STATE OF ILLINOIS

HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

117TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

MONDAY, MARCH 22, 2010

3:06 O'CLOCK P.M.

NO. 117

HOUSE OF REPRESENTATIVES
Daily Journal Index
117th Legislative Day

The House met pursuant to adjournment.
Speaker of the House Madigan in the chair.
Prayer by Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.
Representative Monique Davis 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:
103 present. (ROLL CALL 1)

By unanimous consent, Representatives Coladipietro, Feigenholtz, Fortner, Graham, Hamos, Mell, Mulligan, Pritchard, Ramey, Schmitz, Turner and Washington were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Mell, should be recorded as present at the hour of 3:38 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Dunkin, should be recorded as present at the hour of 3:40 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Mulligan, should be recorded as present at the hour of 4:50 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Coladipietro, should be recorded as present at the hour of 5:00 o'clock p.m.

REPORTS

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

Illinois Labor Relations Board 2009 Annual Report, submitted by Illinois Labor Relations Board on March 18, 2010.

State of Illinois Annual Report Summary 2009, submitted by Department of Central Management Services on March 19, 2010.

LETTER OF TRANSMITTAL

March 23, 2010

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

Dear Clerk Mahoney:

On March 22, 2010, I inadvertently voted “Yes” on House Bill 4886. I wish you to change my vote to “No” and have this change reflected in the record.

Thank you for you assistance.

Sincerely,
s/Elizabeth Hernandez
State Representative – 24th District

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Mautino replaced Representative Currie in the Committee on Rules on March 22, 2010.

Representative Harris replaced Representative Lang in the Committee on Rules on March 22, 2010.

Representative Osmond replaced Representative Schmitz in the Committee on Rules on March 22, 2010.

REPORT FROM THE COMMITTEE ON RULES

Representative Mautino, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to HOUSE BILL 2490.
Amendment No. 1 to HOUSE BILL 4663.
Amendment No. 2 to HOUSE BILL 4674.
Amendment No. 1 to HOUSE BILL 5044.
Amendment No. 2 to HOUSE BILL 5053.
Amendment No. 2 to HOUSE BILL 5147.
Amendment No. 2 to HOUSE BILL 5180.
Amendment No. 1 to HOUSE BILL 5197.
Amendment No. 2 to HOUSE BILL 5289.
Amendment No. 1 to HOUSE BILL 5381.
Amendment No. 1 to HOUSE BILL 5402.
Amendment No. 1 to HOUSE BILL 5407.
Amendment No. 2 to HOUSE BILL 5430.
Amendment No. 2 to HOUSE BILL 5448.
Amendment No. 1 to HOUSE BILL 5515.
Amendment No. 2 to HOUSE BILL 5527.
Amendment No. 2 to HOUSE BILL 5772.
Amendment No. 2 to HOUSE BILL 5838.
Amendment No. 2 to HOUSE BILL 5951.
Amendment No. 1 to HOUSE BILL 5966.
Amendment No. 2 to HOUSE BILL 6041.
Amendment No. 1 to HOUSE BILL 6061.
Amendment No. 2 to HOUSE BILL 6080.
Amendment No. 2 to HOUSE BILL 6092.
Amendment No. 2 to HOUSE BILL 6088.
Amendment No. 2 to HOUSE BILL 6315.
Amendment No. 1 to HOUSE JOINT RESOLUTION 97.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: SENATE BILLS 384, 2573, 2959, 3603, 3604 and 3719.

Business & Occupational Licenses: SENATE BILLS 2602, 3018, 3385 and HOUSE AMENDMENT No. 2 to HOUSE BILL 6415.

Cities & Villages: SENATE BILL 2614, HOUSE AMENDMENT No. 1 to HOUSE BILL 4837 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5787.

Computer Technology: HOUSE AMENDMENT No. 1 to HOUSE BILL 6391.

Consumer Protection: SENATE BILLS 2540, 3645 and HOUSE AMENDMENTS Numbered 2 and 3 to HOUSE BILL 4781.

Counties & Townships: SENATE BILLS 2520, 2529, 2794, 2797, 3508, 3696, HOUSE AMENDMENT No. 2 to HOUSE BILL 4877, HOUSE AMENDMENT No. 2 to HOUSE BILL 5555, HOUSE AMENDMENT No. 2 to HOUSE BILL 6239 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6380.

Elections & Campaign Reform: SENATE BILL 2638.

Elementary & Secondary Education: SENATE BILLS 2537, 2594, 3045, HOUSE AMENDMENT No. 1 to HOUSE BILL 5633, HOUSE AMENDMENT No. 2 to HOUSE BILL 5836 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6419.

Executive: SENATE BILLS 3136, 3146, 3173, 3433 and HOUSE AMENDMENT No. 2 to HOUSE BILL 6030.

Financial Institutions: SENATE BILL 2581 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6412.

Health Care Availability and Accessibility: HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 4924.

Health Care Licenses: HOUSE BILL 6836, SENATE BILLS 2527, 2799, 3035, HOUSE AMENDMENT No. 1 to HOUSE BILL 5183, HOUSE AMENDMENT No. 2 to HOUSE BILL 5783 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5917.

Higher Education: SENATE BILLS 2615, 2801, 3705 and 3728.

Human Services: SENATE BILLS 2533, 2601, 2605, 2976, 2981, 3039, 3158, 3174, 3291, 3315, HOUSE AMENDMENT No. 2 to HOUSE BILL 5304 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5565.

Insurance: SENATE BILLS 2544, 2819, 3004, HOUSE AMENDMENT No. 1 to HOUSE BILL 5085 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5630.

Judiciary I - Civil Law: SENATE BILLS 2509, 2553, 2570, 2606, 2807, 2987, 3387, 3782, HOUSE AMENDMENT No. 1 to HOUSE BILL 4727, HOUSE AMENDMENT No. 2 to HOUSE BILL 5523, HOUSE AMENDMENT No. 2 to HOUSE BILL 6215, HOUSE AMENDMENTS Numbered 2 and 3 to HOUSE BILL 6450 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6477.

Judiciary II - Criminal Law: SENATE BILLS 2488, 2504, 2589, 2590, 2952, 3029, 3030, 3090, 3176, 3295, 3304, 3305, 3503, 3628, 3695, HOUSE AMENDMENT No. 2 to HOUSE BILL 5394, HOUSE AMENDMENT No. 1 to HOUSE BILL 5401, HOUSE AMENDMENT No. 1 to HOUSE BILL 5640, HOUSE AMENDMENT No. 1 to HOUSE BILL 5745, HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 5932, HOUSE AMENDMENT No. 2 to HOUSE BILL 5947, HOUSE AMENDMENT No. 1 to HOUSE BILL 6462, HOUSE AMENDMENT No. 1 to HOUSE BILL 6463 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6464.

Labor: SENATE BILLS 3494, 3644, HOUSE AMENDMENT No. 1 to HOUSE BILL 5601 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6349.

Mass Transit: HOUSE AMENDMENT No. 1 to HOUSE BILL 6379.

Personnel and Pensions: SENATE BILLS 2525, 2554 and 3022.

Public Utilities: SENATE BILL 3464, HOUSE AMENDMENT No. 3 to HOUSE BILL 4990 and HOUSE AMENDMENT No. 3 to HOUSE BILL 6208.

Revenue & Finance: SENATE BILLS 1826, 2065, 2350, 2579, 2992, 3139, 3552, 3646, 3666, HOUSE AMENDMENT No. 1 to HOUSE BILL 5603 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5604.

State Government Administration: SENATE BILLS 2630, 3023, 3037, 3183, 3281, 3288, 3289, 3372, 3491, 3505, 3817, HOUSE AMENDMENT No. 2 to HOUSE BILL 4871, HOUSE AMENDMENT No. 2 to HOUSE BILL 5301, HOUSE AMENDMENT No. 1 to HOUSE BILL 5571, HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 6317 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6416.

Transportation, Regulation, Roads & Bridges: SENATE BILLS 3430, 3462, HOUSE AMENDMENT No. 1 to HOUSE BILL 5372 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6453.

Vehicles & Safety: SENATE BILLS 2804, 2993, 3024 and 3682.

Veterans' Affairs: SENATE BILLS 3128 and 3818.

Adoption Reform: HOUSE AMENDMENT No. 1 to HOUSE BILL 5699.

Juvenile Justice Reform: HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 5914.

Railroad Industry: SENATE BILL 3546.

Tollway Oversight: SENATE BILL 3118.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Mautino(D) (replacing Currie)
Y Harris(D) (replacing Lang)
A Turner(D)
Y Black(R), Republican Spokesperson
Y Osmond(R) (replacing Schmitz)

FISCAL NOTE REQUEST WITHDRAWN

Representative Fritchey withdrew his request for a Fiscal Note on HOUSE BILL 5124.

STATE MANDATES FISCAL NOTE REQUEST WITHDRAWN

Representative Fritchey withdrew his request for a State Mandates Fiscal Note on HOUSE BILL 5124.

BALANCED BUDGET NOTE REQUEST WITHDRAWN

Representative Fritchey withdrew his request for a Balanced Budget Note on HOUSE BILL 5124.

JUDICIAL NOTE SUPPLIED

A Judicial Note has been supplied for HOUSE BILL 5124.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for HOUSE BILL 5295.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Verschoore became the new principal sponsor of HOUSE BILL 6464.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative McAsey became the new principal sponsor of HOUSE BILL 6391.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Lyons became the new principal sponsor of HOUSE BILL 6412.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative McAsey became the new principal sponsor of HOUSE BILL 6477.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative D'Amico became the new principal sponsor of HOUSE BILL 6463.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Burns became the new principal sponsor of HOUSE BILL 6462.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Froehlich became the new principal sponsor of HOUSE BILL 6453.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Beiser became the new principal sponsor of HOUSE BILL 6349.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Crespo became the new principal sponsor of HOUSE BILL 6419.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Zalewski became the new principal sponsor of HOUSE BILL 6416.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative McAsey became the new principal sponsor of HOUSE BILL 6380.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Dunkin became the new principal sponsor of HOUSE BILL 6379.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Yarbrough became the new principal sponsor of HOUSE BILL 6317.

With the consent of the affected members, Representative Osmond was removed as principal sponsor, and Representative Cross became the new principal sponsor of HOUSE RESOLUTION 1044.

With the consent of the affected members, Representative Rose was removed as principal sponsor, and Representative Osmond became the new principal sponsor of HOUSE BILL 5571.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Bassi became the new principal sponsor of HOUSE BILL 5596.

With the consent of the affected members, Representative Rose was removed as principal sponsor, and Representative Tracy became the new principal sponsor of HOUSE BILL 6140.

HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 1037

Offered by Representative Mathias:

WHEREAS, People with disabilities represent an ever-growing percentage of Illinois citizens who need accessible parking spaces to ensure access to participate fully in the various aspects of community life; and

WHEREAS, The Illinois General Assembly is committed to removing many of the major barriers to independence for people with disabilities in Illinois by urging every community with a population of more than 15,000 to conduct accessible parking awareness days; and

WHEREAS, Great strides have been made in Illinois to make buildings and facilities accessible to people with disabilities and adequate accessible parking spaces must be kept free from barriers such as debris and snow accumulation; and

WHEREAS, All drivers, municipalities, and private parking lot owners share the responsibility of knowing and adhering to all laws regarding parking for persons with disabilities as specified in the Illinois drivers manual and other statutes to be kept updated in print and online; and

WHEREAS, All officials charged with parking enforcement must be vigilant in ensuring proper access to accessible parking spaces and reducing illegal use; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Governor to proclaim November as Illinois Accessible Parking Awareness Month in the State of Illinois, and urge all citizens to join in recognizing the importance of accessible parking spaces and in committing ourselves to eliminating barriers, physical and attitudinal, that stand in the way of providing people with disabilities access to community activities

throughout our State; and be it further

RESOLVED, That we urge the Illinois Secretary of State to conduct accessible parking awareness days each year by providing information to newspaper, radio, television, and by any other means used in this State to communicate with the public; and be it further

RESOLVED, That suitable copies of this resolution be presented to Governor Pat Quinn and Secretary of State Jesse White.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1034

Offered by Representative Saviano:

Congratulates Jerry H. Cizek III of Glen Ellyn on the occasion of his retirement as president of the Chicago Automobile Trade Association (CATA).

HOUSE RESOLUTION 1035

Offered by Representative Poe:

Mourns the death of Walter E. Skilbeck of Springfield.

HOUSE RESOLUTION 1036

Offered by Representative Yarbrough:

Mourns the passing of the former village president of Maywood, Ralph Conner.

HOUSE RESOLUTION 1038

Offered by Representative Farnham:

Honors Morris Svendsen, a founding member of the Northern Illinois Painting and Drywall Institute, for his years of service and dedication to his craft.

HOUSE RESOLUTION 1039

Offered by Representative Farnham:

Congratulates Anthony Pintozzi, Sr., a founding member of the Northern Illinois Painting and Drywall Institute, for his tireless dedication, hard work, and years of service.

HOUSE RESOLUTION 1040

Offered by Representative Fritchey:

Congratulates the faculty, students, and staff of DePaul University for the university's many contributions to higher education and community service and joins with DePaul University to celebrate the 350th anniversary of St. Vincent DePaul and St. Louise DeMarillac.

HOUSE RESOLUTION 1041

Offered by Representative Eddy:

Congratulates the 2009-2010 Robinson High School Maroons boys varsity basketball team for their accomplishments throughout the season and for winning the IHSA Class 2A State Basketball Championship.

HOUSE RESOLUTION 1042

Offered by Representative Cole:

Congratulates Jason Leman of Boy Scout Troop 96 in Grayslake on the occasion of attaining the rank of Eagle Scout.

HOUSE RESOLUTION 1043

Offered by Representative Cole:

Congratulates Michael Connor White of Boy Scout Troop 96 in Grayslake on the occasion of attaining the rank of Eagle Scout.

RECALL

At the request of the principal sponsor, Representative Burke, HOUSE BILL 5838 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 5838. Having been recalled on March 22, 2010, the same was again taken up.

Representative Burke offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 5838, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Physical Fitness Facility Medical Emergency Preparedness Act is amended by changing Section 15 as follows:

(210 ILCS 74/15)

Sec. 15. Automated external defibrillator required.

(a) By the dates specified in Section 50, every physical fitness facility must have at least one AED on the facility premises. The Department shall adopt rules to ensure coordination with local emergency medical services systems regarding the placement and use of AEDs in physical fitness facilities. The Department may adopt rules requiring a facility to have more than one AED on the premises, based on factors that include the following:

(1) The size of the area or the number of buildings or floors occupied by the facility.

(2) The number of persons using the facility, excluding spectators.

