



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

49TH LEGISLATIVE DAY

TUESDAY, MAY 20, 2003

12:15 O'CLOCK P.M.

SENATE
Daily Journal Index
49th Legislative Day

Action	Page(s)
Joint Action Motion Filed	3

Bill Number	Legislative Action	Page(s)
HB 2572	Third Reading	5
HB 2843	Third Reading	9
HB 2855	Third Reading	4
HB 2860	Third Reading	5
HB 2864	Third Reading	6
HB 3048	Third Reading	6
HB 3086	Recalled	7
HB 3086	Third Reading	7
HB 3091	Third Reading	8
HB 3142	Third Reading	8
HB 3231	Recalled	9
HB 3398	Third Reading	10
HB 3411	Third Reading	10
HB 3486	Recalled	11
HB 3486	Third Reading	20
HB 3530	Consideration Postponed	20
HB 3530	Recalled	20
HB 3556	Third Reading	21
HB 3661	Third Reading	21
HB 3692	Recalled	22
HB 3692	Third Reading	22

The Senate met pursuant to adjournment.
Senator Vince Demuzio, Carlinville, Illinois presiding.
Prayer by Pastor Jerry Doss, Abundant Faith Christian Church, Springfield, Illinois.
Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Thursday, May 15, 2003, was being read when on motion of Senator Woolard further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, May 16, 2003, was being read when on motion of Senator Woolard further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Monday, May 19, 2003, was being read when on motion of Senator Woolard further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 190

COMMUNICATION

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST SENATE DISTRICT

May 20, 2003

Ms. Linda Hawker
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Madam Secretary:

Please be advised that Senator Wendell Jones will replace Senator Peter Roskam on the Senate Gaming Revenue Committee. Senator Ed Petka will remain as Republican Spokesman.

Sincerely,
s/Frank Watson
Senate Republican Leader

cc: Senator Wendell Jones
Senator Ed Petka
Senator Peter Roskam
Senate President Emil Jones, Jr.
House Speaker Michael J. Madigan
House Minority Leader Tom Cross

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR

[May 20, 2003]

51ST SENATE DISTRICT

May 14, 2003

Jacqueline Price
 Director, Index Division
 Secretary of State
 111 East Monroe
 Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed Senator William Brady to replace Senator William Peterson on the Comprehensive Health Insurance Plan Board of Directors.

This appointment is effective immediately. If you have any questions, please contact my Chief of Staff, Brian McFadden, at 782-8184.

Sincerely,
 s/Frank Watson
 Senate Republican Leader

cc: Senator William Peterson
 Senator William Brady
 Tom Jerkovitz, Exec. Director, CHIP
 Senate President Emil Jones
 House Speaker Michael Madigan
 House Minority Leader Tom Cross
 Legislative Research Unit
 Secretary of the Senate
 Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Garrett, **House Bill No. 2855**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Burzynski	Hunter	Radogno	Trotter
Clayborne	Jacobs	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	
Haine	Munoz	Silverstein	

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This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto

On motion of Senator Collins, **House Bill No. 2860**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Petka	Sullivan, J.
Bomke	Harmon	Radogno	Syverson
Brady	Hendon	Rauschenberger	Trotter
Burzynski	Hunter	Righter	Viverito
Clayborne	Jones, J.	Risinger	Walsh
Collins	Jones, W.	Ronen	Watson
Cronin	Lightford	Roskam	Welch
Crotty	Link	Rutherford	Winkel
Cullerton	Luechtefeld	Sandoval	Wojcik
del Valle	Maloney	Schoenberg	Woolard
DeLeo	Martinez	Shadid	Mr. President
Demuzio	Meeks	Sieben	
Dillard	Munoz	Silverstein	
Garrett	Obama	Soden	
Haine	Peterson	Sullivan, D.	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator E. Jones, **House Bill No. 2572**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 56; Nays 1.

The following voted in the affirmative:

Althoff	Haine	Obama	Sullivan, J.
Bomke	Halvorson	Peterson	Syverson
Brady	Harmon	Petka	Trotter
Burzynski	Hendon	Radogno	Viverito
Clayborne	Hunter	Righter	Walsh
Collins	Jacobs	Risinger	Watson
Cronin	Jones, J.	Ronen	Welch
Crotty	Jones, W.	Roskam	Winkel
Cullerton	Lightford	Rutherford	Wojcik
del Valle	Link	Sandoval	Woolard
DeLeo	Luechtefeld	Schoenberg	Mr. President
Demuzio	Maloney	Shadid	
Dillard	Martinez	Sieben	

Garrett	Meeks	Silverstein
Geo-Karis	Munoz	Sullivan, D.

