

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

20TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, MARCH 3, 2009

12:11 O'CLOCK P.M.

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The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Reverend Tim Filkins, who is the Pastor of Palmer Baptist Church in Frankfort, IL.

Representative Mendoza 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:

102 present. (ROLL CALL 1)

By unanimous consent, Representatives Collins, D'Amico, Golar, Careen Gordon, Bill Mitchell and Saviano were excused from attendance.

The membership of the House was temporarily reduced to 116 as a result of vacancies created by the resignations of Representative George Scully on February 26, 2009 and Representative Gary Hannig on February 27, 2009.

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 Hoffman, should be recorded as present at the hour of 12:55 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Joyce, should be recorded as present at the hour of 12:00 o'clock noon.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Colvin, should be recorded as present at the hour of 1:30 o'clock p.m.

REPORTS

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

Flexible Schedule Plan, submitted by Capital Development Board.

Quarterly Report, January 2009, submitted by Department of Corrections.

State of Illinois Bonded Indebtness, 2008 Report, submitted by Commission on Government Forecasting and Accountability.

Flexible Work Schedule Plan, submitted by Department of Human Rights.

Flexible Work Schedule Plan, submitted by Department of Juvenile Justice.

Adult Education and Family Literacy Annual Report, 2008, submitted by Illinois Community College Board.

Annual Report on the Illinois Entrepreneurship Network Business Information Center, 2008, submitted by Department of Commerce and Economic Opportunity.

Flexible Schedule Plan, submitted by Department of Commerce and Economic Opportunity.

Flexible Work Schedule Plan, submitted by Department of Public Health.

Annual Report on Business Enterprise Council for Minorities, Females, and Persons with Disabilities, FY 2008, submitted by Department of Central Management Services.

Annual Report on School Breakfast Incentives, 2009, submitted by State Board of Education.

Educational Mandates Annual Report, 2008, submitted by State Board of Education.

Waivers of School Code Mandates, Spring 2009 Waiver Summary Report, submitted by State Board of Education.

Flexible Work Schedule Plan, submitted by Department of Military Affairs.

Flexible Work Schedule Plan, submitted by Illinois Commerce Commission.

Report on an Affirmative Action Program Designed to Promote Equal Opportunity and Eliminate the Effects of Past Discrimination, submitted by Department of Commerce and Economic Opportunity.

Biennial Report of Operations, February 2009, submitted by Mid-Illinois Medical District.

Flexible Work Schedule Plan, submitted by Department of Labor.

Annual Report, 2008, submitted by Office of the Auditor General.

Annual Report, 2008, submitted by Illinois Housing Development Authority.

Biennial Report, 2007-2008, submitted by Illinois Community College Board.

Illinois Cares Rx Program Annual Report, 2008, submitted by Department of Healthcare and Family Services.

Illinois Rx Buying Club Annual Report, 2008, submitted by Department of Healthcare and Family Services.

Illinois Juvenile Justice Commission Annual Report, 2007-2008, submitted by Department of Human Services.

Flexible Work Schedule Plan, submitted by Illinois Arts Council.

Flexible Work Schedule Plan, submitted by Illinois Educational Labor Relations Board.

Flexible Work Schedule Plan, submitted by Illinois Council on Developmental Disabilities.

Flexible Work Schedule Plan, submitted by Property Tax Appeal Board.

Flexible Work Schedule Plan, submitted by Pollution Control Board.

Flexible Work Schedule Plan, submitted by Illinois Criminal Justice Information Authority.

Performance Audit of the Coal Development Fund, submitted by Office of the Auditor General.

Compliance Examination of the Judicial Inquiry Board, submitted by Office of the Auditor General.

Compliance Examination of the State Police Merit Board, submitted by Office of the Auditor General.

Compliance Examination of the Law Enforcement Training and Standards Board, submitted by Office of the Auditor General.

Financial Audit of ROE 28, submitted by Office of the Auditor General.

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

[March 3, 2009]

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Report on the Home Services Program, Vol. II, submitted by Department of Human Services.

Flexible Work Schedule Plan, submitted by Department of Corrections.

Flexible Work Schedule Plan, submitted by Office of the State Fire Marshal.

Flexible Work Schedule Plan, submitted by Illinois Environmental Protection Agency.

Flexible Work Schedule Plan, submitted by Department of Central Management Services, Department of Financial and Professional Regulation, and the Department of Revenue.

Illinois Payday Loan Reform Act Three Year Report, March 2009, submitted by Department of Financial and Professional Regulation, Division of Financial Institutions.

Annual MBE/WBE Report, 2008, submitted by Illinois Sports Facilities Authority.

LETTERS OF TRANSMITTAL

March 2, 2009

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

Dear Mr. Clerk:

Please be advised that I have appointed the following Republican Member to the **Renewable Energy Committee** for the 96th General Assembly. This appointment is effective immediately.

Representative Rich Myers

If you have any questions, please contact Scott Reimers at 782-9602.

Thank you for your attention to this matter.

Sincerely,
s/Tom Cross
House Republican Leader

March 2, 2009

Mark Mahoney
Clerk of the House
HOUSE OF REPRESENTATIVES
402 Capitol Building
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised of the following temporary committee membership replacement due to the absence of the permanent member.

Committee: Rules
 Permanent Member: vacancy created by Gary Hannig
 Temporary Member: Rep. Lou Lang
 For Meeting on: for meetings scheduled for the week of March 2, 2009
 Time of Meeting: scheduled times
 Location of Meeting: Speaker's Conference Room, Springfield, IL

With kindest personal regards, I remain.

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

March 3, 2009

Clerk Mark Mahoney
 Room 400, Capitol Building
 Springfield, IL. 60701

Dear Clerk Mahoney,

Pursuant to House Rule 14, I am establishing a Subcommittee of the Appropriation - Elementary & Secondary Committee and assigning members as follows:

Appropriation - Elementary and Secondary Education Subcommittee (two majority, one minority)

Representative Smith – Subcommittee Chairperson
 Representative Hernandez
 Representative Bassi

Sincerely,
 s/Linda Chapa LaVia
 State Representative – 83rd District

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Miller replaced Representative Turner in the Committee on Rules on March 3, 2009.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 3, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Aging: HOUSE BILL 3967.
 Agriculture & Conservation: HOUSE BILLS 2690, 3685, 3709, 3827, 3836 and 3989.
 Appropriations-Elementary & Secondary Education: HOUSE BILLS 3459, 3493 and 3801.
 Appropriations-General Services: HOUSE BILLS 3419, 3420, 3421, 3427, 3428, 3429, 3430, 3431, 3432, 3434, 3436, 3437, 3441, 3442, 3445, 3446, 3452, 3453, 3456, 3457, 3458, 3463, 3465, 3466, 3468, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3483, 3485, 3487, 3491, 3492, 3498, 3499, 3500, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3519, 3524, 3526, 3992, 4019 and 4024.

Appropriations-Higher Education: HOUSE BILLS 2685, 3422, 3426, 3443, 3448, 3449, 3464, 3470, 3479, 3481, 3482, 3496, 3503, 3504, 3517, 3711, 4010, 4017 and 4018.

Appropriations-Human Services: HOUSE BILLS 3433, 3438, 3444, 3460, 3462, 3467, 3469, 3520, 3521, 3525, 3530, 3531, 3587, 3628, 3648, 3790, 3807, 3808, 3841, 3896, 3928, 3953, 3985 and 4025.

Appropriations-Public Safety: HOUSE BILLS 2689, 3423, 3424, 3425, 3435, 3439, 3440, 3447, 3450, 3451, 3454, 3455, 3461, 3480, 3484, 3486, 3488, 3489, 3490, 3494, 3495, 3497, 3501, 3502, 3505, 3516, 3518, 3522, 3523, 3527, 3528 and 3529.

Business & Occupational Licenses: HOUSE BILLS 2462, 3660, 3995 and 4011.

Cities & Villages: HOUSE BILLS 3692, 3729, 3877 and 3986.

Computer Technology: HOUSE BILL 3834.

Consumer Protection: HOUSE BILLS 3703, 3782, 3855, 3864, 3888 and 3965.

Counties & Townships: HOUSE BILLS 3630, 3674, 3675, 3718, 3779 and 3950.

Disability Services: HOUSE BILL 2693.

Elections & Campaign Reform: HOUSE BILLS 3755, 3785, 3839, 3972 and 4007.

Elementary & Secondary Education: HOUSE BILLS 2673, 2674, 2675, 2676, 3673, 3731, 3743, 3771, 3775, 3799, 3880, 3881, 3883 and 3914.

Environment & Energy: HOUSE BILLS 3747, 3828, 3829, 3830, 3859, 3873, 3954 and 4021.

Environmental Health: HOUSE BILLS 3792, 3817 and 4009.

Executive: HOUSE BILLS 179, 180, 2681, 2683, 2692, 2697, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3158, 3160, 3161, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354,

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Financial Institutions: HOUSE BILLS 3752, 3762 and 3901.

Health Care Availability and Accessibility: HOUSE BILLS 3650, 3662, 3707, 3748, 3749, 3754, 3773, 3865 and 3923.

Health Care Licenses: HOUSE BILLS 3649, 3759, 3845, 3884 and 3994.

Higher Education: HOUSE BILLS 2686, 3638 and 3999.

Human Services: HOUSE BILLS 3641, 3642, 3700, 3706, 3734, 3767, 3814, 3844, 3878, 3879, 3922, 3925, 3926, 3933, 3997 and 4008.

Infrastructure: HOUSE BILLS 3637 and 3987.

Insurance: HOUSE BILLS 2687, 3639, 3796, 3823, 3861, 3931 and 4022.

International Trade & Commerce: HOUSE BILLS 3698 and 3971.

Judiciary I - Civil Law: HOUSE BILLS 2682, 3607, 3671, 3690, 3693, 3719, 3725, 3726, 3776, 3780, 3794, 3806, 3832, 3843, 3857, 3863, 3886, 3887, 3899, 3904, 3918, 3940, 3946, 3955, 3957, 3973, 3977, 3981, 4001, 4002, 4003, 4004, 4005 and 4006.

Judiciary II - Criminal Law: HOUSE BILLS 2680, 3676, 3677, 3680, 3681, 3714, 3715, 3716, 3717, 3750, 3784, 3791, 3795, 3800, 3811, 3812, 3813, 3838, 3869, 3885, 3897, 3903, 3906, 3907, 3908, 3909, 3910, 3911, 3915, 3934, 3960, 3961, 3962, 3975, 3983, 3984, 4013 and 4020.

Labor: HOUSE BILLS 2688, 3631, 3634, 3665, 3737, 3751, 3753, 3761, 3846, 3847, 3856, 3860, 3866, 3932, 3952, 3993 and 4032.

Medicaid Reform, Family & Children Services: HOUSE BILLS 2691, 2694 and 2695.

Personnel and Pensions: HOUSE BILLS 3606, 3652, 3655, 3656, 3661, 3672, 3694, 3798, 3837, 3840, 3870, 3900, 3937, 4014 and 4015.

Public Utilities: HOUSE BILLS 2679, 3654 and 3835.

Renewable Energy: HOUSE BILLS 3646, 3746 and 4030.

Revenue & Finance: HOUSE BILLS 2677, 2684, 2698, 2700, 3159, 3162, 3608, 3633, 3635, 3636, 3644, 3645, 3659, 3664, 3666, 3667, 3678, 3682, 3689, 3696, 3699, 3704, 3724, 3732, 3738, 3744, 3745, 3758, 3763, 3770, 3774, 3778, 3822, 3825, 3826, 3831, 3862, 3867, 3868, 3872, 3875, 3876, 3892, 3894, 3905, 3912, 3913, 3924, 3959, 3968, 3969, 3978, 3979, 3988, 3996 and 4023.

State Government Administration: HOUSE BILLS 2696, 2699, 3632, 3647, 3653, 3663, 3670, 3679, 3683, 3687, 3688, 3691, 3702, 3722, 3802, 3815, 3833, 3916, 3919, 3980, 4012, 4027 and 4031.