(b) A physical fitness facility must ensure that there is a trained AED user on staff during staffed business hours. For purposes of this Act, "trained AED user" has the meaning ascribed to that term in Section 10 of the Automated External Defibrillator Act.

(b-5) The Department shall adopt rules that encourage any non-employee coach, non-employee instructor, or other similarly situated non-employee anticipated rescuer who uses a physical fitness facility in conjunction with the supervision of physical fitness activities to complete a course of instruction that would qualify such a person as a trained AED user, as defined in Section 10 of the Automated External Defibrillator Act.

(b-10) In the case of an outdoor physical fitness facility, the AED must be housed in a building, if any, that is within 300 feet of the outdoor facility where an event or activity is being conducted. If there is such a building within the required distance, the building must provide unimpeded and open access to the housed AED, and the building's entrances shall further provide marked directions to the housed AED. ~~If there is no such building, the person responsible for supervising the activity at the outdoor physical fitness facility shall ensure that an AED is available at the outdoor facility during the time that the event or activity at the facility is being conducted.~~

(b-15) Facilities described in paragraph (1.5) of Section 5.25 must have an AED on site as well as a trained AED user available only during activities or events sponsored and conducted or supervised by a person or persons employed by the unit of local government, school, college, or university.

(c) Every physical fitness facility must ensure that every AED on the facility's premises is properly tested

and maintained in accordance with rules adopted by the Department.
(Source: P.A. 95-712, eff. 1-1-09; 96-748, eff. 1-1-10; 96-873, eff. 1-21-10.)".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 5147. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Electric Generation & Commerce, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5147 by replacing page 1, line 5 through page 20, line 6 with the following:
"Section 16-127 as follows:"; and
by replacing page 21, lines 15 and 16 with the following:
"(d) For the purposes of subsection (a) of this".

Representative Connelly offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 5147, AS AMENDED, by replacing everything after the enacting clause with the following:
"Section 5. The Public Utilities Act is amended by changing Section 16-108 as follows:
(220 ILCS 5/16-108)
Sec. 16-108. Recovery of costs associated with the ~~the~~ provision of delivery services.
(a) An electric utility shall file a delivery services tariff with the Commission at least 210 days prior to the date that it is required to begin offering such services pursuant to this Act. An electric utility shall provide the components of delivery services that are subject to the jurisdiction of the Federal Energy Regulatory Commission at the same prices, terms and conditions set forth in its applicable tariff as approved or allowed into effect by that Commission. The Commission shall otherwise have the authority pursuant to Article IX to review, approve, and modify the prices, terms and conditions of those components of delivery services not subject to the jurisdiction of the Federal Energy Regulatory Commission, including the authority to determine the extent to which such delivery services should be offered on an unbundled basis. In making any such determination the Commission shall consider, at a minimum, the effect of additional unbundling on (i) the objective of just and reasonable rates, (ii) electric utility employees, and (iii) the development of competitive markets for electric energy services in Illinois.
(b) The Commission shall enter an order approving, or approving as modified, the delivery services tariff no later than 30 days prior to the date on which the electric utility must commence offering such services. The Commission may subsequently modify such tariff pursuant to this Act.
(c) The electric utility's tariffs shall define the classes of its customers for purposes of delivery services charges. Delivery services shall be priced and made available to all retail customers electing delivery services in each such class on a nondiscriminatory basis regardless of whether the retail customer chooses the electric utility, an affiliate of the electric utility, or another entity as its supplier of electric power and energy. Charges for delivery services shall be cost based, and shall allow the electric utility to recover the costs of providing delivery services through its charges to its delivery service customers that use the facilities and services associated with such costs. Such costs shall include the costs of owning, operating and maintaining transmission and distribution facilities. The Commission shall also be authorized to consider whether, and if so to what extent, the following costs are appropriately included in the electric utility's delivery services rates: (i) the costs of that portion of generation facilities used for the production and absorption of reactive power in order that retail customers located in the electric utility's service area can receive electric power and energy from suppliers other than the electric utility, and (ii) the costs associated with the use and redispatch of generation facilities to mitigate constraints on the transmission or distribution system in order that retail customers located in the electric utility's service area can receive electric power and energy from suppliers other than the electric utility. Nothing in this subsection shall be construed as directing the Commission to allocate any of the costs described in (i) or (ii) that are found to be appropriately included in the electric utility's delivery services rates to any particular customer group or

geographic area in setting delivery services rates.

(d) The Commission shall establish charges, terms and conditions for delivery services that are just and reasonable and shall take into account customer impacts when establishing such charges. In establishing charges, terms and conditions for delivery services, the Commission shall take into account voltage level differences. A retail customer shall have the option to request to purchase electric service at any delivery service voltage reasonably and technically feasible from the electric facilities serving that customer's premises provided that there are no significant adverse impacts upon system reliability or system efficiency. A retail customer shall also have the option to request to purchase electric service at any point of delivery that is reasonably and technically feasible provided that there are no significant adverse impacts on system reliability or efficiency. Such requests shall not be unreasonably denied.

(e) Electric utilities shall recover the costs of installing, operating or maintaining facilities for the particular benefit of one or more delivery services customers, including without limitation any costs incurred in complying with a customer's request to be served at a different voltage level, directly from the retail customer or customers for whose benefit the costs were incurred, to the extent such costs are not recovered through the charges referred to in subsections (c) and (d) of this Section.

(f) An electric utility shall be entitled but not required to implement transition charges in conjunction with the offering of delivery services pursuant to Section 16-104. If an electric utility implements transition charges, it shall implement such charges for all delivery services customers and for all customers described in subsection (h), but shall not implement transition charges for power and energy that a retail customer takes from cogeneration or self-generation facilities located on that retail customer's premises, if such facilities meet the following criteria:

(i) the cogeneration or self-generation facilities serve a single retail customer and are located on that retail customer's premises (for purposes of this subparagraph and subparagraph (ii), an industrial or manufacturing retail customer and a third party contractor that is served by such industrial or manufacturing customer through such retail customer's own electrical distribution facilities under the circumstances described in subsection (vi) of the definition of "alternative retail electric supplier" set forth in Section 16-102, shall be considered a single retail customer);

(ii) the cogeneration or self-generation facilities either (A) are sized pursuant to generally accepted engineering standards for the retail customer's electrical load at that premises (taking into account standby or other reliability considerations related to that retail customer's operations at that site) or (B) if the facility is a cogeneration facility located on the retail customer's premises, the retail customer is the thermal host for that facility and the facility has been designed to meet that retail customer's thermal energy requirements resulting in electrical output beyond that retail customer's electrical demand at that premises, comply with the operating and efficiency standards applicable to "qualifying facilities" specified in title 18 Code of Federal Regulations Section 292.205 as in effect on the effective date of this amendatory Act of 1999;

(iii) the retail customer on whose premises the facilities are located either has an exclusive right to receive, and corresponding obligation to pay for, all of the electrical capacity of the facility, or in the case of a cogeneration facility that has been designed to meet the retail customer's thermal energy requirements at that premises, an identified amount of the electrical capacity of the facility, over a minimum 5-year period; and

(iv) if the cogeneration facility is sized for the retail customer's thermal load at that premises but exceeds the electrical load, any sales of excess power or energy are made only at wholesale, are subject to the jurisdiction of the Federal Energy Regulatory Commission, and are not for the purpose of circumventing the provisions of this subsection (f).

If a generation facility located at a retail customer's premises does not meet the above criteria, an electric utility implementing transition charges shall implement a transition charge until December 31, 2006 for any power and energy taken by such retail customer from such facility as if such power and energy had been delivered by the electric utility. Provided, however, that an industrial retail customer that is taking power from a generation facility that does not meet the above criteria but that is located on such customer's premises will not be subject to a transition charge for the power and energy taken by such retail customer from such generation facility if the facility does not serve any other retail customer and either was installed on behalf of the customer and for its own use prior to January 1, 1997, or is both predominantly fueled by byproducts of such customer's manufacturing process at such premises and sells or offers an average of 300 megawatts or more of electricity produced from such generation facility into the wholesale market. Such charges shall be calculated as provided in Section 16-102, and shall be collected on each kilowatt-hour delivered under a delivery services tariff to a retail customer from the date the customer first takes delivery

services until December 31, 2006 except as provided in subsection (h) of this Section. Provided, however, that an electric utility, other than an electric utility providing service to at least 1,000,000 customers in this State on January 1, 1999, shall be entitled to petition for entry of an order by the Commission authorizing the electric utility to implement transition charges for an additional period ending no later than December 31, 2008. The electric utility shall file its petition with supporting evidence no earlier than 16 months, and no later than 12 months, prior to December 31, 2006. The Commission shall hold a hearing on the electric utility's petition and shall enter its order no later than 8 months after the petition is filed. The Commission shall determine whether and to what extent the electric utility shall be authorized to implement transition charges for an additional period. The Commission may authorize the electric utility to implement transition charges for some or all of the additional period, and shall determine the mitigation factors to be used in implementing such transition charges; provided, that the Commission shall not authorize mitigation factors less than 110% of those in effect during the 12 months ended December 31, 2006. In making its determination, the Commission shall consider the following factors: the necessity to implement transition charges for an additional period in order to maintain the financial integrity of the electric utility; the prudence of the electric utility's actions in reducing its costs since the effective date of this amendatory Act of 1997; the ability of the electric utility to provide safe, adequate and reliable service to retail customers in its service area; and the impact on competition of allowing the electric utility to implement transition charges for the additional period.

(g) The electric utility shall file tariffs that establish the transition charges to be paid by each class of customers to the electric utility in conjunction with the provision of delivery services. The electric utility's tariffs shall define the classes of its customers for purposes of calculating transition charges. The electric utility's tariffs shall provide for the calculation of transition charges on a customer-specific basis for any retail customer whose average monthly maximum electrical demand on the electric utility's system during the 6 months with the customer's highest monthly maximum electrical demands equals or exceeds 3.0 megawatts for electric utilities having more than 1,000,000 customers, and for other electric utilities for any customer that has an average monthly maximum electrical demand on the electric utility's system of one megawatt or more, and (A) for which there exists data on the customer's usage during the 3 years preceding the date that the customer became eligible to take delivery services, or (B) for which there does not exist data on the customer's usage during the 3 years preceding the date that the customer became eligible to take delivery services, if in the electric utility's reasonable judgment there exists comparable usage information or a sufficient basis to develop such information, and further provided that the electric utility can require customers for which an individual calculation is made to sign contracts that set forth the transition charges to be paid by the customer to the electric utility pursuant to the tariff.

(h) An electric utility shall also be entitled to file tariffs that allow it to collect transition charges from retail customers in the electric utility's service area that do not take delivery services but that take electric power or energy from an alternative retail electric supplier or from an electric utility other than the electric utility in whose service area the customer is located. Such charges shall be calculated, in accordance with the definition of transition charges in Section 16-102, for the period of time that the customer would be obligated to pay transition charges if it were taking delivery services, except that no deduction for delivery services revenues shall be made in such calculation, and usage data from the customer's class shall be used where historical usage data is not available for the individual customer. The customer shall be obligated to pay such charges on a lump sum basis on or before the date on which the customer commences to take service from the alternative retail electric supplier or other electric utility, provided, that the electric utility in whose service area the customer is located shall offer the customer the option of signing a contract pursuant to which the customer pays such charges ratably over the period in which the charges would otherwise have applied.

(i) An electric utility shall be entitled to add to the bills of delivery services customers charges pursuant to Sections 9-221, 9-222 (except as provided in Section 9-222.1), and Section 16-114 of this Act, Section 5-5 of the Electricity Infrastructure Maintenance Fee Law, Section 6-5 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997, and Section 13 of the Energy Assistance Act.

(j) If a retail customer that obtains electric power and energy from cogeneration or self-generation facilities installed for its own use on or before January 1, 1997, subsequently takes service from an alternative retail electric supplier or an electric utility other than the electric utility in whose service area the customer is located for any portion of the customer's electric power and energy requirements formerly obtained from those facilities (including that amount purchased from the utility in lieu of such generation and not as standby power purchases, under a cogeneration displacement tariff in effect as of the effective date of this amendatory Act of 1997), the transition charges otherwise applicable pursuant to subsections

(f), (g), or (h) of this Section shall not be applicable in any year to that portion of the customer's electric power and energy requirements formerly obtained from those facilities, provided, that for purposes of this subsection (j), such portion shall not exceed the average number of kilowatt-hours per year obtained from the cogeneration or self-generation facilities during the 3 years prior to the date on which the customer became eligible for delivery services, except as provided in subsection (f) of Section 16-110.
(Source: P.A. 91-50, eff. 6-30-99; 92-690, eff. 7-18-02.)".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 6041. 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 6041 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 20-1, 20-2, 20-3, 20-4, 20-5, 20-7, 20-8, and 20-9 and by adding Section 20-10 as follows:

(105 ILCS 5/20-1) (from Ch. 122, par. 20-1)

Sec. 20-1. Authority to create working cash fund. In each school district, whether organized under general law or special charter, having a population of less than 500,000 inhabitants, a fund to be known as a "Working Cash Fund" may be created and ~~,~~ maintained consistent with the limitations of ~~and administered in the manner prescribed in~~ this Article, for the purpose of enabling the district to have in its treasury at all time sufficient money to meet demands thereon for ~~ordinary and necessary~~ expenditures for corporate purposes.
(Source: P.A. 80-272.)

(105 ILCS 5/20-2) (from Ch. 122, par. 20-2)

Sec. 20-2. Indebtedness and bonds. For the purpose of creating, re-creating, or increasing a working cash fund, the school board of any such district may incur an indebtedness and issue bonds as evidence thereof in an amount or amounts not exceeding in the aggregate 85% of the taxes permitted to be levied for educational purposes for the then current year to be determined by multiplying the maximum educational tax rate or rates applicable to such school district by the last assessed valuation or assessed valuations as determined at the time of the issue of said bonds plus 85% of the last known entitlement of such district to taxes as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5, paragraph (c) of the Constitution of the State of Illinois. The bonds shall bear interest at not more than the maximum rate authorized by law ~~the Bond Authorization Act, as amended at the time of the making of the contract, if issued before January 1, 1972 and not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, if issued after January 1, 1972~~ and shall mature within 20 years from the date thereof. Subject to the foregoing limitations as to amount, the bonds may be issued in an amount including existing indebtedness which will not exceed the constitutional limitation as to debt, notwithstanding any statutory debt limitation to the contrary. The school board shall before or at the time of issuing the bonds provide for the collection of a direct annual tax upon all the taxable property within the district sufficient to pay the principal thereof at maturity and to pay the interest thereon as it falls due, which tax shall be in addition to the maximum amount of all other taxes, either educational; transportation; operations and maintenance; or fire prevention and safety fund taxes, now or hereafter authorized and in addition to any limitations upon the levy of taxes as provided by Sections 17-2 through 17-9. ~~The bonds may be issued redeemable at the option of the school board of the district issuing them on any interest payment date on or after 5 years from date of issue.~~

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that

may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(Source: P.A. 94-234, eff. 7-1-06; 94-1019, eff. 7-10-06.)

