

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

115TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

THURSDAY, APRIL 6, 2006

12:16 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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115th Legislative Day**

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The House met pursuant to adjournment.
 Representative Lyons in the chair.
 Prayer by Bishop Larry Trotter with the Sweet Holy Church in Chicago, IL.
 Representative Verschoore led the House in the Pledge of Allegiance.
 By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
 115 present. (ROLL CALL 1)

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

TEMPORARY COMMITTEE ASSIGNMENT

Representative Granberg replaced Representative Jones in the Committee on Judiciary II - Criminal Law on April 6, 2006.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 6, 2006, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
 Amendment No. 2 to SENATE BILL 2170.
 Amendment No. 3 to SENATE BILL 2570.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Adoption Reform: SENATE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 4186.
 Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 1827.
 Housing and Urban Development: HOUSE AMENDMENT No. 1 to SENATE BILL 2772.
 Labor: HOUSE JOINT RESOLUTION 107.
 Veterans Affairs: SENATE BILL 2726.

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
Y Hannig,Gary(D)	A Hassert,Brent(R)
Y Turner,Arthur(D)	

REPORTS FROM STANDING COMMITTEES

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on April 6, 2006, 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 4788.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 4788 is as follows:

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

Y Fritchey,John(D), Chairperson	Y Bradley,John(D), Vice-Chairperson
Y Hultgren,Randall(R), Republican Spokesperson	Y Brosnahan,James(D)

Y Gordon,Careen(D)
 A Hoffman,Jay(D)
 Y Mathias,Sidney(R)
 Y Osmond,JoAnn(R)
 Y Sacia,Jim(R)

Y Hamos,Julie(D)
 Y Lang,Lou(D)
 Y Nekritz,Elaine(D)
 Y Rose,Chapin(R)
 Y Wait,Ronald(R)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 6, 2006, 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 2946.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 2946 is as follows:

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

Y Molaro,Robert(D), Chairperson
 Y Lindner,Patricia(R), Republican Spokesperson
 Y Collins,Annazette(D)
 Y Durkin,Jim(R)
 Y Golar,Esther(D)
 Y Howard,Constance(D)
 Y Mautino,Frank(D)
 Y Sacia,Jim(R)

Y Delgado,William(D), Vice-Chairperson
 Y Bradley,John(D)
 Y Cultra,Shane(R)
 Y Froehlich,Paul(R)
 Y Gordon,Careen(D)
 Y Granberg,Kurt(D) (replacing Jones)
 Y Reis,David(R)
 Y Wait,Ronald(R)

MOTION SUBMITTED

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

MOTION

I move to non-concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4298.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for SENATE BILL 835.

MESSAGES FROM THE SENATE

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

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

SENATE BILL NO. 711

A bill for AN ACT concerning revenue.

SENATE BILL NO. 929

A bill for AN ACT concerning regulation.

SENATE BILL NO. 1144

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1145

A bill for AN ACT concerning criminal law.

Passed by the Senate, April 5, 2006.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 711, 929, 1144 and 1145 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 1143

A bill for AN ACT concerning criminal law.

Passed by the Senate, April 5, 2006.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILL 1143 was ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4339

A bill for AN ACT concerning education.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4339

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4339 on page 1, line 10, after "in", by inserting "Community College District No. 504".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4339 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 4357

A bill for AN ACT concerning civil law.

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

Senate Amendment No. 3 to HOUSE BILL NO. 4357

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 3. Amend House Bill 4357 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 607 as follows:

(750 ILCS 5/607) (from Ch. 40, par. 607)

Sec. 607. Visitation.

(a) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger seriously the child's physical, mental, moral or emotional health. If the custodian's street address is not identified, pursuant to Section 708, the court shall require the parties to identify reasonable alternative arrangements for visitation by a non-custodial parent, including but not limited to visitation of the minor child at the residence of another person or at a local public or private facility.

(a-3) Grandparents, great-grandparents, and siblings of a minor child, who is one year old or older, have standing to bring an action in circuit court by petition, requesting visitation in accordance with this Section. The term "sibling" in this Section means a brother, sister, stepbrother, or stepsister of the minor child. Grandparents, great-grandparents, and siblings also have standing to file a petition for visitation rights in a pending dissolution proceeding or any other proceeding that involves custody or visitation issues, requesting visitation in accordance with this Section. A petition for visitation with a child by a person other than a parent must be filed in the county in which the child resides. Nothing in this subsection (a-3) and subsection (a-5) of this Section shall apply to a child in whose interests a petition is pending under Section 2-13 of the Juvenile Court Act of 1987 or a petition to adopt an unrelated child is pending under the Adoption Act.