The following voted in the negative:

Soden

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Crotty, **House Bill No. 2864**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.
Burzynski	Hendon	Radogno	Syverson
Clayborne	Hunter	Rauschenberger	Trotter
Collins	Jacobs	Righter	Viverito
Cronin	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Walsh, **House Bill No. 3048**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 39; Nays 19.

The following voted in the affirmative:

Bomke	Geo-Karis	Martinez	Silverstein
Clayborne	Haine	Meeks	Sullivan, D.
Collins	Halvorson	Munoz	Syverson
Crotty	Harmon	Obama	Trotter
Cullerton	Hendon	Radogno	Viverito
del Valle	Hunter	Rauschenberger	Walsh

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DeLeo	Jacobs	Ronen	Welch
Demuzio	Lightford	Sandoval	Woolard
Dillard	Link	Schoenberg	Mr. President
Garrett	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, W.	Risinger	Sullivan, J.
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Jones, J.	Righter	Soden	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Meeks, **House Bill No. 3086** was recalled from the order of third reading to the order of second reading.

Senator Meeks offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3086 on page 2, by deleting lines 23 through 26; and on page 2, line 27, by replacing "(d)" with "(c)".

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Meeks, **House Bill No. 3086**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jacobs	Risinger	Walsh
Cronin	Jones, J.	Ronen	Watson
Crotty	Jones, W.	Roskam	Welch
Cullerton	Lightford	Rutherford	Winkel
del Valle	Link	Sandoval	Wojcik
DeLeo	Luechtefeld	Schoenberg	Woolard
Demuzio	Maloney	Shadid	Mr. President
Dillard	Martinez	Sieben	
Garrett	Meeks	Silverstein	
Geo-Karis	Munoz	Soden	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Roskam, **House Bill No. 3091**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.
Burzynski	Hendon	Radogno	Syverson
Clayborne	Hunter	Rauschenberger	Trotter
Collins	Jacobs	Righter	Viverito
Cronin	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Harmon, **House Bill No. 3142**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.
Burzynski	Hendon	Radogno	Syverson
Clayborne	Hunter	Rauschenberger	Trotter
Collins	Jacobs	Righter	Viverito
Cronin	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	

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Garrett
Geo-Karis

Meeks
Munoz

Sieben
Silverstein

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Munoz, **House Bill No. 3231** was recalled from the order of third reading to the order of second reading.

Senator Munoz offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3231 on page 8, line 6, by replacing "Sections 1 and 7" with "Section 7"; and on page 8, by deleting lines 7 through 32; and on page 9, by deleting lines 1 through 9.

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator J. Sullivan, **House Bill No. 2843**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.
Burzynski	Hendon	Radogno	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lightford	Roskam	Winkel
del Valle	Link	Rutherford	Wojcik
DeLeo	Luechtefeld	Sandoval	Woolard
Demuzio	Maloney	Schoenberg	Mr. President
Dillard	Martinez	Shadid	
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Walsh, **House Bill No. 3398**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 52; Nays 5; Present 1.

The following voted in the affirmative:

Althoff	Haine	Obama	Sullivan, D.
Bomke	Halvorson	Peterson	Sullivan, J.
Brady	Harmon	Petka	Syverson
Clayborne	Hendon	Radogno	Trotter
Collins	Hunter	Rauschenberger	Viverito
Cronin	Jacobs	Righter	Walsh
Crotty	Jones, J.	Ronen	Welch
Cullerton	Lightford	Rutherford	Winkel
del Valle	Link	Sandoval	Woolard
DeLeo	Luechtefeld	Schoenberg	Mr. President
Demuzio	Maloney	Shadid	
Dillard	Martinez	Sieben	
Garrett	Meeks	Silverstein	
Geo-Karis	Munoz	Soden	

The following voted in the negative:

Burzynski	Roskam	Wojcik
Jones, W.	Watson	

The following voted present:

Risinger

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Haine, **House Bill No. 3411**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch

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DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Obama, **House Bill No. 3486** was recalled from the order of third reading to the order of second reading.

