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NINETY-THIRD GENERAL ASSEMBLY

91ST LEGISLATIVE DAY

THURSDAY, MARCH 25, 2004

10:00 O'CLOCK A.M.

SENATE
Daily Journal Index
91st Legislative Day

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The Senate met pursuant to adjournment.
 Senator Patrick Welch, Peru, Illinois, presiding.
 Prayer by Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois.
 Senator Viverito led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 24, 2004, was being read when on motion of Senator Haine, 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.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 2 to Senate Bill 948
 Senate Floor Amendment No. 1 to Senate Bill 2203
 Senate Floor Amendment No. 1 to Senate Bill 2907

MESSAGE FROM THE HOUSE

A message from the House by
 Mr. Mahoney, Clerk:
 Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 393
 A bill for AN ACT concerning insurance.
 HOUSE BILL NO. 4005
 A bill for AN ACT concerning disaster service volunteers.
 HOUSE BILL NO. 4109
 A bill for AN ACT concerning public employee benefits.
 HOUSE BILL NO. 4288
 A bill for AN ACT in relation to criminal law.
 HOUSE BILL NO. 4453
 A bill for AN ACT concerning vehicles.
 HOUSE BILL NO. 4478
 A bill for AN ACT concerning insurance.
 HOUSE BILL NO. 4489
 A bill for AN ACT concerning vehicles.
 HOUSE BILL NO. 4493
 A bill for AN ACT concerning health facilities.
 HOUSE BILL NO. 4495
 A bill for AN ACT concerning the investment of public funds.
 HOUSE BILL NO. 5050
 A bill for AN ACT concerning museums.
 HOUSE BILL NO. 5562
 A bill for AN ACT in relation to education.
 HOUSE BILL NO. 7263
 A bill for AN ACT concerning flag displays.
 Passed the House, March 24, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 393, 4005, 4109, 4288, 4453, 4478, 4489, 4493, 4495, 5050, 5562 and 7263** were taken up, ordered printed and placed on first reading.

SENATE BILL RECALLED

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On motion of Senator Ronen, **Senate Bill No. 985** was recalled from the order of third reading to the order of second reading.

Senator Ronen offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 0985 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Labor Relations Act is amended by changing Section 6 as follows:
(5 ILCS 315/6) (from Ch. 48, par. 1606)

Sec. 6. Right to organize and bargain collectively; exclusive representation; and fair share arrangements. (a) Employees of the State and any political subdivision of the State, excluding employees of the General Assembly of the State of Illinois, have, and are protected in the exercise of, the right of self-organization, and may form, join or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment, not excluded by Section 4 of this Act, and to engage in other concerted activities not otherwise prohibited by law for the purposes of collective bargaining or other mutual aid or protection, free from interference, restraint or coercion. Employees also have, and are protected in the exercise of, the right to refrain from participating in any such concerted activities. Employees may be required, pursuant to the terms of a lawful fair share agreement, to pay a fee which shall be their proportionate share of the costs of the collective bargaining process, contract administration and pursuing matters affecting wages, hours and other conditions of employment as defined in Section 3(g).

(b) Nothing in this Act prevents an employee from presenting a grievance to the employer and having the grievance heard and settled without the intervention of an employee organization; provided that the exclusive bargaining representative is afforded the opportunity to be present at such conference and that any settlement made shall not be inconsistent with the terms of any agreement in effect between the employer and the exclusive bargaining representative.

(c) A labor organization designated by the Board as the representative of the majority of public employees in an appropriate unit in accordance with the procedures herein or recognized by a public employer as the representative of the majority of public employees in an appropriate unit is the exclusive representative for the employees of such unit for the purpose of collective bargaining with respect to rates of pay, wages, hours and other conditions of employment not excluded by Section 4 of this Act.