Transportation, Regulation, Roads & Bridges: HOUSE BILLS 3721, 3889, 3956 and 3966.

Vehicles & Safety: HOUSE BILLS 3669, 3697, 3705, 3713, 3787, 3858 and 3982.

Veterans' Affairs: HOUSE BILL 3970.

Youth and Family: HOUSE BILL 3974.

Adoption Reform: HOUSE BILL 3882.

Juvenile Justice Reform: HOUSE BILL 2678.

Railroad Industry: HOUSE BILLS 3730 and 3733.

Tollway Oversight: HOUSE BILL 3723.

LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:

HOUSE BILL 649 was recalled from the Committee on Health & Healthcare Disparities and reassigned to the Committee on Health Care Availability and Accessibility.

HOUSE BILL 1287 was recalled from the Committee on Executive and reassigned to the Committee on Revenue & Finance.

HOUSE BILL 2351 was recalled from the Committee on Executive and reassigned to the Committee on Judiciary I - Civil Law.

HOUSE BILL 2364 was recalled from the Committee on Executive and reassigned to the Committee on Elections & Campaign Reform.

HOUSE BILL 2602 was recalled from the Committee on Executive and reassigned to the Committee on Personnel and Pensions.

HOUSE BILL 2633 was recalled from the Committee on Judiciary II - Criminal Law and reassigned to the Committee on Prison Reform.

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

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

Y Currie(D), Chairperson
Y Schmitz(R)
Y Lang (D)

Y Black(R), Republican Spokesperson
Y Miller(D) (replacing Turner)

MOTION SUBMITTED

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 2260.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 757.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1036.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 690.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1059.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1326.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 4331.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1064.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 263.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 831.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 2252.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE JOINT RESOLUTION 12.

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for HOUSE BILL 26.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 48, 234, 245 and 462.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Mautino became the new principal sponsor of HOUSE BILL 1201.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Mautino became the new principal sponsor of HOUSE BILL 1200.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Bill Mitchell became the new principal sponsor of HOUSE BILL 3159.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Wait became the new principal sponsor of HOUSE BILL 3162.

With the consent of the affected members, Representative Chapa LaVia was removed as principal sponsor, and Representative Farnham became the new principal sponsor of HOUSE BILL 2445.

With the consent of the affected members, Representative Chapa LaVia was removed as principal sponsor, and Representative Hernandez became the new principal sponsor of HOUSE BILL 3899.

With the consent of the affected members, Representative May was removed as principal sponsor, and Representative Washington became the new principal sponsor of HOUSE BILL 2409.

With the consent of the affected members, Representative Boland was removed as principal sponsor, and Representative Bellock became the new principal sponsor of HOUSE BILL 1329.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Mautino became the new principal sponsor of HOUSE BILL 372.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Mautino became the new principal sponsor of HOUSE BILL 289.

With the consent of the affected members, Representative Froehlich was removed as principal sponsor, and Representative Dunkin became the new principal sponsor of HOUSE BILL 446.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Reboletti became the new principal sponsor of HOUSE BILL 3592.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 134

Offered by Representative Stephens:
Congratulates Illinois State Senator Frank Watson on his retirement from the Illinois Senate.

HOUSE RESOLUTION 135

Offered by Representative John Bradley:
Mourns the death of Dorothy Louise Bauer.

HOUSE RESOLUTION 136

Offered by Representative Burke:
Congratulates Elise Garber on the occasion of her move to Seattle and her upcoming marriage.

HOUSE RESOLUTION 137

Offered by Representative Pritchard:
Congratulates the Rochelle Township High School 2008 Dairy Foods Team on the occasion of winning the State championship at the 2008 State FFA Dairy Foods Career Development Event.

HOUSE RESOLUTION 142

Offered by Representative Connelly:

Congratulates the librarians and staff of the Naperville Public Library on receiving 5 Stars from the new Library Journal Index of Public Library Service.

HOUSE RESOLUTION 143

Offered by Representative Cross:

Congratulates Kimberly Rothstein and the members of the Troy Special Olympics basketball team on the occasion of the successful formation of their team.

HOUSE RESOLUTION 144

Offered by Representative D'Amico:

Congratulates Eva Wojkowski of St. Helen School in West Town, Chicago on being named a finalist for the 2009 Kohl McCormick Early Childhood Teaching Awards.

SUSPEND POSTING REQUIREMENTS

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969,

3515, 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3523, 3524, 3525, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3580, 3581, 3582, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3593, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604 and 3605 to be heard in Executive committee.

The motion prevailed.

ACTION ON MOTIONS

The Chair requested leave to use a single vote for the adoption of motions to table for the following bills: HOUSE BILLS 757, 937, 1091, 2273, 2511 and 3643.

Leave was granted.

The foregoing motions prevailed and the bills were tabled.

Pursuant to the motion submitted previously, Representative Pritchard moved to take HOUSE BILL 357 from the Speaker's Table, and place on the calendar on which it appeared before it was tabled.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Pritchard moved to table HOUSE BILL 337.

The motion prevailed.

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 Rose, HOUSE BILL 229 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:

101, Yeas; 0, Nays; 0, 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 Pritchard, HOUSE BILL 244 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:

101, Yeas; 0, Nays; 1, 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.

On motion of Representative John Bradley, HOUSE BILL 247 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:

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

(ROLL CALL 4)

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

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

On motion of Representative Bellock, HOUSE BILL 278 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: 85, Yeas; 17, 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 and ask their concurrence.

RECALL

At the request of the principal sponsor, Representative Hannig, HOUSE BILL 289 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILL ON SECOND READING

HOUSE BILL 289. Having been recalled on March 3, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Mathias offered and withdrew Amendment No. 2.

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

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 Pritchard, HOUSE BILL 336 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: 102, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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

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

On motion of Representative Franks, HOUSE BILL 338 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: 104, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

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

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

On motion of Representative Holbrook, HOUSE BILL 348 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: 70, Yeas; 34, 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 and ask their concurrence.

HOUSE 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: HOUSE BILL 9.

HOUSE BILL 47. Having been recalled on February 11, 2009, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 48. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 48 as follows:
on page 3, by deleting lines 22 through 26; and
on page 4, by deleting line 1.

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 65, 83 and 146.

HOUSE BILL 151. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 151 by replacing everything after the enacting clause with the following:

"Section 5. The Secretary of State Act is amended by adding Section 5.15 as follows:

(15 ILCS 305/5.15 new)

Sec. 5.15. Deposit of wills.

(a) Definitions. As used in this Section:

"Depositor" means an attorney licensed or formerly licensed to practice in the State of Illinois, the attorney's representative, the guardian for the attorney, or the personal representative of the attorney's decedent's estate.

"Testator" means a person who executed a will, other than as a witness or official to whom acknowledgment of signing was given.

"Will" refers to an original:

(1) will;

(2) codicil;

(3) will and one or more codicils;

(4) trust; or

(5) trust and one or more trust amendments.

(b) Deposit of wills. A depositor may deposit a will with the Secretary of State if the depositor certifies in writing to the Secretary of State that the depositor is unable to locate the testator after a diligent search. The certification shall be on a form to be provided by the Secretary. This Section applies whether it is known or unknown whether the testator is living.

(c) Assumptions. The Secretary of State may assume, without inquiring into the facts, that the depositor has first made a diligent search for the testator.

(d) Fee. The Secretary of State shall collect a fee of \$15 for each deposit of a will. The Secretary of State shall not collect a separate fee for additional documents concurrently deposited in relation to a single testator or for a single joint will prepared for a husband and wife.

(e) Duty of Secretary of State upon receipt. Upon receipt of a will under this Section, the Secretary of State shall:

(1) provide the depositor with a receipt for the will, which receipt shall contain the information designated on the envelope in accordance with paragraph (3) of this subsection;

(2) place the will or wills deposited concurrently in relation to a single testator in one envelope and seal the envelope securely in the presence of the depositor or depositor's agent;

(3) designate on the envelope:

(A) the date of deposit;

(B) the name, address, and telephone number of the depositor;

(C) the name and last known address of the testator as provided by the depositor;

(D) at the depositor's option, any and all of the following information:

(i) alternate names by which the testator may have been known;

(ii) the testator's birth date, and

(iii) the last 4 digits of the testator's Social Security number; and

(E) with respect to each document enclosed:

(i) a short description of the document, including, if shown, its date of execution; and

(ii) the number of pages in the document; and

(4) index the will alphabetically by the name of the testator, and by the alternate names set forth by which the testator may have been known.

(f) Status as a public record. An envelope and will deposited under this Section are not public records. The index created under item (4) of subsection (e) is a public record.

(g) Duty of Secretary of State during testator's lifetime. During the testator's lifetime, the Secretary of State shall:

(1) keep the envelope containing the will sealed; and

(2) deliver the envelope to:

(i) the testator;

(ii) a person authorized, in a writing signed by the testator and notarized, to receive the envelope; or

(iii) a person, entity, court, or government agency authorized to receive the envelope pursuant to an order entered by a court of competent jurisdiction.

(h) Duty of Secretary of State upon notification of death of testator. If the Secretary of State has custody of the will after the death of the testator and is notified of the death of the testator by means of a certified copy of the testator's death certificate or by a certified copy of an order of court determining the testator to be deceased, upon receipt of payment of a retrieval fee in the amount of \$10, the Secretary of State shall promptly deliver the sealed will envelope to the clerk of the circuit court of the county in which the probate of the testator's will may occur as determined under Section 5-1 of the Probate Act of 1975 (755 ILCS 5/5-1).

(i) Duties of Secretary of State upon inquiry. Upon inquiry by a person identified in paragraph (2) of subsection (g), or upon inquiry of any person presenting a certified copy of the testator's death certificate or a certified copy of an order of a court determining the testator to be deceased, the Secretary of State shall inform the person whether the name of the relevant testator appears in the Secretary of State's index of wills. For the purposes of this subsection, the Secretary of State need not be certain that the testator is the one being inquired about, but may release that information if it is possible that the testator is that one.

(j) Destruction of will. The Secretary of State may destroy a will deposited under this Section if:

(1) the Secretary of State has not received notice of the death of the testator; and

(2) at least 100 years have passed since the date the will was deposited.

(k) All fees received by the Secretary of State under this Section must be deposited into the Secretary of State Special Services Fund.

Section 10. The Probate Act of 1975 is amended by changing Section 6-1 as follows:

(755 ILCS 5/6-1) (from Ch. 110 1/2, par. 6-1)

Sec. 6-1. Duty to file will - altering, destroying or secreting.)

(a) Immediately upon the death of the testator any person who has the testator's will in his possession shall file it with the clerk of the court of the proper county and upon failure or refusal to do so, the court on its motion or on the petition of any interested person may issue an attachment and compel the production of the will, subject to the provisions of Section 5.15 of the Secretary of State Act.

(b) If any person wilfully alters or destroys a will without the direction of the testator or wilfully secretes it for the period of 30 days after the death of the testator is known to him, the person so offending, on conviction thereof, shall be sentenced as in cases of theft of property classified as a Class 3 felony by the law in effect at the date of the offense. The 30-day period does not apply to the Secretary of State when acting pursuant to Section 5.15 of the Secretary of State Act.
(Source: P.A. 90-159, eff. 7-23-97.)"

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 159, 160 and 182.

HOUSE BILL 194. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 194 on page 3, in lines 13 and 14, by replacing "or minor purchases" with ", minor purchases, or disbursements under Link card, WIC, or Medicaid programs".

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.

Having been read by title a second time on February 24, 2009 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 234.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 253.

