTION #2**

I move to non-concur with Senate Amendment No. 2 to HOUSE BILL 1679.

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

**MOTION #2**

I move to non-concur with Senate Amendment No. 2 to HOUSE BILL 2596.

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

**MOTION**

I move to non-concur with Senate Amendment No. 4 to HOUSE BILL 720.

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

**MOTION**

I move to non-concur with Senate Amendment No. 2 to HOUSE BILL 3801.

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

**MOTION**

I move to non-concur with Senate Amendment No. 2 to HOUSE BILL 832.

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

**MOTION**

I move to table Amendment No. 1 to SENATE BILL 1699.

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

**MOTION**

I move to table Amendments Numbered 1 and 2 to HOUSE BILL 1752.

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

**MOTION**

I move to table Amendment No. 1 to HOUSE BILL 2011.

**PENSION NOTES SUPPLIED**

Pension Notes have been supplied for HOUSE BILLS 2414, as amended, 3760, as amended, and 3761, as amended.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 3760, as amended, 3761, as amended, and SENATE BILL 575.

**CORRECTIONAL NOTE SUPPLIED**

A Correctional Note has been supplied for SENATE BILL 92, as amended.

**BALANCED BUDGET NOTES SUPPLIED**

Balanced Budget Notes have been supplied for HOUSE BILLS 1098, as amended, 3760, as amended, 3761, as amended, 4074, as amended, and SENATE BILL 92, as amended.

**MESSAGES FROM THE SENATE**

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 13

WHEREAS, Social Security's income protections - guaranteed, lifelong benefits, cost-of-living adjustments to guard against inflation, increased benefits for families, greater income replacement for low-income workers, and disability and survivor benefits - are the backbone of retirement security and family protection in the United States; and

WHEREAS, Social Security provides crucial, often indispensable, income protection for the 47 million individuals - one of every six Americans - receiving benefits; and

WHEREAS, Social Security is the nation's most successful and most important family income protection program, but it has long-term funding needs we should address; and

WHEREAS, Some policymakers propose to address these needs by cutting guaranteed benefits and privatizing Social Security; that is, diverting a third or more of workers' payroll tax contributions out of the Social Security Trust Fund and into private investment accounts; and

WHEREAS, Privatization will worsen Social Security's funding needs by draining resources from the Trust Fund into private accounts, increasing the federal deficit by \$2 trillion over the first decade alone and more in the future, and putting us in deeper hock to foreign creditors; and

WHEREAS, Some officials and members of Congress have suggested the federal government will not pay back the money it has taken from the Social Security Trust Fund over the past 20 years and used for other things, thereby denying working families the money they paid into Social Security and leading to further benefit cuts; and

WHEREAS, Privatizing Social Security will cut guaranteed benefits by 30 percent for young workers, even for those who do not participate in private accounts, costing them \$152,000 over their retirements, denying them benefits they have earned and imperiling their economic security; and

WHEREAS, Cutting guaranteed benefits will hurt the elderly because Social Security is the only secure source of retirement income for most Americans, providing at least half the income of nearly two-thirds of older American households and lifting more than 11 million seniors out of poverty; and

WHEREAS, Cutting guaranteed benefits will hurt women and people of color, as they are more likely than white men to rely on Social Security for most of their retirement income, they earn less than white men and are thus less able to save for retirement, and they are less likely than white men to receive job-based pensions in retirement; and

WHEREAS, Diverting resources from Social Security to fund private accounts will threaten guaranteed survivor and disability benefits, thus harming working families - particularly African-Americans - as roughly one in five workers dies before retiring and nearly three in 10 become too disabled to work before reaching retirement age; and

WHEREAS, Privatizing Social Security will burden state and local governments, as cuts in guaranteed benefits will increase demands for public assistance at the very moment growth in the federal deficit due to privatization induces the federal government to shift greater responsibilities onto states and localities; and

WHEREAS, In addition to privatization, federal policymakers are now considering "Progressive Indexing" as a reform to address the future solvency of Social Security by slowing the growth of future Social Security benefits for middle-wage and high-wage workers; and

WHEREAS, Congress should not rush through drastic and damaging changes in Social Security that undermine its family income protections but, instead, should take the time needed to develop careful and thoughtful reforms that address Social Security's funding needs without slashing benefits or exploding the deficit; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that Congress should first commit to paying back to the Social Security Trust Fund all of the money it borrowed and spent on other things; and be it further

RESOLVED, That Congress should carefully study a variety of potential changes that will address Social Security's problems while ensuring the program will continue to meet its purpose of providing income protection and economic security for America's families; and be it further

RESOLVED, That any changes adopted by Congress must strengthen Social Security's family income protections without slashing guaranteed benefits or exploding the deficit; and be it further

RESOLVED, That Congress should reject proposals to divert money out of Social Security to fund

private accounts; and be it further

RESOLVED, That the Commission on Government Forecasting and Accountability conduct an actuarial study of "Progressive Indexing" and the effect this proposal could have on future State pension payments to middle-wage and high-wage employees who could see the growth of their Social Security benefits reduced by "Progressive Indexing" and report the results of its study to the General Assembly by January 1, 2006; and be it further

RESOLVED, That copies of this resolution be sent to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Illinois congressional delegation, and the Commission on Government Forecasting and Accountability.

Adopted by the Senate, May 20, 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 27

A bill for AN ACT concerning local government.  
Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 27

Senate Amendment No. 3 to HOUSE BILL NO. 27

Senate Amendment No. 4 to HOUSE BILL NO. 27

Passed the Senate, as amended, May 24, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 27 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1127 as follows:

(55 ILCS 5/5-1127 new)

Sec. 5-1127. Regulation and licensure; adult entertainment facility.

(a) The county board of a county having a population of less than 750,000 may license or regulate any business (i) that is operating as an adult entertainment facility; (ii) that is located in an unincorporated area of the county; (iii) that permits the consumption of alcoholic liquor on the business premises; and (iv) that is not licensed under the Liquor Control Act of 1934.

(b) For purposes of this Section, "adult entertainment facility" means that term as it is defined in Section 5-1097.5.

Section 10. The Illinois Municipal Code is amended by adding Section 11-42-10.2 as follows:

(65 ILCS 5/11-42-10.2 new)

Sec. 11-42-10.2. Regulation and licensure; adult entertainment facility.

(a) The corporate authorities of each municipality having a population of less than 750,000 may license or regulate any business (i) that is operating as an adult entertainment facility; (ii) that permits the consumption of alcoholic liquor on the business premises; and (iii) that is not licensed under the Liquor Control Act of 1934.

(b) For purposes of this Section, "adult entertainment facility" means that term as it is defined in Section 11-5-1.5.

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

AMENDMENT NO. 3. Amend House Bill 27, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1049.1 as follows:

(55 ILCS 5/5-1049.1) (from Ch. 34, par. 5-1049.1)



Sec. 5-1049.1. Lease of public lands. The county board may enter into agreements to lease lands owned by the county for \$1 per year if the county board determines that the lease will serve public health purposes or public safety purposes as described by subsection (j) of Section 10 of the Illinois Emergency Management Agency Act.

(Source: P.A. 87-939.)

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

AMENDMENT NO. 4. Amend House Bill 27, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1049.1 as follows:

(55 ILCS 5/5-1049.1) (from Ch. 34, par. 5-1049.1)

Sec. 5-1049.1. Lease of public lands. The county board may enter into agreements to lease lands owned by the county for \$1 per year if the county board determines that the lease will serve public health purposes or public safety purposes as described by subsection (j) of Section 10 of the Illinois Emergency Management Agency Act.

(Source: P.A. 87-939.)

Section 10. The Illinois Municipal Code is amended by adding Section 11-42-10.2 as follows:

(65 ILCS 5/11-42-10.2 new)

Sec. 11-42-10.2. Regulation and licensure: adult entertainment facility.

(a) The corporate authorities of each municipality having a population of less than 750,000 may license or regulate any business (i) that is operating as an adult entertainment facility; (ii) that permits the consumption of alcoholic liquor on the business premises; and (iii) that is not licensed under the Liquor Control Act of 1934.

(b) For purposes of this Section, "adult entertainment facility" means that term as it is defined in Section 11-5-1.5.

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

The foregoing message from the Senate reporting Senate Amendments numbered 1, 3 and 4 to HOUSE BILL 27 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 350

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 350

Senate Amendment No. 6 to HOUSE BILL NO. 350

Passed the Senate, as amended, May 24, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 350 on page 2, line 18, by inserting after "offenders" the following:

", or is in any facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or is in any licensed medical facility"; and

on page 10, by replacing lines 32 and 33 with the following:

"(1) The facility shall provide housing to a sex offender who is in compliance with his or her parole, mandatory supervised release, probation, or supervision order for a period not to exceed 90 days, unless extended with approval from the Director or his or her designee. Notice of any extension approved shall be provided to the Prisoner Review Board."; and

on page 11, line 5, by inserting "as defined and" after "week"; and

on page 11, by replacing lines 11 through 17 with the following:

"facility of its initial licensure as a transitional housing facility, and of its continuing operation as a transitional housing facility annually thereafter.

(5) Upon its initial licensure as a transitional housing facility and during its licensure, each facility shall maintain at its main entrance a visible and conspicuous exterior sign identifying itself as, in letters at least 4 inches tall, a "Department of Corrections Licensed Transitional Housing Facility".

(6) Upon its initial licensure as a transitional housing facility, each facility shall file in the office of the county clerk of the county in which such facility is located, a certificate setting forth the name under which the facility is, or is to be, operated, and the true or real full name or names of the person, persons or entity operating the same, with the address of the facility. The certificate shall be executed and duly acknowledged by the person or persons so operating or intending to operate the facility. Notice of the filing of the certificate shall be published in a newspaper of general circulation published within the county in which the certificate is filed. The notice shall be published once a week for 3 consecutive weeks. The first publication shall be within 15 days after the certificate is filed in the office of the county clerk. Proof of publication shall be filed with the county clerk within 50 days from the date of filing the certificate. Upon receiving proof of publication, the clerk shall issue a receipt to the person filing the certificate but no additional charge shall be assessed by the clerk for giving such receipt. Unless proof of publication is made to the clerk, the notification is void.

(7) Each licensed transitional housing facility shall be identified on the Illinois State Police Sex Offender Registry website, including the address of the facility together with the maximum possible number of sex offenders that the facility could house.

(c) The Department of Corrections shall establish rules consistent with this Section establishing licensing procedures and criteria for transitional housing facilities for sex offenders, and may create criteria for, and issue licenses for, different levels of facilities to be licensed. The Department is authorized to set and charge a licensing fee for each application for a transitional housing license. The rules shall be adopted within 60 days after the effective date of this amendatory Act of the 94th General Assembly. Facilities which on the effective date of this amendatory Act of the 94th General Assembly are currently housing and providing sex offender treatment to sex offenders may continue housing more than one sex offender on parole, mandatory supervised release, probation, or supervision for a period of 120 days after the adoption of licensure rules during which time the facility shall apply for a transitional housing license."

AMENDMENT NO. 6. Amend House Bill 350, AS AMENDED, by inserting after the enacting clause the following:

"Section 2. The Criminal Code of 1961 is amended by changing Sections 11-9.3 and 11-9.4 as follows:  
(720 ILCS 5/11-9.3)

Sec. 11-9.3. Presence within school zone by child sex offenders prohibited.

(a) It is unlawful for a child sex offender to knowingly be present in any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity when persons under the age of 18 are present in the building, on the grounds or in the conveyance, unless the offender is a parent or guardian of a student present in the building, on the grounds or in the conveyance or unless the offender has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

(1) (Blank; or)

(2) (Blank.)

(b) It is unlawful for a child sex offender to knowingly loiter on a public way within 500 feet of a school building or real property comprising any school while persons under the age of 18 are present in the building or on the grounds, unless the offender is a parent or guardian of a student present in the building or on the grounds or has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex

offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

(1) (Blank; or)

(2) (Blank.)

(b-5) It is unlawful for a child sex offender to knowingly reside within 500 feet of a school building or the real property comprising any school that persons under the age of 18 attend. Nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a school building or the real property comprising any school that persons under 18 attend if the property is owned by the child sex offender and was purchased before the effective date of this amendatory Act of the 91st General Assembly. Nothing in this subsection (b-5) prohibits a child sex offender from residing in a transitional housing facility licensed by the Department of Corrections that is located within 500 feet of a school building or the real property comprising any school that persons under 18 attend if the facility: (i) was in operation during any portion of the 18 month period immediately prior to the effective date of this amendatory Act of the 94th General Assembly; (ii) makes application to the Department of Corrections to be licensed under the Transitional Housing for Sex Offenders Law within 120 days from the effective date of this amendatory Act of the 94th General Assembly; and (iii) is located in a county with a population in excess of 3,000,000.

(c) Definitions. In this Section:

(1) "Child sex offender" means any person who:

(i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (c) or the attempt to commit an included sex offense, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, or on a conveyance, owned, leased, or contracted by a school to transport students to or from school or a school related activity), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a

place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of subsection (c) of this Section.

(2.5) For the purposes of subsection (b-5) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961:

10-5(b)(10) (child luring), 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (c) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "School" means a public or private pre-school, elementary, or secondary school.

(5) "Loiter" means:

- (i) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property.
- (ii) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property, for the purpose of committing or attempting to commit a sex offense.

(6) "School official" means the principal, a teacher, or any other certified employee of the school, the superintendent of schools or a member of the school board.