(105 ILCS 5/20-3) (from Ch. 122, par. 20-3)

Sec. 20-3. Tax levy. For the purpose of providing moneys for a working cash fund, the school board of any such school district may also levy annually upon all the taxable property of their district a tax, known as the "working cash fund tax," not to exceed 0.05% of value, as equalized or assessed by the Department of Revenue; provided that no such tax shall be levied if bonds are issued in amount or amounts equal in the aggregate to the limitation set forth in Section 20-2 for the creation, re-creation, or increase of a working cash fund. The collection of the tax shall not be anticipated by the issuance of any warrants drawn against it. The tax shall be levied and collected, except as otherwise provided in this Section, in like manner as the general taxes of the district, and shall be in addition to the maximum of all other taxes, either educational; transportation; operations and maintenance; or fire prevention and safety fund taxes, now or hereafter to be levied for school purposes. It may be levied by separate resolution by the last Tuesday in December ~~September~~ in each year or it may be included in the certificate of tax levy filed under Section 17-11.

(Source: P.A. 94-234, eff. 7-1-06.)

(105 ILCS 5/20-4) (from Ch. 122, par. 20-4)

Sec. 20-4. Use and reimbursement of fund. This Section shall not apply in any school district which does not operate a working cash fund.

Moneys derived from the issuance of bonds as authorized by Section 20-2, or from any tax levied pursuant to Section 20-3, shall be used only for the purposes and in the manner ~~hereinafter~~ provided in this Article. Moneys in the fund shall not be regarded as current assets available for school purposes. The school board may appropriate moneys to the working cash fund up to the maximum amount allowable in the fund, and the working cash fund may receive such appropriations and any other contributions. Moneys in the fund may ~~shall not~~ be used by the school board for any and all ~~in any manner other than to provide moneys with which to meet ordinary and necessary disbursements for salaries and other~~ school purposes and may be transferred in whole or in part to the general funds or both of the school district and disbursed therefrom in anticipation of the collection of taxes lawfully levied for any or all purposes, or in anticipation of such taxes as by law now or hereafter enacted or amended are imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois. Moneys so transferred to any other fund shall be deemed to be transferred in anticipation of the collection of that part of the taxes so levied or to be received which is in excess of the amount thereof required to pay any warrants or notes and the interest thereon theretofore and thereafter issued in anticipation of the collection thereof and such taxes when collected shall be applied to the payment of any such warrants and the interest thereon, the amount estimated to be required to satisfy debt service and pension or retirement obligations, as set forth in Section 12 of the State Revenue Sharing Act and then to the reimbursement of such working cash fund as hereinafter provided.

Upon receipt by the school district of any taxes in anticipation of the collection whereof moneys of the working cash fund have been so transferred for disbursement, the fund shall immediately be reimbursed therefrom until the full amount so transferred has been retransferred to the fund. Unless the taxes so received and applied to the reimbursement of the working cash fund prior to the first day of the eighth month following the month in which due and unpaid real property taxes begin to bear interest are sufficient to effect a complete reimbursement of such fund for any moneys transferred therefrom in anticipation of the collection of such taxes, the working cash fund shall be reimbursed for the amount of the deficiency therein from any other revenues accruing to the educational fund, and the school board shall make provisions for the immediate reimbursement of the amount of any such deficiency in its next annual tax levy.

(Source: P.A. 87-984; 87-1168; 88-45.)

(105 ILCS 5/20-5) (from Ch. 122, par. 20-5)

Sec. 20-5. Transfer to other fund. This Section shall not apply in any school district which does not operate a working cash fund.

Moneys in ~~, including interest earned from investment of~~ the working cash fund ~~as in this Section provided,~~ shall be transferred from the working cash fund to another fund of the district only upon the

authority of the school board which shall from time to time by separate resolution direct the school treasurer to make transfers of such sums as may be required for the purposes herein authorized.

The resolution shall set forth (a) the taxes in anticipation of which such transfer is to be made and from which the working cash fund is to be reimbursed; (b) the entire amount of taxes extended, or which the school board estimates will be extended or received, for any year in anticipation of the collection of all or part of which such transfer is to be made; (c) the aggregate amount of warrants or notes theretofore issued in anticipation of the collection of such taxes together with the amount of interest accrued and which the school board estimates will accrue thereon; (d) the aggregate amount of receipts from taxes imposed to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois, which the corporate authorities estimate will be set aside for the payment of the proportionate amount of debt service and pension or retirement obligations, as required by Section 12 of the State Revenue Sharing Act; and (e) the aggregate amount of money theretofore transferred from the working cash fund to the other fund in anticipation of the collection of such taxes. The amount which any such resolution shall direct the treasurer so to transfer, in anticipation of the collection of taxes levied or to be received for any year, together with the aggregate amount of such anticipation tax warrants or notes theretofore drawn against such taxes and the amount of interest accrued and estimated to accrue thereon and the aggregate amount of such transfers to be made in anticipation of the collection of such taxes and the amount estimated to be required to satisfy debt service and pension or retirement obligations, as set forth in Section 12 of the State Revenue Sharing Act, shall not exceed 85% of the actual or estimated amount of such taxes extended or to be extended or to be received as set forth in such resolution. At any time moneys are available in the working cash fund they shall be transferred to such other funds of the district ~~the educational fund~~ and used for any and all ~~disbursed for the payment of salaries and other~~ school purposes ~~expenses~~ so as to avoid, whenever possible, the issuance of anticipation tax warrants or notes.

Moneys earned as interest from the investment of the working cash fund, or any portion thereof, may be transferred from the working cash fund to another fund of the district that is most in need of the interest without any requirement of repayment to the working cash fund, upon the authority of the school board by separate resolution directing the school treasurer to make such transfer and stating the purpose in accordance with subsection (c) of Section 9 of the Local Government Debt Reform Act ~~therefore as one herein authorized~~.

(Source: P.A. 94-234, eff. 7-1-06.)

(105 ILCS 5/20-7) (from Ch. 122, par. 20-7)

Sec. 20-7. Resolution for issuance of bonds - Submission to voters - Ballot. No school district may issue bonds under this Article unless it adopts a resolution declaring its intention to issue bonds for the purpose therein provided and directs that notice of such intention be published at least once in a newspaper ~~published and having a general circulation in the district, if there be one, but if there is no newspaper published in such district then by publishing such notice in a newspaper~~ having a general circulation in the district. The notice shall set forth (1) the intention of the district to issue bonds in accordance with this Article; (2) the time within which a petition may be filed requesting the submission of the proposition to issue the bonds; (3) the specific number of voters required to sign the petition; and (4) the date of the prospective referendum. At the time of publication of the notice and for 30 days thereafter, the recording officer of the district shall provide a petition form to any individual requesting one. If within 30 days after the publication a petition is filed with the recording officer of the district, signed by the voters of the district equal to 10% or more of the registered voters of the district requesting that the proposition to issue bonds as authorized by this Article be submitted to the voters thereof, then the district shall not be authorized to issue such bonds until the proposition has been certified to the proper election authorities and has been submitted to and approved by a majority of the voters voting on the proposition at a regular scheduled election in accordance with the general election law. If no such petition is so filed, or if any and all petitions filed are invalid, the district may issue the bonds. In addition to the requirements of the general election law the notice of the election shall set forth the intention of the district to issue bonds under this Article. The proposition shall be in substantially the following form:

OFFICIAL BALLOT

Shall the Board ~~board~~ of....
of School District ~~district~~ number.... YES
County, Illinois, be authorized
to issue bonds for a working ----------

cash fund as provided for
by Article 20 of the NO
School Code?

(Source: P.A. 87-767.)

(105 ILCS 5/20-8) (from Ch. 122, par. 20-8)

Sec. 20-8. Abolishment of working cash fund. Any school district may abolish its working cash fund, upon the adoption of a resolution so providing, and direct the transfer of any balance in such fund to the educational fund at the close of the then current school year. Any outstanding loans to other funds of the district ~~the transportation; operations and maintenance; or fire prevention and safety fund~~ shall be paid or become payable to the educational fund at the close of the then current school year. Thereafter, all outstanding taxes of such school district levied pursuant to Section 20-3 shall be collected and paid into the educational fund.

Any balance in any working cash fund that is created in any school district on or after the effective date of this amendatory Act of 1991 (including all outstanding loans from any such working cash fund to other funds ~~the educational, transportation, operations and maintenance, or fire prevention and safety fund~~ of the district and all outstanding taxes levied by the district under Section 20-3 to provide moneys for any such working cash fund) may, when such working cash fund is abolished, be used and applied for the purpose of reducing, by the balance in that working cash fund at the close of the school year in which the fund so created is abolished, the amount of the taxes that the school board of the school district otherwise would be authorized or required to levy for educational purposes for the immediately succeeding school year.

Any obligation incurred by any school district pursuant to Section 20-2 shall be discharged as therein provided.

(Source: P.A. 86-970; 87-643; 87-984.)

(105 ILCS 5/20-9) (from Ch. 122, par. 20-9)

Sec. 20-9. A ~~Nothing in this Article prevents a~~ school district which has abolished or abated its working cash fund has the authority to again create ~~from again creating~~ a working cash fund at any time in the manner provided in this Article.

(Source: Laws 1967, p. 642.)

(105 ILCS 5/20-10 new)

Sec. 20-10. Abatement of working cash fund. Any school district may abate its working cash fund at any time, upon the adoption of a resolution so providing, and direct the transfer at any time of moneys in that fund to any fund or funds of the district most in need of the money, provided that the district maintains an amount to the credit of the working cash fund, including taxes levied pursuant to Section 20-3 and not yet collected and amounts transferred pursuant to Section 20-4 and to be reimbursed to the working cash fund, at least equal to 0.05% of the then current value, as equalized or assessed by the Department of Revenue, of the taxable property in the district. If necessary to effectuate the abatement, any outstanding loans to other funds of the district may be paid or become payable to the fund or funds to which the abatement is made. Any abatement of a school district's working cash fund prior to the effective date of this amendatory Act of the 96th General Assembly that would have complied with the provisions of this Section is hereby validated.

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

Representative Eddy offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 6041, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 9, by replacing lines 21 through 24 with the following:
"newspaper published and having a general circulation in the district, if there be one, but if there is no newspaper published in such district then by publishing such notice in a newspaper having a general circulation in the district. The".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 5515. Having been reproduced, was taken up and read by title a second time.

Representative Hoffman offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 5515 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 17-2.11 as follows:

(105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

Sec. 17-2.11. School board power to levy a tax or to borrow money and issue bonds for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes.

(a) Whenever, as a result of any lawful order of any agency, other than a school board, having authority to enforce any school building code applicable to any facility that houses students, or any law or regulation for the protection and safety of the environment, pursuant to the Environmental Protection Act, any school district having a population of less than 500,000 inhabitants is required to alter or reconstruct any school building or permanent, fixed equipment; the district may, by proper resolution, levy a tax for the purpose of making such alteration or reconstruction, based on a survey report by an architect or engineer licensed in this State, upon all of the taxable property of the district at the value as assessed by the Department of Revenue and at a rate not to exceed 0.05% per year for a period sufficient to finance such alteration or reconstruction, upon the following conditions:

(1) When there are not sufficient funds available in the operations and maintenance fund of the school district, the school facility occupation tax fund of the district, or the fire prevention and safety fund of the district, as determined by the district on the basis of rules adopted by the State Board of Education, to make such alteration or reconstruction or to purchase and install such permanent, fixed equipment so ordered or determined as necessary. Appropriate school district records must be made available to the State Superintendent of Education, upon request, to confirm this insufficiency.

(2) When a certified estimate of an architect or engineer licensed in this State stating the estimated amount necessary to make the alteration or reconstruction or to purchase and install the equipment so ordered has been secured by the school district, and the estimate has been approved by the regional superintendent of schools having jurisdiction over the district and the State Superintendent of Education. Approval must not be granted for any work that has already started without the prior express authorization of the State Superintendent of Education. If the estimate is not approved or is denied approval by the regional superintendent of schools within 3 months after the date on which it is submitted to him or her, the school board of the district may submit the estimate directly to the State Superintendent of Education for approval or denial.

In the case of an emergency situation, where the estimated cost to effectuate emergency repairs is less than the amount specified in Section 10-20.21 of this Code, the school district may proceed with such repairs prior to approval by the State Superintendent of Education, but shall comply with the provisions of subdivision (2) of this subsection (a) as soon thereafter as may be as well as Section 10-20.21 of this Code. If the estimated cost to effectuate emergency repairs is greater than the amount specified in Section 10-20.21 of this Code, then the school district shall proceed in conformity with Section 10-20.21 of this Code and with rules established by the State Board of Education to address such situations. The rules adopted by the State Board of Education to deal with these situations shall stipulate that emergency situations must be expedited and given priority consideration. For purposes of this paragraph, an emergency is a situation that presents an imminent and continuing threat to the health and safety of students or other occupants of a facility, requires complete or partial evacuation of a building or part of a building, or consumes one or more of the 5 emergency days built into the adopted calendar of the school or schools or would otherwise be expected to cause such school or schools to fall short of the minimum school calendar requirements.

(b) Whenever any such district determines that it is necessary for energy conservation purposes that any school building or permanent, fixed equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act; the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(c) Whenever any such district determines that it is necessary for disabled accessibility purposes and to comply with the school building code that any school building or equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments

thereto authorized under Section 2-3.12 of this Act, the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(d) Whenever any such district determines that it is necessary for school security purposes and the related protection and safety of pupils and school personnel that any school building or property should be altered or reconstructed or that security systems and equipment (including but not limited to intercom, early detection and warning, access control and television monitoring systems) should be purchased and installed, and that such alterations, reconstruction or purchase and installation of equipment will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendment thereto authorized by Section 2-3.12 of this Act and will deter and prevent unauthorized entry or activities upon school property by unknown or dangerous persons, assure early detection and advance warning of any such actual or attempted unauthorized entry or activities and help assure the continued safety of pupils and school staff if any such unauthorized entry or activity is attempted or occurs; the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(e) If a school district does not need funds for other fire prevention and safety projects, including the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act, and it is determined after a public hearing (which is preceded by at least one published notice (i) occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district and (ii) setting forth the time, date, place, and general subject matter of the hearing) that there is a substantial, immediate, and otherwise unavoidable threat to the health, safety, or welfare of pupils due to disrepair of school sidewalks, playgrounds, parking lots, or school bus turnarounds and repairs must be made; then the district may levy a tax or issue bonds as provided in subsection (a) of this Section.