(d) Labor organizations recognized by a public employer as the exclusive representative or so designated in accordance with the provisions of this Act are responsible for representing the interests of all public employees in the unit. Nothing herein shall be construed to limit an exclusive representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(e) When a collective bargaining agreement is entered into with an exclusive representative, it may include in the agreement a provision requiring employees covered by the agreement who are not members of the organization to pay their proportionate share of the costs of the collective bargaining process, contract administration and pursuing matters affecting wages, hours and conditions of employment, as defined in Section 3 (g), but not to exceed the amount of dues uniformly required of members. The organization shall certify to the employer the amount constituting each nonmember employee's proportionate share which shall not exceed dues uniformly required of members. In such case, the proportionate share payment in this Section shall be deducted by the employer from the earnings of the nonmember employees and paid to the employee organization.

(f) Only the exclusive representative may negotiate provisions in a collective bargaining agreement providing for the payroll deduction of labor organization dues, fair share payment, initiation fees and assessments. Except as provided in subsection (e) of this Section, any such deductions shall only be made upon an employee's written authorization, and continued until revoked in writing in the same manner or until the termination date of an applicable collective bargaining agreement. Such payments shall be paid to the exclusive representative.

Where a collective bargaining agreement is terminated, or continues in effect beyond its scheduled expiration date pending the negotiation of a successor agreement or the resolution of an impasse under Section 14, the employer shall continue to honor and abide by any dues deduction or fair share clause contained therein, provided that employees remain represented by a collective bargaining representative. For the benefit of any successor exclusive representative certified under this Act, this provision shall be applicable, provided the successor exclusive representative:

(i) certifies to the employer the amount constituting each non-member's proportionate share under subsection (e); or

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(ii) presents the employer with employee written authorizations for the deduction of dues, assessments, and fees under this subsection.

Failure to so honor and abide by dues deduction or fair share clauses for the benefit of a successor exclusive representative shall be a violation of the duty to bargain and an unfair labor practice.

(g) Agreements containing a fair share agreement must safeguard the right of nonassociation of employees based upon bona fide religious tenets or teachings of a church or religious body of which such employees are members. Such employees may be required to pay an amount equal to their fair share, determined under a lawful fair share agreement, to a nonreligious charitable organization mutually agreed upon by the employees affected and the exclusive bargaining representative to which such employees would otherwise pay such service fee. If the affected employees and the bargaining representative are unable to reach an agreement on the matter, the Board may establish an approved list of charitable organizations to which such payments may be made.
(Source: P.A. 85-1032.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Ronen, **Senate Bill No. 985**, having been transcribed and typed and all amendments adopted thereto having been printed, 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
Dillard	Maloney	Schoenberg	Mr. President
Forby	Martinez	Shadid	
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Meeks, **Senate Bill No. 1006** was recalled from the order of third reading to the order of second reading.

Senator Meeks offered the following amendment and moved its adoption:

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AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1006 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 3.160 as follows:
(415 ILCS 5/3.160) (was 415 ILCS 5/3.78 and 3.78a)

Sec. 3.160. Construction or demolition debris.

(a) "General construction or demolition debris" means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and piping or metals incidental to any of those materials.

General construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any general construction or demolition debris or other waste.

(b) "Clean construction or demolition debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities.

Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.

To the extent allowed by federal law, clean construction or demolition debris shall not be considered "waste" if it is (i) used as fill material outside of a setback zone if the fill is placed no higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area, and if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, ~~or~~ (ii) separated or processed and returned to the economic mainstream in the form of raw materials or products, if it is not speculatively accumulated and, if used as a fill material, it is used in accordance with item (i) within 30 days of its generation, ~~or~~ (iii) solely broken concrete without protruding metal bars used for erosion control, ~~or~~ (iv) generated from the construction or demolition of a building, road, or other structure and used to construct, on the site where the construction or demolition has taken place, a manmade functional structure not to exceed 20 feet above the highest point of elevation of the property immediately adjacent to the new manmade functional structure as that elevation existed prior to the creation of that new structure, provided that the structure shall be covered with sufficient soil materials to sustain vegetation or by a road or structure, and further provided that no such structure shall be constructed within a home rule municipality with a population over 500,000 without the consent of the municipality, or (v) used to construct a recreation facility at a site located within an Enterprise Zone, as certified by the Department of Commerce and Economic Opportunity, pursuant to a permit issued by a municipality with an equalized assessed valuation of less than \$15,000,000.