HOUSE BILL 265. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 265 by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 17 as follows:

(765 ILCS 1025/17) (from Ch. 141, par. 117)

Sec. 17. (a) All abandoned property, other than money and that property exempted by paragraphs (1), (2), (3), (4), ~~and (5)~~ and (6) of this subsection, delivered to the State Treasurer under this Act shall be sold within a reasonable time to the highest bidder at public sale in whatever city in the State affords in his or her judgment the most favorable market for the property involved. The State Treasurer may decline the highest bid and reoffer the property for sale if he or she considers the price bid insufficient. The State Treasurer may group items for auction as "box lots" if the value of the individual items makes it impracticable to sell the items individually. He or she need not offer any property for sale, and may destroy or otherwise dispose of the property, if, in his or her opinion, the probable cost of sale exceeds the value of the property. Securities or commodities received by the Office of the State Treasurer may be sold by the State Treasurer through a broker or sales agent suitable for the sale of the type of securities or commodities being sold.

(1) Property which the State Treasurer determines may have historical value may be, at his or her discretion, loaned to a recognized exhibitor in the United States where it will be kept until such time as the State Treasurer orders it to be returned to his or her possession.

(2) Property returned to the State Treasurer shall be released to the rightful owner or otherwise disposed of in accordance with this Act. The State Treasurer shall keep identifying records of the property so loaned, the name of rightful owner and the owner's last known address, if available.

(3) The Treasurer, in cooperation with the Department of State Police, shall develop a procedure to determine whether a firearm delivered to the Treasurer under this Act has been stolen or used in the commission of a crime. The Department of State Police shall determine the appropriate disposition of a firearm that has been stolen or used in the commission of a crime. The Treasurer shall attempt to return a firearm that has not been stolen or used in the commission of a crime to the rightful owner, provided that the owner may lawfully possess the firearm as determined by the Department of State Police.

If the Treasurer is unable to return a firearm to its owner, the Treasurer shall transfer custody of the firearm to the Department of State Police. Legal title to a firearm transferred to the Department of State Police under this paragraph (3) is vested in the Department of State Police by operation of law:

- (A) if the Treasurer cannot locate the owner of the firearm;
 - (B) if the owner of the firearm may not lawfully possess the firearm;
 - (C) if the owner does not respond to notice published under Section 12 of this Act;
- or
- (D) if the owner responds to notice published under Section 12 and states that he or she no longer claims an interest in the firearm.

With respect to a firearm whose title is transferred to the Department of State Police under this paragraph (3), that Department may:

- (i) retain the firearm for use by the crime laboratory system, for training purposes, or for any other application as deemed appropriate by the Department;
- (ii) transfer the firearm to the Illinois State Museum if the firearm has historical value; or
- (iii) destroy the firearm if it is not retained pursuant to subparagraph (i) or transferred pursuant to subparagraph (ii).

(4) If human remains are delivered to the Treasurer under this Act, the Treasurer shall deliver those human remains to the coroner of the county in which the human remains were abandoned for disposition under Section 3-3034 of the Counties Code. The only human remains that may be delivered to the Treasurer under this Act and that the Treasurer may receive are those that are reported and delivered as contents of a safe deposit box.

(5) If medals awarded to U.S. military personnel are delivered to the Treasurer under this Act, the Treasurer shall not offer those medals for sale or at public auction. The only medals that may be delivered to the Treasurer under this Act and that the Treasurer may receive are those that are reported and delivered as contents of a safe deposit box. Medals shall only be returned to the owner of the safe deposit box containing the medals or the heirs of that owner. This paragraph (5) may be referred to as Operation Search and Restore.

(6) Property that may have been used in the commission of a crime or that may assist in the investigation of a crime, as determined after consulting standards developed by the Department of State Police, shall be delivered to the Department of State Police or other appropriate law enforcement authority to allow law enforcement to determine whether a criminal investigation should take place. Any such property delivered to a law enforcement authority shall be held in accordance with existing statutes and rules related to the gathering, retention, and release of evidence.

(b) Any sale held under this Section, except a sale of securities or commodities, shall be preceded by a single publication of notice thereof, at least 3 weeks in advance of sale in an English language newspaper of general circulation in the county where the property is to be sold. When property fails to sell and is offered again at a subsequent sale, no additional notice is required for the subsequent sale.

(c) The purchaser at any sale conducted by the State Treasurer pursuant to this Act shall receive title to the property purchased, free from all claims of the owner or prior holder thereof and of all persons claiming through or under them. The State Treasurer shall execute all documents necessary to complete the transfer of title.

(d) The Office of the State Treasurer is not liable for any reduction in the value of property caused by changing market conditions.

(Source: P.A. 94-422, eff. 8-2-05; 95-829, eff. 8-14-08.)"

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.

HOUSE BILL 326. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 326 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois School Student Records Act is amended by changing Section 5 as follows:

(105 ILCS 10/5) (from Ch. 122, par. 50-5)

Sec. 5. (a) A parent or any person specifically designated as a representative by a parent shall have the right to inspect and copy all school student permanent and temporary records of that parent's child. A student shall have the right to inspect and copy his or her school student permanent record. No person who is prohibited by an order of protection from inspecting or obtaining school records of a student pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended, shall have any right of access to, or inspection of, the school records of that student. If a school's principal or person with like responsibilities or his designee has knowledge of such order of protection, the school shall prohibit access or inspection of the student's school records by such person.

(b) Whenever access to any person is granted pursuant to paragraph (a) of this Section, at the option of either the parent or the school a qualified professional, who may be a psychologist, counsellor or other advisor, and who may be an employee of the school or employed by the parent, may be present to interpret the information contained in the student temporary record. If the school requires that a professional be present, the school shall secure and bear any cost of the presence of the professional. If the parent so requests, the school shall secure and bear any cost of the presence of a professional employed by the school.

(c) A parent's or student's request to inspect and copy records, or to allow a specifically designated representative to inspect and copy records, must be granted within a reasonable time, and in no case later than 15 school days after the date of receipt of such request by the official records custodian.

(d) The school may charge its reasonable costs for the copying of school student records, not to exceed the amounts fixed in schedules adopted by the State Board, to any person permitted to copy such records, except that no parent or student shall be denied a copy of school student records as permitted under this Section 5 for inability to bear the cost of such copying.

(e) Nothing contained in this Section 5 shall make available to a parent or student confidential letters and statements of recommendation furnished in connection with applications for employment to a post-secondary educational institution or the receipt of an honor or honorary recognition, provided such letters and statements are not used for purposes other than those for which they were specifically intended, and

(1) were placed in a school student record prior to January 1, 1975; or

(2) the student has waived access thereto after being advised of his right to obtain upon request the names of all such persons making such confidential recommendations.

(f) Nothing contained in this Act shall be construed to impair or limit the confidentiality of:

(1) Communications otherwise protected by law as privileged or confidential, including but not limited to, information communicated in confidence to a physician, psychologist, ~~or~~ other psychotherapist, school social worker, school counselor, school psychologist, or intern working under the direct supervision of a school social worker, school counselor, or school psychologist; or

(2) Information which is communicated by a student or parent in confidence to school personnel; or

(3) Information which is communicated by a student, parent, or guardian to a law enforcement professional working in the school, except as provided by court order.

(g) No employer shall take, attempt to take, or threaten to take adverse employment action or in any manner discriminate against an employee because the employee invokes his or her professional and legal responsibility to protect the confidentiality of communications protected by law or applicable standards of professional responsibility as privileged or confidential.

(Source: P.A. 90-590, eff. 1-1-00)."

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 342 and 377.

HOUSE BILL 380. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 380 on page 2, line 2, by replacing "shall" with "may".

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.

HOUSE BILL 386. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 386 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 1 as follows:

(215 ILCS 5/1) (from Ch. 73, par. 613)

Sec. 1. Short title. This Act shall be known and ~~and~~ may be cited as the "Illinois Insurance Code."

(Source: Laws 1937, p. 696; revised 10-28-08.)"

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 441, 442, 466, 475, 476 and 497.

HOUSE BILL 503. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 503 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.5 as follows:

(305 ILCS 5/5-5.5) (from Ch. 23, par. 5-5.5)

Sec. 5-5.5. Elements of Payment Rate.

(a) ~~The~~ ~~The~~ Department of Healthcare and Family Services shall develop a prospective method for determining payment rates for skilled nursing and intermediate care services in nursing facilities composed of the following cost elements:

(1) Standard Services, with the cost of this component being determined by taking into account the actual costs to the facilities of these services subject to cost ceilings to be defined in the Department's rules.

(2) Resident Services, with the cost of this component being determined by taking into account the actual costs, needs and utilization of these services, as derived from an assessment of the resident needs in the nursing facilities. The Department shall adopt rules governing reimbursement for resident services as listed in Section 5-1.1. Surveys or assessments of resident needs under this Section shall include a review by the facility of the results of such assessments and a discussion of issues in dispute with authorized survey staff, unless the facility elects not to participate in such a review process. Surveys or assessments of resident needs under this Section may be conducted semi-annually and

payment rates relating to resident services may be changed on a semi-annual basis. The Illinois Department shall initiate a project, either on a pilot basis or Statewide, to reimburse the cost of resident services based on a methodology which utilizes an assessment of resident needs to determine the level of reimbursement. This methodology shall be different from the payment criteria for resident services utilized by the Illinois Department on July 1, 1981. On March 1, 1982, and each year thereafter, until such time when the Illinois Department adopts the methodology used in such project for use statewide, the Illinois Department shall report to the General Assembly on the implementation and progress of such project. The report shall include:

- (A) A statement of the Illinois Department's goals and objectives for such project;
- (B) A description of such project, including the number and type of nursing facilities involved in the project;
- (C) A description of the methodology used in such project;
- (D) A description of the Illinois Department's application of the methodology;
- (E) A statement on the methodology's effect on the quality of care given to residents in the sample nursing facilities; and
- (F) A statement on the cost of the methodology used in such project and a comparison of this cost with the cost of the current payment criteria.

(3) Ancillary Services, with the payment rate being developed for each individual type of service. Payment shall be made only when authorized under procedures developed by the Department of Healthcare and Family Services.

(4) Nurse's Aide Training, with the cost of this component being determined by taking into account the actual cost to the facilities of such training.

(5) Real Estate Taxes, with the cost of this component being determined by taking into account the figures contained in the most currently available cost reports (with no imposition of maximums) updated to the midpoint of the current rate year for long term care services rendered between July 1, 1984 and June 30, 1985, and with the cost of this component being determined by taking into account the actual 1983 taxes for which the nursing homes were assessed (with no imposition of maximums) updated to the midpoint of the current rate year for long term care services rendered between July 1, 1985 and June 30, 1986.

(b) In developing a prospective method for determining payment rates for skilled nursing and intermediate care services in nursing facilities, the Department of Healthcare and Family Services shall consider the following cost elements:

(1) Reasonable capital cost determined by utilizing incurred interest rate and the current value of the investment, including land, utilizing composite rates, or by utilizing such other reasonable cost related methods determined by the Department. However, beginning with the rate reimbursement period effective July 1, 1987, the Department shall be prohibited from establishing, including, and implementing any depreciation factor in calculating the capital cost element.

(2) Profit, with the actual amount being produced and accruing to the providers in the form of a return on their total investment, on the basis of their ability to economically and efficiently deliver a type of service. The method of payment may assure the opportunity for a profit, but shall not guarantee or establish a specific amount as a cost.

(c) The Illinois Department may implement the amendatory changes to this Section made by this amendatory Act of 1991 through the use of emergency rules in accordance with the provisions of Section 5.02 of the Illinois Administrative Procedure Act. For purposes of the Illinois Administrative Procedure Act, the adoption of rules to implement the amendatory changes to this Section made by this amendatory Act of 1991 shall be deemed an emergency and necessary for the public interest, safety and welfare.

(d) No later than January 1, 2001, the Department of Public Aid shall file with the Joint Committee on Administrative Rules, pursuant to the Illinois Administrative Procedure Act, a proposed rule, or a proposed amendment to an existing rule, regarding payment for appropriate services, including assessment, care planning, discharge planning, and treatment provided by nursing facilities to residents who have a serious mental illness.

(Source: P.A. 95-331, eff. 8-21-07.)"

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.