(f) For purposes of this Section a school district may replace a school building or build additions to replace portions of a building when it is determined that the effectuation of the recommendations for the existing building will cost more than the replacement costs. Such determination shall be based on a comparison of estimated costs made by an architect or engineer licensed in the State of Illinois. The new building or addition shall be equivalent in area (square feet) and comparable in purpose and grades served and may be on the same site or another site. Such replacement may only be done upon order of the regional superintendent of schools and the approval of the State Superintendent of Education.

(g) The filing of a certified copy of the resolution levying the tax when accompanied by the certificates of the regional superintendent of schools and State Superintendent of Education shall be the authority of the county clerk to extend such tax.

(h) The county clerk of the county in which any school district levying a tax under the authority of this Section is located, in reducing raised levies, shall not consider any such tax as a part of the general levy for school purposes and shall not include the same in the limitation of any other tax rate which may be extended.

Such tax shall be levied and collected in like manner as all other taxes of school districts, subject to the provisions contained in this Section.

(i) The tax rate limit specified in this Section may be increased to .10% upon the approval of a proposition to effect such increase by a majority of the electors voting on that proposition at a regular scheduled election. Such proposition may be initiated by resolution of the school board and shall be certified by the secretary to the proper election authorities for submission in accordance with the general election law.

(j) When taxes are levied by any school district for fire prevention, safety, energy conservation, and school security purposes as specified in this Section, and the purposes for which the taxes have been levied are accomplished and paid in full, and there remain funds on hand in the Fire Prevention and Safety Fund from the proceeds of the taxes levied, including interest earnings thereon, the school board by resolution shall use such excess and other board restricted funds, excluding bond proceeds and earnings from such proceeds, as follows:

(1) for other authorized fire prevention, safety, energy conservation, and school security purposes; or

(2) for transfer to the Operations and Maintenance Fund for the purpose of abating an equal amount of operations and maintenance purposes taxes.

Notwithstanding subdivision (2) of this subsection (j), through June 30, 2013, surplus life safety taxes and interest earnings thereon may be transferred to the Operations and Maintenance Fund for building repair work.

(k) If any transfer is made to the Operation and Maintenance Fund, the secretary of the school board

shall within 30 days notify the county clerk of the amount of that transfer and direct the clerk to abate the taxes to be extended for the purposes of operations and maintenance authorized under Section 17-2 of this Act by an amount equal to such transfer.

(l) If the proceeds from the tax levy authorized by this Section are insufficient to complete the work approved under this Section, the school board is authorized to sell bonds without referendum under the provisions of this Section in an amount that, when added to the proceeds of the tax levy authorized by this Section, will allow completion of the approved work.

(m) Any bonds issued pursuant to this Section shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 20 years from date, and shall be signed by the president of the school board and the treasurer of the school district.

(n) In order to authorize and issue such bonds, the school board shall adopt a resolution fixing the amount of bonds, the date thereof, the maturities thereof, rates of interest thereof, place of payment and denomination, which shall be in denominations of not less than $100 and not more than $5,000, and provide for the levy and collection of a direct annual tax upon all the taxable property in the school district sufficient to pay the principal and interest on such bonds to maturity. Upon the filing in the office of the county clerk of the county in which the school district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes heretofore or hereafter authorized to be levied by such school district.

(o) After the time such bonds are issued as provided for by this Section, if additional alterations or reconstructions are required to be made because of surveys conducted by an architect or engineer licensed in the State of Illinois, the district may levy a tax at a rate not to exceed .05% per year upon all the taxable property of the district or issue additional bonds, whichever action shall be the most feasible.

(p) This Section is cumulative and constitutes complete authority for the issuance of bonds as provided in this Section notwithstanding any other statute or law to the contrary.

(q) With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of Public Act 86-004 (June 6, 1989), it is, and always has been, the intention of the General Assembly (i) that the Omnibus Bond Acts are, and always have been, supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(r) When the purposes for which the bonds are issued have been accomplished and paid for in full and there remain funds on hand from the proceeds of the bond sale and interest earnings therefrom, the board shall, by resolution, use such excess funds in accordance with the provisions of Section 10-22.14 of this Act.

(s) Whenever any tax is levied or bonds issued for fire prevention, safety, energy conservation, and school security purposes, such proceeds shall be deposited and accounted for separately within the Fire Prevention and Safety Fund.

(Source: P.A. 95-675, eff. 10-11-07; 95-793, eff. 1-1-09; 96-252, eff. 8-11-09.)

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

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.

HOUSE BILL 5407. Having been read by title a second time on March 17, 2010, and held on the order of Second Reading, the same was again taken up.

Representative William Davis offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 5407 on page 5, by replacing lines 6 and 7 with the following:

"complications of diabetes.".

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.

RECALL

At the request of the principal sponsor, Representative William Davis, HOUSE BILL 5289 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 5289. Having been recalled on March 22, 2010, the same was again taken up.
Representative William Davis offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 5289, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Sections 5.756 and 6z-82 as follows:

(30 ILCS 105/5.756 new)

Sec. 5.756. The Public Library Support Fund.

(30 ILCS 105/6z-82 new)

Sec. 6z-82. Public Library Support Fund; creation. The Public Library Support Fund is created as a special fund in the State treasury. Within 30 days after the first day of each State fiscal year, the Secretary of State shall calculate an amount equal to $20 multiplied by the number of residents of each public library district in the State in which at least 30% of the residents report a household income at or below the federal poverty level. The Secretary of State shall certify the calculated amount to the State Comptroller and direct the State Comptroller to transfer the amount from the General Revenue Fund to the Public Library Support Fund. Subject to appropriation, the Secretary of State shall use moneys in the Public Library Support Fund to make grants to those public library districts. No public library district may receive more than $20 per resident of that public library district from the Fund in any State fiscal year. Any interest earned on moneys in the Public Library Support Fund shall be deposited into the Fund.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

RECALL

At the request of the principal sponsor, Representative Burns, HOUSE BILL 5951 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 5951. Having been recalled on March 22, 2010, the same was again taken up.
Representative Burns offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 5951 on page 16, by replacing lines 8 through 11 with the following:

"fees and costs. All such expenses,".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 4674. 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 4674 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Educational Opportunity for Military Children Act.".

Representative Holbrook offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 4674 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Educational Opportunity for Military Children Act.

Section 5. Purpose. It is the purpose of this Act to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

(1) facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of educational records from the previous school district;

(2) facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, or assessment;

(3) facilitating the qualification and eligibility for enrollment and educational programs;

(4) facilitating the on-time graduation of children of military families; and

(5) promoting flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

Section 10. Findings; authority to enter into compact. The General Assembly finds and declares that this State recognizes that there is created an Interstate Commission on Educational Opportunity for Military Children through the Council of State Governments, in cooperation with the U.S. Department of Defense Office of Personnel and Readiness, for addressing the needs of students in transition. The Interstate Commission on Educational Opportunity for Military Children is a group of member states who have joined to create laws easing the transition of children of military families. The Governor of this State is authorized and directed to enter into a compact governed by this Act on behalf of this State with any of the United States legally joining therein.

Section 15. Applicability. This Act applies only if the member states of the Interstate Commission on Educational Opportunity for Military Children approve this State as a member state with this Act governing.

Section 20. Definitions. For purposes of this Act:

"Active duty military personnel" means active duty members of the uniformed military services, including any of the following:

(1) Members of the National Guard and Reserve that are on active duty pursuant to 10 U.S.C. 1209 and 10 U.S.C. 1211.

(2) Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement.

(3) Members of the uniformed services who die on active duty for a period of one year after death.

"State Council" means the Illinois P-20 Council and additional representatives appointed by the Illinois P-20 Council as provided under Section 40 of this Act.

Section 25. Tuition for transfer students.

(a) For purposes of this Section, "non-custodial parent" means a person who has temporary custody of the child of active duty military personnel and who is responsible for making decisions for that child.

(b) If a student who is a child of active duty military personnel is (i) placed with a non-custodial parent

and (ii) as a result of placement, must attend a non-resident school district, then the student must not be charged the tuition of the school that the student attends as a result of placement with the non-custodial parent and the student must be counted in the calculation of average daily attendance under Section 18-8.05 of the School Code.

Section 30. Power of attorney for children of active duty military personnel.

A student who has a parent who is active duty military personnel who must place the student with a non-custodial parent may submit a special power of attorney to the school district that authorizes the student (i) to enroll in the district of the non-custodial parent and (ii) have decisions made by the non-custodial parent. If a special power of attorney created pursuant to this Section is filed with the school district, then the school district must follow the direction of the special power of attorney.

Section 35. Required courses for transfer students; pre-requisites; credit transfer; graduation.

(a) A student that transfers to a new school district may transfer into a comparable course to continue credit work for a course from which the student transferred out of only if the new school district offers the course and space is available. This subsection (a) includes courses offered for gifted and talented children pursuant to Article 14A of the School Code and courses for the English as a Second Language program.

(b) The school district of a school may determine if courses taken by a transfer student at his or her old school satisfy the pre-requisite course requirements for any courses that the transfer student wishes to take at his or her current school. The school district may determine a current and future schedule that is appropriate for the student that satisfies any pre-requisite course requirements in order for that student to take any courses that he or she wishes to attend.

(c) The school district of a school may work with a transfer student to determine an appropriate schedule that ensures that a student will graduate, provided that the student has met the district's minimal graduation requirements, which may be modified provided that the modifications are a result of scheduling issues and not a result of the student's academic failure.

(d) If a student transfers to a new school district during his or her senior year and the receiving school district cannot make reasonable adjustments under this Section to ensure graduation, then the school district shall make every reasonable effort to ensure that the school district from where the student transfers issues the student a diploma.

Section 40. State coordination.

(a) Each member state of the Interstate Commission on Educational Opportunity for Military Children shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies, and military installations concerning the State's participation in and compliance with the compact and Interstate Commission activities. In this State, the Illinois P-20 Council and representatives appointed by the Illinois P-20 Council from the 3 school districts in this State with the highest percentage of children from military families shall constitute the State Council.

(b) The compact commissioner responsible for the administration and management of the State's participation in the compact shall be appointed by the State Council.

Section 45. Interstate Commission on Educational Opportunity for Military Children.

(a) The member states hereby create the "Interstate Commission on Educational Opportunity for Military Children". The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

(1) Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers, and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the compact.

(2) Consist of one Interstate Commission voting representative from each member state who shall be that state's compact commissioner.

(A) Each member state represented at a meeting of the Interstate Commission is entitled to one vote.

(B) A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

(C) A representative shall not delegate a vote to another member state. In the event the compact commissioner is unable to attend a meeting of the Interstate Commission, the State Council may delegate voting authority to another person from their state for a specified meeting.

(D) The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

(3) Consist of ex-officio, non-voting representatives who are members of interested organizations. Such ex-officio members, as defined in the bylaws, may include, but not be limited to, members of the representative organizations of military family advocates, local education agency officials, parent and teacher groups, the U.S. Department of Defense, the Education Commission of the States, the Interstate Agreement on the Qualification of Educational Personnel, and other interstate compacts affecting the education of children of military members.

(4) Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.

(5) Establish an executive committee, whose members shall include the officers of the Interstate Commission and such other members of the Interstate Commission as determined by the bylaws. Members of the executive committee shall serve a one-year term. Members of the executive committee shall be entitled to one vote each. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact, including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary. The U.S. Department of Defense shall serve as an ex-officio, nonvoting member of the executive committee.

(6) Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

(7) Give public notice of all meetings, and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, where it determines by two-thirds vote that an open meeting would be likely to:

(A) relate solely to the Interstate Commission's internal personnel practices and procedures;

(B) disclose matters specifically exempted from disclosure by federal and state statute;

(C) disclose trade secrets or commercial or financial information which is privileged or confidential;

(D) involve accusing a person of a crime or formally censuring a person;

(E) disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(F) disclose investigative records compiled for law enforcement purposes; or

(G) specifically relate to the Interstate Commission's participation in a civil action or other legal proceeding.

(8) Cause its legal counsel or designee to certify that a meeting may be closed and shall reference each relevant exemptible provision for any meeting, or portion of a meeting, which is closed pursuant to this provision. The Interstate Commission shall keep minutes, which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

(9) Collect standardized data concerning the educational transition of the children of military families under the compact as directed through its rules, which shall specify the data to be collected, the means of collection and data exchange and reporting requirements. Such methods of data collection, exchange, and reporting shall, in so far as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate State custodian of educational records as identified in the rules.

(10) Create a process that permits military officials, education officials, and parents to inform the Interstate Commission if and when there are alleged violations of the compact or its rules or when issues subject to the jurisdiction of the compact or its rules are not addressed by the state or local education agency. This Section shall not be construed to create a private right of action against the Interstate Commission or any member state.

(b) The Interstate Commission shall have the following powers:

(1) To provide for dispute resolution among member states.

(2) To promulgate rules and take all necessary actions to effect the goals, purposes, and obligations as enumerated in the compact. The rules shall be binding in the compact states to the extent and in the manner provided in this Act. These rules are not effective or enforceable in this State until enacted into law in this State.

(3) To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules, and actions.

(4) To enforce compliance with the compact provisions and the rules promulgated by the Interstate Commission using all necessary and proper means, including, but not limited to, the use of judicial process. These rules are not effective or enforceable in this State until enacted into law in this State.

(5) To establish and maintain offices, which shall be located within one or more of the member states.

(6) To purchase and maintain insurance and bonds.

(7) To borrow, accept, hire, or contract for services of personnel.

(8) To establish and appoint committees including, but not limited to, an executive committee as required by item (5) of subsection (a) of this Section, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.

(9) To elect or appoint such officers, attorneys, employees, agents, or consultants; to fix their compensation, define their duties, and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.

(10) To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.

(11) To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed.

(12) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

(13) To establish a budget and make expenditures.

(14) To adopt a seal and bylaws governing the management and operation of the Interstate Commission.

(15) To report annually to the legislatures, governors, judiciary, and state councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

(16) To coordinate education, training, and public awareness regarding the compact, its implementation, and operation for officials and parents involved in such activity.

(17) To establish uniform standards for the reporting, collecting, and exchanging of data. These standards are not effective or enforceable in this State until enacted into law in this State.

(18) To maintain corporate books and records in accordance with the bylaws.

(19) To perform such functions as may be necessary or appropriate to achieve the purposes of the compact.

(20) To provide for the uniform collection and sharing of information between and among member states, schools, and military families under the compact. Provision for the collection and sharing of information is not effective or enforceable in this State until enacted into law in this State.

(c) The Interstate Commission shall, by a majority of the members present and voting, within 12 months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

(1) Establishing the fiscal year of the Interstate Commission.

(2) Establishing an executive committee and such other committees as may be necessary.

(3) Providing for the establishment of committees and for governing any general or specific delegation of authority or function of the Interstate Commission.