Senator Obama offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 3486 by replacing the title with the following:

"AN ACT in relation to employment."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Victims' Economic Security and Safety Act.

Section 5. Findings. The General Assembly finds and declares the following:

(1) Domestic and sexual violence affects many persons without regard to age, race, educational level, socioeconomic status, religion, or occupation.

(2) Domestic and sexual violence has a devastating effect on individuals, families, communities and the workplace.

(3) Domestic violence crimes account for approximately 15% of total crime costs in the United States each year.

(4) Violence against women has been reported to be the leading cause of physical injury to women. Such violence has a devastating impact on women's physical and emotional health and financial security.

(5) According to recent government surveys, from 1993 through 1998 the average annual number of violent victimizations committed by intimate partners was 1,082,110, 87% of which were committed against women.

(6) Female murder victims were substantially more likely than male murder victims to have been killed by an intimate partner. About one-third of female murder victims, and about 4% of male murder victims, were killed by an intimate partner.

(7) According to recent government estimates, approximately 987,400 rapes occur annually in the United States, 89% of the rapes are perpetrated against female victims.

(8) Approximately 10,200,000 people have been stalked at some time in their lives. Four out of every 5 stalking victims are women. Stalkers harass and terrorize their victims by spying on the victims, standing outside their places of work or homes, making unwanted phone calls, sending or leaving unwanted letters or items, or vandalizing property.

(9) Employees in the United States who have been victims of domestic violence, dating violence, sexual assault, or stalking too often suffer adverse consequences in the workplace as a result of their victimization.

(10) Victims of domestic violence, dating violence, sexual assault, and stalking face the threat of job loss and loss of health insurance as a result of the illegal acts of the perpetrators of violence.

(11) The prevalence of domestic violence, dating violence, sexual assault, stalking, and other violence against women at work is dramatic. Approximately 11% of all rapes occur in the workplace. About 50,500 individuals, 83% of whom are women, were raped or sexually assaulted in the workplace each year from 1992 through 1996. Half of all female victims of violent workplace crimes know their attackers. Nearly one out of 10 violent workplace incidents is committed by partners or spouses.

(12) Homicide is the leading cause of death for women on the job. Husbands, boyfriends, and ex-partners commit 15% of workplace homicides against women.

(13) Studies indicate that as much as 74% of employed battered women surveyed were harassed at work by their abusive partners.

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(14) According to a 1998 report of the U.S. General Accounting Office, between one-fourth and one-half of domestic violence victims surveyed in 3 studies reported that the victims lost a job due, at least in part, to domestic violence.

(15) Women who have experienced domestic violence or dating violence are more likely than other women to be unemployed, to suffer from health problems that can affect employability and job performance, to report lower personal income, and to rely on welfare.

(16) Abusers frequently seek to control their partners by actively interfering with their ability to work, including preventing their partners from going to work, harassing their partners at work, limiting the access of their partners to cash or transportation, and sabotaging the child care arrangements of their partners.

(17) More than one-half of women receiving welfare have been victims of domestic violence as adults and between one-fourth and one-third reported being abused in the last year.

(18) Sexual assault, whether occurring in or out of the workplace, can impair an employee's work performance, require time away from work, and undermine the employee's ability to maintain a job. Almost 50% of sexual assault survivors lose their jobs or are forced to quit in the aftermath of the assaults.

(19) More than one-fourth of stalking victims report losing time from work due to the stalking and 7% never return to work.

(20) (A) According to the National Institute of Justice, crime costs an estimated \$450,000,000,000 annually in medical expenses, lost earnings, social service costs, pain, suffering, and reduced quality of life for victims, which harms the Nation's productivity and drains the Nation's resources. (B) Violent crime accounts for \$426,000,000,000 per year of this amount. (C) Rape exacts the highest costs per victim of any criminal offense, and accounts for \$127,000,000,000 per year of the amount described in subparagraph (A).

(21) The Bureau of National Affairs has estimated that domestic violence costs United States employers between \$3,000,000,000 and \$5,000,000,000 annually in lost time and productivity. Other reports have estimated that domestic violence costs United States employers \$13,000,000,000 annually.

(22) United States medical costs for domestic violence have been estimated to be \$31,000,000,000 per year.

(23) Ninety-four percent of corporate security and safety directors at companies nationwide rank domestic violence as a high security concern.