(Source: P.A. 92-574, eff. 6-26-02; 93-179, eff. 7-11-03.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Meeks, **Senate Bill No. 1006**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

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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
Dillard	Maloney	Schoenberg	Mr. President
Forby	Martinez	Shadid	
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Martinez, **Senate Bill No. 1550** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1550 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Grow Our Own Teacher Education Act.

Section 5. Purpose. The Grow Our Own Teacher preparation programs established under this Act shall comprise a major new statewide initiative, known as the Grow Our Own Teacher Education Initiative, to prepare highly skilled, committed teachers who will teach in hard-to-staff schools and hard-to-staff teaching positions and who will remain in these schools for substantial periods of time.

The Grow Our Own Teacher Education Initiative shall effectively recruit and prepare parent and community leaders and paraeducators to become effective teachers and teacher leaders statewide in hard-to-staff schools and hard-to-staff teaching positions in schools serving a substantial percentage of low-income students. Further, the Initiative shall increase the diversity of teachers, including diversity based on race, ethnicity, and disability.

The Grow Our Own Teacher Education Initiative shall ensure educational rigor by effectively preparing students in accredited bachelor's degree programs in teaching, through which graduates shall meet the requirements to secure an Illinois standard teaching certificate.

The goal of the Grow Our Own Teacher Education Initiative is to add 1,000 teachers to low-income and other hard-to-staff Illinois schools by 2016 with an average retention period of 7 years, as opposed to the current rate of 2.5 years for new teachers in such areas.

Section 10. Definitions. In this Act:

"Accredited teacher preparation program" means a State or regionally accredited higher education program authorized to prepare individuals to fulfill all of the requirements to receive an Illinois standard teaching certificate.

"Hard-to-staff school" means an elementary or secondary school that, based on data compiled by the State Board of Education, ranks in the upper third of schools in this State on a combined index

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measuring the percentage of the school's teachers who are not fully certified and the percentage of the school's teachers who leave their positions annually.

"Hard-to-staff teaching position" means a teaching category (such as special education, mathematics, or science) in which statewide data compiled by the State Board of Education indicates a multi-year pattern of substantial teacher shortage or that has been identified as a critical need by the local school board.

"Initiative" means the Grow Our Own Teacher Education Initiative created under this Act.

"Paraeducators" means individuals with a history of demonstrated accomplishments in school staff positions (such as teacher assistants, school-community liaisons, school clerks, and security aides) in schools serving a substantial percentage of low-income students.

"Parent and community leaders" means individuals with a significant history of involvement in improving schools serving a substantial percentage of low-income students, including membership in a community organization.

"Community organization" means a nonprofit organization that has a demonstrated capacity to train, develop, and organize parents and community leaders into a constituency that will hold the school and the school district accountable for achieving high academic standards; in addition to organizations with a geographic focus, "community organization" includes general parent organizations, organizations of special education or bilingual education parents, and school employee unions.

"Program" means a Grow Our Own Teacher preparation program established by a consortium under this Act.

"Schools serving a substantial percentage of low-income students" means schools whose percentage of students receiving free or reduced-price lunches is at or above the district-average percentage.

"State Board" means the State Board of Education.

Section 15. Creation of Initiative. The Grow Our Own Teacher Education Initiative is created. The State Board shall administer the Initiative as a grant competition to fund consortia that will carry out Grow Our Own Teacher preparation programs.

Section 20. Selection of grantees. The State Board shall award grants to up to 10 qualified consortia that reflect the distribution and diversity of target hard-to-staff schools across this State. In awarding grants, the State Board shall select programs that successfully address Initiative criteria and that reflect a diversity of strategies in terms of serving urban areas, serving rural areas, the nature of the participating institutions of higher education, whether participants will be trained at the baccalaureate or master's level, and the nature of hard-to-staff teaching positions on which a program is focused.

The State Board shall select consortia that meet the following requirements:

(1) A consortium shall be composed of at least one 4-year institution of higher education with an accredited teacher preparation program, at least one school district or group of schools, and one or more community organizations. The consortium may also include a 2-year institution of higher education or a school employee union or both.