(4) Providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting.

(5) Establishing the titles and responsibilities of the officers and staff of the Interstate Commission.

(6) Providing a mechanism for concluding the operations of the Interstate Commission and

the return of surplus funds that may exist upon the termination of the compact after the payment and reserving of all of its debts and obligations.

(7) Providing "start-up" rules for initial administration of the compact. These rules are not effective or enforceable in this State until enacted into law in this State.

(d) The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission, provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.

(e) The executive committee shall have such authority and duties as may be set forth in the bylaws, including, but not limited to:

(1) managing the affairs of the Interstate Commission in a manner consistent with the bylaws and purposes of the Interstate Commission;

(2) overseeing an organizational structure within and appropriate procedures for the Interstate Commission to provide for the creation of rules, operating procedures, and administrative and technical support functions; and

(3) planning, implementing, and coordinating communications and activities with other state, federal, and local government organizations in order to advance the goals of the Interstate Commission.

The executive committee may, subject to the approval of the Interstate Commission, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation, as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a member of the Interstate Commission. The executive director shall hire and supervise such other persons as may be authorized by the Interstate Commission.

(f) The Interstate Commission's executive director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities; provided, that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

(g) The liability of the Interstate Commission's executive director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties, for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection (g) shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

(h) The Interstate Commission shall defend the executive director and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(i) To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for

believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

Section 50. Rulemaking of the Interstate Commission. The Interstate Commission on Educational Opportunity for Military Children shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect. Notwithstanding the other provisions of this subsection (e), no rule is effective or enforceable in this State until enacted into law in this State.

Rules shall be made pursuant to a rulemaking process that substantially conforms to the "Model State Administrative Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to the operations of the Interstate Commission.

Notwithstanding any other provision of this Act, no rule of the Interstate Commission has force and effect in this State unless and until the State Council reviews the rule and recommends to the General Assembly that the rule be enacted into law in this State and the rule is enacted into law in this State.

Section 55. Resolution of disputes.

The Interstate Commission on Educational Opportunity for Military Children shall attempt, upon the request of a member state, to resolve disputes that are subject to the compact and that may arise among member states and between member and non-member states.

Section 60. Financing of the Interstate Commission.

(a) The Interstate Commission on Educational Opportunity for Military Children shall pay or provide for the payment of the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The Interstate Commission may levy and collect an annual assessment of $1 per student who has a parent who is active duty military personnel.

(c) The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

(d) The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

Section 65. Withdrawal and dissolution of compact.

(a) Once effective, the compact shall continue in force and remain binding upon each and every member state, provided that a member state may withdraw from the compact by specifically repealing the statute that enacted the compact into law.

(b) Withdrawal from the compact shall be by the enactment of a statute repealing the same.

(c) The withdrawing state shall immediately notify the chairperson of the Interstate Commission on Educational Opportunity for Military Children in writing upon the introduction of legislation repealing the compact in the withdrawing state. The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within 60 days of its receipt thereof.

(d) The withdrawing state is responsible for all assessments, obligations, and liabilities incurred through the effective date of withdrawal.

(e) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

(f) The compact shall dissolve effective upon the date of the withdrawal or default of the member state that reduces the membership in the compact to one member state.

(g) Upon the dissolution of the compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

Section 70. Severability and construction.

(a) The provisions of this Act are severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of this Act are enforceable.

(b) The provisions of this Act shall be liberally construed to effectuate its purposes.

(c) Nothing in this Act shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

Section 75. Binding effect of Act and other laws.

(a) Nothing in this Act prevents the enforcement of any other law that is not inconsistent with this Act.

(b) All laws conflicting with this Act are superseded to the extent of the conflict.

(c) All agreements between the Interstate Commission on Educational Opportunity for Military Children and the member states are binding in accordance with their terms.

(d) In the event any provision of this Act exceeds the constitutional limits imposed on the legislature, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question.

Section 905. The School Code is amended by changing Section 27-8.1 as follows:

(105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

Sec. 27-8.1. Health examinations and immunizations.

(1) In compliance with rules and regulations which the Department of Public Health shall promulgate, and except as hereinafter provided, all children in Illinois shall have a health examination as follows: within one year prior to entering kindergarten or the first grade of any public, private, or parochial elementary school; upon entering the sixth and ninth grades of any public, private, or parochial school; prior to entrance into any public, private, or parochial nursery school; and, irrespective of grade, immediately prior to or upon entrance into any public, private, or parochial school or nursery school, each child shall present proof of having been examined in accordance with this Section and the rules and regulations promulgated hereunder. Any child who received a health examination within one year prior to entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination in order to comply with the provisions of Public Act 95-422 when he or she attends school for the 2008-2009 school year, unless the child is attending school for the first time as provided in this paragraph.

A tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. Additional health examinations of pupils, including eye examinations, may be required when deemed necessary by school authorities. Parents are encouraged to have their children undergo eye examinations at the same points in time required for health examinations.

(1.5) In compliance with rules adopted by the Department of Public Health and except as otherwise provided in this Section, all children in kindergarten and the second and sixth grades of any public, private, or parochial school shall have a dental examination. Each of these children shall present proof of having been examined by a dentist in accordance with this Section and rules adopted under this Section before May 15th of the school year. If a child in the second or sixth grade fails to present proof by May 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed dental examination or (ii) the child presents proof that a dental examination will take place within 60 days after May 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a dentist. Each public, private, and parochial school must give notice of this dental examination requirement to the parents and guardians of students at least 60 days before May 15th of each school year.

(1.10) Except as otherwise provided in this Section, all children enrolling in kindergarten in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly and any student enrolling for the first time in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly shall have an eye examination. Each of these children shall present proof of having been examined by a physician licensed to practice medicine in all of its branches or a licensed optometrist within the previous year, in accordance with this Section and rules adopted under this Section, before October 15th of the school year. If the child fails to present proof by October 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed eye examination or (ii) the child presents proof that an eye examination will take place within 60 days after October 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or to a licensed optometrist. Each public, private, and parochial school must give notice of this eye examination requirement to the parents and guardians of students in compliance with rules of the Department of Public Health. Nothing in this Section shall be construed to allow a school to exclude a child from attending because of a parent's or guardian's failure to obtain an eye examination for the child.

(2) The Department of Public Health shall promulgate rules and regulations specifying the examinations and procedures that constitute a health examination, which shall include the collection of data relating to

obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), and a dental examination and may recommend by rule that certain additional examinations be performed. The rules and regulations of the Department of Public Health shall specify that a tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. The Department of Public Health shall specify that a diabetes screening as defined by rule shall be included as a required part of each health examination. Diabetes testing is not required.

Physicians licensed to practice medicine in all of its branches, advanced practice nurses who have a written collaborative agreement with a collaborating physician which authorizes them to perform health examinations, or physician assistants who have been delegated the performance of health examinations by their supervising physician shall be responsible for the performance of the health examinations, other than dental examinations, eye examinations, and vision and hearing screening, and shall sign all report forms required by subsection (4) of this Section that pertain to those portions of the health examination for which the physician, advanced practice nurse, or physician assistant is responsible. If a registered nurse performs any part of a health examination, then a physician licensed to practice medicine in all of its branches must review and sign all required report forms. Licensed dentists shall perform all dental examinations and shall sign all report forms required by subsection (4) of this Section that pertain to the dental examinations. Physicians licensed to practice medicine in all its branches or licensed optometrists shall perform all eye examinations required by this Section and shall sign all report forms required by subsection (4) of this Section that pertain to the eye examination. For purposes of this Section, an eye examination shall at a minimum include history, visual acuity, subjective refraction to best visual acuity near and far, internal and external examination, and a glaucoma evaluation, as well as any other tests or observations that in the professional judgment of the doctor are necessary. Vision and hearing screening tests, which shall not be considered examinations as that term is used in this Section, shall be conducted in accordance with rules and regulations of the Department of Public Health, and by individuals whom the Department of Public Health has certified. In these rules and regulations, the Department of Public Health shall require that individuals conducting vision screening tests give a child's parent or guardian written notification, before the vision screening is conducted, that states, "Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months."

(3) Every child shall, at or about the same time as he or she receives a health examination required by subsection (1) of this Section, present to the local school proof of having received such immunizations against preventable communicable diseases as the Department of Public Health shall require by rules and regulations promulgated pursuant to this Section and the Communicable Disease Prevention Act.

(4) The individuals conducting the health examination, dental examination, or eye examination shall record the fact of having conducted the examination, and such additional information as required, including for a health examination data relating to obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), on uniform forms which the Department of Public Health and the State Board of Education shall prescribe for statewide use. The examiner shall summarize on the report form any condition that he or she suspects indicates a need for special services, including for a health examination factors relating to obesity. The individuals confirming the administration of required immunizations shall record as indicated on the form that the immunizations were administered.

(5) If a child does not submit proof of having had either the health examination or the immunization as required, then the child shall be examined or receive the immunization, as the case may be, and present proof by October 15 of the current school year, or by an earlier date of the current school year established by a school district. To establish a date before October 15 of the current school year for the health examination or immunization as required, a school district must give notice of the requirements of this Section 60 days prior to the earlier established date. If for medical reasons one or more of the required immunizations must be given after October 15 of the current school year, or after an earlier established date of the current school year, then the child shall present, by October 15, or by the earlier established date, a schedule for the administration of the immunizations and a statement of the medical reasons causing the delay, both the schedule and the statement being issued by the physician, advanced practice nurse, physician assistant, registered nurse, or local health department that will be responsible for administration of the remaining required immunizations. If a child does not comply by October 15, or by the earlier established date of the current school year, with the requirements of this subsection, then the local school authority shall exclude that child from school until such time as the child presents proof of having had the

health examination as required and presents proof of having received those required immunizations which are medically possible to receive immediately. During a child's exclusion from school for noncompliance with this subsection, the child's parents or legal guardian shall be considered in violation of Section 26-1 and subject to any penalty imposed by Section 26-10. This subsection (5) does not apply to dental examinations and eye examinations. Until June 30, 2012, if the student is an out-of-state transfer student and does not have the proof required under this subsection (5) before October 15 of the current year or whatever date is set by the school district, then he or she may only attend classes (i) if he or she has proof that an appointment for the required vaccinations has been scheduled with a party authorized to submit proof of the required vaccinations. If the proof of vaccination required under this subsection (5) is not submitted within 30 days after the student is permitted to attend classes, then the student is not be permitted to attend classes until proof of the vaccinations has been properly submitted. No school district or employee of a school district shall be held liable for any injury or illness to another person that results from admitting an out-of-state transfer student to class that has an appointment scheduled pursuant to this subsection (5).

(6) Every school shall report to the State Board of Education by November 15, in the manner which that agency shall require, the number of children who have received the necessary immunizations and the health examination (other than a dental examination or eye examination) as required, indicating, of those who have not received the immunizations and examination as required, the number of children who are exempt from health examination and immunization requirements on religious or medical grounds as provided in subsection (8). Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required dental examination, indicating, of those who have not received the required dental examination, the number of children who are exempt from the dental examination on religious grounds as provided in subsection (8) of this Section and the number of children who have received a waiver under subsection (1.5) of this Section. Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required eye examination, indicating, of those who have not received the required eye examination, the number of children who are exempt from the eye examination as provided in subsection (8) of this Section, the number of children who have received a waiver under subsection (1.10) of this Section, and the total number of children in noncompliance with the eye examination requirement. This reported information shall be provided to the Department of Public Health by the State Board of Education.

(7) Upon determining that the number of pupils who are required to be in compliance with subsection (5) of this Section is below 90% of the number of pupils enrolled in the school district, 10% of each State aid payment made pursuant to Section 18-8.05 to the school district for such year may be withheld by the State Board of Education until the number of students in compliance with subsection (5) is the applicable specified percentage or higher.

(8) Parents or legal guardians who object to health, dental, or eye examinations or any part thereof, or to immunizations, on religious grounds shall not be required to submit their children or wards to the examinations or immunizations to which they so object if such parents or legal guardians present to the appropriate local school authority a signed statement of objection, detailing the grounds for the objection. If the physical condition of the child is such that any one or more of the immunizing agents should not be administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance of the health examination shall endorse that fact upon the health examination form. Exempting a child from the health, dental, or eye examination does not exempt the child from participation in the program of physical education training provided in Sections 27-5 through 27-7 of this Code.

(9) For the purposes of this Section, "nursery schools" means those nursery schools operated by elementary school systems or secondary level school units or institutions of higher learning.

(Source: P.A. 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-496, eff. 8-28-07; 95-671, eff. 1-1-08; 95-737, eff. 7-16-08; 95-876, eff. 8-21-08.)

Section 910. The Illinois School Student Records Act is amended by changing Section 8.1 as follows:

(105 ILCS 10/8.1) (from Ch. 122, par. 50-8.1)

Sec. 8.1. (a) No school may refuse to admit or enroll a student because of that student's failure to present his student permanent or temporary record from a school previously attended.

(b) When a new student applies for admission to a school and does not present his school student record, such school may notify the school or school district last attended by such student, requesting that the student's school student record be copied and sent to it; such request shall be honored within 10 days after it is received. Within 10 days after receiving a request from the Department of Children and Family Services, the school district last attended by the student shall send the student's school student record to the receiving

school district.

(c) In the case of a transfer between school districts of a student who is eligible for special education and related services, when the parent or guardian of the student presents a copy of the student's then current individualized education program (IEP) to the new school, the student shall be placed in a special education program in accordance with that described in the student's IEP.

(d) Until June 30, 2012, out-of-state transfer students, including children of military personnel that transfer into this State, may use unofficial transcripts for admission to a school until official transcripts are obtained from his or her last school district.

(Source: P.A. 87-372.)

Section 995. Repealer. This Act is repealed on June 30, 2012.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 5966. Having been read by title a second time on March 22, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Rose offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 5966 on page 1, line 17, by inserting "orally" after "court to"; and

on page 1, by replacing lines 20 and 21 with the following:

"and the victim. ~~The court has discretion to determine the number of oral presentations of victim impact statements.~~ Any".

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.

HOUSE BILL 5527. Having been reproduced, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Health Care Licenses.

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 5527 by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Prescription Drug Information Card Act is amended by changing Section 15 as follows:

(215 ILCS 138/15)

Sec. 15. Uniform prescription drug information cards required.

(a) A health benefit plan that issues a card or other technology and provides coverage for prescription drugs or devices and an administrator of such a plan including, but not limited to, third-party administrators for self-insured plans and state-administered plans shall issue to its insureds a card or other technology containing uniform prescription drug information. The uniform prescription drug information card or other technology shall specifically identify and display the following mandatory data elements on the front of the card:

(1) BIN number;

(2) Processor control number if required for claims adjudication;

(3) Group number;

(4) Card issuer identifier;

(5) Cardholder ID number; and

(6) Cardholder name.