(d) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(Source: P.A. 90-234, eff. 1-1-98; 90-655, eff. 7-30-98; 91-356, eff. 1-1-00; 91-911, eff. 7-7-00.)  
(720 ILCS 5/11-9.4)

Sec. 11-9.4. Approaching, contacting, residing, or communicating with a child within certain places by

child sex offenders prohibited.

(a) It is unlawful for a child sex offender to knowingly be present in any public park building or on real property comprising any public park when persons under the age of 18 are present in the building or on the grounds and to approach, contact, or communicate with a child under 18 years of age, unless the offender is a parent or guardian of a person under 18 years of age present in the building or on the grounds.

(b) It is unlawful for a child sex offender to knowingly loiter on a public way within 500 feet of a public park building or real property comprising any public park while persons under the age of 18 are present in the building or on the grounds and to approach, contact, or communicate with a child under 18 years of age, unless the offender is a parent or guardian of a person under 18 years of age present in the building or on the grounds.

(b-5) It is unlawful for a child sex offender to knowingly reside within 500 feet of a playground or a facility providing programs or services exclusively directed toward persons under 18 years of age. Nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a playground or a facility providing programs or services exclusively directed toward persons under 18 years of age if the property is owned by the child sex offender and was purchased before the effective date of this amendatory Act of the 91st General Assembly. Nothing in this subsection (b-5) prohibits a child sex offender from residing in a transitional housing facility licensed by the Department of Corrections that is located within 500 feet of a playground or a facility providing programs or services exclusively directed toward persons under 18 years of age if the facility: (i) was in operation during any portion of the 18 month period immediately prior to the effective date of this amendatory Act of the 94th General Assembly; (ii) makes application to the Department of Corrections to be licensed under the Transitional Housing for Sex Offenders Law within 120 days from the effective date of this amendatory Act of the 94th General Assembly; and (iii) is located in a county with a population in excess of 3,000,000.

(b-6) It is unlawful for a child sex offender to knowingly reside within 500 feet of the victim of the sex offense. Nothing in this subsection (b-6) prohibits a child sex offender from residing within 500 feet of the victim if the property in which the child sex offender resides is owned by the child sex offender and was purchased before the effective date of this amendatory Act of the 92nd General Assembly.

This subsection (b-6) does not apply if the victim of the sex offense is 21 years of age or older.

(c) It is unlawful for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at any facility providing programs or services exclusively directed towards persons under the age of 18. This does not prohibit a child sex offender from owning the real property upon which the programs or services are offered, provided the child sex offender refrains from being present on the premises for the hours during which the programs or services are being offered.

(d) Definitions. In this Section:

(1) "Child sex offender" means any person who:

(i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (d) or the attempt to commit an included sex offense, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any

conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, on a conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),  
10-2 (aggravated kidnapping),  
10-3 (unlawful restraint),  
10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of this subsection (d).

(2.5) For the purposes of subsection (b-5) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961:

10-5(b)(10) (child luring), 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),  
10-2 (aggravated kidnapping),  
10-3 (unlawful restraint),  
10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of this subsection (d) shall constitute a conviction for the purpose of this Section. A finding or adjudication as a sexually dangerous person

under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "Public park" includes a park, forest preserve, or conservation area under the jurisdiction of the State or a unit of local government.

(5) "Facility providing programs or services directed towards persons under the age of 18" means any facility providing programs or services exclusively directed towards persons under the age of 18.

(6) "Loiter" means:

(i) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around public park property.

(ii) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around public park property, for the purpose of committing or attempting to commit a sex offense.

(7) "Playground" means a piece of land owned or controlled by a unit of local government that is designated by the unit of local government for use solely or primarily for children's recreation.

(e) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(Source: P.A. 91-458, eff. 1-1-00; 91-911, eff. 7-7-00; 92-828, eff. 8-22-02.); and in paragraph (7.6) of subsection (a) of Sec. 3-3-7 of Section 5, by replacing "any licensed medical facility" with "a Class 1 Institution for Mental Diseases (IMD) in accordance with 89 Ill. Adm. Code 145.30"; and by inserting after the last line of subsection (e) of Sec. 3-17-5 of Section 5 the following:

"(f) Nothing in this Article shall be construed to exempt a transitional housing facility licensed under this Article from the jurisdiction of any county, municipality, or other unit of local government acting within the scope of its lawful powers to protect the public health, safety and welfare."

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 6 to HOUSE BILL 350 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 398

A bill for AN ACT concerning finance.

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

Senate Amendment No. 1 to HOUSE BILL NO. 398

Senate Amendment No. 3 to HOUSE BILL NO. 398

Passed the Senate, as amended, May 24, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 398 by replacing everything after the enacting clause with the following:

"Section 5. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 6.8 as follows:

(210 ILCS 30/6.8) (from Ch. 111 1/2, par. 4166.8)

Sec. 6.8. Program audit. The Auditor General shall conduct a biennial program audit of the office of the Inspector General in relation to the Inspector General's compliance with this Act. The audit shall specifically include the Inspector General's effectiveness in investigating reports of alleged neglect or abuse of residents in any facility operated by the Department of Human Services and in making recommendations for sanctions to the Departments of Human Services and Public Health. In conjunction with the audit required by this Section, the Auditor General shall examine, on a test basis, facility records concerning reports of injuries to and assaults on facility staff by patients or residents. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its

findings to the General Assembly no later than January 1 of each odd-numbered year. (Source: P.A. 92-358, eff. 8-15-01; 93-636, eff. 12-31-03.)".

AMENDMENT NO. 3. Amend House Bill 398, AS AMENDED, on page 1, immediately after line 3, by inserting the following:

"Section 2. The Illinois State Auditing Act is amended by changing Section 3-1 as follows:

(30 ILCS 5/3-1) (from Ch. 15, par. 303-1)

Sec. 3-1. Jurisdiction of Auditor General. The Auditor General has jurisdiction over all State agencies to make post audits and investigations authorized by or under this Act or the Constitution.

The Auditor General has jurisdiction over local government agencies and private agencies only:

(a) to make such post audits authorized by or under this Act as are necessary and incidental to a post audit of a State agency or of a program administered by a State agency involving public funds of the State, but this jurisdiction does not include any authority to review local governmental agencies in the obligation, receipt, expenditure or use of public funds of the State that are granted without limitation or condition imposed by law, other than the general limitation that such funds be used for public purposes;

(b) to make investigations authorized by or under this Act or the Constitution; and

(c) to make audits of the records of local government agencies to verify actual costs of state-mandated programs when directed to do so by the Legislative Audit Commission at the request of the State Board of Appeals under the State Mandates Act.

In addition to the foregoing, the Auditor General may conduct an audit of the Metropolitan Pier and Exposition Authority, the Regional Transportation Authority, the Suburban Bus Division, the Commuter Rail Division and the Chicago Transit Authority and any other subsidized carrier when authorized by the Legislative Audit Commission. Such audit may be a financial, management or program audit, or any combination thereof.

The audit shall determine whether they are operating in accordance with all applicable laws and regulations. Subject to the limitations of this Act, the Legislative Audit Commission may by resolution specify additional determinations to be included in the scope of the audit.

In addition to the foregoing, the Auditor General shall conduct or cause to be conducted a financial audit and compliance attestation examination for the year ended December 31, 2004, of the Chicago Transit Authority's use of funds and moneys appropriated by the General Assembly to the Department of Transportation which are distributed to the Regional Transportation Authority, by the means of grants, awards, State aid formula payments, construction funds, and direct or indirect payments. The audits shall determine if these funds have been and are being expended consistent with and in furtherance of the purposes set forth in the Regional Transportation Authority Act. In conjunction with those audits, the Auditor General shall conduct a performance audit to review the Chicago Transit Authority's actual service levels for the most recent year for which statistics are available and a comparison to projected service levels for the current budget year.

In addition to the foregoing, the Auditor General must also conduct a financial audit of the Illinois Sports Facilities Authority's expenditures of public funds in connection with the reconstruction, renovation, remodeling, extension, or improvement of all or substantially all of any existing "facility", as that term is defined in the Illinois Sports Facilities Authority Act.

The Auditor General may also conduct an audit, when authorized by the Legislative Audit Commission, of any hospital which receives 10% or more of its gross revenues from payments from the State of Illinois, Department of Public Aid, Medical Assistance Program.

The Auditor General is authorized to conduct financial and compliance audits of the Illinois Distance Learning Foundation and the Illinois Conservation Foundation.

As soon as practical after the effective date of this amendatory Act of 1995, the Auditor General shall conduct a compliance and management audit of the City of Chicago and any other entity with regard to the operation of Chicago O'Hare International Airport, Chicago Midway Airport and Merrill C. Meigs Field. The audit shall include, but not be limited to, an examination of revenues, expenses, and transfers of funds; purchasing and contracting policies and practices; staffing levels; and hiring practices and procedures. When completed, the audit required by this paragraph shall be distributed in accordance with Section 3-14.

The Auditor General shall conduct a financial and compliance and program audit of distributions from the Municipal Economic Development Fund during the immediately preceding calendar year pursuant to Section 8-403.1 of the Public Utilities Act at no cost to the city, village, or incorporated town that received the distributions.



The Auditor General must conduct an audit of the Health Facilities Planning Board pursuant to Section 19.5 of the Illinois Health Facilities Planning Act.

The Auditor General of the State of Illinois shall annually conduct or cause to be conducted a financial and compliance audit of the books and records of any county water commission organized pursuant to the Water Commission Act of 1985 and shall file a copy of the report of that audit with the Governor and the Legislative Audit Commission. The filed audit shall be open to the public for inspection. The cost of the audit shall be charged to the county water commission in accordance with Section 6z-27 of the State Finance Act. The county water commission shall make available to the Auditor General its books and records and any other documentation, whether in the possession of its trustees or other parties, necessary to conduct the audit required. These audit requirements apply only through July 1, 2007.

The Auditor General must conduct audits of the Rend Lake Conservancy District as provided in Section 25.5 of the River Conservancy Districts Act.

The Auditor General must conduct financial audits of the Southeastern Illinois Economic Development Authority as provided in Section 70 of the Southeastern Illinois Economic Development Authority Act.

(Source: P.A. 93-226, eff. 7-22-03; 93-259, eff. 7-22-03; 93-275, eff. 7-22-03; 93-968, eff. 8-20-04.); and on page 1, immediately after line 23, by inserting the following:

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

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 3 to HOUSE BILL 398 were placed on the Calendar on the order of Concurrence.

### **AGREED RESOLUTIONS**

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

#### **HOUSE RESOLUTION 478**

Offered by Representative Cross:

Congratulates Ken Toftoy on the occasion of his retirement after 31 years in fire service, 17 of which were served in Oswego.

#### **HOUSE RESOLUTION 480**

Offered by Representative Brauer:

Commends Richard "Dick" Lusardi, Superintendent at Lincoln Home Natl Historic Site in Springfield, on his exemplary 41-year federal career and wishes him all the best in his retirement.

#### **HOUSE RESOLUTION 481**

Offered by Representative Phelps:

Congratulates Anna Chief of Police Gordon Hopp on the occasion of his retirement after 26 years of service with the city.

#### **HOUSE RESOLUTION 482**

Offered by Representative Froehlich:

Commends Robert Schmidt, a teacher and coach at Schaumburg High School, on his many years of service in public education and wishes him the very best in retirement.

#### **HOUSE RESOLUTION 483**

Offered by Representative William Davis:

Congratulates the Blue Island Fire Department on the occasion of its 125th anniversary.

#### **HOUSE RESOLUTION 484**

Offered by Representative Mautino:  
Congratulates the Village of Cherry on the occasion of its 100th anniversary.

**HOUSE RESOLUTION 485**

Offered by Representative Joyce:  
Congratulates the University of Illinois wrestling team on winning the Big Ten Tournament Championship team title.

**HOUSE RESOLUTION 486**

Offered by Representative Black:  
Congratulates Dwight A. Lucas on being the recipient of the 2005 Martin Luther King Jr. Public Service Award.

**HOUSE BILLS ON THIRD READING**

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

On motion of Representative Madigan, HOUSE BILL 1663 was taken up and read by title a third time. The Chair placed this bill on standard debate. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 92, Yeas; 22, 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 and ask their concurrence.

On motion of Representative Fritchey, HOUSE BILL 3464 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 3, Answering Present.

(ROLL CALL 3)

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

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

**RECALLS**

At the request of the principal sponsor, Representative Madigan, HOUSE BILL 3760 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 Giles, SENATE BILL 1853 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**HOUSE BILLS ON SECOND READING**

HOUSE BILL 1871. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2065.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2414.

HOUSE BILL 3871. Having been read by title a second time on May 20, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on State Government Administration, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 3871 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by changing Section 2105-400 as follows:

(20 ILCS 2105/2105-400)

Sec. 2105-400. Emergency Powers.

(a) Upon proclamation of a disaster by the Governor, as provided for in the Illinois Emergency Management Agency Act, the Director of Professional Regulation shall have the following powers, which shall be exercised only in coordination with the Illinois Emergency Management Agency and the Department of Public Health:

(1) The power to suspend the requirements for permanent or temporary licensure of persons who are licensed in another state and are working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency) and the Department of Public Health (or a local public health department) pursuant to a declared disaster.

(2) The power to modify the scope of practice restrictions under any licensing act administered by the Department for any person working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency) and the Illinois Department of Public Health (or a local public health department) pursuant to the declared disaster.

(3) The power to expand the exemption in Section 4(a) of the Pharmacy Practice Act of 1987 to those licensed professionals whose scope of practice has been modified, under paragraph (2) of subsection (a) of this Section, to include any element of the practice of pharmacy as defined in the Pharmacy Practice Act of 1987 for any person working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency) and the Illinois Department of Public Health (or a local public health department) pursuant to the declared disaster.