(a-5)(1) Except as otherwise provided in this subsection (a-5), any grandparent, great-grandparent, or sibling may file a petition for visitation rights to a minor child if there is an unreasonable denial of visitation by a parent and at least one of the following conditions exists:

(A) ~~(Blank); one parent of the child is incompetent as a matter of law or deceased or has been sentenced to a period of imprisonment for more than 1 year;~~

(A-5) the child's other parent is deceased or has been missing for at least 3 months. For the purposes of this Section a parent is considered to be missing if the parent's location has not been determined and the parent has been reported as missing to a law enforcement agency;

(A-10) a parent of the child is incompetent as a matter of law;

(A-15) a parent has been incarcerated in jail or prison during the 3 month period preceding the filing of the petition;

(B) the child's mother and father are divorced or have been legally separated from each other or there is pending a dissolution proceeding involving a parent of the child or another court proceeding involving custody or visitation of the child (other than any adoption proceeding of an unrelated child) during the 3 month period prior to the filing of the petition and at least one parent does not object to the grandparent, great-grandparent, or sibling having visitation with the child. The visitation of the grandparent, great-grandparent, or sibling must not diminish the visitation of the parent who is not related to the grandparent, great-grandparent, or sibling seeking visitation;

~~(C) (Blank); the court, other than a Juvenile Court, has terminated a parent-child relationship and the grandparent, great-grandparent, or sibling is the parent of the person whose parental rights have been terminated, except in cases of adoption. The visitation must not be used to allow the parent who lost parental rights to unlawfully visit with the child;~~

(D) the child is born out of wedlock, the parents are not living together, and the petitioner is a maternal grandparent, great-grandparent, or sibling of the child born out of wedlock; or

(E) the child is born out of wedlock, the parents are not living together, the petitioner is a paternal grandparent, great-grandparent, or sibling, and the paternity has been established by a court of competent jurisdiction.

(2) Any visitation rights granted pursuant to this Section before the filing of a petition for adoption of a child shall automatically terminate by operation of law upon the entry of an order terminating parental rights or granting the adoption of the child, whichever is earlier. If the person or persons who adopted the child are related to the child, as defined by Section 1 of the Adoption Act, any person who was related to the child as grandparent, great-grandparent, or sibling prior to the adoption shall have standing to bring an action pursuant to this Section requesting visitation with the child. The grandparent, great-grandparent, or sibling of a parent whose parental rights have been terminated through an adoption proceeding may not petition for visitation rights.

(3) In making a determination under this subsection (a-5), there is a rebuttable presumption that a fit parent's actions and decisions regarding grandparent, great-grandparent, or sibling visitation are not harmful to the child's mental, physical, or emotional health. The burden is on the party filing a petition under this Section to prove that the parent's actions and decisions regarding visitation times are harmful to the child's mental, physical, or emotional health.

(4) In determining whether to grant visitation, the court shall consider the following:

(A) the preference of the child if the child is determined to be of sufficient maturity to express a preference;

(B) the mental and physical health of the child;

(C) the mental and physical health of the grandparent, great-grandparent, or sibling;

(D) the length and quality of the prior relationship between the child and the grandparent, great-grandparent, or sibling;

(E) the good faith of the party in filing the petition;

(F) the good faith of the person denying visitation;

(G) the quantity of the visitation time requested and the potential adverse impact that visitation would have on the child's customary activities;

(H) whether the child resided with the petitioner for at least 6 consecutive months with or without the current custodian present;

(I) whether the petitioner had frequent or regular contact or visitation with the child for at least 12 consecutive months; ~~and~~

(J) any other fact that establishes that the loss of the relationship between the petitioner and the child is likely to harm the child's mental, physical, or emotional health; and -

(K) whether the grandparent, great-grandparent, or sibling was a primary caretaker of the child for a period of not less than 6 consecutive months.

(5) The court may order visitation rights for the grandparent, great-grandparent, or sibling that include reasonable access without requiring overnight or possessory visitation.

(a-7)(1) Unless by stipulation of the parties, no motion to modify a grandparent, great-grandparent, or sibling visitation order may be made earlier than 2 years after the date the order was filed, unless the court permits it to be made on the basis of affidavits that there is reason to believe the child's present environment may endanger seriously the child's mental, physical, or emotional health.

(2) The court shall not modify ~~an a prior grandparent, great-grandparent, or sibling visitation order that grants visitation to a grandparent, great-grandparent, or sibling~~ unless it finds by clear and convincing evidence,

upon the basis of facts that have arisen since the prior visitation order or that were unknown to the court at the time of entry of the prior visitation, that a change has occurred in the circumstances of the child or his or her custodian, and that the modification is necessary to protect the mental, physical, or emotional health of the child. The court shall state in its decision specific findings of fact in support of its modification or termination of the grandparent, great-grandparent, or sibling visitation. A child's parent may always petition to modify visitation upon changed circumstances when necessary to promote the child's best interest.

(3) Attorney fees and costs shall be assessed against a party seeking modification of the visitation order if the court finds that the modification action is vexatious and constitutes harassment.

(4) Notice under this subsection (a-7) shall be given as provided in subsections (c) and (d) of Section 601.

(b) (1) (Blank.)

(1.5) The Court may grant reasonable visitation privileges to a stepparent upon petition to the court by the stepparent, with notice to the parties required to be notified under Section 601 of this Act, if the court determines that it is in the best interests and welfare of the child, and may issue any necessary orders to enforce those visitation privileges. A petition for visitation privileges may be filed under this paragraph (1.5) whether or not a petition pursuant to this Act has been previously filed or is currently pending if the following circumstances are met:

(A) the child is at least 12 years old;

(B) the child resided continuously with the parent and stepparent for at least 5 years;

(C) the parent is deceased or is disabled and is unable to care for the child;

(D) the child wishes to have reasonable visitation with the stepparent; and

(E) the stepparent was providing for the care, control, and welfare to the child prior to the initiation of the petition for visitation.