(24) Forty-nine percent of senior executives recently surveyed said domestic violence has a harmful effect on their company's productivity, 47% said domestic violence negatively affects attendance, and 44% said domestic violence increases health care costs.

(25) Employees, including individuals participating in welfare to work programs, may need to take time during business hours to:

(A) obtain orders of protection;

(B) seek medical or legal assistance, counseling, or other services; or

(C) look for housing in order to escape from domestic violence.

Section 10. Definitions. In this Act, except as otherwise expressly provided:

(1) "Commerce" includes trade, traffic, commerce, transportation, or communication; and "industry or activity affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and includes "commerce" and any "industry affecting commerce".

(2) "Course of conduct" means a course of repeatedly maintaining a visual or physical proximity to a person or conveying oral or written threats, including threats conveyed through electronic communications, or threats implied by conduct.

(3) "Department" means the Department of Labor.

(4) "Director" means the Director of Labor.

(5) "Domestic or sexual violence" means domestic violence, sexual assault, or stalking.

(6) "Domestic violence" includes acts or threats of violence, not including acts of self defense, as defined in subdivision (3) of Section 103 of the Illinois Domestic Violence Act of 1986, or engaging in any course of conduct directed at a specific person that would cause a reasonable person to suffer substantial emotional distress or to fear bodily injury, sexual assault, or death to the person, or the person's family or household member, if the conduct causes the specific person to have such distress or fear.

(7) "Electronic communications" includes communications via telephone, mobile phone, computer, e-mail, video recorder, fax machine, telex, or pager.

(8) "Employ" includes to suffer or permit to work.

(9) Employee.

(A) In general. "Employee" means any person employed by an employer.

(B) Basis. "Employee" includes a person employed as described in subparagraph (A) on a full or part-time basis, for a fixed time period, on a temporary basis, pursuant to a detail, as an independent contractor, or as a participant in a work assignment as a condition of receipt of federal or State income-based public assistance.

(10) "Employer":

(A) means any person engaged in commerce or in any industry or activity affecting commerce who employs 25 or more individuals; and

(B) includes any person acting directly or indirectly in the interest of an employer in relation to an employee, and includes a public agency, but does not include any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization.

(11) "Employment benefits" means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan". "Employee benefit plan" or "plan" means an employee welfare benefit plan or an employee pension benefit plan or a plan which is both an employee welfare benefit plan and an employee pension benefit plan.

(12) "Family or household member" means spouses, former spouses, parents, son or daughter, and persons jointly residing or formerly residing in the same dwelling unit.

(13) "Parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

(14) "Perpetrator" means an individual who commits or is alleged to have committed any act or threat of domestic or sexual violence.

(15) "Person" means an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons.

(16) "Public agency" means the Government of the State or political subdivision thereof; any agency of the State, or of a political subdivision of the State; or any governmental agency.

(17) "Public assistance" includes cash, food stamps, medical assistance, housing assistance, and other benefits provided on the basis of income by a public agency or public employer.

(18) "Reduced work schedule" means a work schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(19) "Repeatedly" means on 2 or more occasions.

(20) "Sexual assault" means any conduct proscribed by the Criminal Code of 1961 in Sections 12-13, 12-14, 12-14.1, 12-15, and 12-16, including both assaults committed by perpetrators who are strangers to the victim and assaults committed by perpetrators who are known or related by blood or marriage to the victim.

(21) "Stalking" means any conduct proscribed by the Criminal Code of 1961 in Sections 12-7.3 and 12-7.4, or engaging in any course of conduct directed at a specific person that would cause a reasonable person to suffer substantial emotional distress or to fear bodily injury, sexual assault, or death to the person, or the person's family or household member, if the conduct causes the specific person to have such distress or fear.

(22) "Victim" or "survivor" means an individual who has been subjected to domestic or sexual violence.

(23) "Victim services organization" means a nonprofit, nongovernmental organization that provides assistance to victims of domestic or sexual violence or to advocates for such victims, including a rape crisis center, an organization carrying out a domestic violence program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process.