(b) Persons exempt from licensure under paragraph (1) of subsection (a) of this Section and persons operating under modified scope of practice provisions under paragraph (2) of subsection (a) of this Section shall be exempt from licensure or be subject to modified scope of practice only until the declared disaster has ended as provided by law.

(c) The Director shall exercise these powers by way of proclamation.

(Source: P.A. 93-829, eff. 7-28-04.)

Section 10. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-625 as follows:

(20 ILCS 2310/2310-625)

Sec. 2310-625. Emergency Powers.

(a) Upon proclamation of a disaster by the Governor, as provided for in the Illinois Emergency Management Agency Act, the Director of Public Health shall have the following powers, which shall be exercised only in coordination with the Illinois Emergency Management Agency and the Department of Professional Regulation:

(1) The power to suspend the requirements for temporary or permanent licensure or certification of persons who are licensed or certified in another state and are working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited

by the Illinois Emergency Management Agency) and the Illinois Department of Public Health (or a local public health department) pursuant to the declared disaster.

(2) The power to modify the scope of practice restrictions under the Emergency Medical Services (EMS) Systems Act for any persons who are licensed under that Act for any person working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency) and the Illinois Department of Public Health (or a local public health department) pursuant to the declared disaster.

(3) The power to modify the scope of practice restrictions under the Nursing Home Care Act for Certified Nursing Assistants for any person working under the direction of the Illinois Emergency Management Agency (or an emergency services and disaster agency accredited by the Illinois Emergency Management Agency) and the Illinois Department of Public Health (or a local public health department) pursuant to the declared disaster.

(b) Persons exempt from licensure or certification under paragraph (1) of subsection (a) and persons operating under modified scope of practice provisions under paragraph (2) of subsection (a) and paragraph (3) of subsection (a) shall be exempt from licensure or certification or subject to modified scope of practice only until the declared disaster has ended as provided by law.

(c) The Director shall exercise these powers by way of proclamation.

(Source: P.A. 93-829, eff. 7-28-04.)".

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

#### SENATE BILLS ON SECOND READING

SENATE BILL 13. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on State Government Administration, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 13 by replacing everything after the enacting clause with the following:

"Section 5. The State Prompt Payment Act is amended by changing Section 7 as follows:

(30 ILCS 540/7) (from Ch. 127, par. 132.407)

Sec. 7. Payments to subcontractors and material suppliers.

(a) When a State official or agency responsible for administering a contract submits a voucher to the Comptroller for payment to a contractor, that State official or agency shall promptly make available electronically the voucher number, the date of the voucher, and the amount of the voucher. The State official or agency responsible for administering the contract shall provide subcontractors and material suppliers, known to the State official or agency, with instructions on how to access the electronic information. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application less any retention. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of work rejected or deemed not suitable for payment and all other subcontractors and suppliers shall be paid in full.

(b) If the contractor, without reasonable cause, fails to make full ~~any~~ payment of amounts due under subsection (a) to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of ~~4%~~ 2% per month, calculated from the expiration of the 15-day period until fully paid. This subsection shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(1) If a contractor, without reasonable cause, fails to make payment in full as provided in subsection

(a) within 15 days after receipt of payment under the public construction contract, any subcontractor or material supplier to whom payments are owed may file a written notice with the State official or agency setting forth the amount owed by the contractor and the contractor's failure to timely pay the amount owed.

(2) The State official or agency, within 15 days after receipt of a subcontractor's or material supplier's written notice of the failure to receive payment from the contractor, shall hold a hearing convened by an administrative law judge to determine whether the contractor withheld payment, without reasonable cause, from the subcontractors and material suppliers and what amount, if any, is due to the subcontractors and material suppliers. The State official or agency shall provide appropriate notice to the parties of the date, time, and location of the hearing. Each contractor, subcontractor, and material supplier has the right to be represented by counsel at the hearing and to cross-examine witnesses and challenge documents.

(3) If there is a finding by the administrative law judge that the contractor failed to make payment in full, without reasonable cause, as provided in subsection (a), then the administrative law judge shall, in writing, direct the contractor to pay the amount owed to the subcontractors and material suppliers plus interest within 15 days after the finding.

(4) If a contractor fails to make full payment within 15 days after the administrative law judge's finding, then the contractor shall be barred from entering into a State public construction contract for a period of one year beginning on the date of the administrative law judge's finding.

(Source: P.A. 87-773.)".

AMENDMENT NO. 2. Amend Senate Bill 13 by replacing everything after the enacting clause with the following:

"Section 5. The State Prompt Payment Act is amended by changing Section 7 as follows:

(30 ILCS 540/7) (from Ch. 127, par. 132.407)

Sec. 7. Payments to subcontractors and material suppliers.

(a) When a State official or agency responsible for administering a contract submits a voucher to the Comptroller for payment to a contractor, that State official or agency shall promptly make available electronically the voucher number, the date of the voucher, and the amount of the voucher. The State official or agency responsible for administering the contract shall provide subcontractors and material suppliers, known to the State official or agency, with instructions on how to access the electronic information. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application less any retention. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of work rejected or deemed not suitable for payment and all other subcontractors and suppliers shall be paid in full.

(b) If the contractor, without reasonable cause, fails to make full ~~any~~ payment of amounts due under subsection (a) to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of 2% per month, calculated from the expiration of the 15-day period until fully paid. This subsection shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(1) If a contractor, without reasonable cause, fails to make payment in full as provided in subsection (a) within 15 days after receipt of payment under the public construction contract, any subcontractor or material supplier to whom payments are owed may file a written notice with the State official or agency setting forth the amount owed by the contractor and the contractor's failure to timely pay the amount owed.

(2) The State official or agency, within 15 days after receipt of a subcontractor's or material supplier's written notice of the failure to receive payment from the contractor, shall hold a hearing convened by an administrative law judge to determine whether the contractor withheld payment, without reasonable cause, from the subcontractors and material suppliers and what amount, if any, is due to the subcontractors and material suppliers. The State official or agency shall provide appropriate notice to the parties of the date, time, and location of the hearing. Each contractor, subcontractor, and material supplier has the right to be represented by counsel at the hearing and to cross-examine witnesses and challenge documents.

(3) If there is a finding by the administrative law judge that the contractor failed to make payment in full, without reasonable cause, as provided in subsection (a), then the administrative law judge shall, in writing, direct the contractor to pay the amount owed to the subcontractors and material suppliers plus interest within 15 days after the finding.

(4) If a contractor fails to make full payment within 15 days after the administrative law judge's finding, then the contractor shall be barred from entering into a State public construction contract for a period of one year beginning on the date of the administrative law judge's finding.

(Source: P.A. 87-773.)"

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 61. Having been recalled on May 19, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Fritchey offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 61 on page 1, line 12, by changing "the American Brain Tumor Association" to "public and private entities".

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was again advanced to the order of Third Reading.

#### **ACTION ON MOTIONS**

Pursuant to the motion submitted previously, Representative Moffitt moved to table Amendment No. 1 to SENATE BILL 189.

The motion prevailed.

#### **SENATE BILLS ON SECOND READING**

SENATE BILL 189. Having been printed, was taken up and read by title a second time.

Representative Moffitt tabled Amendment No. 1.

Floor Amendment No. 2 remained in the Committee on Rules.

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 244 and 272.

SENATE BILL 250. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 250 by replacing everything after the enacting clause with the following:

"Section 5. The Capital Development Board Act is amended by changing Section 10.04 as follows:

(20 ILCS 3105/10.04) (from Ch. 127, par. 780.04)

Sec. 10.04. Construction and repair of buildings; green building.

(a) To construct and repair, or contract for and supervise the construction and repair of, buildings under the control of or for the use of any State agency, as authorized by the General Assembly. To the maximum extent feasible, any construction or repair work shall utilize the best available technologies for minimizing building energy costs as determined through consultation with the Department of Commerce and Economic Opportunity Community Affairs.

(b) On and after the effective date of this amendatory Act of the 94th General Assembly, the Board shall initiate a series of training workshops across the State to increase awareness and understanding of green building techniques and green building rating systems. The workshops shall be designed for relevant State agency staff, construction industry personnel, and other interested parties.

The Board shall identify no less than 3 construction projects to serve as case studies for achieving certification using nationally recognized and accepted green building guidelines, standards, or systems approved by the State. Consideration shall be given for a variety of representative building types in different geographic regions of the State to provide additional information and data related to the green building design and construction process. The Board shall report its findings to the General Assembly following the completion of the case study projects and in no case later than December 31, 2008.

The Board shall establish a Green Building Advisory Committee to assist the Board in determining guidelines for which State construction and major renovation projects should be developed to green building standards. The guidelines should take into account the size and type of buildings, financing considerations, and other appropriate criteria. The guidelines must take effect within 3 years after the effective date of this amendatory Act of the 94th General Assembly and are subject to Board approval or adoption. In addition to using a green building rating system in the building design process, the Committee shall consider the feasibility of requiring certain State construction projects to be certified using a green building rating system.

This subsection (b) of this Section is repealed on January 1, 2009.  
(Source: P.A. 89-445, eff. 2-7-96; revised 12-6-03.)

Section 99. Effective date. This Act takes effect January 1, 2006."

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 501. Having been printed, was taken up and read by title a second time.

Floor Amendments numbered 1 and 2 remained in the Committee on Rules.

There being no further amendments, the bill was ordered held on the order of Second Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 518.

#### **ACTION ON MOTIONS**

Pursuant to the motion submitted previously, Representative Delgado moved to table Amendment No. 1 to SENATE BILL 519.

The motion prevailed.

#### **HOUSE BILL ON SECOND READING**

HOUSE BILL 519. Having been read by title a second time on May 18, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

#### **SENATE BILLS ON SECOND READING**

SENATE BILL 538. Having been reproduced, was taken up and read by title a second time.  
Representative Mautino offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend Senate Bill 538 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Medical Services (EMS) Systems Act is amended by adding Section 3.133 as follows:

(210 ILCS 50/3.133 new)

Sec. 3.133. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 10. The Acupuncture Practice Act is amended by adding Section 117 as follows:

(225 ILCS 2/117 new)

Sec. 117. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 15. The Illinois Athletic Trainers Practice Act is amended by adding Section 16.5 as follows:

(225 ILCS 5/16.5 new)

Sec. 16.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 20. The Clinical Psychologist Licensing Act is amended by adding Section 15.1 as follows:

(225 ILCS 15/15.1 new)

Sec. 15.1. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 25. The Clinical Social Work and Social Work Practice Act is amended by adding Section 19.5 as follows:

(225 ILCS 20/19.5 new)

Sec. 19.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 30. The Illinois Dental Practice Act is amended by adding Section 23c as follows:

(225 ILCS 25/23c new)

Sec. 23c. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 35. The Hearing Instrument Consumer Protection Act is amended by adding Section 18.5 as follows:



(225 ILCS 50/18.5 new)

Sec. 18.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 40. The Home Medical Equipment and Services Provider License Act is amended by adding Section 77 as follows:

(225 ILCS 51/77 new)

Sec. 77. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 45. The Marriage and Family Therapy Licensing Act is amended by adding Section 87 as follows:

(225 ILCS 55/87 new)

Sec. 87. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 50. The Medical Practice Act of 1987 is amended by adding Section 22.5 as follows:

(225 ILCS 60/22.5 new)

Sec. 22.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 55. The Naprapathic Practice Act is amended by adding Section 113 as follows:

(225 ILCS 63/113 new)

Sec. 113. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 60. The Nursing and Advanced Practice Nursing Act is amended by adding Section 20-13 as follows:

(225 ILCS 65/20-13 new)

Sec. 20-13. Suspension of license or registration for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 65. The Illinois Occupational Therapy Practice Act is amended by adding Section 19.17 as follows:

(225 ILCS 75/19.17 new)

Sec. 19.17. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or

other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 70. The Illinois Optometric Practice Act of 1987 is amended by adding Section 24.5 as follows:  
(225 ILCS 80/24.5 new)

Sec. 24.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 75. The Orthotics, Prosthetics, and Pedorthics Practice Act is amended by adding Section 93 as follows:

(225 ILCS 84/93 new)

Sec. 93. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 80. The Pharmacy Practice Act of 1987 is amended by adding Section 30.5 as follows:

(225 ILCS 85/30.5 new)

Sec. 30.5. Suspension of license or certificate for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 85. The Illinois Physical Therapy Act is amended by adding Section 17.5 as follows:

(225 ILCS 90/17.5 new)

Sec. 17.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 90. The Physician Assistant Practice Act of 1987 is amended by adding Section 21.5 as follows:

(225 ILCS 95/21.5 new)

Sec. 21.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 95. The Podiatric Medical Practice Act of 1987 is amended by adding Section 24.5 as follows:

(225 ILCS 100/24.5 new)

Sec. 24.5. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 100. The Respiratory Care Practice Act is amended by adding Section 97 as follows:

(225 ILCS 106/97 new)

Sec. 97. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or

other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 105. The Professional Counselor and Clinical Professional Counselor Licensing Act is amended by adding Section 83 as follows:

(225 ILCS 107/83 new)

Sec. 83. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 110. The Illinois Speech-Language Pathology and Audiology Practice Act is amended by adding Section 16.3 as follows:

(225 ILCS 110/16.3 new)

Sec. 16.3. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 115. The Perfusionist Practice Act is amended by adding Section 107 as follows:

(225 ILCS 125/107 new)

Sec. 107. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 120. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by adding Section 77 as follows:

(225 ILCS 130/77 new)

Sec. 77. Suspension of registration for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 125. The Genetic Counselor Licensing Act is amended by adding Section 97 as follows:

(225 ILCS 135/97 new)

Sec. 97. Suspension of license for failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until the restitution is made in full.