(2)(A) A petition for visitation privileges shall not be filed pursuant to this subsection (b) by the parents or grandparents of a putative father if the paternity of the putative father has not been legally established.

(B) A petition for visitation privileges may not be filed under this subsection (b) if the child who is the subject of the grandparents' or great-grandparents' petition has been voluntarily surrendered by the parent or parents, except for a surrender to the Illinois Department of Children and Family Services or a foster care facility, or has been previously adopted by an individual or individuals who are not related to the biological parents of the child or is the subject of a pending adoption petition by an individual or individuals who are not related to the biological parents of the child.

(3) (Blank).

(c) The court may modify an order granting or denying visitation rights of a parent whenever modification would serve the best interest of the child; but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger seriously the child's physical, mental, moral or emotional health. ~~The court may modify an order granting, denying, or limiting visitation rights of a grandparent, great grandparent, or sibling of any minor child whenever a change of circumstances has occurred based on facts occurring subsequent to the judgment and the court finds by clear and convincing evidence that the modification is in the best interest of the minor child.~~

(d) If any court has entered an order prohibiting a non-custodial parent of a child from any contact with a child or restricting the non-custodial parent's contact with the child, the following provisions shall apply:

(1) If an order has been entered granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent, the visitation privileges of the grandparent or great-grandparent may be revoked if:

(i) a court has entered an order prohibiting the non-custodial parent from any contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent; or

(ii) a court has entered an order restricting the non-custodial parent's contact with the child, and the grandparent or great-grandparent is found to have used his or her visitation privileges to facilitate contact between the child and the non-custodial parent in a manner that violates the terms of the order restricting the non-custodial parent's contact with the child.

Nothing in this subdivision (1) limits the authority of the court to enforce its orders in any manner permitted by law.

(2) Any order granting visitation privileges with the child to a grandparent or great-grandparent who is related to the child through the non-custodial parent shall contain the following provision:

"If the (grandparent or great-grandparent, whichever is applicable) who has been granted visitation privileges under this order uses the visitation privileges to facilitate contact between the child and the child's non-custodial parent, the visitation privileges granted under this order shall be permanently revoked."

(e) No parent, not granted custody of the child, or grandparent, or great-grandparent, or stepparent, or sibling of any minor child, convicted of any offense involving an illegal sex act perpetrated upon a victim less than 18 years of age including but not limited to offenses for violations of Article 12 of the Criminal Code of 1961, is entitled to visitation rights while incarcerated or while on parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for that offense, and upon discharge from incarceration for a misdemeanor offense or upon discharge from parole, probation, conditional discharge, periodic imprisonment, or mandatory supervised release for a felony offense, visitation shall be denied until the person successfully completes a treatment program approved by the court.

(f) Unless the court determines, after considering all relevant factors, including but not limited to those set forth in Section 602(a), that it would be in the best interests of the child to allow visitation, the court shall not enter an order providing visitation rights and pursuant to a motion to modify visitation shall revoke visitation rights previously granted to any person who would otherwise be entitled to petition for visitation rights under this Section who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child who is the subject of the order. Until an order is entered pursuant to this subsection, no person shall visit, with the child present, a person who has been convicted of first degree murder of the parent, grandparent, great-grandparent, or sibling of the child without the consent of the child's parent, other than a parent convicted of first degree murder as set forth herein, or legal guardian.

(g) (Blank). ~~If an order has been entered limiting, for cause, a minor child's contact or visitation with a grandparent, great grandparent, or sibling on the grounds that it was in the best interest of the child to do~~

~~so, that order may be modified only upon a showing of a substantial change in circumstances occurring subsequent to the entry of the order with proof by clear and convincing evidence that modification is in the best interest of the minor child.~~

(Source: P.A. 93-911, eff. 1-1-05; 94-229, eff. 1-1-06.)".

The foregoing message from the Senate reporting Senate Amendment No. 3 to HOUSE BILL 4357 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 5524

A bill for AN ACT concerning revenue.

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. 5524

Senate Amendment No. 2 to HOUSE BILL NO. 5524

Passed the Senate, as amended, April 5, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5524 by replacing everything after the enacting clause with the following:

"Section 5. The Film Production Services Tax Credit Act is amended by changing Sections 10, 40, and 90 as follows:

(35 ILCS 15/10)

(Section scheduled to be repealed on January 1, 2007)

Sec. 10. Definitions. As used in this Act:

"Accredited production" means: (i) for productions commencing before May 1, 2006, a film, video, or television production that has been certified by the Department in which the aggregate Illinois labor expenditures included in the cost of the production, in the period that ends 12 months after the time principal filming or taping of the production began, exceed \$100,000 for productions of 30 minutes or longer, or \$50,000 for productions of less than 30 minutes; and (ii) for productions commencing on or after May 1, 2006, a film, video, or television production that has been certified by the Department in which the Illinois production spending included in the cost of production in the period that ends 12 months after the time principal filming or taping of the production began exceeds \$100,000 for productions of 30 minutes or longer or exceeds \$50,000 for productions of less than 30 minutes. "Accredited production" ~~but~~ does not include a production that:

(1) is news, current events, or public programming, or a program that includes weather or market reports;

(2) is a talk show;

(3) is a production in respect of a game, questionnaire, or contest;

(4) is a sports event or activity;

(5) is a gala presentation or awards show;

(6) is a finished production that solicits funds;

(7) is a production produced by a film production company if records, as required by 18

U.S.C. 2257, are to be maintained by that film production company with respect to any performer portrayed in that single media or multimedia program; or

(8) is a production produced primarily for industrial, corporate, or institutional purposes.