(2) The 4-year institution of higher education participating in the consortium shall have past, demonstrated success in preparing teachers for elementary or secondary schools serving a substantial percentage of low-income students.

(3) The consortium shall focus on a clearly defined set of target schools serving a substantial percentage of low-income students that will be the primary focus of the program. The consortium shall articulate the steps that it will carry out in preparing teachers for its target hard-to-staff schools and in preparing teachers for one or more hard-to-staff teaching positions in its target schools.

(4) Student participants in a program under the Initiative must hold a high school diploma or its equivalent and must meet either the definition of "parent and community leaders" or the definition of "paraeducators" contained in Section 10 of this Act.

(5) The consortium shall employ effective procedures for teaching the skills and knowledge needed to prepare highly competent teachers. Instruction shall include on-going direct experience in target schools and analysis of this experience.

(6) The consortium shall offer the program to cohorts of students who begin by moving through the program together. The program shall be offered on a schedule that enables students to work full time while participating in the program and allows paraeducators to continue in their current positions. The consortium shall guarantee that support will be available to an admitted cohort through the cohort's full period of training. At the beginning of the Initiative, programs that are already operating and existing cohorts of students under this model shall be eligible for funding.

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(7) The institutions of higher education participating in the consortium shall document and agree to expend the same amount of funds in implementing the program that these institutions spend per student on similar educational programs. Grants received by the consortium shall supplement and not supplant these amounts.

(8) The State Board shall establish additional criteria for review of proposals, including criteria that address the following issues:

(A) Previous experience of the institutions of higher education in preparing students for hard-to-staff schools and positions and in working with students with non-traditional backgrounds.

(B) The quality of the implementation plan, including strategies for overcoming institutional barriers to the progress of non-traditional students.

(C) If a community college is a participant, the nature and extent of existing articulation agreements and guarantees between the community college and the 4-year institution of higher education.

(D) The number of participants to be trained in the current cohort or cohorts and the capacity of the consortium for adding cohorts in future cycles.

(E) Experience of the community organization or organizations in organizing parents and community leaders to achieve school improvement and a strong relational school culture.

(F) The qualifications of the person or persons designated by the 4-year institution of higher education to be responsible for cohort support and the development of a shared learning and social environment among participants.

(G) The consortium's plan for collective consortium decision-making, including mechanisms for community and participant input.

(H) The consortium's plan for direct impact of the program on the quality of education in the target schools.

(I) The relevance of the curriculum to the needs of targeted schools and positions, and the use in curriculum and instructional planning of principles for effective adult education.

(J) The availability of classes under the program in places and times accessible to the participants.

(K) Provision of a level of performance to be maintained by participants as a condition of continuing in the program.

(L) The plan of the 4-year institution of higher education to ensure that students take advantage of existing financial aid resources before using the loan funds described in Section 25 of this Act.

(M) The availability of supportive services, including counseling, tutoring, and child care.

(N) A plan for continued participation of graduates of the program in a program of support for at least 2 years, including mentoring and group meetings.

(O) A plan for testing and qualitative evaluation of participants' teaching skills that ensures that graduates of the program are as prepared for teaching as those from the conventional teacher training program of the 4-year institution of higher education.

(P) A plan for internal evaluation that provides reports at least yearly on the progress of participants towards graduation and the impact of the program on the target schools and their communities.

(Q) Contributions from schools, school districts, and other consortia members to the program, including stipends for participants during their student teaching.

(R) Consortium commitment for sustaining the program over time, as evidenced by plans for reduced requirements for external funding in subsequent cycles.

Section 25. Expenditures under the Initiative.

(a) Every program under the Initiative shall implement and manage a program of forgivable loans to cover any portion of tuition and direct expenses of students under the program in excess of grants-in-aid and other forgivable loans received. All students admitted to a cohort shall be eligible for such loans. Loans shall be fully forgiven if a graduate completes 5 years of service in a hard-to-staff school or hard-to-staff teaching position.

(b) Grants under the Initiative shall be awarded in such a way as to provide the required support for a cohort of students for the cohort's entire training period. Program budgets must show expenditures for the entire period that participants are expected to be enrolled.