Section 130. The Illinois Public Aid Code is amended by adding Sections 8A-3.5 and 8A-3.6 as follows:

(305 ILCS 5/8A-3.5 new)

Sec. 8A-3.5. Vendor fraud and recipient fraud in medical assistance; restitution. A person convicted of recipient fraud, unauthorized use of medical assistance, vendor fraud in relation to the provision of medical assistance under Article V of this Code, or convicted of a federal criminal violation associated with defrauding the Medicaid program shall be ordered to pay monetary restitution to a person for any financial loss sustained by that person as a result of a violation of Section 8A-2, 8A-2.5, or 8A-3 of this Code, including any court costs and attorney fees. An order of restitution also includes expenses incurred and paid in connection with any medical evaluation or treatment.

(305 ILCS 5/8A-3.6 new)

Sec. 8A-3.6. Actions by State licensing agencies.

(a) All State licensing agencies, the Illinois State Police, and the Department of Financial and

Professional Regulation shall coordinate enforcement efforts relating to acts of recipient fraud, unauthorized use of medical assistance, or vendor fraud in relation to the provision of medical assistance under Article V of this Code.

(b) If a person who is licensed or registered under the laws of the State of Illinois to engage in a business or profession is convicted of or pleads guilty to engaging in an act of recipient fraud, unauthorized use of medical assistance, or vendor fraud in relation to the provision of medical assistance under Article V of this Code, the Illinois State Police must forward to each State agency by which the person is licensed or registered a copy of the conviction or plea and all supporting evidence.

(c) Any agency that receives information under this Section shall, not later than 6 months after the date on which it receives the information, publicly report the final action taken against the convicted person, including but not limited to the revocation or suspension of the license or any other disciplinary action taken.

Section 135. The Criminal Code of 1961 is amended by changing Section 46-1 and by adding Section 46-6 as follows:

(720 ILCS 5/46-1)

Sec. 46-1. Insurance fraud.

(a) A person commits the offense of insurance fraud when he or she knowingly obtains, attempts to obtain, or causes to be obtained, by deception, control over the property of an insurance company or self-insured entity by the making of a false claim or by causing a false claim to be made on any policy of insurance issued by an insurance company or by the making of a false claim to a self-insured entity, intending to deprive an insurance company or self-insured entity permanently of the use and benefit of that property.

(b) Sentence.

(1) A violation of this Section in which the value of the property obtained or attempted to be obtained is \$300 or less is a Class A misdemeanor.

(2) A violation of the Section in which the value of the property obtained or attempted to be obtained is more than \$300 but not more than \$10,000 is a Class 3 felony.

(3) A violation of this Section in which the value of the property obtained or attempted to be obtained is more than \$10,000 but not more than \$100,000 is a Class 2 felony.

(4) A violation of this Section in which the value of the property obtained or attempted to be obtained is more than \$100,000 is a Class 1 felony.

(5) A person convicted of insurance fraud, vendor fraud, or a federal criminal violation associated with defrauding the Medicaid program shall be ordered to pay monetary restitution to the insurance company or self-insured entity or any other person for any financial loss sustained as a result of a violation of this Section, including any court costs and attorney fees. An order of restitution also includes expenses incurred and paid by the State of Illinois or an insurance company or self-insured entity in connection with any medical evaluation or treatment services.

(c) For the purposes of this Article, where the exact value of property obtained or attempted to be obtained is either not alleged by the accused or not specifically set by the terms of a policy of insurance, the value of the property shall be the fair market replacement value of the property claimed to be lost, the reasonable costs of reimbursing a vendor or other claimant for services to be rendered, or both.

(d) Definitions. For the purposes of this Article:

(1) "Insurance company" means "company" as defined under Section 2 of the Illinois Insurance Code.

(2) "Self-insured entity" means any person, business, partnership, corporation, or organization that sets aside funds to meet his, her, or its losses or to absorb fluctuations in the amount of loss, the losses being charged against the funds set aside or accumulated.

(3) "Obtain", "obtains control", "deception", "property" and "permanent deprivation" have the meanings ascribed to those terms in Article 15 of this Code.

(4) "Governmental entity" means each officer, board, commission, and agency created by the constitution, whether in the executive, legislative, or judicial branch of State government; each officer, department, board, commission, agency, institution, authority, university, and body politic and corporate of the State; each administrative unit or corporate outgrowth of State government that is created by or pursuant to statute, including units of local government and their officers, school districts, and boards of election commissioners; and each administrative unit or corporate outgrowth of the above and as may be created by executive order of the Governor.

(5) "False claim" means any statement made to any insurer, purported insurer, servicing

corporation, insurance broker, or insurance agent, or any agent or employee of the entities, and made as part of, or in support of, a claim for payment or other benefit under a policy of insurance, or as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, when the statement contains any false, incomplete, or misleading information concerning any fact or thing material to the claim, or conceals the occurrence of an event that is material to any person's initial or continued right or entitlement to any insurance benefit or payment, or the amount of any benefit or payment to which the person is entitled.

(6) "Statement" means any assertion, oral, written, or otherwise, and includes, but is not limited to, any notice, letter, or memorandum; proof of loss; bill of lading; receipt for payment; invoice, account, or other financial statement; estimate of property damage; bill for services; diagnosis or prognosis; prescription; hospital, medical or dental chart or other record, x-ray, photograph, videotape, or movie film; test result; other evidence of loss, injury, or expense; computer-generated document; and data in any form.

(Source: P.A. 90-333, eff. 1-1-98; 91-232, eff. 1-1-00.)

(720 ILCS 5/46-6 new)

Sec. 46-6. Actions by State licensing agencies.

(a) All State licensing agencies, the Illinois State Police, and the Department of Financial and Professional Regulation shall coordinate enforcement efforts relating to acts of insurance fraud.

(b) If a person who is licensed or registered under the laws of the State of Illinois to engage in a business or profession is convicted of or pleads guilty to engaging in an act of insurance fraud, the Illinois State Police must forward to each State agency by which the person is licensed or registered a copy of the conviction or plea and all supporting evidence.

(c) Any agency that receives information under this Section shall, not later than 6 months after the date on which it receives the information, publicly report the final action taken against the convicted person, including but not limited to the revocation or suspension of the license or any other disciplinary action taken.

Section 999. Effective date. This Act takes effect January 1, 2006."

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 662. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Fee-For-Service Initiatives, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 662 as follows:  
 on page 1, line 25, by deleting "after fiscal year 2006"; and  
 on page 2, line 5, after "Health" by inserting "Medicaid"; and  
 on page 2, by replacing line 12 with the following:  
"Fund. On April"; and  
 on page 2, by replacing line 16 with the following:  
"Trust Fund from the General Revenue Fund"; and  
 on page 2, line 23, after "Health" by inserting "Medicaid"; and  
 on page 2, lines 25 and 26, by deleting "at the direction of the Director of Public Aid"; and  
 on page 2, lines 26 and 27, by replacing "Public Aid Recoveries Trust" with "General Revenue"; and  
 on page 10, line 17, by deleting "at the direction of the Director of Public Aid"; and  
 on page 10, line 19, by replacing "Public Aid Recoveries Trust" with "General Revenue".

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1251. Having been reproduced, was taken up and read by title a second time.

Representative Miller offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend Senate Bill 1251 by replacing everything after the enacting clause with the following:

"Section 5. The Business Corporation Act of 1983 is amended by changing Section 7.05 as follows:  
(805 ILCS 5/7.05) (from Ch. 32, par. 7.05)

Sec. 7.05. Meetings of shareholders. Meetings of shareholders may be held either within or without this State, as may be provided in the by-laws or in a resolution of the board of directors pursuant to authority granted in the by-laws. In the absence of any such provision, all meetings shall be held at the registered office of the corporation in this State.

An annual meeting of the shareholders shall be held at such time as may be provided in the by-laws or in a resolution of the board of directors pursuant to authority granted in the by-laws. Failure to hold the annual meeting at the designated time shall not work a forfeiture or dissolution of the corporation nor affect the validity of corporate action. If an annual meeting has not been held within the earlier of six months after the end of the corporation's fiscal year or fifteen months after its last annual meeting and if, after a request in writing directed to the president of the corporation, a notice of meeting is not given within 60 days of such request, then any shareholder entitled to vote at an annual meeting may apply to the circuit court of the county in which the registered office or principal place of business of the corporation is located for an order directing that the meeting be held and fixing the time and place of the meeting. The court may issue such additional orders as may be necessary or appropriate for the holding of the meeting.

Unless specifically prohibited by the articles of incorporation or by-laws, a corporation may allow shareholders to participate in and act at any meeting of the shareholders through the use of a conference telephone or interactive technology, including but not limited to electronic transmission, Internet usage, or remote communication, by means of which all persons participating in the meeting can communicate with each other. A shareholder entitled to vote at a meeting of the shareholders shall be permitted to attend the meeting where space permits, and subject to the corporation's by-laws and rules governing the conduct of the meeting and the power of the chairman to regulate the orderly conduct of the meeting. Participation in such meeting shall constitute attendance and presence in person at the meeting of the person or persons so participating.

Special meetings of the shareholders may be called by the president, by the board of directors, by the holders of not less than one-fifth of all the outstanding shares entitled to vote on the matter for which the meeting is called or by such other officers or persons as may be provided in the articles of incorporation or the by-laws.

(Source: P.A. 92-771, eff. 8-6-02.)"

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1776.

SENATE BILL 1883. Having been read by title a second time on May 19, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Mathias offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 1883, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Attorney Act is amended by changing Section 1 as follows:  
(705 ILCS 205/1) (from Ch. 13, par. 1)

Sec. 1. No person shall be permitted to practice as an attorney or counselor at law within this State without having previously obtained a license for that purpose from the Supreme Court of this State.

No person shall receive any compensation directly or indirectly for any legal services other than a regularly licensed attorney, nor may an unlicensed person advertise or hold himself or herself out to provide legal services.

A license, as provided for herein, constitutes the person receiving the same an attorney and counselor at law, according to the law and customs thereof, for and during his good behavior in the practice and authorizes him to demand and receive fees for any services which he may render as an attorney and counselor at law in this State. No person shall be granted a license or renewal authorized by this Act who has defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission; however, a license or renewal may be issued to the aforementioned persons who have established a satisfactory repayment record as determined by the Illinois Student Assistance Commission. No person shall be granted a license or renewal authorized by this Act who is more than 30 days delinquent in complying with a child support order; a license or renewal may be issued, however, if the person has established a satisfactory repayment record as determined (i) by the Illinois Department of Public Aid for cases being enforced under Article X of the Illinois Public Aid Code or (ii) in all other cases by order of court or by written agreement between the custodial parent and non-custodial parent. No person shall be refused a license under this Act on account of sex.

Any person practicing, charging or receiving fees for legal services or advertising or holding himself or herself out to provide legal services within this State, either directly or indirectly, without being licensed to practice as herein required, is guilty of contempt of court and shall be punished accordingly, upon complaint being filed in any Circuit Court of this State. Such proceedings shall be conducted in the Courts of the respective counties where the alleged contempt has been committed in the same manner as in cases of indirect contempt and with the right of review by the parties thereto.

The provisions of this Act shall be in addition to other remedies permitted by law and shall not be construed to deprive courts of this State of their inherent right to punish for contempt or to restrain the unauthorized practice of law.

Nothing in this Act shall be construed to conflict with, amend, or modify Section 5 of the Corporation Practice of Law Prohibition Act or prohibit representation of a party by a person who is not an attorney in a proceeding before either panel of the Illinois Labor Relations Board under the Illinois Public Labor Relations Act, as now or hereafter amended, the Illinois Educational Labor Relations Board under the Illinois Educational Labor Relations Act, as now or hereafter amended, the State Civil Service Commission, the local Civil Service Commissions, or the University Civil Service Merit Board, to the extent allowed pursuant to rules and regulations promulgated by those Boards and Commissions or the giving of information, training, or advocacy or assistance in any meetings or administrative proceedings held pursuant to the federal Individuals with Disabilities Education Act, the federal Rehabilitation Act of 1973, the federal Americans with Disabilities Act of 1990, or the federal Social Security Act, to the extent allowed by those laws or the federal regulations or State statutes implementing those laws.

(Source: P.A. 91-798, eff. 7-9-00.)"

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1893 and 2054.

SENATE BILL 1842. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 1842 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing and Advanced Practice Nursing Act is amended by adding Section 10-37 as follows:

(225 ILCS 65/10-37 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 10-37. Nurse externship permit.

(a) The Department shall establish a 2-year program under which the Department may issue a nurse

externship permit to a registered nurse who is licensed under the laws of another state or territory of the United States and who has not taken the National Council Licensure Examination (NCLEX). A nurse who is issued a permit shall be allowed to practice as a nurse extern under the direct, on-site supervision of a registered professional nurse licensed under this Act. There shall be one supervising registered professional nurse for every one nurse extern.

(b) An applicant shall be qualified to receive a nurse externship permit if that applicant:

(1) Has submitted a completed written application to the Department, on forms provided by the Department, and paid any fees established by the Department.

(2) Has graduated from a professional nursing education program approved by the Department.

(3) Is licensed as a professional nurse in another state or territory of the United States and has submitted a verification of active and unencumbered licensure in all of the states and territories in which the applicant is licensed.

(4) Has submitted verification of an offer of employment in Illinois as a nurse extern. The Department may prescribe the information necessary to determine if this employment meets the requirements of the permit program. This information shall include a copy of the written employment offer.