"Accredited production certificate" means a certificate issued by the Department certifying that the production is an accredited production that meets the guidelines of this Act.

"Applicant" means a taxpayer that is a film production company that is operating or has operated an accredited production located within the State of Illinois and that (i) owns the copyright in the accredited

production throughout the Illinois production period or (ii) has contracted directly with the owner of the copyright in the accredited production or a person acting on behalf of the owner to provide services for the production, where the owner of the copyright is not an eligible production corporation.

"Credit" means:

(1) for an accredited production approved by the Department on or before January 1, 2005 and commencing before May 1, 2006, the amount equal to 25% of the Illinois labor expenditure approved by the Department.

The applicant is deemed to have paid, on its balance due day for the year, an amount equal to 25% of its qualified Illinois labor expenditure for the tax year. For Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department, in an accredited production commencing before May 1, 2006 and approved by the Department after January 1, 2005, the applicant shall receive an enhanced credit of 10% in addition to the 25% credit; and -

(2) for an accredited production commencing on or after May 1, 2006, the amount equal to 20% of the Illinois production spending for the taxable year plus:

(i) 15% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department; and

(ii) for an accredited film or television production commencing on or after May 1, 2007, the amount equal to 5% of the Illinois labor expenditures generated during the use of a qualified production facility that is located in a geographic area of high poverty or high unemployment, as determined by the Department. To qualify under this item (ii), at least 50% of the total facility related expenses must be completed in Illinois if studio space is available. No labor expenditures for the additional credit under item (i) may also qualify for the additional credit under item (ii).

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Illinois labor expenditure" means salary or wages paid to employees of the applicant for services on the accredited production;

To qualify as an Illinois labor expenditure, the expenditure must be:

(1) Reasonable in the circumstances.

(2) Included in the federal income tax basis of the property.

(3) Incurred by the applicant for services on or after January 1, 2004.

(4) Incurred for the production stages of the accredited production, from the final script stage to the end of the post-production stage.

(5) Limited to the first \$25,000 of wages paid or incurred to each employee of ~~a the~~ production commencing before May 1, 2006 and the first \$100,000 of wages paid or incurred to each employee of a production commencing on or after May 1, 2006.

(6) For a production commencing before May 1, 2006, exclusive ~~Exclusive~~ of the salary or wages paid to or incurred for the 2 highest paid employees of the production.

(7) Directly attributable to the accredited production.

(8) Paid in the tax year for which the applicant is claiming the credit or no later than 60 days after the end of the tax year.

(9) Paid to persons resident in Illinois at the time the payments were made.

(10) Paid for services rendered in Illinois.

"Illinois production spending" means the expenses incurred by the applicant for an accredited production, including, without limitation, all of the following:

(1) expenses to purchase, from vendors within Illinois, tangible personal property that is used in the accredited production;

(2) expenses to acquire services, from vendors in Illinois, for film production, editing, or processing;
and

(3) the compensation, not to exceed \$100,000 for any one employee, for contractual or salaried employees who are Illinois residents performing services with respect to the accredited production.

"Qualified production facility" means stage facilities in the State in which television shows and films are or are intended to be regularly produced and that contain least one sound stage of at least 15,000 square feet.

(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.)

(35 ILCS 15/40)

(Section scheduled to be repealed on January 1, 2007)

Sec. 40. Amount and duration of the credit. The amount of the credit awarded under this Act is based on the amount of the Illinois labor expenditure and Illinois production spending approved by the Department for the production as set forth under Section 10. The duration of the credit may not exceed one taxable year. (Source: P.A. 93-543, eff. 1-1-04.)

(35 ILCS 15/90)

(Section scheduled to be repealed on January 1, 2007)

Sec. 90. Repeal. This Act is repealed on January 1, ~~2009~~ 2007.

(Source: P.A. 93-543, eff. 1-1-04; 93-840, eff. 7-30-04; 94-171, eff. 7-11-05.)

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

AMENDMENT NO. 2. Amend House Bill 5524, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 1, line 5, by changing "40," to "40, 45,"; and

on page 5, immediately below line 19, by inserting the following:

"(35 ILCS 15/45)

(Section scheduled to be repealed on January 1, 2007)

Sec. 45. Evaluation of tax credit program; reports to the General Assembly.

(a) The Department shall evaluate the tax credit program. The evaluation must include an assessment of the effectiveness of the program in creating and retaining new jobs in Illinois and of the revenue impact of the program, and may include a review of the practices and experiences of other states or nations with similar programs. Upon completion of this evaluation, the Department shall determine the overall success of the program, and may make a recommendation to extend, modify, or not extend the program based on this evaluation.

(b) At the end of each fiscal quarter, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) the economic impact of the tax credit program, including the number of jobs created and retained, including whether the job positions are entry level, management, talent-related, vendor-related, or production-related;

(2) the amount of film production spending brought to Illinois, including the amount of spending and type of Illinois vendors hired in connection with an accredited production; and

(3) an overall picture of whether the human infrastructure of the motion picture industry in Illinois reflects the geographical, racial and ethnic, gender, and income-level diversity of the State of Illinois.