(c) No funds under the Initiative may be used to supplant the average per-capita expenditures by the institution of higher education for students in regular education degree programs.

(d) Where necessary, program budgets shall include the costs of child care to permit parents to maintain a full class schedule. Child care may be provided by the community organization or organizations or be independently contracted for.

(e) The institution of higher education may expend grant funds to cover the salary of a site-based cohort coordinator and the additional costs of offering classes in community settings and for tutoring services.

(f) The community organization or organizations may receive a portion of the grant money for the expenses of recruitment, community orientation, and counseling of potential participants, for providing space in the community, and for working with school personnel to facilitate individual work experiences and support of participants.

(g) The school district or school employee union or both may receive a portion of the grant money for expenses of supporting the work experiences of participants and providing mentors for graduates.

Section 30. Implementation of Initiative. The State Board shall develop guidelines and application procedures for the Initiative in fiscal year 2005. The State Board may, if it chooses, award a small number of planning grants during fiscal year 2005 to potential consortia using existing resources. The first programs under the Initiative shall be awarded grants in such a way as to allow participants to begin their work at the beginning of the 2005-2006 school year.

Section 35. Independent program evaluation. The State Board shall contract for an independent evaluation of program implementation by each of its participating consortia and of the impact of each program, including the extent of student persistence in program enrollment, acceptance as an education major in a 4-year institution of higher education, completion of a bachelor's degree in teaching, obtaining a teaching position in a target school or similar school, subsequent effectiveness as a teacher, and persistence in teaching in a target school or similar school. The evaluation shall assess the Initiative's overall effectiveness and shall identify particular program strategies that are especially effective.

Section 40. Funding. Funding of the Initiative is subject to appropriation. \$200,000 of the amount appropriated each fiscal year for the Initiative shall be allocated to carry out the independent program evaluation under Section 35 of this Act, and the remainder shall be allocated to participating consortia.

Section 90. Rules. The State Board may adopt any rules necessary to carry out its responsibilities under this Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 1550, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 9, by replacing lines 8 through 13 with the following:

"Section 40. Funding. Funding of the Initiative is subject to appropriation."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Martinez, **Senate Bill No. 1550**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 39; Nays 13; Present 6.

The following voted in the affirmative:

Althoff	Forby	Link	Silverstein
Brady	Garrett	Maloney	Sullivan, D.
Clayborne	Geo-Karis	Martinez	Sullivan, J.
Collins	Haine	Meeks	Trotter
Cronin	Halvorson	Munoz	Viverito
Crotty	Harmon	Obama	Walsh
Cullerton	Hendon	Ronen	Welch
del Valle	Hunter	Sandoval	Wojcik
DeLeo	Jacobs	Schoenberg	Mr. President
Dillard	Lightford	Shadid	

The following voted in the negative:

Burzynski	Radogno	Roskam	Winkel
Jones, J.	Rauschenberger	Rutherford	
Lauzen	Righter	Soden	
Petka	Risinger	Syversen	

The following voted present:

Bomke	Luechtefeld	Sieben
Jones, W.	Peterson	Watson

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Link, **Senate Bill No. 1576** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1576 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-13-1 as follows:

(65 ILCS 5/11-13-1) (from Ch. 24, par. 11-13-1)

Sec. 11-13-1. To the end that adequate light, pure air, and safety from fire and other dangers may be secured, that the taxable value of land and buildings throughout the municipality may be conserved, that congestion in the public streets may be lessened or avoided, that the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to insure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance; the corporate authorities in each municipality have the following powers:

(1) To regulate and limit the height and bulk of buildings hereafter to be erected; (2)

to establish, regulate and limit, subject to the provisions of Division 14 of this Article 11, the building or set-back lines on or along any street, traffic-way, drive, parkway or storm or floodwater runoff channel or basin; (3) to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of open spaces, within and surrounding such buildings; (4) to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified

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industrial, business, residential, and other uses; (5) to divide the entire municipality into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification) as may be deemed best suited to carry out the purposes of this Division 13; (6) to fix standards to which buildings or structures therein shall conform; (7) to prohibit uses, buildings, or structures incompatible with the character of such districts; (8) to prevent additions to and alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Division 13; (9) to classify, to regulate and restrict the use of property on the basis of family relationship, which family relationship may be defined as one or more persons each related to the other by blood, marriage or adoption and maintaining a common household; and (10) to regulate or forbid any structure or activity which may hinder access to solar energy necessary for the proper functioning of a solar energy system, as defined in Section 1.2 of The Comprehensive Solar Energy Act of 1977.