(5) Has submitted a written statement from the applicant's prospective employer stating that the prospective employer agrees to pay the full tuition for the Bilingual Nurse Consortium course or other course approved by rule.

(6) Has submitted proof of taking the Test of English as a Foreign Language (TOEFL) with a minimum score as set by rule. Applicants with the highest TOEFL scores shall be given first consideration to entrance into an extern program.

(7) Has submitted written verification that the applicant has been enrolled in the Bilingual Nurse Consortium course or other course approved by rule. This verification must state that the applicant shall be able to complete the course within the year for which the permit is issued.

(8) Has agreed to submit to the Department a mid-year exam as determined by rule that demonstrates proficiency towards passing the NCLEX.

(9) Has not violated the provisions of Section 10-45 of this Act. The Department may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as an absolute bar to licensure.

(10) Has met all other requirements established by rule.

(c) A nurse extern shall be issued no more than one permit in a lifetime. The permit shall expire one calendar year after it is issued. Before being issued a license under this Act, the nurse extern must submit proof of the successful completion of the Bilingual Nurse Consortium course or other course approved by rule and successful passage of the NCLEX. The nurse extern shall not practice autonomous, professional nursing until he or she is licensed under this Act. The nurse extern shall carry out progressive nursing skills under the direct supervision of a registered nurse licensed under this Act and shall not be employed in a supervisory capacity. The nurse extern shall work only in the sponsoring facility. A nurse extern may work for a period not to exceed one calendar year from the date of issuance of the permit or until he or she fails the NCLEX. While working as a nurse extern, the nurse extern is subject to the provisions of this Act and all rules adopted by the Department for the administration of this Act.

(d) The Secretary shall convene a task force within 2 months after the effective date of this amendatory Act of the 94th General Assembly to establish clinical guidelines that allow for the gradual progression of nursing skills in culturally diverse practice settings. The Nursing Act Coordinator or his or her designee shall serve as chairperson of the task force. The task force shall include, but not be limited to, 2 representatives of the Illinois Nurses Association, 2 representatives of the Illinois Hispanic Nurses Association, a nurse engaged in nursing education who possesses a master's degree or higher, one representative from the Humboldt Park Vocational Educational Center, 2 registered nurses from United States territories who each hold a current State nursing license, one representative from the Chicago Bilingual Nurse Consortium, and one member of the Illinois Hospital Association. The task force shall complete this work no longer than 4 months after convening. After the nurse externship permit program has been in effect for 2 years, the task force shall evaluate the effectiveness of the program and make appropriate recommendations to the Secretary.

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.



Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1.

SENATE BILL 847. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 847 by replacing everything after the enacting clause with the following:

"Section 5. The Public Library District Act of 1991 is amended by adding Section 15-82 as follows:  
(75 ILCS 16/15-82 new)

Sec. 15-82. Disconnection from district.

(a) Any municipality or township may be disconnected from a public library district as follows:

(1) upon a vote of the majority of the members of its governing body, the municipality or township may authorize an advisory question of public policy to be placed on the ballot at the next regularly scheduled election in each public library district in which the municipality or township is located. The governing body shall certify the question to the proper election authority, which must submit the question to the electors of each affected library district at an election in accordance with the Election Code.

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

Should the (insert name of township or municipality) be disconnected from (insert name of library district)?

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

(2) After the completion of an advisory referendum under item (1), the governing body of the municipality or township may adopt an ordinance to disconnect the territory of the municipality or township from the public library district. Any ordinance adopted under this item (2) shall not take effect until it is approved by the board of trustees of each public library district in which any part of the municipality or township is located.

(b) The municipality or township shall, upon enactment of a disconnection ordinance, file with the circuit court in which a majority of the disconnected territory lies an appropriate petition and a certified copy of the ordinance. The petition shall request entry of an order of disconnection and the preparation of an appraisal setting forth the value of the tangible property of the district, the liabilities of the district, and the excess of the liabilities over tangible assets or property. Notice shall be published by and within the disconnecting territory.

The circuit court shall, after a hearing upon the matter, enter its order revising the limits and boundaries of the district and setting forth the liability, if any, yet to be retired and paid for by the property owners of the disconnected territory.

(d) When any territory has been disconnected from a district under this Section and the court order providing for the disconnection also sets forth a continuing liability to be paid by the property owners of the disconnected territory, then the county collector of each county affected shall debit upon his or her books the taxes to be paid and thereafter levied by the district and extended against taxable property within the disconnected territory. The county clerk shall continue to extend district library taxes upon the taxable property within the disconnected territory, and the county collector shall continue to collect district library taxes upon the taxable property within the disconnected territory until the excess liability has been paid and retired.

The residents and property owners of the disconnected territory are entitled to full and free library service from the district until the earlier of: (i) the final and full payment of the liability; or (ii) the submission of a referendum under Section 2-2 of the Illinois Local Library Act to the electors of the municipality or township. Upon the date of disconnection, the residents and property owners of the disconnected territory shall no longer be subject to any tax levies by the district. Upon full and final payment of the liability and thereafter, no resident or property owner of the disconnected territory shall have any right, title, and interest in and to the assets and tangible property of the district affected by the disconnection.

(d) The board must record a certified copy of the disconnection order with the recorder of deeds and with the county clerk and county collector of each county affected.

(e) No later than 90 days after the certified copy of the disconnection order is recorded, the governing

body of the municipality or township must adopt an ordinance for a referendum to establish a public library under Section 2-2 of the Illinois Local Library Act.

Section 10. The Illinois Local Library Act is amended by changing Section 2-2 as follows:  
(75 ILCS 5/2-2) (from Ch. 81, par. 2-2)

Sec. 2-2. To provide local public institutions of general education for citizens of Illinois, the citizens residing in a village, incorporated town or township without local library service may establish and maintain a public library for the use and benefit of the residents of the respective village, incorporated town or township as herein provided.

Upon the adoption of an ordinance by the governing body of an incorporated town, village, or township or when ~~When~~ 100 legal voters of any incorporated town, village or township present a petition to the clerk thereof asking for the establishment and maintenance of a public library in such incorporated town, village or township, the clerk shall certify the question of whether to establish and maintain a public library to the proper election authorities who shall submit the question at a regular election in accordance with the general election law.

The petition shall specify the maximum library tax rate, if the rate is to be in excess of .15%. In no case shall the rate specified in the petition be in excess of .60% of the value as equalized and assessed by the Department of Revenue. The proposition shall be in substantially the following form:

-----  
Shall a public library be established    YES  
and maintained in (name of incorporated -----  
town, village or township)?                    NO

-----  
If the petition specified a maximum tax rate in excess of the statutory maximum tax rate of .15%, the proposition shall be in substantially the following form:

-----  
Shall a public library be  
established and maintained in (name of  
incorporated town, village or township),    YES  
with a maximum annual public library tax -----  
rate at. % of the value of all taxable    NO  
property as equalized and assessed by the  
Department of Revenue?

-----  
If the majority of all votes cast in the incorporated town, village or township on the proposition are in favor of a public library, an annual tax may be levied for the establishment and maintenance of such library, subject to the limitations of Article 3.  
(Source: P.A. 85-751.)

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

Representative Ryg offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend Senate Bill 847, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Library District Act of 1991 is amended by adding Section 15-82 as follows:  
(75 ILCS 16/15-82 new)

Sec. 15-82. Disconnection of municipalities and townships; advisory question; disconnection procedures.

(a) An advisory question of public policy concerning the disconnection of a municipality or township from the public library district may be placed on the ballot (i) upon the adoption of an ordinance by the governing body of the municipality or township or (ii) when 5% of the legal voters of the public library district present a petition to the board of trustees requesting the advisory question. The governing body adopting an ordinance or the board of trustees receiving a petition must certify the question to the proper election authority, which, in accordance with the Election Code, must submit the question to the electors at the next regularly scheduled election in each public library district in which the municipality or township is located.

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

Should the (insert name of township or municipality) be disconnected from (insert name of library district)?

The votes must be recorded as "Yes" or "No".

(b) Regardless of the occurrence or outcome of any advisory question under subsection (a), the governing body of a municipality or township may adopt an ordinance to disconnect the territory of the municipality or township from the public library district. Any ordinance adopted under this subsection shall not take effect until it is approved by the board of trustees of each public library district in which any part of the municipality or township is located.

(c) If the disconnecting entity is a city, then, no later than 90 days after the adoption of the disconnection ordinance, the governing body of the city must establish and maintain a public library under Section 2-1 of the Illinois Local Library Act.

If the disconnecting entity is an incorporated town, a village, or a township, then, no later than 90 days after the adoption of the disconnection ordinance, the governing body of the incorporated town, village, or township must adopt an ordinance for a referendum to establish a public library under Section 2-2 of the Illinois Local Library Act.

(d) After an ordinance to establish and maintain a library is adopted by a city under Section 2-1 of the Illinois Local Library Act or after the approval by the electors in an incorporated town, a village, or a township of a referendum to establish and maintain a library under Section 2-2 of the Illinois Local Library Act, the municipality or township shall file with the circuit court in which a majority of the disconnected territory lies an appropriate petition and a certified copy of the disconnection ordinance. The petition shall request entry of an order of disconnection and the preparation of an appraisal setting forth the value of the tangible property of the district, the liabilities of the district, and the excess of the liabilities over tangible assets or property. Notice shall be published by and within the disconnecting territory.

The circuit court shall, after a hearing upon the matter, enter its order revising the limits and boundaries of the district and setting forth the liability, if any, yet to be retired and paid for by the property owners of the disconnected territory.

(e) When any territory has been disconnected from a district under this Section and the court order providing for the disconnection also sets forth a continuing liability to be paid by the property owners of the disconnected territory, then the county collector of each county affected shall debit upon his or her books the taxes to be paid and thereafter levied by the district and extended against taxable property within the disconnected territory. The county clerk shall continue to extend district library taxes upon the taxable property within the disconnected territory, and the county collector shall continue to collect district library taxes upon the taxable property within the disconnected territory until the excess liability has been paid and retired.

The residents and property owners of the disconnected territory are entitled to full and free library service from the district until the earlier of: (i) the final and full payment of the liability; or (ii) the entry of the disconnection order by the court. Upon the date of disconnection, the residents and property owners of the disconnected territory shall no longer be subject to any tax levies by the district other than levies for the excess liability. Upon full and final payment of the liability and thereafter, no resident or property owner of the disconnected territory shall have any right, title, and interest in and to the assets and tangible property of the district affected by the disconnection.

(f) The board must record a certified copy of the disconnection order with the recorder of deeds and with the county clerk and county collector of each county affected.

Section 10. The Illinois Local Library Act is amended by changing Section 2-2 as follows:

(75 ILCS 5/2-2) (from Ch. 81, par. 2-2)

Sec. 2-2. To provide local public institutions of general education for citizens of Illinois, the citizens residing in a village, incorporated town or township without local library service may establish and maintain a public library for the use and benefit of the residents of the respective village, incorporated town or township as herein provided.

Upon the adoption of an ordinance by the governing body of an incorporated town, village, or township or when ~~when~~ 100 legal voters of any incorporated town, village or township present a petition to the clerk thereof asking for the establishment and maintenance of a public library in such incorporated town, village or township, the clerk shall certify the question of whether to establish and maintain a public library to the proper election authorities who shall submit the question at a regular election in accordance with the general election law.

The petition shall specify the maximum library tax rate, if the rate is to be in excess of .15%. In no case shall the rate specified in the petition be in excess of .60% of the value as equalized and assessed by the Department of Revenue. The proposition shall be in substantially the following form:

-----

Shall a public library be established YES  
and maintained in (name of incorporated -----  
town, village or township)? NO

-----  
If the petition specified a maximum tax rate in excess of the statutory maximum tax rate of .15%, the proposition shall be in substantially the following form:

-----  
Shall a public library be  
established and maintained in (name of  
incorporated town, village or township), YES  
with a maximum annual public library tax -----  
rate at. % of the value of all taxable NO  
property as equalized and assessed by the  
Department of Revenue?

-----  
If the majority of all votes cast in the incorporated town, village or township on the proposition are in favor of a public library, an annual tax may be levied for the establishment and maintenance of such library, subject to the limitations of Article 3.

(Source: P.A. 85-751.)

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

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1354. Having been read by title a second time on May 11, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Stephens offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 1354, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, as follows:

on page 1, line 15, by replacing "6" with "7"; and  
on page 1, line 16, after "designees:", by inserting "the Lieutenant Governor"; and  
on page 2, line 1, after "chair", by inserting "and vice-chair"; and  
on page 2, by replacing lines 6 through 8 with the following:

"(c) The Lieutenant Governor shall serve as chair of the Committee, and the Director of Commerce and Economic Opportunity shall serve as vice-chair and shall oversee the administration of the Committee and its functions. Expenses".

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

**DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 2:40 o'clock p.m.

**SENATE BILLS ON SECOND READING**

SENATE BILL 26. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 26 by replacing everything after the enacting clause with the following:

"Section 5. The Assisted Living and Shared Housing Act is amended by changing Section 75 as follows:  
(210 ILCS 9/75)

Sec. 75. Residency Requirements.

(a) No individual shall be accepted for residency or remain in residence if the establishment cannot provide or secure appropriate services, if the individual requires a level of service or type of service for which the establishment is not licensed or which the establishment does not provide, or if the establishment does not have the staff appropriate in numbers and with appropriate skill to provide such services.

(b) Only adults may be accepted for residency.