HOUSE BILL 542. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 542 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-4.2 as follows:
(305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

Sec. 5-4.2. Ambulance services payments. For ambulance services provided to a recipient of aid under this Article on or after January 1, 1993, ~~the the~~ Illinois Department shall reimburse ambulance service providers at rates calculated in accordance with this Section. It is the intent of the General Assembly to provide adequate reimbursement for ambulance services so as to ensure adequate access to services for recipients of aid under this Article and to provide appropriate incentives to ambulance service providers to provide services in an efficient and cost-effective manner. Thus, it is the intent of the General Assembly that the Illinois Department implement a reimbursement system for ambulance services that, to the extent practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, is consistent with the payment principles of Medicare. To ensure uniformity between the payment principles of Medicare and Medicaid, the Illinois Department shall follow, to the extent necessary and practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, the statutes, laws, regulations, policies, procedures, principles, definitions, guidelines, and manuals used to determine the amounts paid to ambulance service providers under Title XVIII of the Social Security Act (Medicare).

For ambulance services provided to a recipient of aid under this Article on or after January 1, 1996, the Illinois Department shall reimburse ambulance service providers based upon the actual distance traveled if a natural disaster, weather conditions, road repairs, or traffic congestion necessitates the use of a route other than the most direct route.

For purposes of this Section, "ambulance services" includes medical transportation services provided by means of an ambulance, medi-car, service car, or taxi.

This Section does not prohibit separate billing by ambulance service providers for oxygen furnished while providing advanced life support services.

Beginning with services rendered on or after July 1, 2008, all providers of non-emergency medi-car and service car transportation must certify that the driver and employee attendant, as applicable, have completed a safety program approved by the Department to protect both the patient and the driver, prior to transporting a patient. The provider must maintain this certification in its records. The provider shall produce such documentation upon demand by the Department or its representative. Failure to produce documentation of such training shall result in recovery of any payments made by the Department for services rendered by a non-certified driver or employee attendant. Medi-car and service car providers must maintain legible documentation in their records of the driver and, as applicable, employee attendant that actually transported the patient. Providers must recertify all drivers and employee attendants every 3 years.

Notwithstanding the requirements above, any public transportation provider of medi-car and service car transportation that receives federal funding under 49 U.S.C. 5307 and 5311 need not certify its drivers and employee attendants under this Section, since safety training is already federally mandated.
(Source: P.A. 95-501, eff. 8-28-07.)"

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.

HOUSE BILL 543. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 543 by replacing everything after the enacting clause with the following:

"Section 5. The Agricultural Fair Act is amended by changing Section 1 as follows:
(30 ILCS 120/1) (from Ch. 85, par. 651)

Sec. 1. This Act may be cited as ~~the the~~ Agricultural Fair Act.
(Source: P.A. 77-1208.)"

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 548 and 550.

HOUSE BILL 557. Having been reproduced, was taken up and read by title a second time. Representative Chapa LaVia offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 557 on page 4, line 2, by inserting "of personal injury or property damage" after "threat".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 562, 564, 585, 607, 612 and 613.

HOUSE BILL 614. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 614 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.4a as follows:
(305 ILCS 5/5-5.4a)

Sec. 5-5.4a. Intermediate Care Facility for the Developmentally Disabled; bed reserve payments.

~~The~~ ~~The~~ Department of Public Aid shall promulgate rules by October 1, 1993 which establish a policy of bed reserve payments to Intermediate Care Facilities for the Developmentally Disabled which addresses the needs of residents of Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) and their families.

(a) When a resident of an Intermediate Care Facility for the Developmentally Disabled (ICF/DD) is absent from the ICF/DD in which he or she is a resident for purposes of physician authorized in-patient admission to a hospital, the Department's rules shall, at a minimum, provide (1) bed reserve payments at a daily rate which is 100% of the client's current per diem rate, for a period not exceeding 10 consecutive days; (2) bed reserve payments at a daily rate which is 75% of a client's current per diem rate, for a period which exceeds 10 consecutive days but does not exceed 30 consecutive days; and (3) bed reserve payments at a daily rate which is 50% of a client's current per diem rate for a period which exceeds thirty consecutive days but does not exceed 45 consecutive days.

(b) When a resident of an Intermediate Care Facility for the Developmentally Disabled (ICF/DD) is absent from the ICF/DD in which he or she is a resident for purposes of a home visit with a family member the Department's rules shall, at a minimum, provide (1) bed reserve payments at a rate which is 100% of a client's current per diem rate, for a period not exceeding 10 days per State fiscal year; and (2) bed reserve payments at a rate which is 75% of a client's current per diem rate, for a period which exceeds 10 days per State fiscal year but does not exceed 30 days per State fiscal year.

(c) No Department rule regarding bed reserve payments shall require an ICF/DD to have a specified percentage of total facility occupancy as a requirement for receiving bed reserve payments.

This Section 5-5.4a shall not apply to any State operated facilities.

(Source: P.A. 91-357, eff. 7-29-99.)"

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.

HOUSE BILL 618. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 618 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by changing Sections 2, 7.2, 9, 19, 20, and 20.1 and by adding Section 20.2 as follows:

(20 ILCS 1605/2) (from Ch. 120, par. 1152)

Sec. 2. This Act is enacted to implement and establish within the State a lottery to be operated by the State, the entire net proceeds of which are to be used for the support of the State's Lottery Supports Schools Fund ~~Common School Fund~~, except as provided in Sections 21.2, 21.5, 21.6, 21.7, and 21.8.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08.)

(20 ILCS 1605/7.2) (from Ch. 120, par. 1157.2)

Sec. 7.2. The rules and regulations of the Department may include, but shall not be limited to, the following:

- (1) The types of lotteries to be conducted;
- (2) The price, or prices, of tickets or shares in the lottery;
- (3) The numbers and sizes of the prizes on the winning tickets or shares;
- (4) The manner of selecting the winning tickets or shares;
- (5) The manner of payment of prizes to the holders of winning tickets or shares;
- (6) The frequency of the drawing or selections of winning tickets or shares, without limitation;
- (7) Without limit to number, the type or types of locations at which tickets or shares may be sold;
- (8) The method to be used in selling tickets or shares;
- (9) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;
- (10) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among (i) the payment of prizes to the holders of winning tickets or shares, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the Department and the costs resulting from any contract or contracts entered into for promotional, advertising or operational services or for the purchase or lease of lottery equipment and materials, and (iii) for monthly transfers to the Lottery Supports Schools Fund ~~Common School Fund~~. The net revenues accruing from the sale of lottery tickets shall be determined by deducting from total revenues the payments required by paragraphs (i) and (ii) of this subsection.
- (11) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

Any rules and regulations of the Department with respect to monthly transfers to the Lottery Supports Schools Fund ~~Common School Fund~~ are subject to Section 21.2.

(Source: P.A. 84-1128.)

(20 ILCS 1605/9) (from Ch. 120, par. 1159)

Sec. 9. The Superintendent, as administrative head of the Division, shall direct and supervise all its administrative and technical activities and shall report to the Director. In addition to the duties imposed upon him elsewhere in this Act, it shall be the Superintendent's duty:

- a. To supervise and administer the operation of the lottery in accordance with the provisions of this Act or such rules and regulations of the Department adopted thereunder.
- b. To attend meetings of the Board or to appoint a designee to attend in his stead.
- c. To employ and direct such personnel in accord with the Personnel Code, as may be necessary to carry out the purposes of this Act. The Superintendent may, subject to the approval of the Director, use the services, personnel, or facilities of the Department. In addition, the Superintendent may by agreement secure such services as he or she may deem necessary from any other department, agency, or unit of the State government, and may employ and compensate such consultants and technical assistants as may be required and is otherwise permitted by law.
- d. To license, in accordance with the provisions of Sections 10 and 10.1 of this Act and the rules and

regulations of the Department adopted thereunder, as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The Superintendent may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the Department. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the Department.

e. To suspend or revoke any license issued pursuant to this Act or the rules and regulations promulgated by the Department thereunder.

f. To confer regularly as necessary or desirable and not less than once every month with the Lottery Control Board on the operation and administration of the Lottery; to make available for inspection by the Board or any member of the Board, upon request, all books, records, files, and other information and documents of his office; to advise the Board and recommend such rules and regulations and such other matters as he deems necessary and advisable to improve the operation and administration of the lottery.

g. To enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery on behalf of the Department with any person, firm or corporation, to perform any of the functions provided for in this Act or the rules and regulations promulgated thereunder. The Department shall not expend State funds on a contractual basis for such functions unless those functions and expenditures are expressly authorized by the General Assembly.

h. To enter into an agreement or agreements with the management of state lotteries operated pursuant to the laws of other states for the purpose of creating and operating a multi-state lottery game wherein a separate and distinct prize pool would be combined to award larger prizes to the public than could be offered by the several state lotteries, individually. No tickets or shares offered in connection with a multi-state lottery game shall be sold within the State of Illinois, except those offered by and through the Department. No such agreement shall purport to pledge the full faith and credit of the State of Illinois, nor shall the Department expend State funds on a contractual basis in connection with any such game unless such expenditures are expressly authorized by the General Assembly, provided, however, that in the event of error or omission by the Illinois State Lottery in the conduct of the game, as determined by the multi-state game directors, the Department shall be authorized to pay a prize winner or winners the lesser of a disputed prize or \$1,000,000, any such payment to be made solely from funds appropriated for game prize purposes. The Department shall be authorized to share in the ordinary operating expenses of any such multi-state lottery game, from funds appropriated by the General Assembly, and in the event the multi-state game control offices are physically located within the State of Illinois, the Department is authorized to advance start-up operating costs not to exceed \$150,000, subject to proportionate reimbursement of such costs by the other participating state lotteries. The Department shall be authorized to share proportionately in the costs of establishing a liability reserve fund from funds appropriated by the General Assembly. The Department is authorized to transfer prize award funds attributable to Illinois sales of multi-state lottery game tickets to the multi-state control office, or its designated depository, for deposit to such game pool account or accounts as may be established by the multi-state game directors, the records of which account or accounts shall be available at all times for inspection in an audit by the Auditor General of Illinois and any other auditors pursuant to the laws of the State of Illinois. No multi-state game prize awarded to a nonresident of Illinois, with respect to a ticket or share purchased in a state other than the State of Illinois, shall be deemed to be a prize awarded under this Act for the purpose of taxation under the Illinois Income Tax Act. All of the net revenues accruing from the sale of multi-state lottery tickets or shares shall be transferred into the Lottery Supports Schools Fund ~~Common School Fund~~ pursuant to Section 7.2. The Department shall promulgate such rules as may be appropriate to implement the provisions of this Section.

i. To make a continuous study and investigation of (1) the operation and the administration of similar laws which may be in effect in other states or countries, (2) any literature on the subject which from time to time may be published or available, (3) any Federal laws which may affect the operation of the lottery, and (4) the reaction of Illinois citizens to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this Act.

j. To report monthly to the State Treasurer and the Lottery Control Board a full and complete statement of lottery revenues, prize disbursements and other expenses for each month and the amounts to be transferred to the Common School Fund pursuant to Section 7.2 or such other funds as are otherwise authorized by Section 21.2 of this Act, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, to the Governor and the Board. All reports required by this subsection shall be public and copies of all such reports shall be sent to the Speaker of the House, the President of the Senate, and the minority leaders of both houses.

(Source: P.A. 94-776, eff. 5-19-06.)

(20 ILCS 1605/19) (from Ch. 120, par. 1169)

Sec. 19. Period for claiming prizes; unclaimed prizes. The Division shall establish an appropriate period for the claiming of prizes for each lottery game offered. Each claim period shall be stated in game rules and written play instructions issued by the Superintendent in accordance with Section 7.1 of this Act. Written play instructions shall be made available to all players through sales agents licensed to sell game tickets or shares. Prizes for lottery games which involve the purchase of a physical lottery ticket may be claimed only by presentation of a valid winning lottery ticket that matches validation records on file with the Lottery; no claim may be honored which is based on the assertion that the ticket was lost or stolen. No lottery ticket which has been altered, mutilated, or fails to pass validation tests shall be deemed to be a winning ticket.