The powers enumerated may be exercised within the corporate limits or within contiguous territory not more than one and one-half miles beyond the corporate limits and not included within any municipality. However, if any municipality adopts a plan pursuant to Division 12 of Article 11 which plan includes in its provisions a provision that the plan applies to such contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality, then no other municipality shall adopt a plan that shall apply to any territory included within the territory provided in the plan first so adopted by another municipality. No municipality shall exercise any power set forth in this Division 13 outside the corporate limits thereof, if the county in which such municipality is situated has adopted "An Act in relation to county zoning", approved June 12, 1935, as amended. Nothing in this Section prevents a municipality of more than 112,000 population located in a county of less than 185,000 population that has adopted a zoning ordinance and the county that adopted the zoning ordinance from entering into an intergovernmental agreement that allows the municipality to exercise its zoning powers beyond its territorial limits; provided, however, that the intergovernmental agreement must be limited to the territory within the municipality's planning jurisdiction as defined by law or any existing boundary agreement. The county and the municipality must amend their individual zoning maps in the same manner as other zoning changes are incorporated into revised zoning maps. No such intergovernmental agreement may authorize a municipality to exercise its zoning powers, other than powers that a county may exercise under Section 5-12001 of the Counties Code, with respect to land used for agricultural purposes. This amendatory Act of the 92nd General Assembly is declarative of existing law. No municipality may exercise any power set forth in this Division 13 outside the corporate limits of the municipality with respect to a facility of a telecommunications carrier defined in Section 5-12001.1 of the Counties Code.

Notwithstanding any other provision of law to the contrary, at least 30 days prior to commencing construction of a new telecommunications facility within 1.5 miles of a municipality, the telecommunications carrier constructing the facility shall provide written notice of its intent to construct the facility. The notice shall include, but not be limited to, the following information: (i) the name, address, and telephone number of the company responsible for the construction of the facility and (ii) the address and telephone number of the governmental entity that issued the building permit for the telecommunications facility. The notice shall be provided in person, by overnight private courier, or by certified mail to all owners of property within 250 feet of the parcel in which the telecommunications carrier has a leasehold or ownership interest. For the purposes of this notice requirement, "owners" means those persons or entities identified from the authentic tax records of the county in which the telecommunications facility is to be located. If, after a bona fide effort by the telecommunications carrier to determine the owner and his or her address, the owner of the property on whom the notice must be served cannot be found at the owner's last known address, or if the mailed notice is returned because the owner cannot be found at the last known address, the notice requirement of this paragraph is deemed satisfied. For the purposes of this paragraph, "facility" means that term as it is defined in Section 5-12001.1 of the Counties Code.

If a municipality adopts a zoning plan covering an area outside its corporate limits, the plan adopted shall be reasonable with respect to the area outside the corporate limits so that future development will not be hindered or impaired; it is reasonable for a municipality to regulate or prohibit the extraction of sand, gravel, or limestone even when those activities are related to an agricultural purpose. If all or any part of the area outside the corporate limits of a municipality which has been zoned in accordance with the provisions of this Division 13 is annexed to another municipality or municipalities, the annexing unit shall thereafter exercise all zoning powers and regulations over the annexed area.

In all ordinances passed under the authority of this Division 13, due allowance shall be made for

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existing conditions, the conservation of property values, the direction of building development to the best advantage of the entire municipality and the uses to which the property is devoted at the time of the enactment of such an ordinance. The powers conferred by this Division 13 shall not be exercised so as to deprive the owner of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted, but provisions may be made for the gradual elimination of uses, buildings and structures which are incompatible with the character of the districts in which they are made or located, including, without being limited thereto, provisions (a) for the elimination of such uses of unimproved lands or lot areas when the existing rights of the persons in possession thereof are terminated or when the uses to which they are devoted are discontinued; (b) for the elimination of uses to which such buildings and structures are devoted, if they are adaptable for permitted uses; and (c) for the elimination of such buildings and structures when they are destroyed or damaged in major part, or when they have reached the age fixed by the corporate authorities of the municipality as the normal useful life of such buildings or structures.