(c) A person shall not be accepted for residency if:

(1) the person poses a serious threat to himself or herself or to others;

(2) the person is not able to communicate his or her needs and no resident representative residing in the establishment, and with a prior relationship to the person, has been appointed to direct the provision of services;

(3) the person requires total assistance with 2 or more activities of daily living;

(4) the person requires the assistance of more than one paid caregiver at any given time with an activity of daily living;

(5) the person requires more than minimal assistance in moving to a safe area in an emergency;

(6) the person has a severe mental illness, which for the purposes of this Section means a condition that is characterized by the presence of a major mental disorder as classified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV) (American Psychiatric Association, 1994), where the individual is substantially disabled due to mental illness in the areas of self-maintenance, social functioning, activities of community living and work skills, and the disability specified is expected to be present for a period of not less than one year, but does not mean Alzheimer's disease and other forms of dementia based on organic or physical disorders;

(7) the person requires intravenous therapy or intravenous feedings unless self-administered or administered by a qualified, licensed health care professional;

(8) the person requires gastrostomy feedings unless self-administered or administered by a licensed health care professional;

(9) the person requires insertion, sterile irrigation, and replacement of catheter, except for routine maintenance of urinary catheters, unless the catheter care is self-administered or administered by a licensed health care professional;

(10) the person requires sterile wound care unless care is self-administered or administered by a licensed health care professional;

(11) the person requires sliding scale insulin administration unless self-performed or administered by a licensed health care professional;

(12) the person is a diabetic requiring routine insulin injections unless the injections are self-administered or administered by a licensed health care professional;

(13) the person requires treatment of stage 3 or stage 4 decubitus ulcers or exfoliative dermatitis;

(14) the person requires 5 or more skilled nursing visits per week for conditions other than those listed in items (13) and (15) of this subsection for a period of 3 consecutive weeks or more except when the course of treatment is expected to extend beyond a 3 week period for rehabilitative purposes and is certified as temporary by a physician; or

(15) other reasons prescribed by the Department by rule.

(d) A resident with a condition listed in items (1) through (15) of subsection (c) shall have his or her residency terminated.

(e) Residency shall be terminated when services available to the resident in the establishment are no longer adequate to meet the needs of the resident. This provision shall not be interpreted as limiting the authority of the Department to require the residency termination of individuals.

(f) Subsection (d) of this Section shall not apply to terminally ill residents who receive or would qualify for hospice care and such care is coordinated by a hospice program licensed under the Hospice Program Licensing Act or other licensed health care professional employed by a licensed home health agency and the establishment and all parties agree to the continued residency.

(g) Items (3), (4), (5), and (9) of subsection (c) shall not apply to a quadriplegic, paraplegic, or individual

with neuro-muscular diseases, such as muscular dystrophy and multiple sclerosis, or other chronic diseases and conditions as defined by rule if the individual is able to communicate his or her needs and does not require assistance with complex medical problems, and the establishment is able to accommodate the individual's needs. The Department shall prescribe rules pursuant to this Section that address special safety and service needs of these individuals.

(h) For the purposes of items (7) through (11) of subsection (c), a licensed health care professional may not be employed by the owner or operator of the establishment, its parent entity, or any other entity with ownership common to either the owner or operator of the establishment or parent entity, including but not limited to an affiliate of the owner or operator of the establishment. Nothing in this Section is meant to limit a resident's right to choose his or her health care provider.

(Source: P.A. 93-141, eff. 7-10-03.)

Section 10. The Hospice Program Licensing Act is amended by changing Sections 2, 3, 4, 5, 8, and 9 and by adding Sections 4.5, 8.5, and 8.10 as follows:

(210 ILCS 60/2) (from Ch. 111 1/2, par. 6102)

Sec. 2. Purpose. ~~The intent of this Act is to ensure quality hospice care to consumers in the State of Illinois legislation is to encourage the orderly development of hospice programs which provide supportive and palliative care to terminally ill persons and their families during the final stages of their illness and during dying and bereavement. It is the intent of the General Assembly that persons requiring the services of hospice programs be assured the best quality of care during their time of need and vulnerability.~~ This is to be accomplished through the development, establishment and enforcement of standards governing the care provided by hospice programs.

(Source: P.A. 83-457.)

(210 ILCS 60/3) (from Ch. 111 1/2, par. 6103)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Bereavement" means the period of time during which the hospice patient's family experiences and adjusts to the death of the hospice patient.

(a-5) "Bereavement services" means counseling services provided to an individual's family after the individual's death.

(a-10) "Attending physician" means a physician who:

(1) is a doctor of medicine or osteopathy; and

(2) is identified by an individual, at the time the individual elects to receive hospice care, as having the most significant role in the determination and delivery of the individual's medical care.

(b) "Department" means the Illinois Department of Public Health.

(c) "Director" means the Director of the Illinois Department of Public Health.

(d) "Hospice care Full hospice" means a ~~coordinated~~ program of palliative care that provides for the physical, emotional, and spiritual care needs of a terminally ill patient and his or her family. The goal of such care is to achieve the highest quality of life as defined by the patient and his or her family through the relief of suffering and control of symptoms, home and inpatient care providing directly, or through agreement, palliative and supportive medical, health and other services to terminally ill patients and their families. A full hospice utilizes a medically directed interdisciplinary hospice care team of professionals and volunteers. The program provides care to meet the physical, psychological, social, spiritual and other special needs which are experienced during the final stages of illness and during dying and bereavement. Home care is to be provided on a part time, intermittent, regularly scheduled basis, and on an on call around the clock basis according to patient and family need. To the maximum extent possible, care shall be furnished in the patient's home. Should in patient care be required, services are to be provided with the intent of minimizing the length of such care and shall only be provided in a hospital licensed under the Hospital Licensing Act, or a skilled nursing facility licensed under the Nursing Home Care Act.

(e) "Hospice care team" means an interdisciplinary group or groups composed of individuals who provide or supervise the care and services offered by the hospice, working unit composed of but not limited to a physician licensed to practice medicine in all of its branches, a nurse licensed pursuant to the Nursing and Advanced Practice Nursing Act, a social worker, a pastoral or other counselor, and trained volunteers. The patient and the patient's family are considered members of the hospice care team when development or revision of the patient's plan of care takes place.

(f) "Hospice patient" means a terminally ill person receiving hospice services.

(g) "Hospice patient's family" means a hospice patient's immediate family consisting of a spouse, sibling, child, parent and those individuals designated as such by the patient for the purposes of this Act.

(g-1) "Hospice residence" means a separately licensed home, apartment building, or similar building

providing living quarters:

- (1) that is owned or operated by a person licensed to operate as a comprehensive ~~full~~ hospice; and
- (2) at which hospice services are provided to facility residents.

A building that is licensed under the Hospital Licensing Act or the Nursing Home Care Act is not a hospice residence.

(h) "Hospice services" means a range of professional and other supportive services provided to a hospice patient and his or her family. These services may include, but are not limited to, physician services, nursing services, medical social work services, spiritual counseling services, bereavement services, and volunteer services. palliative and supportive care provided to a hospice patient and his family to meet the special need arising out of the physical, emotional, spiritual and social stresses which are experienced during the final stages of illness and during dying and bereavement. Services provided to the terminally ill patient shall be furnished, to the maximum extent possible, in the patient's home. Should inpatient care be required, services are to be provided with the intent of minimizing the length of such care.

(h-5) "Hospice program" means a licensed public agency or private organization, or a subdivision of either of those, that is primarily engaged in providing care to terminally ill individuals through a program of home care or inpatient care, or both home care and inpatient care, utilizing a medically directed interdisciplinary hospice care team of professionals or volunteers, or both professionals and volunteers. A hospice program may be licensed as a comprehensive hospice program or a volunteer hospice program.

(h-10) "Comprehensive hospice" means a program that provides hospice services and meets the minimum standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418 but is not required to be Medicare-certified.

(i) "Palliative care" means the management of pain and other distressing symptoms that incorporates medical, nursing, psychosocial, and spiritual care according to the needs, values, beliefs, and culture or cultures of the patient and his or her family. The evaluation and treatment is patient-centered, with a focus on the central role of the family unit in decision-making. treatment to provide for the reduction or abatement of pain and other troubling symptoms, rather than treatment aimed at investigation and intervention for the purpose of cure or inappropriate prolongation of life.

(j) "Hospice service plan" means a plan detailing the specific hospice services offered by a comprehensive ~~full~~ or volunteer hospice program, and the administrative and direct care personnel responsible for those services. The plan shall include but not be limited to:

- (1) Identification of the person or persons administratively responsible for the program.
- (2) The estimated average monthly patient census.
- (3) The proposed geographic area the hospice will serve.
- (4) A listing of those hospice services provided directly by the hospice, and those hospice services provided indirectly through a contractual agreement.
- (5) The name and qualifications of those persons or entities under contract to provide indirect hospice services.
- (6) The name and qualifications of those persons providing direct hospice services, with the exception of volunteers.
- (7) A description of how the hospice plans to utilize volunteers in the provision of hospice services.
- (8) A description of the program's record keeping system.

(k) "Terminally ill" means a medical prognosis by a physician licensed to practice medicine in all of its branches that a patient has an anticipated life expectancy of one year or less.

(l) "Volunteer" means a person who offers his or her services to a hospice without compensation. Reimbursement for a volunteer's expenses in providing hospice service shall not be considered compensation.

(l-5) "Employee" means a paid or unpaid member of the staff of a hospice program, or, if the hospice program is a subdivision of an agency or organization, of the agency or organization, who is appropriately trained and assigned to the hospice program. "Employee" also means a volunteer whose duties are prescribed by the hospice program and whose performance of those duties is supervised by the hospice program.

(l-10) "Representative" means an individual who has been authorized under State law to terminate an individual's medical care or to elect or revoke the election of hospice care on behalf of a terminally ill individual who is mentally or physically incapacitated.

(m) "Volunteer hospice" means a program which provides hospice services to patients regardless of their

ability to pay, with emphasis on the utilization of volunteers to provide services, under the administration of a not-for-profit agency. This definition does not prohibit the employment of staff.

(Source: P.A. 93-319, eff. 7-23-03.)

(210 ILCS 60/4) (from Ch. 111 1/2, par. 6104)

Sec. 4. License.

(a) No person shall establish, conduct or maintain a comprehensive full or volunteer hospice program without first obtaining a license from the Department. A hospice residence may be operated only at the locations listed on the license. A comprehensive full hospice program owning or operating a hospice residence is not subject to the provisions of the Nursing Home Care Act in owning or operating a hospice residence.

(b) No public or private agency shall advertise or present itself to the public as a comprehensive full or volunteer hospice program which provides hospice services without meeting the provisions of subsection (a).

(c) The license shall be valid only in the possession of the hospice to which it was originally issued and shall not be transferred or assigned to any other person, agency, or corporation.

(d) The license shall be renewed annually.

(e) The license shall be displayed in a conspicuous place inside the hospice program office.

(Source: P.A. 93-319, eff. 7-23-03.)

(210 ILCS 60/4.5 new)

Sec. 4.5. Provisional license. Every licensed hospice program in operation on the effective date of this Act that does not meet all of the requirements for a comprehensive hospice program or a volunteer hospice program as set forth in this Act shall be deemed to hold a provisional license to continue that operation on and after that date. The provisional license shall remain in effect for one year after the effective date of this Act or until the Department issues a regular license under Section 4, whichever is earlier. The Department may coordinate the issuance of a regular hospice program license under Section 4 with the renewal date of the license that is in effect on the effective date of this Act.

(210 ILCS 60/5) (from Ch. 111 1/2, par. 6105)

Sec. 5. Application for License. An application for license or renewal thereof to operate as a comprehensive full or volunteer hospice program shall be made to the Department upon forms provided by it, and shall contain information reasonably required by the Department, taking into consideration the different categories of hospice programs. The application shall be accompanied by:

- (1) The hospice service plan;
- (2) A financial statement containing information deemed appropriate by the Department for the category of the applicant; and
- (3) A uniform license fee determined by the Department based on the hospice program's category.

A licensed comprehensive hospice or volunteer hospice that is in operation on the effective date of this Act may be issued a comprehensive hospice program license under Section 4 if the hospice program meets the requirements for a comprehensive hospice program set forth in this Act.

(Source: P.A. 84-427.)

(210 ILCS 60/8) (from Ch. 111 1/2, par. 6108)

Sec. 8. General Requirements for hospice programs Full Hospices. Every hospice program Full hospices shall comply with the following requirements :-

(a) The hospice program's services shall include ~~physician services,~~ nursing services, medical social work services, bereavement services counseling, and volunteer services. These services shall be coordinated with those of the hospice patient's ~~primary or~~ attending physician and shall be substantially provided by hospice program employees. The hospice program must make nursing services, medical social work services, volunteer services, and bereavement services available on a 24-hour basis to the extent necessary to meet the needs of individuals for care that is reasonable and necessary for the palliation and management of terminal illness and related conditions. The hospice program must provide these services in a manner consistent with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418. Hospice services, as defined in Section 3, may be furnished in a home or inpatient setting, with the intent of minimizing the length of inpatient care. The home care component shall be the primary form of care and shall be available on a part-time, intermittent, regularly-scheduled basis.

(a-5) The hospice program must have a governing body that designates an individual responsible for the day-to-day management of the hospice service plan. The governing body must also ensure that all services



are provided in accordance with accepted standards of practice and shall assume full legal responsibility for determining, implementing, and maintaining the hospice program's total operation.

(a-10) The hospice program must fully disclose in writing to any hospice patient, or to any hospice patient's family or representative, prior to the patient's admission, the hospice services available from the hospice program and the hospice services for which the hospice patient may be eligible under the patient's third-party payer plan (that is, Medicare, Medicaid, the Veterans Administration, private insurance, or other plans).