(c) At the end of each fiscal year, the Department must submit to the General Assembly a report that includes, without limitation, the following information:

(1) an identification of each vendor that provided goods or services that were included in an accredited production's Illinois production spending;

(2) the amount paid to each identified vendor by the accredited production;

(3) for each identified vendor, a statement as to whether the vendor is a minority owned business or a female owned business, as defined under Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; and

(4) a description of any steps taken by the Department to encourage accredited productions to use vendors who are a minority owned business or a female owned business.

(Source: P.A. 93-543, eff. 1-1-04; 94-171, eff. 7-11-05.)".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 5524 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 4715

A bill for AN ACT concerning housing.

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. 4715

Senate Amendment No. 2 to HOUSE BILL NO. 4715

Passed the Senate, as amended, April 6, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4715 by deleting everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Safe Homes Act.

Section 5. Purpose. The purpose of this Act is to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences thereof.

Section 10. Definitions. For purposes of this Act:

"Domestic violence" means "abuse" as defined in Section 103 of the Illinois Domestic Violence Act of 1986 by a "family or household member" as defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Landlord" means the owner of a building or the owner's agent with regard to matters concerning landlord's leasing of a dwelling.

"Sexual violence" means any act of sexual assault, abuse, or stalking of an adult or minor child, including but not limited to non-consensual conduct or non-consensual sexual penetration as defined in the Civil No Contact Order Act and the offenses of stalking, aggravated stalking, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse as those offenses are described in the Criminal Code of 1961.

"Tenant" means a person who has signed a written lease with a landlord whereby the person is the lessee under the written lease.

Section 15. Affirmative defense.

(a) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which a tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) at the time that the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises; and

(2) the tenant gave notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household.

(b) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which the tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) a tenant or a member of tenant's household was a victim of sexual violence on the premises and the tenant has vacated the premises as a result of the sexual violence; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of the sexual violence against the tenant or member of the tenant's household, the date of the sexual violence, and that the tenant provided at least one form of the following types of evidence to the landlord supporting the claim of the sexual violence: medical, court or police evidence of sexual violence; or statement from an employee of a victim services or rape crisis organization from which the tenant or a member of the tenant's household sought services; and

(3) the sexual violence occurred not more than 30 days prior to the date of giving the written notice to the landlord.

(c) Nothing in this Act shall be construed to be a defense against an action for rent for a period of time before the tenant vacated the landlord's premises.

Section 20. Change of locks.

(a) Upon written notice from all tenants who have signed as lessees under a written lease, the tenants

may request that a landlord change the locks of the dwelling unit in which they live if one or more of the tenants reasonably believes that one of the tenants or a member of tenant's household is under a credible imminent threat of domestic or sexual violence at the premises from a person who is not a lessee under the lease. Notice to the landlord requesting a change of locks shall be accompanied by at least one form of the following types of evidence to support a claim of domestic or sexual violence: medical, court or police evidence of domestic or sexual violence; or a statement from an employee of a victim services, domestic violence, or rape crisis organization from which the tenant or a member of the tenant's household sought services.

(b) Once a landlord has received notice of a request for change of locks and has received one form of evidence referred to in Section (a) above, the landlord shall, within 48 hours, change the locks or give the tenant the permission to change the locks.

(1) The landlord may charge a fee for the expense of changing the locks. That fee must not exceed the reasonable price customarily charged for changing a lock.

(2) If a landlord fails to change the locks within 48 hours after being provided with the notice and evidence referred to in (a) above, the tenant may change the locks without the landlord's permission. If the tenant changes the locks, the tenant shall give a key to the new locks to the landlord within 48 hours of the locks being changed. In the case where a tenant changes the locks without the landlord's permission, the tenant shall do so in a workmanlike manner with locks of similar or better quality than the original lock.

(c) The landlord who changes locks or allows the change of locks under this Act shall not be liable to any third party for damages resulting from a person being unable to access the dwelling.

Section 25. Penalty for violation.

(a) If a landlord takes action to prevent the tenant who has complied with Section 20 of this Act from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks.

(b) A tenant who changes locks and does not provide a copy of a key to the landlord within 48 hours of the tenant changing the locks, shall be liable for any damages to the dwelling or the building in which the dwelling is located that could have been prevented had landlord been able to access the dwelling unit in the event of an emergency.

(c) The remedies provided to landlord and tenant under this Section 25 shall be sole and exclusive.

Section 30. Prohibition of waiver or modification. The provisions of this Act may not be waived or modified in any lease or separate agreement.

Section 35. Public housing excluded. This Act does not apply to housing managed, operated, financed, or regulated, in whole or part, pursuant to the United States Housing Act of 1937, as amended, 42 USC 1437 et seq., and its implementing regulations."

AMENDMENT NO. 2. Amend House Bill 4715, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Safe Homes Act.

Section 5. Purpose. The purpose of this Act is to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence and their families to flee existing dangerous housing in order to leave violent or abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic consequences thereof.

Section 10. Definitions. For purposes of this Act:

"Domestic violence" means "abuse" as defined in Section 103 of the Illinois Domestic Violence Act of 1986 by a "family or household member" as defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Landlord" means the owner of a building or the owner's agent with regard to matters concerning landlord's leasing of a dwelling.