The uniform prescription drug information card or other technology shall specifically identify and display the following mandatory data elements on the back of the card:

(1) Claims submission names and addresses; and

(2) Help desk telephone numbers and names.

(b) A new uniform prescription drug information card or other technology shall be issued by a health benefit plan upon enrollment and reissued upon any change in the insured's coverage that affects mandatory data elements contained on the card.

(c) Notwithstanding subsections (a) and (b) of this Section, a discounted health care services plan administrator providing discounts on prescription drugs or devices shall issue to its beneficiaries a card containing the following mandatory data elements:

(1) an Internet website for beneficiaries to access up-to-date lists of preferred providers;

(2) a toll-free help desk number for beneficiaries and providers to access up-to-date lists of preferred providers and additional information about the discounted health care services plan;

(3) the name or logo of the provider network;

(4) a BIN number;

(5) a group number;

(6) a cardholder ID number;

(7) the cardholder's name or a space to permit the cardholder to print his or her name, if the cardholder pays a periodic charge for use of the card;

(8) a processor control number, if required for claims adjudication; and

(9) a statement that the plan is not insurance.

(d) As used in this Section, "discounted health care services plan administrator" means any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that arranges, contracts with, or administers contracts with a provider whereby insureds or beneficiaries are provided an incentive to use health care services provided by health care services providers under a discounted health care services plan in which there are no other incentives, such as copayment, coinsurance, or any other reimbursement differential, for beneficiaries to utilize the provider. "Discounted health care services plan administrator" also includes any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that enters into a contract with another administrator to enroll beneficiaries or insureds in a preferred provider program marketed as an independently identifiable program based on marketing materials or member benefit identification cards.

(Source: P.A. 91-777, eff. 1-1-01.)

Section 10. The Uniform Health Care Service Benefits Information Card Act is amended by changing Section 15 as follows:

(215 ILCS 139/15)

Sec. 15. Uniform health care benefit information cards required.

(a) A health benefit plan that issues a card or other technology and provides coverage for health care services including prescription drugs or devices also referred to as health care benefits and an administrator of such a plan including, but not limited to, third-party administrators for self-insured plans and state-administered plans shall issue to its insureds a card or other technology containing uniform health care benefit information. The health care benefit information card or other technology shall specifically identify and display the following mandatory data elements on the card:

(1) processor control number, if required for claims adjudication;

(2) group number;

(3) card issuer identifier;

(4) cardholder ID number; and

(5) cardholder name.

(b) The uniform health care benefit information card or other technology shall specifically identify and display the following mandatory data elements on the back of the card:

(1) claims submission names and addresses; and

(2) help desk telephone numbers and names.

(c) A new uniform health care benefit information card or other technology shall be issued by a health

benefit plan upon enrollment and reissued upon any change in the insured's coverage that affects mandatory data elements contained on the card.

(d) Notwithstanding subsections (a), (b), and (c) of this Section, a discounted health care services plan administrator shall issue to its beneficiaries a card containing the following mandatory data elements:

(1) an Internet website for beneficiaries to access up-to-date lists of preferred providers;

(2) a toll-free help desk number for beneficiaries and providers to access up-to-date lists of preferred providers and additional information about the discounted health care services plan;

(3) the name or logo of the provider network;

(4) a group number, if necessary for the processing of benefits;

(5) a cardholder ID number;

(6) the cardholder's name or a space to permit the cardholder to print his or her name, if the cardholder pays a periodic charge for use of the card;

(7) a processor control number, if required for claims adjudication; and

(8) a statement that the plan is not insurance.

(e) As used in this Section, "discounted health care services plan administrator" means any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that arranges, contracts with, or administers contracts with a provider whereby insureds or beneficiaries are provided an incentive to use health care services provided by health care services providers under a discounted health care services plan in which there are no other incentives, such as copayment, coinsurance, or any other reimbursement differential, for beneficiaries to utilize the provider. "Discounted health care services plan administrator" also includes any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that enters into a contract with another administrator to enroll beneficiaries or insureds in a preferred provider program marketed as an independently identifiable program based on marketing materials or member benefit identification cards.
(Source: P.A. 92-106, eff. 1-1-02.)".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 6092. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 6092 by replacing everything after the enacting clause with the following:

"Section 5. The P-20 Longitudinal Education Data System Act is amended by changing Sections 20 and 25 as follows:

(105 ILCS 13/20)

Sec. 20. Collection and maintenance of data.

(a) The State Board is authorized to collect and maintain data from school districts, schools, and early learning programs and disclose this data to the longitudinal data system for the purposes set forth in this Act. The State Board shall collect data from charter schools with more than one campus in a manner that can be disaggregated by campus site. The State Board may also disclose data to the longitudinal data system that the State Board is otherwise authorized by law to collect and maintain.

On or before July 1, 2010, the State Board shall establish procedures through which State-recognized, non-public schools may elect to participate in the longitudinal data system by disclosing data to the State Board for one or more of the purposes set forth in this Act.

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the State Board shall establish or contract for the establishment of a technical support and training system to assist school districts, schools, and early learning programs with data submission, use, and

analysis.

(b) The Community College Board is authorized to collect and maintain data from community college districts and disclose this data to the longitudinal data system for the purposes set forth in this Act. The Community College Board may also disclose data to the longitudinal data system that the Community College Board is otherwise authorized by law to collect and maintain.

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the Community College Board shall establish or contract for the establishment of a technical support and training system to assist community colleges with data submission, use, and analysis.

(c) The Board of Higher Education is authorized to collect and maintain data from any public institution of higher learning, other than community colleges, and disclose this data to the longitudinal data system for the purposes set forth in this Act. The Board of Higher Education may also disclose data to the longitudinal data system that the Board of Higher Education is otherwise authorized by law to collect and maintain.

Beginning on July 1, 2012, the Board of Higher Education is authorized to collect and maintain data from any non-public institution of higher learning enrolling one or more students receiving Monetary Award Program grants and any non-public institution of higher learning that confers graduate and professional degrees, pursuant to Section 35 of the Higher Education Student Assistance Act, and disclose this data to the longitudinal data system for the purposes set forth in this Act. Prior to July 1, 2012, any non-public institution of higher learning may elect to participate in the longitudinal data system by disclosing data for one or more of the purposes set forth in this Act to the Board of Higher Education or to a consortium that has contracted with the Board of Higher Education pursuant to this subsection (c).

The Board of Higher Education may contract with one or more voluntary consortiums of non-public institutions of higher learning established for the purpose of data sharing, research, and analysis. The contract may allow the consortium to collect data from participating institutions on behalf of the Board of Higher Education. The contract may provide for consultation with a representative committee of participating institutions and a representative of one or more organizations representing the participating institutions prior to the use of data from the consortium for a data sharing arrangement entered into with any party other than a State Education Authority pursuant to Section 25 of this Act. The contract may further provide that individual institutions of higher learning shall have the right to opt out of specific uses of their data or portions thereof for reasons specified in the contract. Student-level data submitted by each institution of higher learning participating in a consortium that has contracted with the Board of Higher Education pursuant to this paragraph shall remain the property of that institution. Upon notice to the consortium and the Board of Higher Education, any non-public institution of higher learning shall have the right to remove its data from the consortium if the institution has reasonable cause to believe that there is a threat to the security of its data or its data is used in a manner that violates the terms of the contract between the consortium and the Board of Higher Education. In the event data is removed from a consortium pursuant to the preceding sentence, the data must be returned by the institution to the consortium after the basis for removal has been corrected. The data submitted from the consortium to the Board of Higher Education must be used only for agreed-upon purposes, as stated in the terms of the contract between the consortium and the Board of Higher Education. Non-public institutions of higher learning submitting student-level data to a consortium that has contracted with the Board of Higher Education pursuant to this paragraph shall not be required to submit student-level data to the Board of Higher Education.

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the Board of Higher Education shall establish or contract for the establishment of a technical support and training system to assist institutions of higher learning, other than community colleges, with data submission, use, and analysis. The Board of Higher Education shall seek and may make available grant funding to a consortium of non-public institutions including ~~of~~ higher learning to provide assistance in the development of a data collection system. The Board of Higher Education shall engage in a cooperative planning process with public and non-public institutions of higher learning and statewide higher education associations in connection with all of the activities authorized by this subsection (c).

(d) The State Education Authorities shall establish procedures and requirements relating to the submission of data authorized to be collected pursuant to this Section, including requirements for data specifications, quality, security, and timeliness. All early learning programs, schools, school districts, and institutions of higher learning subject to the data collection authority of a State Education Authority pursuant to this Section shall comply with the State Education Authority's procedures and requirements for data submissions. A State Education Authority may require that staff responsible for collecting, validating, and submitting data participate in training and technical assistance offered by this State if data is not

submitted in accordance with applicable procedures and requirements.
(Source: P.A. 96-107, eff. 7-30-09.)

(105 ILCS 13/25)

Sec. 25. Data sharing.

(a) The State Education Authorities may disclose data from the longitudinal data system collected pursuant to Section 20 of this Act only in connection with a data sharing arrangement meeting the requirements of this Section.

(b) Any State agency, board, authority, or commission may enter into a data sharing arrangement with one or more of the State Education Authorities to share data to support the research and evaluation activities authorized by this Act. State Education Authorities may also enter into data sharing arrangements with other governmental entities, institutions of higher learning, and research organizations that support the research and evaluation activities authorized by this Act.

(c) Any data sharing arrangement entered into pursuant to this Section must:

(1) be permissible under and undertaken in accordance with privacy protection laws;

(2) be approved by the following persons:

(A) the State Superintendent of Education or his or her designee for the use of early learning, public school, and non-public school student data;

(B) the chief executive officer of the Community College Board or his or her designee for the use of community college student data; and

(C) the executive director of the Board of Higher Education or his or her designee for the use of student data from an institution of higher learning, other than a community college;

(3) not permit the personal identification of any person by individuals other than authorized representatives of the recipient entity that have legitimate interests in the information;

(4) ensure the destruction or return of the data when no longer needed for the authorized purposes under the data sharing arrangement; and

(5) be performed pursuant to a written agreement with the recipient entity that does the following:

(A) specifies the purpose, scope, and duration of the data sharing arrangement;

(B) requires the recipient of the data to use personally identifiable information from education records to meet only the purpose or purposes of the data sharing arrangement stated in the written agreement;

(C) describes specific data access, use, and security restrictions that the recipient will undertake; and

(D) includes such other terms and provisions as the State Education Authorities deem necessary to carry out the intent and purposes of this Act.

(d) Data that has been submitted to the Board by a consortium of non-public colleges and universities is prohibited from being included in any interstate data-sharing agreements with other states unless consortium participants agree to allow interstate data sharing.

Any non-public, non-profit college may prohibit its data from being shared with any other state.

Any non-public, non-profit college may prohibit its data from being included in any interstate data-sharing agreement.

(Source: P.A. 96-107, eff. 7-30-09.)

Section 99. Effective date. This Act takes effect July 1, 2010.".

Representative McCarthy offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 6092, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 5, by replacing line 12 with the following:
"funding to a consortium including ~~of~~ non-public institutions of"; and
on page 8, lines 13 and 15, by deleting ", non-profit" each time it appears.

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 5448. Having been recalled on March 17, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Riley offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 5448, AS AMENDED, in Section 5, by replacing the last paragraph of Sec. 203 with the following:

"With each marriage license, the county clerk shall provide a pamphlet describing the causes and effects of fetal alcohol syndrome. At least annually, the county board shall cause to be made an audit of the county clerk's compliance with the requirement that the county clerk provide a pamphlet with each marriage license. The county board shall cause each audit to be filed with the Illinois Department of Public Health. All funding and production costs for the aforementioned educational pamphlets for distribution to each county clerk shall be provided by non-profit, non-sectarian statewide programs that provide education, advocacy, support, and prevention services pertaining to Fetal Alcohol Syndrome.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 6088. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 6088 on page 3, line 19, immediately after "container" by inserting "containing bisphenol-A".

Representative Nekritz offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 6088, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the BPA-Free Kids Act.

Section 5. Legislative findings. The General Assembly finds that:

(a) The incidence of some diseases and disorders that have been linked to chemical exposures is on the rise.

(b) The metabolism, physiology, and exposure patterns of developing fetuses, infants, and children to toxic chemicals differ from those of adults, which makes children more vulnerable than adults to the harmful effects of exposure to some synthetic chemicals.

(c) Unlike pharmaceuticals and pesticides, manufacturers of most chemical substances are not required under current law to supply human or environmental toxicity information before selling their products to the public. Consequently, the vast majority of chemicals used in consumer products have never had any federal or state government review to evaluate potential toxicity to the environment, infants, children, developing fetuses, or adults.

(d) To protect children's health, it is important to reduce or eliminate exposures to certain chemicals that are present in children's products or that may be reasonably anticipated to result in children's exposure or be placed in the mouths of children.

Section 10. Definitions.

"Agency" means the Illinois Environmental Protection Agency.

"Baby food" means a prepared solid food consisting of a soft paste or an easily chewed food that is intended for consumption by children 2 years of age or younger and is commercially available.

"Department" means the Illinois Department of Public Health.

"Infant formula" means a milk-based or soy-based powder, concentrated liquid, or ready-to-feed substitute for human breast milk, which is intended for infant consumption and is commercially available.

"Manufacturer" means a person who manufactured a final product or whose brand name is affixed to a product. In the case of a product that was imported into the United States, "manufacturer" includes the importer or domestic distributor of the product if the person who manufactured or assembled the product or whose brand name is affixed to it does not have a presence in the United States.

"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or his, her, or its legal representative, agent, or assigns.

Section 15. Bisphenol-A ban; labels.

(a) Beginning June 1, 2011, no person shall sell, offer to sell, distribute, or offer to distribute any reusable children's food or beverage container, including any baby bottle or sippy cup, that contains bisphenol-A if that container (i) is designed, intended, or marketed to be filled with any food or beverage primarily for consumption by children 3 years of age or younger and (ii) is sold or distributed at retail without containing any liquid, food, or beverage.

(b) Beginning June 1, 2015, no person shall sell, offer to sell, distribute, or offer to distribute any infant formula or baby food that is stored in a can, jar, or plastic container that contains bisphenol-A.

Section 20. Interstate clearinghouse. The Agency and the Department are authorized to participate, along with other states and governmental entities, in an interstate clearinghouse to promote safer chemicals in consumer products. The Agency and Department may cooperate with the interstate clearinghouse to (i) organize and manage available data on chemicals, including information on uses, hazards, environmental concerns, safer alternatives, and model policies and programs, (ii) provide technical assistance regarding chemical safety to businesses, consumers, and policy makers, and (iii) undertake other activities in support of State programs to promote chemical safety.