(b) The hospice program shall coordinate its services with professional and nonprofessional services already in the community. The program may contract out for elements of its services; however, direct patient contact and overall coordination of hospice services shall be maintained by the hospice care team. Any contract entered into between a hospice and a health care facility or service provider shall specify that the hospice retain the responsibility for planning and coordinating hospice services and care on behalf of a hospice patient and his family. All contracts shall be in compliance with this Act. No hospice which contracts for any hospice service shall charge fees for services provided directly by the hospice care team which duplicate contractual services provided to the individual patient or his family.

(c) The hospice program must have functioning hospice care teams that develop the hospice patient plans of care in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418. ~~The hospice care team shall be responsible for the coordination of home and inpatient care.~~

(c-5) A hospice patient's plan of care must be established and maintained for each individual admitted to a hospice program, and the services provided to an individual must be in accordance with the individual's plan of care. The plans of care must be established and maintained in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418.

(d) The hospice program shall have a medical director who shall be a doctor of medicine or osteopathy and physician licensed to practice medicine in all of its branches. The medical director shall have overall responsibility for medical direction of the patient care component of the hospice program ~~and treatment of patients and their families rendered by the hospice care team~~, and shall consult and cooperate with the patient's attending physician.

(e) The hospice program shall have a bereavement program which shall provide a continuum of supportive services for the family after the patient's death. The bereavement services must be provided in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418.

(f) The hospice program shall foster independence of the patient and his family by providing training, encouragement and support so that the patient and family can care for themselves as much as possible.

(g) The hospice program shall not impose the dictates of any value or belief system on its patients and their families.

(h) The hospice program shall clearly define its admission criteria. Decisions on admissions shall be made by a hospice care team and shall be dependent upon the expressed request and informed consent of the patient or the patient's legal guardian. For purposes of this Act, "informed consent" means that a hospice program must demonstrate respect for an individual's rights by ensuring that an informed consent form that specifies the type of care and services that may be provided as hospice care during the course of the patient's illness has been obtained for every hospice patient, either from the patient or from the patient's representative.

(i) The hospice program shall keep accurate, current, and confidential records on all hospice patients and their families in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418, except that standards or conditions in connection with Medicare or Medicaid election forms do not apply to patients receiving hospice care at no charge.

(j) The hospice program shall utilize the services of trained volunteers in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418.

(k) (Blank). The hospice program shall consist of both home care and inpatient care which incorporates the following characteristics:

(1) The home care component shall be the primary form of care, and shall be available on a part time, intermittent, regularly scheduled basis and on an on call around the clock basis, according to patient and family need.

(2) The inpatient component shall primarily be used only for short term stays.

If possible, inpatient care should closely approximate a home like environment, and provide overnight

~~family visitation within the facility.~~

(l) The hospice program must maintain professional management responsibility for hospice care and ensure that services are furnished in a safe and effective manner by persons meeting the qualifications as defined in this Act and in accordance with the patient's plan of care.

(m) The hospice program must conduct a quality assurance program in accordance with the standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418.

(n) Where applicable, every hospice program employee must be licensed, certified, or registered in accordance with federal, State, and local laws and regulations.

(o) The hospice program shall provide an ongoing program for the training and education of its employees appropriate to their responsibilities.

(Source: P.A. 83-457.)

(210 ILCS 60/8.5 new)

Sec. 8.5. Additional requirements; comprehensive hospice program. In addition to complying with the standards prescribed by the Department under Section 9 and complying with all other applicable requirements under this Act, a comprehensive hospice program must meet the minimum standards for certification under the Medicare program set forth in the Conditions of Participation in 42 CFR Part 418.

(210 ILCS 60/8.10 new)

Sec. 8.10. Additional requirements; volunteer hospice program. In addition to complying with the standards prescribed by the Department under Section 9 and complying with all other applicable requirements under this Act, a volunteer hospice program must do the following:

(1) Provide hospice care to patients regardless of their ability to pay, with emphasis on the utilization of volunteers to provide services. Nothing in this paragraph prohibits a volunteer hospice program from employing paid staff, however.

(2) Provide services not required under subsection (a) of Section 8 in accordance with generally accepted standards of practice and in accordance with applicable local, State, and federal laws.

(3) Include the word "Volunteer" in its corporate name and in all verbal and written communications to patients, patients' families and representatives, and the community and public at large.

(4) Provide information regarding other hospice care providers available in the hospice program's service area.

(210 ILCS 60/9) (from Ch. 111 1/2, par. 6109)

Sec. 9. Standards. The Department shall prescribe, by regulation, minimum standards for licensed hospice programs.

(a) The standards for all hospice programs ~~full hospices~~ shall include, but not be limited to, the following:

(1) ~~(Blank). Compliance with the requirements in Section 8.~~

(2) The number and qualifications of persons providing direct hospice services.

(3) The qualifications of those persons contracted with to provide indirect hospice services.

(4) The palliative and supportive care and bereavement counseling provided to a hospice patient and his family.

(5) Hospice services provided on an inpatient basis.

(6) Utilization review of patient care.

(7) The quality of care provided to patients.

(8) Procedures for the accurate and centralized maintenance of records on hospice services provided to patients and their families.

(9) The use of volunteers in the hospice program, and the training of those volunteers.

(10) The rights of the patient and the patient's family.

(b) ~~(Blank). The standards for volunteer hospice programs shall include but not be limited to:~~

~~(1) The direct and indirect services provided by the hospice, including the qualifications of personnel providing medical care.~~

~~(2) Quality review of the services provided by the hospice program.~~

~~(3) Procedures for the accurate and centralized maintenance of records on hospice services provided to patients and their families.~~

~~(4) The rights of the patient and the patient's family.~~

~~(5) The use of volunteers in the hospice program.~~

~~(6) The disclosure to the patients of the range of hospice services provided and not provided by the hospice program.~~

- (c) The standards for hospices owning or operating hospice residences shall address the following:
- (1) The safety, cleanliness, and general adequacy of the premises, including provision for maintenance of fire and health standards that conform to State laws and municipal codes, to provide for the physical comfort, well-being, care, and protection of the residents.
  - (2) Provisions and criteria for admission, discharge, and transfer of residents.
  - (3) Fee and other contractual agreements with residents.
  - (4) Medical and supportive services for residents.
  - (5) Maintenance of records and residents' right of access of those records.
  - (6) Procedures for reporting abuse or neglect of residents.
  - (7) The number of persons who may be served in a residence, which shall not exceed 16 persons per location.
  - (8) The ownership, operation, and maintenance of buildings containing a hospice residence.
  - (9) The number of licensed hospice residences shall not exceed 6 before December 31, 1996 and shall not exceed 12 before December 31, 1997. The Department shall conduct a study of the benefits of hospice residences and make a recommendation to the General Assembly as to the need to limit the number of hospice residences after June 30, 1997.

(d) In developing the standards for hospices, the Department shall take into consideration the category of the hospice programs.

(Source: P.A. 89-278, eff. 8-10-95.)

Section 15. The Health Care Worker Background Check Act is amended by changing Section 15 as follows:

(225 ILCS 46/15)

Sec. 15. Definitions. For the purposes of this Act, the following definitions apply:

"Applicant" means an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment.

"Conditional offer of employment" means a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25.

"Direct care" means the provision of nursing care or assistance with feeding, dressing, movement, bathing, toileting, or other personal needs. The entity responsible for inspecting and licensing, certifying, or registering the health care employer may, by administrative rule, prescribe guidelines for interpreting this definition with regard to the health care employers that it licenses.

"Health care employer" means:

- (1) the owner or licensee of any of the following:
  - (i) a community living facility, as defined in the Community Living Facilities Act;
  - (ii) a life care facility, as defined in the Life Care Facilities Act;
  - (iii) a long-term care facility, as defined in the Nursing Home Care Act;
  - (iv) a home health agency, as defined in the Home Health Agency Licensing Act;
  - (v) a comprehensive full hospice program or volunteer hospice program, as defined in the Hospice Program Licensing Act;
  - (vi) a hospital, as defined in the Hospital Licensing Act;
  - (vii) a community residential alternative, as defined in the Community Residential Alternatives Licensing Act;
  - (viii) a nurse agency, as defined in the Nurse Agency Licensing Act;
  - (ix) a respite care provider, as defined in the Respite Program Act;
  - (ix-a) an establishment licensed under the Assisted Living and Shared Housing Act;
  - (x) a supportive living program, as defined in the Illinois Public Aid Code;
  - (xi) early childhood intervention programs as described in 59 Ill. Adm. Code 121;
  - (xii) the University of Illinois Hospital, Chicago;
  - (xiii) programs funded by the Department on Aging through the Community Care Program;
  - (xiv) programs certified to participate in the Supportive Living Program authorized pursuant to Section 5-5.01a of the Illinois Public Aid Code;
  - (xv) programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers;
  - (xvi) locations licensed under the Alternative Health Care Delivery Act;

- (2) a day training program certified by the Department of Human Services;
- (3) a community integrated living arrangement operated by a community mental health and developmental service agency, as defined in the Community-Integrated Living Arrangements Licensing and Certification Act; or
- (4) the State Long Term Care Ombudsman Program, including any regional long term care ombudsman programs under Section 4.04 of the Illinois Act on the Aging, only for the purpose of securing background checks.

"Initiate" means the obtaining of the authorization for a record check from a student, applicant, or employee. The educational entity or health care employer or its designee shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization. (Source: P.A. 92-16, eff. 6-28-01; 93-878, eff. 1-1-05.)

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 973 and 1965.

SENATE BILL 2053. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 2053 as follows: on page 2, by replacing lines 34 through 36 with the following:

"(c) When the county collector discovers, within 5 years ~~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~~"; and on page 3, line 1, by changing "~~a scavenger tax sale,~~" to "a scavenger tax sale,".

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

### HOUSE BILL ON SECOND READING

HOUSE BILL 2414. Having been read by title a second time on May 24, 2005, and held on the order of Second Reading.

Floor Amendments numbered 3 and 4 remained in the Committee on Rules.

Representative Acevedo offered the following amendment and moved its adoption.

AMENDMENT NO. 5. Amend House Bill 2414, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Sections 24-1.7 and 24-1.8 as follows:  
(720 ILCS 5/24-1.7 new)

Sec. 24-1.7. Manufacture, possession, and delivery of semiautomatic assault weapons, assault weapon attachments, and .50 caliber rifles.

(a) Definitions. In this Section:

(1) "Semi-automatic assault weapon" means:

(A) any of the firearms or types, replicas, or duplicates in any caliber of the firearms, known as:

(i) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);

(ii) Action Arms Israeli Military Industries UZI and Galil;

(iii) Beretta AR-70 (SC-70);

(iv) Colt AR-15;

(v) Fabrique Nationale FN/FAL, FN/LAR, and FNC;

(vi) SWD M-10, M-11, M-11/9, and M-12;  
(vii) Steyr AUG;  
(viii) INTRATEC TEC-9, TEC-DC9, and TEC-22; and  
(ix) any shotgun which contains its ammunition in a revolving cylinder, such as (but not limited to) the Street Sweeper and Striker 12;

(B) a semiautomatic rifle that has an ability to accept a detachable magazine and has any of the following:

- (i) a folding or telescoping stock;
- (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon; or
- (iii) a flash suppressor or barrel having a threaded muzzle;

(C) a semi-automatic pistol that has an ability to accept a detachable magazine and has any of the following:

- (i) an ammunition magazine that attaches to the pistol outside of the pistol grip;
- (ii) a barrel having a threaded muzzle;
- (iii) a shroud that is attached to, or partially or completely encircles the barrel, and that permits the shooter to hold the firearm with the non-trigger hand without being burned;
- (iv) a manufactured weight of 50 ounces or more when the pistol is unloaded; or
- (v) a semiautomatic version of an automatic firearm;

(D) a semiautomatic shotgun that has any of the following:

- (i) a folding or telescoping stock;
- (ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;
- (iii) a fixed magazine capacity in excess of 5 rounds; or
- (iv) an ability to accept a detachable magazine.

"Semiautomatic assault weapon" does not include:

(A) any firearm that:

- (i) is manually operated by bolt, pump, lever or slide action;
- (ii) is an "unserviceable firearm" or has been made permanently inoperable; or
- (iii) is an antique firearm;

(B) any semiautomatic rifle that cannot accept a detachable magazine that holds more than 5 rounds of ammunition; or

(C) any semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable magazine.

(2) "Assault weapon attachment" means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in paragraph (1) of subsection (a) of this Section.

(3) "Antique firearm" has the meaning ascribed to it in 18 U.S.C. Section 921(a)(16).

(4) ".50 caliber rifle" means a centerfire rifle capable of firing a .50 caliber cartridge. The term does not include any antique firearm as defined in 18 U.S.C. Section 921(a)(16), a shotgun with a caliber measurement that is equal to or greater than .50 caliber, or a muzzle-loader used for "black powder" hunting or battle re-enactments.

(5) ".50 caliber cartridge" means a cartridge in .50 caliber, either by designation or actual measurement, including but not limited to a .50 BMG cartridge, that is capable of being fired from a centerfire rifle. The term ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber.

(b) Except as provided in subsections (c) and (d), 90 days after the effective date of this amendatory Act of the 94th General Assembly, it is unlawful for any person within this State, to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed, a semiautomatic assault weapon, an assault weapon attachment, or any .50 caliber rifle.