Section 15. Purposes. The purposes of this Act are:

(1) to promote the State's interest in reducing domestic violence, dating violence, sexual assault, and stalking by enabling victims of domestic or sexual violence to maintain the financial independence necessary to leave abusive situations, achieve safety, and minimize the physical and emotional injuries from domestic or sexual violence, and to reduce the devastating economic

consequences of domestic or sexual violence to employers and employees;

(2) to promote the State's interest in ensuring that employees who are victims of domestic or sexual violence and employees with a family or household member who is a victim of domestic or sexual violence can recover from and cope with the effects of such violence, and participate in criminal and civil justice processes, without fear of adverse economic consequences from their employers;

(3) to ensure that applicants and recipients of public assistance who are victims of domestic or sexual violence and applicants and recipients of public assistance with a family or household member who is a victim of domestic or sexual violence can recover from and cope with the effects of such violence, and participate in criminal and civil justice processes, without fear of adverse economic consequences with respect to public assistance;

(4) to address the failure of existing laws to protect the employment rights of employees who are victims of domestic or sexual violence and employees with a family or household member who is a victim of domestic or sexual violence, by protecting the civil and economic rights of those employees, and by furthering the equal opportunity of women for economic self-sufficiency and employment free from discrimination;

(5) to accomplish the purposes described in paragraphs (1) through (4) by:

(A) entitling employed victims of domestic or sexual violence to take leave to seek medical help, legal assistance, counseling, safety planning, and other assistance without penalty from their employers;

(B) entitling employees with a family or household member who is a victim of domestic or sexual violence to take leave to seek medical help, legal assistance, counseling, safety planning, and other assistance for the employee or the family or household member who is a victim without penalty from their employers; and

(C) prohibiting employers from discriminating against actual or perceived victims of domestic or sexual violence, in a manner that accommodates the legitimate interests of employers and protects the safety of all persons in the workplace.

Section 20. Entitlement to leave due to domestic or sexual violence.

(a) Leave requirement.

(1) Basis. An employee who is a victim of domestic or sexual violence or has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence may take leave from work to address domestic or sexual violence by:

(A) seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;

(B) obtaining services from a victim services organization for the employee or the employee's family or household member;

(C) obtaining psychological or other counseling for the employee or the employee's family or household member;

(D) participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or

(E) seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

(2) Period. Subject to subsection (c), an employee shall be entitled to a total of 12 workweeks of leave during any 12-month period. This Act does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

(3) Schedule. Leave described in paragraph (1) may be taken intermittently or on a reduced work schedule.

(b) Notice. The employee shall provide the employer with at least 48 hours' advance notice of the employee's intention to take the leave, unless providing such notice is not practicable. When an unscheduled absence occurs, the employer may not take any action against the employee if the employee, within a reasonable period after the absence, provides certification under subsection (c).

(c) Certification.

(1) In general. The employer may require the employee to provide certification to the employer that:

(A) the employee or the employee's family or household member is a victim of domestic or sexual violence; and

(B) the leave is for one of the purposes enumerated in paragraph (a)(1).

The employee shall provide such certification to the employer within a reasonable period after the employer requests certification.

(2) Contents. An employee may satisfy the certification requirement of paragraph (1) by providing to the employer:

(A) a sworn statement of the employee;

(B) documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence;

(C) a police or court record; or

(D) other corroborating evidence.

(d) Confidentiality. All information provided to the employer pursuant to subsection (b) or (c), including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this Section, shall be retained in the strictest confidence by the employer, except to the extent that disclosure is:

(1) requested or consented to in writing by the employee; or

(2) otherwise required by applicable federal or State law.

(e) Employment and benefits.

(1) Restoration to position.

(A) In general. Any employee who takes leave under this Section for the intended purpose of the leave shall be entitled, on return from such leave:

(i) to be restored by the employer to the position of employment held by the employee when the leave commenced; or

(ii) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(B) Loss of benefits. The taking of leave under this Section shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

(C) Limitations. Nothing in this subsection shall be construed to entitle any restored employee to:

(i) the accrual of any seniority or employment benefits during any period of leave; or

(ii) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

(D) Construction. Nothing in this paragraph shall be construed to prohibit an employer from requiring an employee on leave under this Section to report periodically to the employer on the status and intention of the employee to return to work.

(2) Maintenance of health benefits.

(A) Coverage. Except as provided in subparagraph (B), during any period that an employee takes leave under this Section, the employer shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

(B) Failure to return from leave. The employer may recover the premium that the employer paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this Section if:

(i) the employee fails to return from leave under this Section after the period of leave to which the employee is entitled has expired; and

(ii) the employee fails to return to work for a reason other than:

(I) the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave pursuant to this Section; or

(II) other circumstances beyond the control of the employee.