If no claim is made for the money within the established claim period, the prize may be included in the prize pool of such special drawing or drawings as the Division may, from time to time, designate. Unclaimed multi-state game prize money may be included in the multi-state prize pool for such special drawing or drawings as the multi-state game directors may, from time to time, designate. Any bonuses offered by the Department to sales agents who sell winning tickets or shares shall be payable to such agents regardless of whether or not the prize money on the ticket or share is claimed, provided that the agent can be identified as the vendor of the winning ticket or share, and that the winning ticket or share was sold on or after January 1, 1984. All unclaimed prize money not included in the prize pool of a special drawing shall be transferred to the Lottery Supports Schools Fund ~~Common School Fund~~.

(Source: P.A. 94-776, eff. 5-19-06.)

(20 ILCS 1605/20) (from Ch. 120, par. 1170)

Sec. 20. State Lottery Fund.

(a) There is created in the State Treasury a special fund to be known as the "State Lottery Fund". Such fund shall consist of all revenues received from (1) the sale of lottery tickets or shares, (net of commissions, fees representing those expenses that are directly proportionate to the sale of tickets or shares at the agent location, and prizes of less than \$600 which have been validly paid at the agent level), (2) application fees, and (3) all other sources including moneys credited or transferred thereto from any other fund or source pursuant to law. Interest earnings of the State Lottery Fund shall be credited to the Lottery Supports Schools Fund ~~Common School Fund~~.

(b) The receipt and distribution of moneys under Section 21.5 of this Act shall be in accordance with Section 21.5.

(c) The receipt and distribution of moneys under Section 21.6 of this Act shall be in accordance with Section 21.6.

(d) The receipt and distribution of moneys under Section 21.7 of this Act shall be in accordance with Section 21.7.

(e) The receipt and distribution of moneys under Section 21.8 of this Act shall be in accordance with Section 21.8.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08.)

(20 ILCS 1605/20.1) (from Ch. 120, par. 1170.1)

Sec. 20.1. Department account.

(a) The Department is authorized to pay validated prizes up to \$25,000 from funds held by the Department in an account separate and apart from all public moneys of the State. Moneys in this account shall be administered by the Director exclusively for the purposes of issuing payments to prize winners authorized by this Section. Moneys in this account shall be deposited by the Department into the Public Treasurers' Investment Pool established under Section 17 of the State Treasurer Act. The Department shall submit vouchers from time to time as needed for reimbursement of this account from moneys appropriated for prizes from the State Lottery Fund. Investment income earned from this account shall be deposited monthly by the Department into the Lottery Supports Schools Fund ~~Common School Fund~~. The Department shall file quarterly fiscal reports specifying the activity of this account as required under Section 16 of the State Comptroller Act, and shall file quarterly with the General Assembly, the Auditor General, the Comptroller, and the State Treasurer a report indicating the costs associated with this activity.

(b) The Department is authorized to enter into an interagency agreement with the Office of the Comptroller or any other State agency to establish responsibilities, duties, and procedures for complying with the Comptroller's Offset System under Section 10.05 of the State Comptroller Act. All federal and State tax reporting and withholding requirements relating to prize winners under this Section shall be the responsibility of the Department. Moneys from this account may not be used to pay amounts to deferred prize winners. Moneys may not be transferred from the State Lottery Fund to this account for payment of

prizes under this Section until procedures are implemented to comply with the Comptroller's Offset System and sufficient internal controls are in place to validate prizes.

(Source: P.A. 87-1197; 88-676, eff. 12-14-94.)

(20 ILCS 1605/20.2 new)

Sec. 20.2. Lottery Supports Schools Fund. There is created a Fund to be known as the Lottery Supports Schools Fund, which is a non-appropriated trust fund held outside of the State treasury. The Fund shall consist of moneys paid into it by the Division as provided in this Law. The Division shall certify each month to the State Board of Education the proportion of lottery sales in each school district in relation to statewide lottery sales. The moneys in the Lottery Supports Schools Fund must be distributed monthly by the State Board of Education to each school district based upon that school district's portion of statewide lottery sales.

Section 10. The School Code is amended by adding Section 2-3.148 as follows:

(105 ILCS 5/2-3.148 new)

Sec. 2-3.148. Distributions from the Lottery Supports Schools Fund. The State Board of Education shall make distributions from the Lottery Supports Schools Fund as provided in Section 20.2 of the Illinois Lottery Law; however, the State Board of Education shall not take into account these distributions when computing State aid under Section 18-8.05 of this Code.

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

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.

HOUSE BILL 645. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 645 on page 2, lines 5 and 6, by replacing "in this State" with "under the Medical Practice Act of 1987"; and on page 3, line 25, by replacing "in this" with "under the Medical Practice Act of 1987"; and on page 4, line 1, by deleting "State".

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.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 648.

RECALL

At the request of the principal sponsor, Representative Ford, HOUSE BILL 618 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 651. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 651 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Renewable Fuels Development Program Act is amended by changing Section 5 as follows:

(20 ILCS 689/5)

Sec. 5. Findings and State policy. ~~The~~ The General Assembly recognizes that agriculture is a vital sector

of the Illinois economy and that an important growth industry for the Illinois agricultural sector is renewable fuels production. Renewable fuels produced from Illinois agricultural products hold great potential for growing the State's economy, reducing our dependence on foreign oil supplies, and improving the environment by reducing harmful emissions from vehicles. Illinois is the nation's leading producer of ethanol, a clean, renewable fuel with significant environmental benefits. The General Assembly finds that reliable supplies of renewable fuels will be integral to the long term energy security of the United States. The General Assembly declares that it is the public policy of the State of Illinois to promote and encourage the production and use of renewable fuels as a means not only to improve air quality in the State and the nation, but also to grow the agricultural sector of the Illinois economy. To achieve these public policy objectives, the General Assembly hereby authorizes the creation and implementation of the Illinois Renewable Fuels Development Program within the Department. (Source: P.A. 93-15, eff. 6-11-03.)".

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.

HOUSE BILL 658. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environmental Health, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 658 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 17.9 as follows:

(415 ILCS 5/17.9 new)

Sec. 17.9. Collaborative on Environmentally Safe Disposal of Pharmaceuticals.

(a) The Medication Education Disposal Solutions (MEDS) collaborative is established for the purpose of partnering with public and private sector constituents to promote the environmentally responsible disposal of unwanted and expired medications.

(b) The collaborative shall consist of the Director of the Illinois Environmental Protection Agency or his or her designee and volunteer persons and organizations that have expressed an interest in contributing to the development of programs that (i) educate the public on the safe disposal of unwanted or expired medications and (ii) establish an expanded network of secure pharmaceutical collection centers throughout the State. Members of the collaborative may organize themselves as they deem necessary. The collaborative shall focus on the development of an organization that will produce educational materials for the public and assist in promoting the expansion of a network of secure pharmaceutical collection centers throughout the State. In developing and evaluating proposals to achieve these objectives, the Agency and MEDS shall:

(1) Develop, for placement on the Medication Disposal page of the Agency's Web site, additional information regarding best practices for the disposal of pharmaceuticals.

(2) Develop proposals that will expand opportunities for the safe disposal of pharmaceuticals and personal care products.

(3) Develop relationships with local health departments, local governments, pharmacies, police departments, and similar organizations to establish programs that will promote and enhance the safe disposal of pharmaceuticals.

(4) Develop educational materials that can be distributed to the public, schools, and various participating organizations.

(5) Review and adapt information from the USEPA and the USGS to inform and educate the public and further refine the Illinois pharmaceutical disposal program.

(6) Actively support supervised pharmaceutical collection, including Household Hazardous Waste collection events, at various locations around the State.

(7) Develop additional activities that further support environmentally safe disposal of pharmaceuticals.

(c) No later than December 31, 2010, the MEDS collaborative shall submit a report on its program development and recommendations for furthering environmentally safe disposal of pharmaceuticals. The Agency shall post the report and any other relevant findings on its Web site.

(d) This Section is repealed July 1, 2011.

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

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.

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

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

AMENDMENT NO. 1. Amend House Bill 662 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.4 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services. ~~The~~ The Department of Healthcare and Family Services shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, 2009, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus \$1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2009 shall include an increase sufficient to provide a \$0.50 per hour wage increase for non-executive staff.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus \$3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by \$4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the

rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

(i) For rates taking effect January 1, 2007, \$60,000,000.

(ii) For rates taking effect January 1, 2008, \$110,000,000.

(iii) For rates taking effect January 1, 2009, \$194,000,000.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public

Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the

Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2009, the per diem support component of the rates effective on January 1, 2008, computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006, shall be increased to the amount that would have been derived using standard Department of Healthcare and Family Services methods, procedures, and inflators.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor of 3.53. The Illinois Department may by rule adjust these socio-development component rates, but in no case may such rates be diminished.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 95th General Assembly shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted

professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

(Source: P.A. 94-48, eff. 7-1-05; 94-85, eff. 6-28-05; 94-697, eff. 11-21-05; 94-838, eff. 6-6-06; 94-964, eff. 6-28-06; 95-12, eff. 7-2-07; 95-331, eff. 8-21-07; 95-707, eff. 1-11-08; 95-744, eff. 7-18-08.)"

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.

HOUSE BILL 664. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 664 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.4 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Healthcare and Family Services. ~~The~~ Department of Healthcare and Family Services shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, 2009, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus \$1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2009 shall include an increase sufficient to provide a \$0.50 per hour wage increase for non-executive staff.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus \$3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by \$4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled

nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

- (i) For rates taking effect January 1, 2007, \$60,000,000.
- (ii) For rates taking effect January 1, 2008, \$110,000,000.
- (iii) For rates taking effect January 1, 2009, \$194,000,000.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are

approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the

Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2009, the per diem support component of the rates effective on January 1, 2008, computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006, shall be increased to the amount that would have been derived using standard Department of Healthcare and Family Services methods, procedures, and inflators.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor of 3.53. The Illinois Department may by rule adjust these socio-development component rates, but in no case may such rates be diminished.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after the effective date of this amendatory Act of the 95th General Assembly shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

(Source: P.A. 94-48, eff. 7-1-05; 94-85, eff. 6-28-05; 94-697, eff. 11-21-05; 94-838, eff. 6-6-06; 94-964, eff. 6-28-06; 95-12, eff. 7-2-07; 95-331, eff. 8-21-07; 95-707, eff. 1-11-08; 95-744, eff. 7-18-08.)"

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.

HOUSE BILL 666. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 666 by replacing everything after the enacting clause with the following:

"Section 5. The Fire Protection District Act is amended by changing Section 11f as follows:

(70 ILCS 705/11f) (from Ch. 127 1/2, par. 31f)

Sec. 11f. Charge against non-residents.

(a) The board of trustees of a fire protection district may fix, charge, and collect fees not exceeding the reasonable cost of the service for all services rendered by the district against persons, businesses and other entities who are not residents of the fire protection district.

(b) Such charge may not be assessed against residents of the fire protection district or persons who request fire protection coverage for an unprotected area and who pay to the fire protection district an amount equal to the district's Fire Protection Tax pursuant to Section 4 of the Fire Protection of Unprotected Area Act.

(c) The charge for such services shall be computed at a rate not to exceed ~~\$250~~ ~~\$125~~ per hour per vehicle and not to exceed ~~\$70~~ ~~\$35~~ per hour per firefighter responding to a call for assistance. An additional charge may be levied to reimburse the district for extraordinary expenses of materials used in rendering such services. No charge shall be made for services for which the total charge would be less than \$50.

(d) All revenue from the charges assessed pursuant to this Section shall be deposited to the general fund of the fire protection district.

(Source: P.A. 89-180, eff. 7-19-95.)

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

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.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 680.