Section 25. Implementation and exemption.

(a) Manufacturers and wholesalers of products restricted under Section 15 of this Act must, no less than 90 days before the effective date of such a restriction, notify persons to whom they sell a restricted product about the provisions of this Act.

(b) A retailer who unknowingly sells a product that is restricted from sale under this Act is not liable under this Act.

Section 30. Enforcement and penalties.

(a) The Attorney General is responsible for administering and ensuring compliance with this Act, including the development and adoption of any rules, if necessary, for the implementation and enforcement of this Act.

(b) The Attorney General shall develop and implement a process for receiving and handling complaints from individuals regarding possible violations of this Act.

(c) The Attorney General may conduct any investigation deemed necessary regarding possible violations of this Act including, without limitation, the issuance of subpoenas to: (i) require the filing of a statement or report or answer interrogatories in writing as to all information relevant to the alleged violations; (ii) examine under oath any person who possesses knowledge or information directly related to the alleged violations; and (iii) examine any record, book, document, account, or paper necessary to investigate the alleged violation.

(d) Service by the Attorney General of any notice requiring a person to file a statement or report, or of a subpoena upon any person, shall be made:

(1) personally by delivery of a duly executed copy thereof to the person to be served or, if a person is not a natural person, in the manner provided in the Code of Civil Procedure when a complaint is filed; or

(2) by mailing by certified mail a duly executed copy thereof to the person to be served at his or her last known abode or principal place of business within this State.

(e) In lieu of a civil action, the individual or entity alleged to have engaged in a pattern or practice deemed violative of this Act may enter into an Assurance of Voluntary Compliance with respect to the alleged pattern or practice violation.

(f) If the Attorney General determines that there is a reason to believe that a violation of the Act has occurred, the Attorney General may bring an action in the name of the People of the State to obtain temporary, preliminary, or permanent injunctive relief for any act, policy, or practice that violates this Act.

(g) If any person fails or refuses to file any statement or report, or obey any subpoena, issued pursuant to subsection (c) of this Section, the Attorney General may proceed to initiate a civil action pursuant to subsection (f) of this Section, or file a complaint in the circuit court for the granting of injunctive relief, including restraining the conduct that is alleged to violate this Act until the person files the statement or report, or obeys the subpoena.

(h) Relief that may be granted.

(1) In any civil action brought pursuant to subsection (f) of this Section, the Attorney

General may obtain as a remedy, equitable relief (including any permanent or preliminary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in a violation or ordering any action as may be appropriate). In addition, the Attorney General may request and the Court may impose a civil penalty in an amount not to exceed $50,000 for each violation. For purposes of this subsection, each item and each standard constitutes a separate violation.

(2) A civil penalty imposed or a settlement or other payment made pursuant to this Act shall be made payable to the Attorney General's State Projects and Court Ordered Distribution Fund, which is created as a special fund in the State Treasury. Moneys in the Fund shall be used, subject to appropriation, for the performance of any function pertaining to the exercise of the duties of the Attorney General including but not limited to enforcement of any law of this State, product testing, and conducting public education programs.

(3) Any funds collected under this Section in an action in which the State's Attorney has prevailed shall be retained by the county in which he or she serves.

(i) The penalties and injunctions provided in this Act are in addition to any penalties, injunctions, or other relief provided under any other law. Nothing in this Act shall bar a cause of action by the State for any other penalty, injunction, or relief provided by any other law.

Section 90. The State Finance Act is amended by adding Section 5.756 as follows:

(30 ILCS 105/5.756 new)

Sec. 5.756. The Attorney General's State Projects and Court Ordered Distribution Fund.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Nekritz, HOUSE BILL 6088 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 5044. Having been recalled on March 18, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Soto offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 5044 by replacing everything after the enacting clause with the following:

"Section 5. The Financial Institutions Code is amended by adding Section 13.5 as follows:

(20 ILCS 1205/13.5 new)

Sec. 13.5. Spanish version of Department's website; predatory lending. The Department shall create a version of its website that is in Spanish for pages that contain information about predatory lending.

Section 10. The Office of Banks and Real Estate Act is amended by adding Section 6.1 as follows:

(20 ILCS 3205/6.1 new)

Sec. 6.1. Spanish version of Department's website; predatory lending. The Department shall create a version of its website that is in Spanish for pages that contain information about predatory lending.".

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 again advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Bradley, HOUSE BILL 5053 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 5053. Having been recalled on March 22, 2010, the same was again taken up.

Representative Bradley offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 5053 on page 2, immediately below line 25, by inserting the following:

"(5) He or she agrees to accept medical payments, as defined in this Act, and to serve targeted populations."; and

on page 3, immediately below line 6, by inserting the following:

""Medical payments" means compensation provided to physicians for services rendered under Article V of the Illinois Public Aid Code.

"Medically underserved area" means an urban or rural area designated by the Secretary of the United States Department of Health and Human Services as an area with a shortage of personal health services or as otherwise designated by the Department of Public Health.

"Medically underserved population" means (i) the population of an urban or rural area designated by the Secretary of the United States Department of Health and Human Services as an area with a shortage of personal health services, (ii) a population group designated by the Secretary of the United States Department of Health and Human Services as having a shortage of personal health services, or (iii) as otherwise designated by the Department of Public Health."; and

on page 3 immediately below line 15, by inserting the following:

""Targeted populations" means one or more of the following: (i) a medically underserved population, (ii) persons in a medically underserved area, (iii) an uninsured population of this State, and (iv) persons enrolled in a medical program administered by the Illinois Department of Healthcare and Family Services.

"Uninsured population" means persons who (i) do not own private health care insurance, (ii) are not part of a group insurance plan, and (iii) are not eligible for any State or federal government-sponsored health care program."; and

on page 6, by replacing lines 12 through 15 with the following:

"(7) To establish a program, and the criteria for such program, for the repayment of the educational loans of physicians who agree to (i) serve in designated shortage areas for a specified period of time, no less than 3 years, (ii) accept medical payments, as defined in this Act, and (iii) serve targeted populations to the extent required by the program.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 5197. Having been recalled on March 10, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Brady offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 5197 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-8-1 as follows:

(730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

Sec. 5-8-1. Natural life imprisonment; mandatory supervised release.

(a) Except as otherwise provided in the statute defining the offense or in Article 4.5 of Chapter V, a sentence of imprisonment for a felony shall be a determinate sentence set by the court under this Section,

according to the following limitations:

(1) for first degree murder,

(a) (blank),

(b) if a trier of fact finds beyond a reasonable doubt that ~~the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty or~~, except as set forth in subsection (a)(1)(c) of this Section, ~~that~~ any of the aggravating factors listed in subsection (b) of Section 9-1 of the Criminal Code of 1961 are present, the court may sentence the defendant to a term of natural life imprisonment, or

(c) the court shall sentence the defendant to a term of natural life imprisonment when the death penalty is not imposed if the defendant,

(i) has previously been convicted of first degree murder under any state or federal law, or

(ii) is a person who, at the time of the commission of the murder, had attained the age of 17 or more and is found guilty of murdering an individual under 12 years of age; or, irrespective of the defendant's age at the time of the commission of the offense, is found guilty of murdering more than one victim, or

(iii) is found guilty of murdering a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his official duties, or to prevent the peace officer or fireman from performing his official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his official duties, and the defendant knew or should have known that the murdered individual was a peace officer, fireman, or emergency management worker, or

(iv) is found guilty of murdering an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his official duties, or to prevent the employee from performing his official duties, or in retaliation for the employee performing his official duties, or

(v) is found guilty of murdering an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing official duties and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistant or first aid personnel, or

(vi) is a person who, at the time of the commission of the murder, had not attained the age of 17, and is found guilty of murdering a person under 12 years of age and the murder is committed during the course of aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnaping, or

(vii) is found guilty of first degree murder and the murder was committed by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 1961, or ~~.~~

(viii) is found guilty of first degree murder and the murder was was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty.

For purposes of clause (v), "emergency medical technician - ambulance", "emergency medical technician - intermediate", "emergency medical technician - paramedic", have the meanings ascribed to them in the Emergency Medical Services (EMS) Systems Act.

(d) (i) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(ii) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(iii) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(2) (blank);

(2.5) for a person convicted under the circumstances described in paragraph (3) of subsection (b) of Section 12-13, paragraph (2) of subsection (d) of Section 12-14, paragraph (1.2) of subsection (b) of Section 12-14.1, or paragraph (2) of subsection (b) of Section 12-14.1 of the Criminal Code of 1961, the sentence shall be a term of natural life imprisonment.

(b) (Blank.) .

(c) (Blank.) .

(d) Subject to earlier termination under Section 3-3-8, the parole or mandatory supervised release term shall be as follows:

(1) for first degree murder or a Class X felony except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offense of aggravated child pornography under Section 11-20.3 of the Criminal Code of 1961, if committed on or after January 1, 2009, 3 years;

(2) for a Class 1 felony or a Class 2 felony except for the offense of criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offenses of manufacture and dissemination of child pornography under clauses (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code of 1961, if committed on or after January 1, 2009, 2 years;

(3) for a Class 3 felony or a Class 4 felony, 1 year;

(4) for defendants who commit the offense of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault, on or after the effective date of this amendatory Act of the 94th General Assembly, or who commit the offense of aggravated child pornography, manufacture of child pornography, or dissemination of child pornography after January 1, 2009, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant;

(5) if the victim is under 18 years of age, for a second or subsequent offense of aggravated criminal sexual abuse or felony criminal sexual abuse, 4 years, at least the first 2 years of which the defendant shall serve in an electronic home detention program under Article 8A of Chapter V of this Code;

(6) for a felony domestic battery, aggravated domestic battery, stalking, aggravated stalking, and a felony violation of an order of protection, 4 years.

(e) (Blank.) .

(f) (Blank.) .

(Source: P.A. 95-983, eff. 6-1-09; 95-1052, eff. 7-1-09; 96-282, eff. 1-1-10; revised 9-4-09.)".

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 again advanced to the order of Third Reading.

Having been read by title a second time on March 11, 2010 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 5772.

HOUSE BILL 2490. Having been recalled on February 17, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Mendoza offered and withdrew Amendment No. 2.

Floor Amendment No. 3 remained in the Committee on Rules.

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

HOUSE BILL 6315. Having been reproduced, was taken up and read by title a second time.

Representative Jefferson offered the following amendments and moved their adoption:

AMENDMENT NO. 1. Amend House Bill 6315 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 12-4.7b-1 as follows:

(305 ILCS 5/12-4.7b-1 new)

Sec. 12-4.7b-1. Illinois Department of Corrections' notification; fleeing felons. Subject to federal approval, the Illinois Department of Corrections shall notify the Department of Human Services of any person who violates parole and is returned to the custody of the Department of Corrections or who is a fleeing felon. Public aid recipients who receive benefits under the federal food stamp program and are found to be in violation of parole and are returned to the custody of the Department of Corrections or are fleeing felons shall be subject to an immediate suspension of their public aid benefits, including the immediate deactivation of their electronic benefits card or LINK card provided under the federal food stamp program. For purposes of this Section, "fleeing felon" means a person who is fleeing to avoid prosecution, custody, or confinement for a crime or an attempt to commit a crime that is considered a felony.

Section 99. Effective date. This Act takes effect July 1, 2010.".

AMENDMENT NO. 2. Amend House Bill 6315, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 12-4.7b-1 as follows:

(305 ILCS 5/12-4.7b-1 new)

Sec. 12-4.7b-1. Illinois Department of Corrections' notification. Subject to federal approval, the Illinois Department of Corrections shall notify the Department of Human Services of any person who violates parole and is returned to the custody of the Department of Corrections. Public aid recipients who receive benefits under the federal Supplemental Nutrition Assistance Program (SNAP) and are found to be in violation of parole and are returned to the custody of the Department of Corrections shall be subject to a review by the Department of Human Services of their public aid benefits, which may include the termination of their federal SNAP benefits when appropriate.

Section 99. Effective date. This Act takes effect July 1, 2010.".

The foregoing motions prevailed and Amendments numbered 1 and 2 were adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Black, HOUSE BILL 6241 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 5381.

HOUSE BILL 5180. 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 5180 as follows:

on page 2, line 2, by replacing "State expenditure" with "State financial incentive, including, but not limited to, tax credits, grants, and loans,"; and

on page 2, line 23, by replacing "Department of Commerce and Economic Opportunity" with "Department of Central Management Services".

Representative Winters offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 5180 on page 2, line 3, immediately after "designed", by inserting "primarily".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, 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 Monique Davis, HOUSE BILL 3814 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, “Shall this bill pass?” it was decided in the negative by the following vote:

44, Yeas; 59, Nays; 0, Answering Present.

(ROLL CALL 2)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

On motion of Representative Black, HOUSE BILL 4886 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

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

81, Yeas; 21, Nays; 2, 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.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1034, 1035, 1036, 1038, 1039, 1040, 1042 and 1043 were taken up for consideration.

Representative Lyons moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

HOUSE JOINT RESOLUTIONS CONSTITUTIONAL AMENDMENTS SECOND READING

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 57 was taken up and read in full a third time and advanced to the order of Third Reading.

At the hour of 4:56 o'clock p.m., Representative Currie moved that the House do now adjourn until Monday, March 22, 2010, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

NO. 1

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

March 22, 2010

0 YEAS 0 NAYS 107 PRESENT

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

E - Denotes Excused Absence

NO. 2

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3814
PUBLIC HEALTH ADVOCATES ACT
THIRD READING
LOST

March 22, 2010

44 YEAS 59 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 3

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4886
SCH CD-4 DAY SCH WEEK
THIRD READING
PASSED

March 22, 2010

81 YEAS 21 NAYS 2 PRESENT

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

E - Denotes Excused Absence

117TH LEGISLATIVE DAY

Perfunctory Session

MONDAY, MARCH 22, 2010

At the hour of 7:13 o'clock p.m., the House convened perfunctory session.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 550 (McCarthy), 2499 (Farnham), 2802 (Jefferson), 3742 (Rita) and 3816 (Jefferson).

SENATE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 1578.

TEMPORARY COMMITTEE ASSIGNMENTS FOR COMMITTEES NOT REPORTING

Representative McAsey replaced Representative Rita in the Committee on Computer Technology on March 22, 2010.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Reis replaced Representative Fortner in the Committee on Cities & Villages on March 22, 2010.

Representative Smith replaced Representative Crespo in the Committee on Cities & Villages on March 22, 2010.

Representative Hannig replaced Representative Yarbrough in the Committee on Cities & Villages on March 22, 2010.

Representative Beiser replaced Representative Walker in the Committee on Cities & Villages on March 22, 2010.

Representative Jefferson replaced Representative McAsey in the Committee on Judiciary II - Criminal Law on March 22, 2010.