(C) Certification.

(i) Issuance. An employer may require an employee who claims that the employee is unable to return to work because of a reason described in subclause (I) or (II) of subparagraph (B)(ii) to provide, within a reasonable period after making the claim, certification to the employer that the employee is unable to return to work because of that reason.

(ii) Contents. An employee may satisfy the certification requirement of clause (i) by

providing to the employer:

(I) a sworn statement of the employee;

(II) documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;

(III) a police or court record; or

(IV) other corroborating evidence.

(D) Confidentiality. All information provided to the employer pursuant to subparagraph (C), including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee is not returning to work because of a reason described in subclause (I) or (II) of subparagraph (B)(ii) shall be retained in the strictest confidence by the employer, except to the extent that disclosure is:

(i) requested or consented to in writing by the employee; or

(ii) otherwise required by applicable federal or State law.

(f) Prohibited acts.

(1) Interference with rights.

(A) Exercise of rights. It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this Section.

(B) Employer discrimination. It shall be unlawful for any employer to discharge or harass any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment of the individual (including retaliation in any form or manner) because the individual:

(i) exercised any right provided under this Section; or

(ii) opposed any practice made unlawful by this Section.

(C) Public agency sanctions. It shall be unlawful for any public agency to deny, reduce, or terminate the benefits of, otherwise sanction, or harass any individual, or otherwise discriminate against any individual with respect to the amount, terms, or conditions of public assistance of the individual (including retaliation in any form or manner) because the individual:

(i) exercised any right provided under this Section; or

(ii) opposed any practice made unlawful by this Section.

(2) Interference with proceedings or inquiries. It shall be unlawful for any person to discharge or in any other manner discriminate (as described in subparagraph (B) or (C) of paragraph (1)) against any individual because such individual:

(A) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this Section;

(B) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Section; or

(C) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Section.

Section 25. Existing leave usable for addressing domestic or sexual violence. An employee who is entitled to take paid or unpaid leave (including family, medical, sick, annual, personal, or similar leave) from employment, pursuant to federal, State, or local law, a collective bargaining agreement, or an employment benefits program or plan, may elect to substitute any period of such leave for an equivalent period of leave provided under Section 20.

Section 30. Victims' employment sustainability; prohibited discriminatory acts.

(a) An employer shall not fail to hire, refuse to hire, discharge, or harass any individual, otherwise discriminate against any individual with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner, and a public agency shall not deny, reduce, or terminate the benefits of, otherwise sanction, or harass any individual, otherwise discriminate against any individual with respect to the amount, terms, or conditions of public assistance of the individual, or retaliate against an individual in any form or manner, because:

(1) the individual involved:

(A) is or is perceived to be a victim of domestic or sexual violence or has a family or household member who is or is perceived to be a victim of domestic or sexual violence;

(B) attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual or a family or household member of the individual was a victim; or

(C) requested an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic or sexual violence, regardless of whether the request was granted; or

(2) the workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic or sexual violence against the individual or the individual's family or household member.

(b) In this Section:

(1) "Discriminate", used with respect to the terms, conditions, or privileges of employment or with respect to the terms or conditions of public assistance, includes not making a reasonable accommodation to the known limitations resulting from circumstances relating to being a victim of domestic or sexual violence or a family or household member being a victim of domestic or sexual violence of an otherwise qualified individual:

(A) who is:

- (i) an applicant or employee of the employer (including a public agency); or
- (ii) an applicant for or recipient of public assistance from a public agency; and

(B) who is:

- (i) a victim of domestic or sexual violence; or
- (ii) with a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the individual in subparagraph (A) as it relates to the domestic or sexual violence;

unless the employer or public agency can demonstrate that the accommodation would impose an undue hardship on the operation of the employer or public agency.

(2) "Qualified individual" means:

(A) in the case of an applicant or employee described in paragraph (1)(A)(i), an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires; or

(B) in the case of an applicant or recipient described in paragraph (1)(A)(ii), an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can satisfy the essential requirements of the program providing the public assistance that the individual receives or desires.

(3) "Reasonable accommodation" may include an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure, in response to actual or threatened domestic or sexual violence.

(4) Undue hardship.

(A) In general. "Undue hardship" means an action requiring significant difficulty or expense, when considered in light of the factors set forth in subparagraph (B).