HOUSE BILL 682. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Juvenile Justice Reform, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 682 on page 1, by replacing lines 19 through 23 with the following:

"activities by a criminal street gang, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers. For purposes of this Section, "criminal street"; and

on page 5, by replacing line 16 with the following:

"(C) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all"; and

on page 6, by replacing line 2 with the following:

"(1) In cases where the law enforcement, or independent agency, records concern"; and

on page 7, by replacing line 5 with the following:

"(E) Law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity"; and

on page 8, by replacing lines 13 through 15 with the following:

"prosecutors or their staff, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers"; and

on page 10, by replacing line 9 with the following:

"(5) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all"; and

on page 10, by replacing line 19 with the following:

"law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any".

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 688, 707, 710 and 719.

HOUSE BILL 751. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Disability Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 751 by replacing lines 20 through 26 on page 10 and line 1 on page 11 with the following:

"(c) In determining whether any net proceeds are realized from a sale of real estate described in subsection (a) or (b), the Division of Developmental Disabilities and the Division of Mental Health of the Department of Human Services shall each determine the money, if any, that shall be made available to ensure that life, safety, and care concerns, including infrastructure, are addressed so as to provide for persons with developmental disabilities or mental illness at the remaining respective State-operated facilities that will be expected to serve the individuals previously served at the closed facility."

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.

RECALLS

At the request of the principal sponsor, Representative Sacia, HOUSE BILL 160 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 Ryg, HOUSE BILL 236 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 134, 135, 136, 137, 142, 143 and 144 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 2:15 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, March 4, 2009, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.
The motion prevailed.
And the House stood adjourned.

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

March 03, 2009

0 YEAS

0 NAYS

105 PRESENT

P Acevedo	P Davis, Monique	P Kosel	P Riley
P Arroyo	P Davis, William	P Lang	P Rita
P Bassi	P Dugan	P Leitch	P Rose
P Beaubien	P Dunkin	A Lyons	P Ryg
P Beiser	P Durkin	P Mathias	P Sacia
P Bellock	P Eddy	P Mautino	E Saviano
P Berrios	P Farnham	P May	P Schmitz
P Biggins	A Feigenholtz	P McAsey	P Senger
P Black	P Flider	P McAuliffe	P Smith
P Boland	P Flowers	P McCarthy	P Sommer
P Bost	P Ford	P McGuire	P Soto
P Bradley, John	P Fortner	P Mell	P Stephens
P Brady	P Franks	P Mendoza	P Sullivan
P Brauer	A Fritchey	P Miller	P Thapedi
P Brosnahan	P Froehlich	E Mitchell, Bill	P Tracy
P Burke	E Golar	P Mitchell, Jerry	P Tryon
P Burns	E Gordon, Careen	P Moffitt	P Turner
P Cavaletto	P Gordon, Jehan	P Mulligan	P Verschoore
P Chapa LaVia	P Graham	P Myers	P Wait
P Coladipietro	P Hamos	P Nekritz	P Walker
P Cole	P Harris	P Osmond	P Washington
E Collins	P Hatcher	P Osterman	P Watson
P Colvin (ADDED)	P Hernandez	A Phelps	P Winters
P Connelly	P Hoffman (ADDED)	P Pihos	P Yarbrough
P Coulson	P Holbrook	P Poe	P Zalewski
P Crespo	P Howard	P Pritchard	A Mr. Speaker
P Cross	P Jackson	P Ramey	
P Cultra	P Jakobsson	P Reboletti	
P Currie	P Jefferson	P Reis	
E D'Amico	P Joyce (ADDED)	P Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 229
 WILDLIFE-OWNER PERMIT-ROUNDING
 THIRD READING
 PASSED

March 03, 2009

101 YEAS	0 NAYS	0 PRESENT	
Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	Y Leitch	Y Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	Y Sacia
Y Bellock	Y Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	Y May	Y Schmitz
Y Biggins	A Feigenholtz	Y McAsey	Y Senger
Y Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	Y Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	Y Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	Y Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
Y Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	Y Myers	Y Wait
Y Coladipietro	Y Hamos	Y Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	NV Osterman	Y Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
Y Connelly	A Hoffman	Y Pihos	Y Yarbrough
Y Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	Y Ramey	
Y Cultra	Y Jakobsson	Y Reboletti	
Y Currie	Y Jefferson	Y Reis	
E D'Amico	A Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 244
INS-COVERAGE-PHYS THERAPY MS
THIRD READING
PASSED

March 03, 2009

101 YEAS

0 NAYS

1 PRESENT

Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	Y Leitch	Y Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	Y Sacia
Y Bellock	Y Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	Y May	Y Schmitz
Y Biggins	A Feigenholtz	Y McAsey	Y Senger
Y Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	Y Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	Y Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	Y Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
Y Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	Y Myers	Y Wait
Y Coladipietro	Y Hamos	Y Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	Y Osterman	Y Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
Y Connelly	A Hoffman	Y Pihos	Y Yarbrough
P Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	Y Ramey	
Y Cultra	Y Jakobsson	Y Reboletti	
Y Currie	Y Jefferson	Y Reis	
E D'Amico	A Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 247
 VEH CD-IN GOD WE TRUST PLATES
 THIRD READING
 PASSED

March 03, 2009

93 YEAS

9 NAYS

0 PRESENT

Y Acevedo	Y Davis, Monique	N Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	N Leitch	Y Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	Y Sacia
Y Bellock	Y Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	N May	Y Schmitz
Y Biggins	A Feigenholtz	Y McAsey	Y Senger
Y Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	N McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	N Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	Y Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	Y Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
Y Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	Y Myers	Y Wait
Y Coladipietro	Y Hamos	N Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	Y Osterman	Y Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
Y Connelly	A Hoffman	N Pihos	Y Yarbrough
N Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	Y Ramey	
Y Cultra	Y Jakobsson	Y Reboletti	
N Currie	Y Jefferson	Y Reis	
E D'Amico	A Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 278
 \$U OF I-FORENSIC PSYCHIATRY
 THIRD READING
 PASSED

March 03, 2009

85 YEAS	17 NAYS	0 PRESENT	
Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	Y Leitch	N Rose
N Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	N Sacia
Y Bellock	N Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	Y May	Y Schmitz
N Biggins	A Feigenholtz	Y McAsey	N Senger
N Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	N Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	N Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	N Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
N Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	N Myers	Y Wait
Y Coladipietro	Y Hamos	Y Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	Y Osterman	N Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
N Connelly	A Hoffman	Y Pihos	Y Yarbrough
Y Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	N Ramey	
Y Cultra	Y Jakobsson	N Reboletti	
Y Currie	Y Jefferson	N Reis	
E D'Amico	A Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 336
HIGHER ED-CAMPUS SECURITY
THIRD READING
PASSED

March 03, 2009

102 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	Y Leitch	Y Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	Y Sacia
Y Bellock	Y Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	Y May	Y Schmitz
Y Biggins	A Feigenholtz	Y McAsey	Y Senger
Y Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	Y Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	Y Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	Y Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
Y Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	Y Myers	Y Wait
Y Coladipietro	Y Hamos	Y Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	Y Osterman	Y Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
Y Connelly	Y Hoffman	Y Pihos	Y Yarbrough
Y Coulson	NV Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	Y Ramey	
Y Cultra	Y Jakobsson	Y Reboletti	
Y Currie	Y Jefferson	Y Reis	
E D'Amico	A Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 338
RENEWABLE FUELS GRANTS
THIRD READING
PASSED

March 03, 2009

104 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
Y Bassi	Y Dugan	Y Leitch	Y Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	Y Mathias	Y Sacia
Y Bellock	Y Eddy	Y Mautino	E Saviano
Y Berrios	Y Farnham	Y May	Y Schmitz
Y Biggins	A Feigenholtz	Y McAsey	Y Senger
Y Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
Y Bost	Y Ford	Y McGuire	Y Soto
Y Bradley, John	Y Fortner	Y Mell	Y Stephens
Y Brady	Y Franks	Y Mendoza	Y Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	Y Froehlich	E Mitchell, Bill	Y Tracy
Y Burke	E Golar	Y Mitchell, Jerry	Y Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
Y Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
Y Chapa LaVia	Y Graham	Y Myers	Y Wait
Y Coladipietro	Y Hamos	Y Nekritz	Y Walker
Y Cole	Y Harris	Y Osmond	Y Washington
E Collins	Y Hatcher	Y Osterman	Y Watson
A Colvin	Y Hernandez	A Phelps	Y Winters
Y Connelly	Y Hoffman	Y Pihos	Y Yarbrough
Y Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
Y Cross	Y Jackson	Y Ramey	
Y Cultra	Y Jakobsson	Y Reboletti	
Y Currie	Y Jefferson	Y Reis	
E D'Amico	Y Joyce	Y Reitz	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 348
 CREDIT UNIONS-REGULATIONS
 THIRD READING
 PASSED

March 03, 2009

70 YEAS

34 NAYS

0 PRESENT

Y Acevedo	Y Davis, Monique	Y Kosel	Y Riley
Y Arroyo	Y Davis, William	Y Lang	Y Rita
N Bassi	Y Dugan	Y Leitch	N Rose
Y Beaubien	Y Dunkin	A Lyons	Y Ryg
Y Beiser	Y Durkin	N Mathias	Y Sacia
Y Bellock	N Eddy	Y Mautino	E Saviano
Y Berrios	N Farnham	N May	N Schmitz
N Biggins	A Feigenholtz	Y McAsey	Y Senger
N Black	Y Flider	Y McAuliffe	Y Smith
Y Boland	Y Flowers	Y McCarthy	Y Sommer
N Bost	Y Ford	Y McGuire	N Soto
Y Bradley, John	Y Fortner	Y Mell	Y Stephens
N Brady	N Franks	Y Mendoza	N Sullivan
Y Brauer	A Fritchey	Y Miller	Y Thapedi
Y Brosnahan	N Froehlich	E Mitchell, Bill	N Tracy
Y Burke	E Golar	Y Mitchell, Jerry	N Tryon
Y Burns	E Gordon, Careen	Y Moffitt	Y Turner
N Cavaletto	Y Gordon, Jehan	Y Mulligan	Y Verschoore
N Chapa LaVia	Y Graham	N Myers	Y Wait
N Coladipietro	Y Hamos	Y Nekritz	N Walker
Y Cole	Y Harris	N Osmond	Y Washington
E Collins	N Hatcher	Y Osterman	N Watson
A Colvin	N Hernandez	A Phelps	Y Winters
N Connelly	Y Hoffman	Y Pihos	Y Yarbrough
Y Coulson	Y Holbrook	Y Poe	Y Zalewski
Y Crespo	Y Howard	Y Pritchard	A Mr. Speaker
N Cross	Y Jackson	N Ramey	
N Cultra	Y Jakobsson	N Reboletti	
Y Currie	N Jefferson	N Reis	
E D'Amico	N Joyce	Y Reitz	

E - Denotes Excused Absence

20TH LEGISLATIVE DAY

Perfunctory Session

TUESDAY, MARCH 3, 2009

At the hour of 2:20 o'clock p.m., the House convened perfunctory session.

INTRODUCTION AND FIRST READING OF BILL

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

HOUSE BILL 4332. Introduced by Representative Riley, AN ACT making appropriations.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 138

Offered by Representative Flowers:

WHEREAS, Home Care is a cost effective alternative in the continuum of care for thousands of Illinois citizens with chronic illnesses or injuries or those recovering from surgery; and

WHEREAS, Advances in medical technology allow health professionals to provide the highest level of care in a nurturing home environment; and

WHEREAS, Home Care keeps families together; and

WHEREAS, Home Care allows older citizens to remain independent and postpones or eliminates the need for institutionalization; and

WHEREAS, Home Care allows children with chronic illness remain in their homes and live lives that are not defined by their illness; and

WHEREAS, Home Care promotes healing and prevents infection; and

WHEREAS, Home Care provides a positive environment for individuals improving their quality of life and, in many cases, extending life; and

WHEREAS, Home Care is a cost-effective health care solution, with per-capita expenditures that are 75-95% percent lower than other care alternatives; and

WHEREAS, There are more than 750 licensed home health providers in Illinois; and

WHEREAS, Home health is among the fastest growing professions in the country; and

WHEREAS, The current Illinois Medicaid reimbursement rate is threatening the availability of home health care; and

WHEREAS, Illinois' Medicaid reimbursement rate is the lowest of all Midwestern states and one of the lowest in the nation; and

WHEREAS, Home Care providers are currently reimbursed for less than half of their actual operating expenses; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Department of Healthcare and Family Services shall identify and target resources to increase the capacity to meet needs and desires of the population who could benefit from home health care and to prepare for future demands to build the capacity in the system now and into the future; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of Healthcare and Family Services.