(c) This Section does not apply to a person who possessed a weapon or attachment prohibited by subsection (b) before the effective date of this amendatory Act of the 94th General Assembly. On or after the effective date of this amendatory Act of the 94th General Assembly, such person may transfer such weapon or attachment only to an heir, an individual residing in another state maintaining that weapon in another state, or a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers as defined in Section 2-13 of this Code and retired peace officers not otherwise prohibited from receiving a firearm, in possession of a semiautomatic assault weapon, assault weapon attachment, or .50 caliber rifle transferred to the retired peace officer by his or her law enforcement agency upon retirement.

(2) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties or while traveling to or from their place of duty.

(4) Manufacture, transportation, or sale of weapons or attachments to persons authorized under subdivisions (1) through (3) of this subsection to possess those items, if the items are broken down in a non-functioning state or are not immediately accessible.

(5) Possession of a semi-automatic assault weapon, an assault weapon attachment, or a .50 caliber rifle at events taking place at the World Shooting and Recreational Complex at Sparta, only while engaged in the legal use of the firearm, or while traveling to or from this location.

(e) Sentence.

(1) A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed a semiautomatic assault weapon in violation of this Section commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for the possession or delivery of 2 or more of these weapons at the same time.

(2) A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section an assault weapon attachment commits a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation.

(3) A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section a .50 caliber rifle commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for the possession or delivery of 2 or more of these weapons at the same time.

(720 ILCS 5/24-1.8 new)

Sec. 24-1.8. Manufacture, possession, and delivery of large capacity ammunition feeding devices.

(a) As used in this Section:

"Large capacity ammunition feeding device" means:

(1) a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; or

(2) any combination of parts from which a device described in paragraph (1) can be assembled.

"Large capacity ammunition feeding device" does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or any device that has been made permanently inoperable.

(b) Except as provided in subsections (c) and (d), it is unlawful for any person within this State, beginning 90 days after the effective date of this amendatory Act of the 94th General Assembly, to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed, a large capacity ammunition feeding device.

(c) This Section does not apply to a person who possessed a device prohibited by subsection (b) before the effective date of this amendatory Act of the 94th General Assembly. On or after the effective date of this amendatory Act of the 94th General Assembly, such person may transfer such device only to an heir, an individual residing in another state maintaining that weapon in another state, or a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers as defined in Section 2-13 of this Code and retired peace officers not otherwise prohibited from receiving a firearm, in possession of a large capacity ammunition feeding device transferred to the retired peace officer by his or her law enforcement agency upon retirement.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties or while traveling to or from their place of duty.

(4) Manufacture, transportation, or sale of large capacity ammunition feeding devices to persons authorized under subdivisions (1) through (3) of this subsection to possess those devices, if the devices are broken down in a non-functioning state or are not immediately accessible.

(5) Possession of a large capacity ammunition feeding device at events taking place at the World Shooting and Recreational Complex at Sparta, only while engaged in the legal use of the firearm, or while traveling to or from this location.

(e) Sentence. A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section a large capacity ammunition feeding device capable of holding more than 17 rounds of ammunition commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for possession or delivery of 2 or more of these devices at the same time. A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section a large capacity ammunition feeding device capable of holding more than 10 rounds but not more than 17 rounds of ammunition commits a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation or for possession or delivery of more than one of these devices at the same time.

Section 95. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Representative Phelps requested a roll call vote.

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

57, Yeas; 58, Nays; 1, Answering Present.

(ROLL CALL 4)

And the motion on the adoption of the amendment lost.

There being no further amendments, the bill was ordered held on the order of Second Reading.

#### SENATE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1851.

SENATE BILL 1909. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 1909 as follows:

on page 2, by replacing line 17 with the following:

"in items (a)(3)(A) and (a) (7) through (9) shall be"; and

on page 2, by replacing lines 22 through 26 with the following:

"for metals when tested utilizing test method ASTM D3987-85. The sample or samples tested shall be";  
and

on page 2, by replacing line 29 with the following:

"purposes described in items (a)(3)(A) and (a)(7) through (9)"; and

on page 2, by replacing line 36 with the following:

"(a)(5) and (a)(6) of this Section, or as required"; and

on page 4, by replacing line 3 with the following:

"uses set forth in items (a)(3)(A) and (a)(7) through (9) of this"; and

on page 4, immediately after line 29, by inserting the following:

"Notwithstanding the other provisions of this subsection (b), written beneficial use determination applications for the use of CCB at sites governed by the federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the rules and regulations thereunder, or by any law or rule or regulation adopted by the State of Illinois pursuant thereto, shall be reviewed and approved by the Office of Mines and Minerals within the Department of Natural Resources pursuant to 62 Ill. Adm. Code §§ 1700-1850. Further, appeals of those determinations shall be made pursuant to the Illinois Administrative Review Law."

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

### 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 Pihos, SENATE BILL 1676 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 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 Holbrook, SENATE BILL 1701 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 McKeon, SENATE BILL 1669 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, 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 Flider, SENATE BILL 1750 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, 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 D'Amico, SENATE BILL 1770 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 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 D'Amico, SENATE BILL 1771 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 Holbrook, SENATE BILL 1787 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 Saviano, SENATE BILL 1857 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 Saviano, SENATE BILL 1876 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 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 Feigenholtz, SENATE BILL 1878 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, 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 1897 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
112, Yeas; 0, Nays; 4, 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 Hamos, SENATE BILL 1862 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 73, Yeas; 42, Nays; 0, Answering Present.

(ROLL CALL 16)

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 Gordon, SENATE BILL 1898 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 Holbrook, SENATE BILL 1910 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 67, Yeas; 47, Nays; 1, Answering Present.

(ROLL CALL 18)

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 Feigenholtz, SENATE BILL 1915 was taken up and read by title a third time.

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

(ROLL CALL 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 Hultgren, SENATE BILL 1935 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 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 Moffitt, SENATE BILL 2012 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: 77, Yeas; 39, Nays; 0, Answering Present.

(ROLL CALL 21)

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 Watson, SENATE BILL 2040 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 Mendoza, SENATE BILL 2064 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: 95, Yeas; 14, Nays; 3, 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.

### **SUSPEND POSTING REQUIREMENTS**

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements in Rule 21 in relation to Senate Bills 27 and 122.

The motion prevailed.

### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 478, 480, 481, 482, 483, 484, 485 and 486 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 5:12 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, May 25, 2005, at 2:00 o'clock p.m., 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 24, 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 (REMOVED)	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 (ADDED)
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  
 HOUSE BILL 1663  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

May 24, 2005

92 YEAS

22 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	N Pritchard
Y Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
Y Beiser	N 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	N Sacia
P Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
N 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
N Brady	Y Graham	Y Meyer	N Sommer
N Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	N Mitchell, Bill	N Sullivan
Y Chapa LaVia	N Hassert	Y Mitchell, Jerry	N Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	E Verschoore
Y Colvin	Y Hultgren	Y Munson	N Wait
Y Coulson	Y Jakobsson	N Myers	Y Washington
N Cross	Y Jefferson	Y Nekritz	N Watson
N Cultra	Y Jenisch	Y Osmond	N Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	N 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  
 HOUSE BILL 3464  
 INS-TITLE INS ACT  
 THIRD READING  
 PASSED

May 24, 2005

112 YEAS

0 NAYS

3 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	P Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	P 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	P 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	E 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  
 HOUSE BILL 2414  
 CRIM CD-BANS SEMIAUTOMATIC  
 FLOOR AMENDMENT NO. 5 - ACEVEDO  
 LOST

May 24, 2005

57 YEAS

58 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 1676  
 SCHOOL COD-MASTER CERT-COUNSLR  
 THIRD READING  
 PASSED

May 24, 2005

115 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
A 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	E 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 1701  
 EPA-CAAPP-COMPLIANCE MGMT SYST  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1669  
 PEACE OFFICER INTERROGATION  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1750  
 EMPLOYEE WITHHOLDING-CONTRACT  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1770  
UNEMPLOY INS-ADMIN FUND  
THIRD READING  
PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1771  
 UNEMPLOY INS-STATE EMPLOYEES  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1787  
SAFETY-TECH  
THIRD READING  
PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1857  
 OPEN MEETING-RECORD REVIEW  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1876  
REGULATION-TECH  
THIRD READING  
PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1878  
 SEXUAL ASSAULT SURV TREAT ACT  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1897  
CD CORR-SUPERVISION  
THIRD READING  
PASSED

May 24, 2005

112 YEAS

0 NAYS

4 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	P 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	P Molaro	Y Turner
Y Collins	P Howard	Y Mulligan	E 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
P 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 1862  
 HOSP REPORTS - DPH DISCLOSURES  
 THIRD READING  
 PASSED

May 24, 2005

73 YEAS

42 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	N Dugan	N Leitch	N Pritchard
N Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	N Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	N Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	N Ryg
Y Biggins	Y Flowers	N May	N Sacia
N Black	N Franks	Y McAuliffe	Y Saviano
N Boland	Y Fritchey	Y McCarthy	N Schmitz
A Bost	Y Froehlich	Y McGuire	N Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	N Smith
Y Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	N Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	N Mitchell, Bill	N Sullivan
N Chapa LaVia	Y Hassert	N Mitchell, Jerry	Y Tenhouse
N Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	N Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	E Verschoore
Y Colvin	Y Hultgren	Y Munson	N Wait
Y Coulson	N Jakobsson	N Myers	Y Washington
Y Cross	N Jefferson	Y Nekritz	N Watson
N Cultra	N Jenisch	N Osmond	Y Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
Y Daniels	N Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N 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 1898  
CRIM CD-SEX EXPLOITATION CHILD  
THIRD READING  
PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 1910  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

May 24, 2005

67 YEAS

47 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 1915  
CONDOMINIUM PROP-LATE FEES  
THIRD READING  
PASSED

May 24, 2005

111 YEAS

3 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	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N 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
N 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	E 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	A Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	A 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 1935  
 DPT REV-ANNUAL REPORT  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 2012  
ROOFING IND-SUNSET-LICENSE-BD  
THIRD READING  
PASSED

May 24, 2005

77 YEAS

39 NAYS

0 PRESENT

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

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2040  
 SAFETY-TECH  
 THIRD READING  
 PASSED

May 24, 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	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y 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	E 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 2064  
REGULATION-TECH  
THIRD READING  
PASSED

May 24, 2005

95 YEAS

14 NAYS

3 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
P Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	N 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	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N 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	N Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	N Graham	Y Meyer	Y Sommer
Y Brauer	A Granberg	N Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Chavez	E Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	N Turner
N Collins	N Howard	Y Mulligan	E Verschoore
A Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	Y Washington
Y Cross	N Jefferson	A Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
Y Currie	N Jones	Y Osterman	Y Yarbrough
Y D'Amico	P Joyce	Y Parke	Y Younge
Y Daniels	N Kelly	Y Patterson	Y Mr. Speaker
N Davis, Monique	Y Kosel	Y Phelps	
P Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

**56TH LEGISLATIVE DAY****Perfunctory Session****TUESDAY, MAY 24, 2005**

At the hour of 5:13 o'clock p.m., the House convened perfunctory session.

**RESOLUTION**

The following resolution was offered and placed in the Committee on Rules.

**HOUSE RESOLUTION 479**

Offered by Representative Fritchey:

WHEREAS, The Chicago Transit Authority (CTA) is currently operating with a budget deficit of approximately \$55 million, according to the chairperson of the Chicago Transit Board, and estimates have placed the 2005 deficit at up to \$80 million; and

WHEREAS, The Chicago Transit Authority has repeatedly threatened that without adequate funding, the CTA will drastically restructure its service by cutting 54 bus routes and increasing fares; and

WHEREAS, On April 13, 2005, the Chicago Transit Board approved plans to increase fares and reduce CTA service by up to 36%, beginning July 17th, unless the General Assembly provides sufficient funds to address the 2005 CTA operating budget deficit; and

WHEREAS, The CTA is seeking in excess of \$55 million in funding from the General Assembly for the 2005 CTA operating budget; and

WHEREAS, The Metropolitan Transit Authority Pension Fund, the pension system for the employees of the CTA, is underfunded and CTA officials predict the Pension Fund could be bankrupt by 2014; and

WHEREAS, All public entities have a responsibility to manage public funds with the highest level of efficiency and to eliminate waste and mismanagement; and

WHEREAS, The office of the Auditor General of Illinois is highly respected throughout Illinois for the thoroughness, fairness, and non-partisan manner in which it conducts audits of governmental entities; and

WHEREAS, The Auditor General is recognized as an authority upon whom the General Assembly can rely for audits that provide information that is beneficial during legislative deliberations about budgets, appropriations, efficiency of programs, and budget savings achievable through improved management; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the members of the House of Representatives direct the Auditor General to immediately conduct financial, compliance, and performance audits of the CTA, including, without limitation, CTA operations, including the Brown Line Capacity Expansion Program, pensions, and capital programs; and be it further

RESOLVED, That the Auditor General, in these audit reports, advise the General Assembly concerning the severe cuts in CTA service and the increased CTA fares recently approved by the Chicago Transit Board; and be it further

RESOLVED, That the Auditor General address in these audit reports to what extent the CTA is adversely affected by mismanagement or inefficiencies and that, if corrected, to what extent the improvements would result in budget savings for the CTA; and be it further

RESOLVED, That the Auditor General's audit reports concerning the CTA be submitted to the General Assembly and the Governor; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Auditor General, the Legislative Audit Commission, the Chicago Transit Board, and the Regional Transportation Authority.

**INTRODUCTION AND FIRST READING OF BILL**

[May 24, 2005]

84

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

HOUSE BILL 4081. Introduced by Representative Mitchell, Bill, AN ACT concerning criminal law.

At the hour of 5:15 o'clock p.m., the House Perfunctory Session adjourned.