"Sexual violence" means any act of sexual assault, sexual abuse, or stalking of an adult or minor child, including but not limited to non-consensual sexual conduct or non-consensual sexual penetration as defined in the Civil No Contact Order Act and the offenses of stalking, aggravated stalking, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse as those offenses are described in the Criminal Code of 1961.

"Tenant" means a person who has entered into an oral or written lease with a landlord whereby the

person is the lessee under the lease.

Section 15. Affirmative defense.

(a) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which a tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) at the time that the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household.

(b) In any action brought by a landlord against a tenant to recover rent for breach of lease, a tenant shall have an affirmative defense and not be liable for rent for the period after which the tenant vacates the premises owned by the landlord, if by preponderance of the evidence, the court finds that:

(1) a tenant or a member of tenant's household was a victim of sexual violence on the premises that is owned or controlled by a landlord and the tenant has vacated the premises as a result of the sexual violence; and

(2) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the reason for vacating the premises was because of the sexual violence against the tenant or member of the tenant's household, the date of the sexual violence, and that the tenant provided at least one form of the following types of evidence to the landlord supporting the claim of the sexual violence: medical, court or police evidence of sexual violence; or statement from an employee of a victim services or rape crisis organization from which the tenant or a member of the tenant's household sought services; and

(3) the sexual violence occurred not more than 60 days prior to the date of giving the written notice to the landlord, or if the circumstances are such that the tenant cannot reasonably give notice because of reasons related to the sexual violence, such as hospitalization or seeking assistance for shelter or counseling, then as soon thereafter as practicable. Nothing in this subsection (b) shall be construed to be a defense against an action in forcible entry and detainer for failure to pay rent before the tenant provided notice and vacated the premises.

(c) Nothing in this Act shall be construed to be a defense against an action for rent for a period of time before the tenant vacated the landlord's premises and gave notice to the landlord as required in subsection (b).

Section 20. Change of locks.

(a) Upon written notice from all tenants who have signed as lessees under a written lease, the tenants may request that a landlord change the locks of the dwelling unit in which they live if one or more of the tenants reasonably believes that one of the tenants or a member of tenant's household is under a credible imminent threat of domestic or sexual violence at the premises from a person who is not a lessee under the lease. Notice to the landlord requesting a change of locks shall be accompanied by at least one form of the following types of evidence to support a claim of domestic or sexual violence: medical, court or police evidence of domestic or sexual violence; or a statement from an employee of a victim services, domestic violence, or rape crisis organization from which the tenant or a member of the tenant's household sought services.

(b) Once a landlord has received notice of a request for change of locks and has received one form of evidence referred to in Section (a) above, the landlord shall, within 48 hours, change the locks or give the tenant the permission to change the locks.

(1) The landlord may charge a fee for the expense of changing the locks. That fee must not exceed the reasonable price customarily charged for changing a lock.

(2) If a landlord fails to change the locks within 48 hours after being provided with the notice and evidence referred to in (a) above, the tenant may change the locks without the landlord's permission. If the tenant changes the locks, the tenant shall give a key to the new locks to the landlord within 48 hours of the locks being changed. In the case where a tenant changes the locks without the landlord's permission, the tenant shall do so in a workmanlike manner with locks of similar or better quality than the original lock.

(c) The landlord who changes locks or allows the change of locks under this Act shall not be liable to any third party for damages resulting from a person being unable to access the dwelling.

Section 25. Penalty for violation.

(a) If a landlord takes action to prevent the tenant who has complied with Section 20 of this Act from changing his or her locks, the tenant may seek a temporary restraining order, preliminary injunction, or permanent injunction ordering the landlord to refrain from preventing the tenant from changing the locks. A tenant who successfully brings an action pursuant to this Section may be awarded reasonable attorney's fees and costs.

(b) A tenant who changes locks and does not provide a copy of a key to the landlord within 48 hours of the tenant changing the locks, shall be liable for any damages to the dwelling or the building in which the dwelling is located that could have been prevented had landlord been able to access the dwelling unit in the event of an emergency.

(c) The remedies provided to landlord and tenant under this Section 25 shall be sole and exclusive.

Section 30. Prohibition of waiver or modification. The provisions of this Act may not be waived or modified in any lease or separate agreement.

Section 35. Public housing excluded. This Act does not apply to public housing, assisted under the United States Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq., and its implementing regulations, with the exception of the tenant-based Housing Choice Voucher program. Public housing includes dwelling units in mixed-finance projects that are assisted through a public housing authority's capital, operating, or other funds."

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4715 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 385

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 385.

House Amendment No. 2 to SENATE BILL NO. 385.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 509

A bill for AN ACT concerning transportation.

House Amendment No. 2 to SENATE BILL NO. 509.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 702

A bill for AN ACT concerning revenue.

House Amendment No. 1 to SENATE BILL NO. 702.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 951

A bill for AN ACT concerning public aid.

House Amendment No. 1 to SENATE BILL NO. 951.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 1705

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 1705.

House Amendment No. 3 to SENATE BILL NO. 1705.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 2137

A bill for AN ACT concerning State government.

House Amendment No. 1 to SENATE BILL NO. 2137.

House Amendment No. 2 to SENATE BILL NO. 2137.

House Amendment No. 3 to SENATE BILL NO. 2137.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 2159

A bill for AN ACT concerning procurement.