HOUSE RESOLUTION 139

Offered by Representative McGuire:

WHEREAS, According to a new report from the Illinois Department of Revenue, Illinois is missing out on an estimated \$153 million in sales tax revenue on online purchases; and

WHEREAS, Not taxing internet purchases subsidizes the growth of distant companies by giving them a price advantage over local stores; such companies contribute little to a community's civic and economic vitality; and

WHEREAS, Such lack of taxation also undermines State and local governments by reducing tax revenue for schools, police, and other government services; the lack of taxes also makes a regressive tax more regressive, due to the fact that only those with Internet access and a credit card are able to take advantage of the tax exemption; and

WHEREAS, Collecting sales taxes for multiple jurisdictions is no longer as burdensome for internet retailers with the advent of software that makes complying with local sales tax rules relatively simple; and

WHEREAS, In addition, the National Governors Association has started the Streamlined Sales Tax Project, approved by 43 states, which will help simplify the tax collection process by establishing uniform sales tax rules and definitions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the President of the United States and the United States Congress to enact legislation requiring internet retailers to collect sales taxes; and be it further

RESOLVED, That suitable copies of this resolution be presented to the President, the Speaker and Minority Leader of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate, and the members of the Illinois congressional delegation.

HOUSE RESOLUTION 140

Offered by Representative Watson:

WHEREAS, The purpose of the Illinois Personnel Code is to establish for the government of the State of Illinois a system of personnel administration under the Governor, based on merit principles and scientific methods; and

WHEREAS, All offices and positions of employment in the service of the State of Illinois are subject to the provisions of the Personnel Code unless exempted by law; and

WHEREAS, The Illinois Personnel Code establishes the following jurisdictions: Jurisdiction A, with respect to the classification and compensation of positions in the State service; Jurisdiction B, with respect to the positions in the State service to which persons must hold appointments on a basis of merit and fitness; and Jurisdiction C, with respect to conditions of employment in State service; and

WHEREAS, The Personnel Code provides for the partial or total exemption of certain positions from provisions of the Code pertaining to Jurisdictions A, B, and C; and

WHEREAS, The Civil Service Commission is authorized to exempt from Jurisdiction B positions that in its judgment involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out, upon written recommendation of the Director of Central Management Services; and

WHEREAS, Positions exempted from the Personnel Code by the Civil Service Commission typically involve upper-management positions, subject to a higher pay range than non-exempt positions, and may be filled without regard to veteran's preference or the merit and fitness requirements (testing) of the Code; and

WHEREAS, As of December 31, 2003, the number of exemptions granted by the Civil Service Commission in executive branch State agencies was 381; that number has consistently increased in the past 6 years to an unprecedented number of 824; and

WHEREAS, A report recently released by the Executive Ethics Commission indicates that exempt positions were used by State agencies to circumvent veterans' preference requirements and to hire unqualified persons into State positions; therefore, be it

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

ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed to conduct an audit of exemptions granted by the Civil Service Commission pursuant to its authority under item (3) of subsection (d) of Section 4 of the Illinois Personnel Code during the period January 1, 2003 to December 31, 2008, to determine if the granting of such exemptions was consistent with applicable State law and rules; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of the Illinois State Auditing Act; and be it further

RESOLVED, That a copy of this resolution be delivered to the Auditor General.

HOUSE RESOLUTION 141

Offered by Representative Watson:

WHEREAS, The Illinois General Assembly recognizes the immeasurable benefit this State receives from the U.S. Department of Defense, Defense Logistics Agency, the federal law enforcement community, and the U.S. General Services Administration's Donation Program; and

WHEREAS, The law enforcement community attains many needed supplies from the Law Enforcement Surplus Office (LESO), the 1033 Program, and federal surplus programs operated by the Department of Central Management Services and supplied by the Department of Defense; and

WHEREAS, The Illinois LESO and federal surplus programs approve the transfer of a variety of excess and surplus federal property to our communities, effectively reducing program costs to our law enforcement agencies by acquiring items that are new/unused or have been deemed excess to the federal government; and

WHEREAS, The Military Base Realignment and Closure of 2005 has significantly reduced Illinois law enforcement access, and that of the central and western states, to federal excess; donation property has been short-supplied in recent months, putting law enforcement agencies at a geographic disadvantage for attaining necessary equipment and supplies; and

WHEREAS, The FCC has mandated a changeover to narrow-band frequencies for public safety; and

WHEREAS, This mandated changeover is costing public safety agencies, including law enforcement and fire safety agencies, thousand of dollars out of their already limited budgets; and

WHEREAS, The timeframe for the changeover has changed for some Illinois communities, putting them in an untenable situation; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly urge the United States Congress to place public safety communications infrastructure and supplies at the top of their stimulus package priority list; and be it further

RESOLVED, That we strongly urge the United States Department of Defense to renew and increase its supply of essential excess and donation surplus equipment to Illinois public safety officers through the 1033 Program, the LESO Program, and the U.S. General Services Administration's Donation Program (Federal Surplus); and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Majority Leader and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, to each member of the Illinois congressional delegation, and to the Secretary of the United States Department of Defense.

HOUSE JOINT RESOLUTION 23

Offered by Representative Pihos:

WHEREAS, The Violence Against Women Act was enacted in 1994 in response to the domestic battery events occurring across the nation; and

WHEREAS, Violence against women is a major cause of reduced quality of life, distress, injury, and death for women and has serious secondary effects for families, communities, and the economy; and

WHEREAS, Violence against women takes many forms, including battering, sexual harassment, and

rape; and

WHEREAS, More than one in five adult women experience at least one physical assault by a partner during adulthood; as many as one of every two women are affected by sexual harassment over the course of their working lives; and approximately one in eight women have experienced a sexual assault in their lifetimes; and

WHEREAS, Research reveals a high prevalence of acute and chronic mental and physical health consequences resulting from violence against women; and

WHEREAS, Being assaulted by or witnessing assaults toward family members in childhood or adolescence increases the likelihood of mental health problems, substance abuse, and involvement in abusive relationships for both women and men; and

WHEREAS, Gender and gender relations play critical roles in directing violence toward women; and

WHEREAS, Understanding violence against women requires examining the power inequalities between men and women, including legal, economic, and physical power inequalities; and

WHEREAS, Women living in poverty are at especially high risk for all types of violence-particularly severe and life threatening assaults; and

WHEREAS, Psychologists, as researchers, service providers, and policy advocates, have important roles to play in educating the public and preventing and treating violence against women; and

WHEREAS, Levels of assaultive and lethal violence against women remain high, despite two decades of increased awareness and legislation; and

WHEREAS, The federal Violence Against Women Act is a staple in the movement to confront violence against women and family members; and

WHEREAS, Cuts in the federal budget have adversely affected the Violence Against Women Act; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the Congressional members of the State of Illinois and the entire United States Congress to continue funding the federal Violence Against Women Act; and be it further

RESOLVED, That suitable copies of this Resolution be forwarded to the Illinois Congressional delegation, the Speaker of the United States House of Representatives, and the Majority Leader of the United States Senate.

HOUSE JOINT RESOLUTION 24

Offered by Representative Pihos:

WHEREAS, The Victims of Crime Act (VOCA) Fund was authorized by Congress in 1984 pursuant to the Victims of Crime Act to assist with the operation of federal, state, and local crime victim programs; the Fund is funded primarily by the fines, assessments, and fees imposed on federal offenders and not from taxpayers' dollars; and

WHEREAS, The VOCA Fund, in turn, is distributed through formula grants to all 50 states for (1) victim assistance programs, (2) victim compensation programs, and (3) training and technical assistance to victim service providers; and

WHEREAS, Approximately 3.8 million victims of all types of crime receive services from 4,400 service agencies per year through the victim assistance programs and hundreds of thousands of victims receive help through the victim compensation programs, all as a result of the VOCA Fund's existence; the Fund provides invaluable assistance with services through a number of public and non-profit entities including the provision of crisis intervention, emergency shelter, transportation, counseling, and criminal justice advocacy, the payment of medical costs, funeral and burial expenses, lost wages, and mental health related costs; and

WHEREAS, State and local prosecutors rely heavily upon the VOCA Fund for the development and implementation of victim services programs which, in part, notify victims of court proceedings, transport victims to court, assist victims with the completion of victim impact statements, provide notification of offenders' release dates, assist victims in recovering restitution, and work closely with victims of gang violence, domestic abuse, and child and elder abuse to provide a support system for those who must deal not only with intimidation from offenders or third parties but often with their own special needs; and

WHEREAS, It is critical that federal assistance with state and local victim assistance and compensation programs remain available due to the recent budget cuts at the state and local levels; and

WHEREAS, The intent of Congress, expressed during the authorization and appropriation of the VOCA Fund, was that a stable source of funding remain available for the purpose of assisting states with the provision of victims' services; and

WHEREAS, The impact of the rescission would be devastating to victims of crime; negatively impact the ability of state and local prosecutors to carry out their duties as mandated; and impair the functioning of the criminal justice system; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the Congressional members of the State of Illinois and the entire United States Congress to continue funding victim assistance and compensation programs and continue funding programs for training and technical assistance to victim service providers through the Victims of Crime Act (VOCA) Fund which we find to be a very worthwhile cause; and be it further

RESOLVED, That suitable copies of this Resolution be forwarded to the Illinois Congressional delegation and the Speaker of the United States House of Representatives and the Majority Leader of the United States Senate.

HOUSE JOINT RESOLUTION 25

Offered by Representative Joyce:

WHEREAS, The onrushing financial crisis involving home mortgages, debt instruments of all types, and the banking system of the United States threatens to set off an economic collapse worse than the Great Depression of the 1930s; and

WHEREAS, The United States is experiencing one of the worst economic downturns in its history; and

WHEREAS, Loans were made for residential mortgages indiscriminately, and often without regard for whether the borrower was capable of repaying the loan; and

WHEREAS, Millions of Americans have been affected either directly or indirectly by home foreclosure because borrowers could not pay the mortgages on their homes; and

WHEREAS, This increase in foreclosures is taking a toll on hard-working families, neighborhoods, and local economies throughout the State; and

WHEREAS, President Obama has called upon Congress to pass legislation to help resolve this crisis; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge Congress to pass legislation that would require the original lender for a residential mortgage to retain a permanent 25% interest in the value of the loan; and be it further

RESOLVED, That suitable copies of this resolution be presented to President Barack Obama, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and each member of the Illinois congressional delegation.