Representative D'Amico replaced Representative McAsey in the Committee on Judiciary II - Criminal Law on March 22, 2010.

Representative Saviano replaced Representative Wait in the Committee on Judiciary II - Criminal Law on March 22, 2010.

Representative Moffitt replaced Representative Mulligan in the Committee on Health Care Licenses on March 22, 2010.

Representative Beiser replaced Representative Jackson in the Committee on Health Care Licenses on March 22, 2010.

Representative Walker replaced Representative Currie in the Committee on Revenue & Finance on March 22, 2010.

Representative Rita replaced Representative Turner in the Committee on Revenue & Finance on March 22, 2010.

Representative Mulligan replaced Representative Reis in the Committee on Juvenile Justice Reform on March 22, 2010.

Representative Black replaced Representative Schmitz in the Committee on Health Care Availability and Accessibility on March 22, 2010.

Representative William Davis replaced Representative Graham in the Committee on Consumer Protection on March 22, 2010.

Representative Jakobsson replaced Representative Jefferson in the Committee on Consumer Protection on March 22, 2010.

Representative Wait replaced Representative Beaubien in the Committee on Labor on March 22, 2010.

Representative Golar replaced Representative Howard in the Committee on Labor on March 22, 2010.

Representative Verschoore replaced Representative Graham in the Committee on Labor on March 22, 2010.

Representative Flowers replaced Representative Jefferson in the Committee on Labor on March 22, 2010.

Representative Reitz replaced Representative D'Amico in the Committee on Labor on March 22, 2010.

Representative Ford replaced Representative Mendoza in the Committee on Labor on March 22, 2010.

Representative Beiser replaced Representative Washington in the Committee on Labor on March 22, 2010.

Representative May replaced Representative Turner in the Committee on Executive on March 22, 2010.

Representative Harris replaced Representative McAsey in the Committee on State Government Administration on March 22, 2010.

Representative Zalewski replaced Representative Crespo in the Committee on State Government Administration on March 22, 2010.

REPORTS FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

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

Amendment No. 2 to HOUSE BILL 6030.

The committee roll call vote on Amendment No. 2 to House Bill 6030 is as follows:

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

Y Burke(D), Chairperson
Y Brady(R), Republican Spokesperson
Y Arroyo(D)
Y Biggins(R)
A Sullivan(R)
Y May(D)(replacing Turner)
Y Lyons(D), Vice-Chairperson
Y Acevedo(D)
Y Berrios(D)
A Rita(D)
Y Tryon(R)

Representative Froehlich, Chairperson, from the Committee on Cities & Villages to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 4837.
Amendment No. 1 to HOUSE BILL 5787.

The committee roll call vote on Amendment No. 1 to House Bill 4837 is as follows:
8, Yeas; 1, Nay; 0, Answering Present.

Y Froehlich(D), Chairperson
Y Mathias(R), Republican Spokesperson
Y Reis(R)(replacing Fortner)
Y Stephens(R)
A Wait(R)
Y Riley(D), Vice-Chairperson
Y Smith(D)(replacing Crespo)
N Sente(D)
Y Beiser(D)(replacing Walker)
Y Hannig(D)(replacing Yarbrough)

The committee roll call vote on Amendment No. 1 to House Bill 5787 is as follows:
7, Yeas; 1, Nay; 2, Answering Present.

P Froehlich(D), Chairperson
P Mathias(R), Republican Spokesperson
Y Reis(R)(replacing Fortner)
Y Stephens(R)
Y Wait(R)
N Riley(D), Vice-Chairperson
Y Smith(D)(replacing Crespo)
Y Sente(D)
Y Beiser(D)(replacing Walker)
Y Hannig(D)(replacing Yarbrough)

Representative Jackson, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to HOUSE BILL 4781.

The committee roll call vote on Amendment No. 3 to House Bill 4781 is as follows:
9, Yeas; 3, Nays; 0, Answering Present.

Y Colvin(D), Chairperson
N Sullivan(R), Republican Spokesperson
A Bost(R)
Y Farnham(D)
Y Hernandez(D)
N Pihos(R)
Y Rita(D)
Y Jackson(D), Vice-Chairperson
N Beaubien(R)
Y Crespo(D)
Y Davis, W(D)(replacing Graham)
Y Jakobsson(D)(replacing Jefferson)
A Ramey(R)
Y Tracy(R)

Representative Nekritz, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 4 to HOUSE BILL 4037.

The committee roll call vote on Amendment No. 4 to House Bill 4037 is as follows:

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

Y Nekritz(D), Chairperson
Y Brady(R), Republican Spokesperson
Y Durkin(R)
Y Mell(D)
A Reis(R)
A D'Amico(D), Vice-Chairperson
A Boland(D)
Y Jakobsson(D)
Y Myers(R)

Representative Dunkin, Chairperson, from the Committee on Juvenile Justice Reform to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 5914.

The committee roll call vote on Amendment No. 2 to House Bill 5914 is as follows:

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

Y Collins(D), Chairperson
A Reboletti(R), Republican Spokesperson
A Ford(D)
Y Mulligan(R)(replacing Reis)
Y Tracy(R)
Y Dunkin(D), Vice-Chairperson
A Davis, Monique(D)
A Jefferson(D)
Y Sacia(R)

Representative Soto, Chairperson, from the Committee on Labor to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 3631.
Amendment No. 1 to HOUSE BILL 6349.

The committee roll call vote on Amendment No. 2 to House Bill 3631 is as follows:

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

A Osterman(D), Chairperson
A Schmitz(R), Republican Spokesperson
Y Bellock(R)
Y Colvin(D)
Y Reitz(D)(replacing D'Amico)
Y Durkin(R)
A Verschoore(D)(replacing Graham)
Y Hoffman(D)
Y Flowers(D)(replacing Jefferson)
Y Ford(D)(replacing Mendoza)
Y Phelps(D)
A Sullivan(R)
A Washington(D)
Y Soto(D), Vice-Chairperson
A Wait(R)(replacing Beaubien)
Y Chapa LaVia(D)
Y Cultra(R)
Y Davis, William(D)
A Gordon, Careen(D)
Y Hernandez(D)
Y Golar(D)(replacing Howard)
Y Leitch(R)
Y Osmond(R)
Y Stephens(R)
Y Tryon(R)

The committee roll call vote on Amendment No. 1 to House Bill 6349 is as follows:

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

A Osterman(D), Chairperson
A Schmitz(R), Republican Spokesperson
Y Bellock(R)
Y Colvin(D)
Y Reitz(D)(replacing D'Amico)
Y Durkin(R)
A Verschoore(D)(replacing Graham)
Y Hoffman(D)
Y Soto(D), Vice-Chairperson
Y Wait(R)(replacing Beaubien)
Y Chapa LaVia(D)
Y Cultra(R)
Y Davis, William(D)
Y Gordon, Careen(D)
Y Hernandez(D)
Y Golar(D)(replacing Howard)

Y Flowers(D)(replacing Jefferson)
Y Ford(D)(replacing Mendoza)
Y Phelps(D)
A Sullivan(R)
Y Beiser(D)(replacing Washington)
Y Leitch(R)
Y Osmond(R)
Y Stephens(R)
Y Tryon(R)

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5424.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 5301.
Amendment No. 1 to HOUSE BILL 5571.
Amendment No. 2 to HOUSE BILL 6317.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 954.

The committee roll call vote on Amendment No. 2 to House Bill 5301 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y Harris(D)(replacing McAsey)
Y Myers(R)
A Ramey(R)
Y Dugan(D), Vice-Chairperson
A Bassi(R)
Y Bost(R)
A Collins(D)
Y Davis, Monique(D)
A Froehlich(D)
Y Moffitt(R)
Y Poe(R)

The committee roll call vote on Amendment No. 1 to House Bill 5571 is as follows:
9, Yeas; 1, Nay; 0, Answering Present.

Y Franks(D), Chairperson
A Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y Harris(D)(replacing McAsey)
A Myers(R)
A Ramey(R)
Y Dugan(D), Vice-Chairperson
A Bassi(R)
Y Bost(R)
A Collins(D)
N Davis, Monique(D)
A Froehlich(D)
Y Moffitt(R)
Y Poe(R)

The committee roll call vote on Amendment No. 2 to House Bill 6317 is as follows:
10, Yeas; 1, Nay; 0, Answering Present.

N Franks(D), Chairperson
A Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y Harris(D)(replacing McAsey)
Y Myers(R)
A Ramey(R)
Y Dugan(D), Vice-Chairperson
A Bassi(R)
Y Bost(R)
A Collins(D)
Y Davis, Monique(D)
A Froehlich(D)
Y Moffitt(R)
Y Poe(R)

The committee roll call vote on House Bill 5424 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y Harris(D)(replacing McAsey)
Y Myers(R)
A Ramey(R)
Y Dugan(D), Vice-Chairperson
Y Bassi(R)
Y Bost(R)
A Collins(D)
Y Davis, Monique(D)
A Froehlich(D)
Y Moffitt(R)
Y Poe(R)

The committee roll call vote on House Resolution 954 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Zalewski(D)(replacing Crespo)
Y Farnham(D)
Y Harris(D)(replacing McAsey)
Y Myers(R)
A Ramey(R)
Y Dugan(D), Vice-Chairperson
Y Bassi(R)
Y Bost(R)
A Collins(D)
Y Davis, Monique(D)
A Froehlich(D)
Y Moffitt(R)
Y Poe(R)

Representative Reitz, Chairperson, from the Committee on Health Care Licenses to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 5183.
Amendment No. 2 to HOUSE BILL 5783.
Amendment No. 1 to HOUSE BILL 5917.

The committee roll call vote on Amendment No. 1 to House Bill 5183 and Amendment No. 2 to House Bill 5783 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Reitz(D), Chairperson
Y Saviano(R), Republican Spokesperson
Y Harris(D)
Y Kosel(R)
Y McCarthy(D)
Y Moffitt(R)(replacing Mulligan)
Y Phelps(D), Vice-Chairperson
Y Coulson(R)
Y Beiser(D)(replacing Jackson)
Y McAuliffe(R)
A Miller(D)
Y Verschoore(D)

The committee roll call vote on Amendment No. 1 to House Bill 5917 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Reitz(D), Chairperson
Y Saviano(R), Republican Spokesperson
A Harris(D)
Y Kosel(R)
Y McCarthy(D)
Y Moffitt(R)(replacing Mulligan)
Y Phelps(D), Vice-Chairperson
Y Coulson(R)
A Jackson(D)
Y McAuliffe(R)
A Miller(D)
Y Verschoore(D)

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 5603.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 642.

The committee roll call vote on Amendment No. 1 to House Bill 5603 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Bradley(D), Chairperson
Y Biggins(R), Republican Spokesperson
Y Beaubien(R)
Y Walker(D)(replacing Currie)
Y Ford(D)
Y Sullivan(R)
A Zalewski(D)
Y Mautino(D), Vice-Chairperson
Y Bassi(R)
A Chapa LaVia(D)
A Eddy(R)
Y Gordon, Careen(D)
A Turner(D)

The committee roll call vote on Senate Bill 642 is as follows:
11, Yeas; 2, Nays; 0, Answering Present.

Y Bradley(D), Chairperson
Y Biggins(R), Republican Spokesperson
Y Beaubien(R)
N Walker(D)(replacing Currie)
Y Ford(D)
N Sullivan(R)
Y Zalewski(D)
Y Mautino(D), Vice-Chairperson
Y Bassi(R)
Y Chapa LaVia(D)
Y Eddy(R)
Y Gordon, Careen(D)
Y Rita(D) (replacing Turner)

Representative Flowers, Chairperson, from the Committee on Health Care Availability and Accessibility to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendments Numbered 1 and 2 to HOUSE BILL 4924.

The committee roll call vote on Amendments Numbered 1 and 2 to House Bill 4924 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Flowers(D), Chairperson
Y Osmond(R), Republican Spokesperson
Y Connelly(R)
A Golar(D)
Y Mulligan(R)
A Sommer(R)
Y May(D), Vice-Chairperson
A Burns(D)
Y Dugan(D)
Y Harris(D)
Y Black(R)(replacing Schmitz)
Y Zalewski(D)

Representative Howard, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on March 22, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 5394.
Amendment No. 1 to HOUSE BILL 5401.
Amendment No. 1 to HOUSE BILL 5640.
Amendment No. 1 to HOUSE BILL 5745.
Amendments numbered 1 and 2 to HOUSE BILL 5932.
Amendment No. 2 to HOUSE BILL 5947.
Amendment No. 1 to HOUSE BILL 6460.

Amendment No. 1 to HOUSE BILL 6462.
Amendment No. 1 to HOUSE BILL 6463.
Amendment No. 1 to HOUSE BILL 6464.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 6195.

The committee roll call vote on Amendment No. 1 to House Bill 6462 is as follows:

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

Y Howard(D), Chairperson	Y Collins(D), Vice-Chairperson
Y Reboletti(R), Republican Spokesperson	Y Golar(D)
Y D'Amico(D)(replacing McAsey)	Y Sacia(R)
A Saviano(R)(replacing Wait)	

The committee roll call vote on Amendment No. 1 to House Bill 5401 is as follows:

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

Y Howard(D), Chairperson	Y Collins(D), Vice-Chairperson
N Reboletti(R), Republican Spokesperson	Y Golar(D)
Y Jefferson(D)(replacing McAsey)	Y Sacia(R)
N Wait(R)	

The committee roll call vote on Amendment No. 2 to House Bill 5394 and House Bill 6195 is as follows:

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

Y Howard(D), Chairperson	N Collins(D), Vice-Chairperson
Y Reboletti(R), Republican Spokesperson	Y Golar(D)
Y Jefferson(D)(replacing McAsey)	Y Sacia(R)
Y Wait(R)	

The committee roll call vote on Amendment No. 1 to House Bills 5640, Amendments numbered 1 and 2 to House Bill 5932 and Amendment No. 1 to House Bill 6460 is as follows:

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

Y Howard(D), Chairperson	Y Collins(D), Vice-Chairperson
Y Reboletti(R), Republican Spokesperson	Y Golar(D)
Y Jefferson(D)(replacing McAsey)	Y Sacia(R)
Y Wait(R)	

The committee roll call vote on Amendment No. 1 to House Bill 5745, Amendment No. 2 to House Bill 5947, Amendment No. 1 to House Bill 6463 and Amendment No. 1 to House Bill 6464 is as follows:

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

Y Howard(D), Chairperson	A Collins(D), Vice-Chairperson
Y Reboletti(R), Republican Spokesperson	A Golar(D)
Y D'Amico(D)(replacing McAsey)	Y Sacia(R)
Y Saviano(R)(replacing Wait)	

At the hour of 7:17 o'clock p.m., the House Perfunctory Session adjourned.