House Amendment No. 1 to SENATE BILL NO. 2159.

Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2195
A bill for AN ACT concerning public aid.
House Amendment No. 1 to SENATE BILL NO. 2195.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2235
A bill for AN ACT concerning education.
House Amendment No. 1 to SENATE BILL NO. 2235.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2254
A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2254.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2272
A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 2272.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2290

A bill for AN ACT concerning housing.
House Amendment No. 1 to SENATE BILL NO. 2290.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2302

A bill for AN ACT concerning fire safety.
House Amendment No. 1 to SENATE BILL NO. 2302.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2356

A bill for AN ACT concerning the State Comptroller.
House Amendment No. 1 to SENATE BILL NO. 2356.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2360

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2360.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2391

A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2391.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2456

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2456.
Action taken by the Senate, April 6, 2006.

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 refused to concur with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2554

A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2554.
Action taken by the Senate, April 6, 2006.

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 refused to concur with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2579

A bill for AN ACT concerning public aid.
House Amendment No. 1 to SENATE BILL NO. 2579.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2631

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 2631.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2650

A bill for AN ACT concerning vehicles.
House Amendment No. 1 to SENATE BILL NO. 2650.
House Amendment No. 2 to SENATE BILL NO. 2650.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2680

A bill for AN ACT concerning law enforcement.
House Amendment No. 1 to SENATE BILL NO. 2680.
House Amendment No. 2 to SENATE BILL NO. 2680.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2732

A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 2732.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2798

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 2798.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2865

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2865.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2873

A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 2873.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2878

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 2878.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2931

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2931.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 2962

A bill for AN ACT concerning driving privileges.
House Amendment No. 1 to SENATE BILL NO. 2962.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 3010

A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 3010.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:
SENATE BILL NO. 3046

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 3046.
House Amendment No. 2 to SENATE BILL NO. 3046.
House Amendment No. 3 to SENATE BILL NO. 3046.
Action taken by the Senate, April 6, 2006.

Linda Hawker, Secretary of the Senate

CHANGE OF SPONSORSHIPS

With the consent of the affected members, Representative Froehlich was removed as principal sponsor, and Representative Ramey became the new principal sponsor of SENATE BILL 1088.

With the consent of the affected members, Representative Fritchey was removed as principal sponsor, and Representative Phelps became the new principal sponsor of SENATE BILL 1144.

RESOLUTIONS

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

HOUSE RESOLUTION 1158

Offered by Representative Chapa LaVia:

WHEREAS, Each year, 1,500 children die and 140,000 children are injured because of child abuse, more than 2 million cases of child abuse and neglect are reported in the United States, and an estimated 150,000 to 200,000 new cases of sexual abuse occur; and

WHEREAS, There are several types of child abuse, including domestic abuse in the home, Shaken Baby

Syndrome, neglect, physical abuse, emotional abuse, and child abandonment; and

WHEREAS, Children who suffer abuse develop a range of maladaptive, anti-social, and self-destructive behaviors and thoughts in trying to cope with the abuse; children who are victims of sexual abuse experience depression, anxiety, guilt, fear, sexual dysfunction, dissociative symptoms, eating disorders, substance abuse, prostitution, regressive behaviors such as a return to thumb-sucking or bed-wetting, runaway behavior, and academic and behavior problems; and

WHEREAS, The costs of child abuse to society are great and include human suffering; medical care for injuries; medical care for the long term effects on survivors; mental health care for survivors; substance abuse treatment for survivors; mental health treatment for abusers; criminal justice system costs for police intervention, arrests, prosecution, and incarceration; legal system costs for lawyers, judges, and courtrooms; costs to our educational system for special education services and counseling services; and social service costs for shelters, foster care, emergency housing, and case workers; and

WHEREAS, There are many things that the public can do to prevent child abuse, including being educated regarding the signs of child abuse, what constitutes child abuse, and why it is wrong, and the best way to prevent child abuse; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that to recognize the value of children in our society and to encourage education and prevention of domestic violence and abuse, we declare Sunday, June 11, 2006, to be "Children's Day" in the State of Illinois.

HOUSE RESOLUTION 1160

Offered by Representative Howard:

WHEREAS, African American-owned technology firms have traditionally had few opportunities from the State of Illinois even though African Americans make up more than 14% of the population of the State of Illinois; and

WHEREAS, Tens of millions of dollars in State of Illinois computer contracts have gone to technology firms that are not even based in the United States, let alone in Illinois; and

WHEREAS, Chicago and Illinois boast some of the nation's award-winning and largest African American-owned technology firms; and

WHEREAS, In order to promote diversity and help employ future business leaders and empower the African American communities, the State should hire African American and minority-owned vendors for technology contracts; and

WHEREAS, Minority-owned firms are frequently forced to be subcontractors to non-minority technology companies because of the perception that they do not have the ability to execute substantial contracts on their own; and

WHEREAS, These issues are made even more urgent by the growing offshoring of technology work, as well as vendor rationalization in general; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the House Computer Technology Committee hold hearings on the lack of diversity in State technology business; and be it further

RESOLVED, That the Committee issue a report by October 31, 2006 on the amount of State of Illinois business with African American-owned technology firms and on ways the State can improve its record with these companies; and be it further

RESOLVED, That we urge Governor Blagojevich to immediately begin using more African American-owned technology firms for State businesses; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Governor and to the Director of Central Management Services.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1152

Offered by Representative Osmond:
Congratulates the Warren Special Recreation Association on the occasion of its 25th anniversary.