HOUSE JOINT RESOLUTION 26

Offered by Representative Miller:

WHEREAS, The Illinois economy is transforming; despite having the nation's fifth largest state economy, the State ranked only 35th in economic growth over the last 15 years; and

WHEREAS, Illinois' economic growth is lagging because we are losing good jobs; between 1990 and 2005, the number of manufacturing jobs in Illinois declined by 24.3%, or 222,500; during this same period, 34% of job growth occurred in education, health services, and hospitality, sectors that currently pay, on average, 29% less than manufacturing jobs; adjusted for inflation, median wages have declined leaving families with the same income they had in 1989; nearly 685,000 working Illinoisans earn less than the

living wage for a single adult - \$17,950 annually; and

WHEREAS, 40% of new job growth will be in mid- to high-wage sectors; manufacturers will continue to be a major employer, but most of these jobs will require increasingly sophisticated levels of skill; in fact, over 35% of Illinois' new jobs will require an associate degree or higher and 71% of the highest wage jobs will require a post-secondary degree; and

WHEREAS, To attract high wage jobs, Illinois will need high-skilled workers; but, at the same time that our economy demands skilled workers in order to remain competitive and thrive, federal funds for workforce development continue to shrink, after adjusting for inflation; and

WHEREAS, It is time for Illinois to make a new commitment; about 594,000 twenty-five to fifty-four year olds have no high school diploma or equivalent; 60% of these working age individuals are without an associate degree or higher; just 35% of Illinois' young adults are enrolled in postsecondary education; over the next 15 years, 33% of the State's labor force will retire and the fastest growing segments of our population who must replace them have generally lower education levels; and

WHEREAS, Strong workforce development is a key driver of long-term business retention and growth; additionally, Illinois must use its economic development policies strategically targeting disadvantage areas to foster high-wage job creation and to leverage infrastructure investments; these are the tools that can ensure Illinois' families, businesses, and communities enjoy a prosperous future; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that, to compete successfully in a global economy and end poverty, Illinois needs an integrated economic and workforce development policy that works for everyone and that includes producing skilled workers in strong businesses with good jobs that foster thriving communities; and be it further

RESOLVED, That this new policy must provide lasting value to Illinois' 10 economic regions and offer sustainable programming in urbanized and rural communities throughout the State that allows for the flexibility necessary to address regional differences in the economy, business climate and the workforce; and be it further

RESOLVED, That the General Assembly create, upon adoption of this resolution, a bipartisan task force, whose work shall endeavor to fulfill the following goals:

- (1) Ensure Illinoisans develop the skills businesses demand in a modern economy;
- (2) Create career paths and job opportunities for all working-age Illinoisans, from the least skilled and most disadvantaged to middle income workers whose skills have become obsolete;
- (3) Invest resources in the capital and human infrastructure needed to attract and retain "high road" employers that provide quality jobs, wages, and benefits;
- (4) Encourage entrepreneurship, small business growth, technology transfers from Illinois' higher education system, and other economic/workforce development innovation in all communities across Illinois to grow competitive State businesses; and
- (5) Support economic and workforce development that is environmentally, socially, and economically sustainable; and be it further

RESOLVED, That this task force shall conduct a thorough discovery process that will include identification of effective policies and programs; conduct public hearings; invite expert testimony and shall furnish a report of its findings whereupon clear and concise information of programs and policies will be made available to the public throughout Illinois; new legislation or policy changes developed during the course of the deliberations of the task force shall be introduced at the earliest possible moment; hearings shall be held within 6 months of the first meeting of the task force and the report shall be issued within 12 months of the meeting and not later than September 30, 2010 to the Governor and the General Assembly; and be it further

RESOLVED, That the requirement for the reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader, and the Clerk of the House of Representatives, and the President, the Minority Leader, and the Secretary of the Senate, and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act; and be it further

RESOLVED, That the task force shall have the following members: 16 voting members, as follows: 4 members of the Senate appointed by the President of the Senate, 4 members of the Senate appointed by the Senate Minority Leader, 4 members of the House of Representatives appointed by the Speaker of the House of Representatives, and 4 members of the House of Representatives appointed by the House Minority Leader; and be it further

RESOLVED, That all actions of the task force require the affirmative vote of at least 9 voting members; and be it further

RESOLVED, That the following persons shall serve without compensation as ex-officio, non-voting members of the task force:

- (A) the Director of the Department of Commerce and Economic Opportunity, or his or her designee;
- (B) the Director of the Department of Employment Security, or his or her designee;
- (C) the Secretary of the Department of Human Services, or his or her designee;
- (D) the Secretary of the Department of Transportation, or his or her designee;
- (E) the Secretary of the Department of Labor, or his or her designee;
- (F) the Director of the Environmental Protection Agency, or his or her designee;
- (G) the Director of the Illinois Community College Board, or his or her designee; and
- (H) the Director of the Department of Corrections; and be it further

RESOLVED, That the departments of State government and the Illinois Community College Board shall work cooperatively to provide administrative support for the task force, and the Departments of Commerce and Economic Opportunity and Employment Security shall be the primary agencies in providing that support.

HOUSE JOINT RESOLUTION 27

Offered by Representatives Monique Davis:

WHEREAS, The Illinois General Assembly is aware that scientific research shows that children are increasingly distanced from nature, even while an increasing number of researchers and scientists have determined the benefits of outdoor play for children and that direct exposure to nature is essential for healthy childhood physical, emotional, and spiritual development; and

WHEREAS, Children's understanding of nature is eclipsed by their knowledge of television characters; the average eight year old is better able to identify cartoon characters than even common plants and animals; and

WHEREAS, Addressing the imminent and threatening environmental issues of our time requires an active citizenry; providing children with outdoor nature experiences increases involvement in stewardship of our environment; and

WHEREAS, Time spent in nature by children promotes curiosity, improves the learning of science, and provides joy and a sense of well-being; and

WHEREAS, Actively engaging adults, mentors, and youth leaders and building their capacity to facilitate opportunities for children to engage in nature discovery and learning in safe places, with a special emphasis on engaging underserved and ethnically diverse audiences, as well as non-traditional partners, is a vital step in this process; and

WHEREAS, The State of Illinois has a longstanding commitment to its natural heritage, connecting its people to the land and passing traditions on to future generations through outdoor activities such as fishing, hunting, bird watching, cross country skiing, and nature walks; and

WHEREAS, Bringing nature to children and creating safe places and programs that provide increased and improved outdoor nature exploration opportunities for children to promote discovery and creative play is of utmost importance to our society; and

WHEREAS, The State of Illinois is endowed with a gloriously diverse landscape, ranging from prairies and woodlands to the cypress swamps of southern Illinois to the bluffs of the Illinois valley and spreading across the farmlands of our rural communities to the backyard bungalows, play lots, and parks of our cities, all of which must be shared with the children and families of this State; and

WHEREAS, The State of Illinois is rich in educational initiatives, conservation organizations, conservation districts, forest preserve districts, park districts, recreation agencies, schools, and civic organizations that are all actively engaged in promoting environmental education; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we show our support for the Children's Outdoor Bill of Rights, which states that every child should have the opportunity to discover the wilderness, which includes the State's prairies, dunes, forests, savannas, and wetlands; camp

under the stars; follow a trail; catch and release fish, frogs, and insects; climb a tree; explore nature in neighborhoods and cities; celebrate their heritage; plant a flower; play in the mud or a stream; and learn to swim; and be it further

RESOLVED, That we hereby designate the month of June as "Leave No Child Inside Month" in the State of Illinois in furtherance of our support of this important initiative.

HOUSE JOINT RESOLUTION 28

Offered by Representative Ryg:

WHEREAS, The United States Supreme Court in *Olmstead v. L.C. Ex Rel. Zimring*, 119 S. Ct. 2176 (1999), held that the unjustifiable institutionalization of a person with a disability who could live in the community with appropriate supports and services, and wishes to do so, is unlawful discrimination in violation of the Americans with Disabilities Act (ADA); and

WHEREAS, Many individuals with developmental disabilities in Illinois who desire home or community-based residential services are unable to obtain them due to the lack of funding for such options; and

WHEREAS, As a result of insufficient home and community-based service options for individuals with developmental disabilities in Illinois, many individuals and their families must choose between living with their parents or other family members without the supports and services they need, or living in a State-operated developmental center or another institution, even if they could live successfully in a less restrictive setting with appropriate supports and services; and

WHEREAS, There are now over 16,000 individuals with developmental disabilities in Illinois with documented crisis, emerging crisis, or future service needs who are on the Department of Human Services' Priority of Urgency of Need of Services (PUNS) waiting list database for services and supports, and the need is probably greater because this number only represents those individuals who have actually signed up for the PUNS waiting list database; and

WHEREAS, Almost 10 years after the *Olmstead* decision, a report titled "The State of the States in Disabilities 2008" by the Department of Psychiatry and Coleman Institute for Cognitive Disabilities of the University of Colorado ranks the State of Illinois 51st in the nation in terms of making small community living arrangements (6 residents or fewer) available to individuals with developmental disabilities; and

WHEREAS, The State of Illinois ranks near the very bottom both nationally and among the other Midwest states in per capita spending for home and community-based supports and services for individuals with developmental disabilities; and

WHEREAS, Other studies, including but not limited to, "State Funding of Community Agencies for Services to Illinois Residents with Mental Illness and/or Developmental Disabilities: Final Report to the Illinois General Assembly" and "The Report of the Community Integrated Living Arrangement Nursing Services Work Group" address the issues with the Illinois system; and

WHEREAS, "The Blueprint for System Redesign in Illinois" reviewed the findings of these studies as well as the results of a gaps analysis and created a framework for restructuring the current service system for people with developmental disabilities and their families; and

WHEREAS, These studies and numerous legislative measures and lawsuits over the last decade have attempted to address the shortcomings of Illinois' fragmented and inadequate system of services and supports to individuals with developmental disabilities; and

WHEREAS, The level of need and corresponding cost for providing supports and services for individuals with developmental disabilities in Illinois will continue to outpace significantly the State's ability to fund services appropriately and effectively unless major systemic fiscal and policy changes are made to the service delivery system; and

WHEREAS, Until the State breaks the cycle of underfunding and lack of significant growth of home and community-based services and supports for people with developmental disabilities and their families which perpetuates short term measures to address crises in the system and which, in the long term, has maintained and fostered the competition among many for scarce public resources; the community-based system will continue to be fragmented and inadequately funded; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the

Department of Human Services, Division of Developmental Disabilities, shall develop a 7-year Plan with yearly benchmarks to enhance and expand access to quality community services and supports as described in the recommendations of the "Blueprint for System Redesign" (January 2008) and other reports that have been done, by December 1, 2009; and be it further

RESOLVED, That any increase in the resources available to the Department shall be appropriated to services and supports consistent with the action steps in the Plan considering, but not limited to, funding incentives, identifying new revenue sources, maximizing current revenue sources, creating opportunities for capacity building and new rate methodologies that enhance quality service and quality assurance, crisis intervention and workforce development; and be it further

RESOLVED, That the Secretary of Human Services shall provide an annual report on the implementation of the Plan to the Governor and to each member of the General Assembly by not later than July 1st of each year and interim progress reports to the Governor and to the members of the General Assembly not later than December 31st of each year until the plan is fully implemented; and be it further

RESOLVED, That appropriate committees of the House of Representatives and the Senate shall convene at least one hearing not later than July 1st of each year on the subject of the Plan; and be it further

RESOLVED, That copies of this Resolution be sent to the Governor, the Secretary of the Department of Human Services, the Director of the Governor's Office of Management and Budget, and all members of the General Assembly.

HOUSE JOINT RESOLUTION 29

Offered by Representative Ford:

WHEREAS, The Department of Human Services, in administering some of its programs, must determine whether an applicant for or recipient of benefits is disabled; and

WHEREAS, Some of those applicants or recipients attempt to engage in some sort of work even while disabled from performing work in which they previously engaged; and

WHEREAS, The Department of Human Services does not always allow applicants or recipients the same benefits of a trial work period as allowed by the Social Security Administration in administering the federal program of disability benefits; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that in determining whether an individual is disabled for purposes of any program administered by the Department of Human Services, the Department shall follow the most recently updated rules adopted by the Social Security Administration concerning an individual working while disabled, including, without limitation, rules concerning a trial work period and whether an individual's earnings are "substantial"; and be it further

RESOLVED, That, in particular, the Department of Human Services shall not, after a trial work period ends, determine that an individual is earning substantial earnings and open the individual's case for review unless the individual has earnings of more than the amount allowed by the Social Security Administration during a trial work period (for 2009, \$980 per month); and be it further

RESOLVED, That copies of this resolution be delivered to the Governor and the Director of Human Services.

At the hour of 2:21 o'clock p.m., the House Perfunctory Session adjourned.