(B) Factors to be considered. In determining whether a reasonable accommodation would impose an undue hardship on the operation of an employer or public agency, factors to be considered include:

- (i) the nature and cost of the reasonable accommodation needed under this Section;
- (ii) the overall financial resources of the facility involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact otherwise of such accommodation on the operation of the facility;
- (iii) the overall financial resources of the employer or public agency, the overall size of the business of an employer or public agency with respect to the number of employees of the employer or public agency, and the number, type, and location of the facilities of an employer or public agency; and
- (iv) the type of operation of the employer or public agency, including the composition, structure, and functions of the workforce of the employer or public agency, the geographic separateness of the facility from the employer or public agency, and the administrative or fiscal relationship of the facility to the employer or public agency.

Section 35. Enforcement.

(a) Department of Labor.

(1) The Director or his or her authorized representative shall administer and enforce the provisions of this Act. Any employee or a representative of employees who believes his or her rights under this Act have been violated may, within 3 years after the alleged violation occurs, file a

complaint with the Department requesting a review of the alleged violation. A copy of the complaint shall be sent to the person who allegedly committed the violation, who shall be the respondent. Upon receipt of a complaint, the Director shall cause such investigation to be made as he or she deems appropriate. The investigation shall provide an opportunity for a public hearing at the request of any party to the review to enable the parties to present information relating to the alleged allegation. The parties shall be given written notice of the time and place of the hearing at least 7 days before the hearing. Upon receiving the report of the investigation, the Director shall make findings of fact. If the Director finds that a violation did occur, he or she shall issue a decision incorporating his or her findings and requiring the party committing the violation to take such affirmative action to abate the violation as the Director deems appropriate, including:

(A) damages equal to the amount of wages, salary, employment benefits, public assistance, or other compensation denied or lost to such individual by reason of the violation, and the interest on that amount calculated at the prevailing rate;

(B) compensatory damages, including damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses;

(C) such equitable relief as may be appropriate, including but not limited to hiring, reinstatement, promotion, and reasonable accommodations; and

(D) reasonable attorney's fees, reasonable expert witness fees, and other costs of the action to be paid by the respondent to a prevailing employee.

If the Director finds that there was no violation, he or she shall issue an order denying the complaint. An order issued by the Director under this Section shall be final and subject to judicial review under the Administrative Review Law.

(2) The Director shall adopt rules necessary to administer and enforce this Act in accordance with the Illinois Administrative Procedure Act. The Director shall have the powers and the parties shall have the rights provided in the Illinois Administrative Procedure Act for contested cases, including, but not limited to, provisions for depositions, subpoena power and procedures, and discovery and protective order procedures.

(3) Intervention. The Attorney General of Illinois may intervene on behalf of the Department if the Department certifies that the case is of general public importance. Upon such intervention the court may award such relief as is authorized to be granted to an employee who has filed a complaint or whose representative has filed a complaint under this Section.

(b) Employer liability under other laws. Nothing in this Section shall be construed to limit the liability of an employer or public agency to an individual, for harm suffered relating to the individual's experience of domestic or sexual violence, pursuant to any other federal or State law, including a law providing for a legal remedy.

(c) Refusal to pay damages. Any employer who has been ordered by the Director of Labor or the court to pay damages under this Section and who fails to do so within 15 days after the order is entered is liable to pay a penalty of 1% per calendar day to the employee for each day of delay in paying the damages to the employee.

Section 40. Notification. Every employer covered by this Act shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Director of Labor, summarizing the requirements of this Act and information pertaining to the filing of a charge. The Director shall furnish copies of summaries and rules to employers upon request without charge.

Section 45. Effect on other laws and employment benefits.

(a) More protective laws, agreements, programs, and plans. Nothing in this Act shall be construed to supersede any provision of any federal, State, or local law, collective bargaining agreement, or employment benefits program or plan that provides:

(1) greater leave benefits for victims of domestic or sexual violence than the rights established under this Act; or

(2) leave benefits for a larger population of victims of domestic or sexual violence (as defined in such law, agreement, program, or plan) than the victims of domestic or sexual violence covered under this Act.

(b) Less protective laws, agreements, programs, and plans. The rights established for employees who are victims of domestic or sexual violence and employees with a family or household member who is a victim of domestic or sexual violence under this Act shall not be diminished by any federal, State or local law, collective bargaining agreement, or employment benefits program or plan.