HOUSE RESOLUTION 1153

Offered by Representative Munson:
Congratulates Ronell DeLoncker on being named the 2006 Altrusa International Club of Elgin's Woman of the Year.

HOUSE RESOLUTION 1154

Offered by Representative Osmond:
Congratulates Father Vince Eckholm on the occasion of his retirement after 21 years of service at St. Ignatius Church and nearly 40 years in the ministry.

HOUSE RESOLUTION 1155

Offered by Representative Brauer:
Congratulates Captain Dennis E. Sloman of Pleasant Plains on the occasion of his retirement from the Illinois State Police after 27 years of service in law enforcement.

HOUSE RESOLUTION 1156

Offered by Representative Granberg:
Congratulates Rebecca Clark on winning a prize in the 18th Annual Illinois Coal Calendar Art and Essay Contest.

HOUSE RESOLUTION 1157

Offered by Representative Cultra:
Congratulates the Village of Ashkum on the occasion of its sesquicentennial.

HOUSE RESOLUTION 1159

Offered by Representative Joyce:
Congratulates Renee Payne on the occasion of her retirement from her position at Saint Cajetan School in Chicago after 19 years of service.

HOUSE RESOLUTION 1161

Offered by Representative Howard:
Congratulates the Developing Justice Coalition in its efforts to encourage participation in a series of public hearings beginning in May, 2006, aimed at defining the depth of the problems associated with untreated drug addictions and to find ways to identify resources to support treatment, to identify policy changes that can improve diversion opportunities and outcomes, and to develop solutions that will address the public safety concerns of residents of Illinois communities.

HOUSE RESOLUTION 1162

Offered by Representative Smith:
Mourns the death of Richard "Dick" Lawless of Bartonville.

HOUSE RESOLUTION 1163

Offered by Representative Lyons:

Congratulates Martin F. Hawkins on the awarding of his medals for exemplary service to his country during WW II.

HOUSE RESOLUTION 1164

Offered by Representative Lyons:

Congratulates Kevin McCann on his retirement as the Principal of Jamieson Elementary School in Chicago.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1152, 1153, 1154, 1155, 1156, 1157, 1159, 1161, 1162, 1163 and 1164 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

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 Colvin, SENATE BILL 2349 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: 81, Yeas; 27, Nays; 7, Answering Present.

(ROLL CALL 2)

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

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

On motion of Representative Schmitz, SENATE BILL 2348 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: 92, Yeas; 22, Nays; 0, Answering Present.

(ROLL CALL 3)

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

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

AGREED RESOLUTION

HOUSE RESOLUTION 1138 was taken up for consideration.

Representative Schmitz requested that all Members be added as co-sponsors.

Representative Currie moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

At the hour of 1:44 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, April 7, 2006, at 11:00 o'clock a.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

April 06, 2006

0 YEAS

0 NAYS

115 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2349
 MORTGAGE RESCUE FRAUD ACT
 THIRD READING
 PASSED

April 06, 2006

81 YEAS

27 NAYS

7 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2348
 MUNI-PROPERTY INTEREST
 THIRD READING
 PASSED

April 06, 2006

92 YEAS

22 NAYS

0 PRESENT

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

E - Denotes Excused Absence

115TH LEGISLATIVE DAY

Perfunctory Session

THURSDAY, APRIL 6, 2006

At the hour of 1:49 o'clock p.m., the House convened perfunctory session.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 711 (Mautino), 861 (Parke), 929 (Reitz), 1144 (Phelps) and 1145 (Collins).

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Kosel replaced Representative Brauer in the Committee on Transportation and Motor Vehicles on April 6, 2006.

Representative Monique Davis replaced Representative Mendoza in the Committee on Transportation and Motor Vehicles on April 6, 2006.

REPORT FROM STANDING COMMITTEES

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on April 6, 2006, 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 2368.

The committee roll call vote on Senate Bill 2368 is as follows:

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

- | | |
|--------------------------------------|--|
| Y Hoffman, Jay(D), Chairperson | Y Beiser, Daniel(D) |
| A Black, William(R) | Y Bost, Mike(R) |
| Y Kosel, Renee(R) (replacing Brauer) | Y Brosnahan, James(D) |
| Y D'Amico, John(D) | A Fritchey, John(D) |
| Y Froehlich, Paul(R) | Y Graham, Deborah(D) |
| Y Joyce, Kevin(D) | Y Lyons, Joseph(D) |
| Y Mathias, Sidney(R) | A McAuliffe, Michael(R) |
| Y McCarthy, Kevin(D) | Y Davis, Monique(D) (replacing Mendoza) |
| Y Miller, David(D), Vice-Chairperson | Y Molaro, Robert(D) |
| Y Nekritz, Elaine(D) | Y Poe, Raymond(R) |
| Y Ramey, Harry(R) | Y Soto, Cynthia(D) |
| Y Stephens, Ron(R) | Y Tenhouse, Art(R) |
| Y Tryon, Michael(R) | Y Wait, Ronald(R), Republican Spokesperson |
| Y Washington, Eddie(D) | |

At the hour of 5:51 o'clock p.m., the House Perfunctory Session adjourned.