Section 905. Severability. If any provision of this Act or the application of such provision to any person or circumstance is held to be in violation of the United States Constitution or Illinois Constitution,

the remainder of the provisions of this Act and the application of those provisions to any person or circumstance shall not be affected.

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

Senator Obama offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend House Bill 3486, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by replacing lines 31 through 33 on page 5 and line 1 on page 6 with the following:

"Domestic Violence Act of 1986, sexual assault, or"; and
on page 6, by replacing lines 14 through 16 with the following:

"or part-time basis, or as a participant in a"; and

on page 6, by replacing lines 19 through 29 with the following:

"(10) "Employer" means any of the following: (A) the State or any agency of the State; (B) any unit of local government or school district; or (C) any person that employs at least 50 employees."; and

on page 7, by replacing lines 7 through 10 with the following:

"(12) "Family or household member" means a spouse, parent, son, daughter, and persons jointly residing in the same household."; and

on page 8, by replacing lines 5 through 8 with the following:

"12-14.1, 12-15, and 12-16."; and

on page 8, by replacing lines 10 through 16 with the following:

"Criminal Code of 1961 in Sections 12-7.3 and 12-7.4."; and

on page 9, by deleting lines 5 through 21; and

on page 9, line 22 by changing "(4)" to "(2)"; and

by replacing lines 30 through 34 on page 9 and lines 1 through 14 on page 10 with the following:

"(3) to accomplish the purposes described in paragraphs (1) and (2) by entitling employed victims of domestic or sexual violence to take unpaid leave to seek medical help, legal assistance, counseling, safety planning, and other assistance without penalty from their employers."; and

on page 10, line 22 by inserting "unpaid" before "leave"; and

on page 12, by replacing lines 9 and 10 with the following:

"to the employer a sworn statement of the employee, and upon obtaining such documents the employee shall provide."; and

on page 12, line 11 by changing "(B)" to "(A)"; and

on page 12, line 18 by changing "(C)" to "(B)"; and

on page 12, line 19 by changing "(D)" to "(C)"; and

on page 17, by replacing lines 24 through 26 with the following:

"domestic or sexual violence."; and

on page 22, by deleting lines 23 through 28; and

on page 22, line 29 by changing "(c)" to "(b)"; and

on page 22, line 31, by changing "15" to "30".

The motion prevailed.

And the amendment was adopted, and ordered printed.

Senator Obama offered the following amendment and moved its adoption:

AMENDMENT NO. 4

AMENDMENT NO. 4. Amend House Bill 3486, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 21 by deleting lines 24 through 27; and

on page 21, line 28, by replacing "(C)" with "(B)"; and

on page 21, line 32, by replacing "(D)" with "(C)".

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Obama, **House Bill No. 3486**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Demuzio	Luechtefeld	Sandoval	Woolard
Dillard	Maloney	Schoenberg	Mr. President
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Sandoval, **House Bill No. 3530** was recalled from the order of third reading to the order of second reading.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3530 on page 1, line 11, by changing "\$25,000 ~~\$5,000~~" to "\$5,000 or \$25,000 in the case of the Commission created and organized under this Act in and for a municipality with over 500,000 population"; and on page 2, by replacing lines 26 through 29 with the following: "herein provided for, shall be executed as provided by law in duplicate, one copy of which shall be held by the Commission, and filed in its records, and one copy of which shall be given to the contractor.".

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Sandoval, **House Bill No. 3530**, having been printed as received from the House of Representatives, together with all Senate amendments adopted thereto, was taken up and read by title a third time.

Pending roll call on motion of Senator Sandoval, further consideration of **House Bill No. 3530** was postponed.

[May 20, 2003]

On motion of Senator Collins, **House Bill No. 3556**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Jacobs, **House Bill No. 3661**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

[May 20, 2003]

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Sieben, **House Bill No. 3692** was recalled from the order of third reading to the order of second reading.

Senator Sieben offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3692 by adding after line 20, the following: "This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Sieben, **House Bill No. 3692**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Laufen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

Caucus

Senator Halvorson requested a Democrat Caucus immediately upon adjournment.

Senator Burzynski requested a Republican Caucus immediately upon adjournment.

At the hour of 1:25 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, May 21, 2003, at 12:00 o'clock noon.

[May 20, 2003]