This amendatory Act of 1971 does not apply to any municipality which is a home rule unit. (Source: P.A. 92-509, eff. 1-1-02.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Link, **Senate Bill No. 1576**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Radogno, **Senate Bill No. 2103**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

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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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2108**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 3.

The following voted in the affirmative:

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

The following voted in the negative:

Lauzen
Rauschenberger
Syverson

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).

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Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2109**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator del Valle, **Senate Bill No. 2115**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Watson, **Senate Bill No. 2123**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Burzynski	Hunter	Radogno	Syverson
Clayborne	Jacobs	Rauschenberger	Trotter
Collins	Jones, J.	Righter	Viverito
Cronin	Jones, W.	Risinger	Walsh
Crotty	Lauzen	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Mr. President
Forby	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

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 and ask their concurrence therein.

Senator Garrett asked and obtained unanimous consent for the Journal to reflect her affirmative vote on **Senate Bill No. 2123**.

On motion of Senator Cullerton, **Senate Bill No. 2124**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President

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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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Meeks, **Senate Bill No. 2133**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 25.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Trotter
Collins	Harmon	Munoz	Viverito
Crotty	Hendon	Obama	Walsh
Cullerton	Hunter	Ronen	Welch
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Forby	Link	Shadid	
Garrett	Maloney	Silverstein	
Haine	Martinez	Sullivan, J.	

The following voted in the negative:

Althoff	Jones, W.	Righter	Syverson
Bomke	Lauzen	Risinger	Watson
Brady	Luechtefeld	Roskam	Winkel
Burzynski	Peterson	Rutherford	Wojcik
Cronin	Petka	Sieben	
Dillard	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2134**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson

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Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojeik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 2135**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 24.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Crotty	Harmon	Meeks	Trotter
Cullerton	Hendon	Munoz	Viverito
del Valle	Hunter	Obama	Walsh
DeLeo	Jacobs	Ronen	Welch
Forby	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	

The following voted in the negative:

Althoff	Jones, W.	Righter	Syverson
Bomke	Lauzen	Risinger	Watson
Burzynski	Luechtefeld	Roskam	Winkel
Cronin	Peterson	Rutherford	
Dillard	Petka	Sieben	
Haine	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, J.	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Garrett, **Senate Bill No. 2140** was recalled from the order of third reading to the order of second reading.

Senator Garrett offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2140 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 9-230 as follows:

(35 ILCS 200/9-230)

Sec. 9-230. Return of township or multi-township assessment books. The township or multi-township

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assessors in counties with less than 600,000 inhabitants, based on the 2000 federal decennial census, shall, on or before April 15 of the assessment year, return the assessment books or workbooks to the supervisor of assessments. The township or multi-township assessors in counties with 600,000 or more but no more than 700,000 inhabitants, based on the 2000 federal decennial census, shall, on or before before October 15 of the assessment year, return the assessment books or workbooks to the supervisor of assessments. The township or multi-township assessors in counties with less than 3,000,000 inhabitants, but more than ~~700,000~~ ~~600,000~~ inhabitants, based on the 2000 federal decennial census, shall, on or before November 15 of the assessment year, return the assessment books or workbooks to the supervisor of assessments. If a township or multi-township assessor in a county with less than 3,000,000 inhabitants, but more than 600,000 inhabitants, based on the 2000 federal decennial census, does not return the assessment books or work books within the required time, the supervisor of assessments may take possession of the books and complete the assessments pursuant to law. Each of the books shall be verified by affidavit by the assessor substantially as follows:

State of Illinois)

)ss.

County of

I do solemnly swear that the book or books in number, to which this affidavit is attached, contains a complete list of all of the property in the township or multi-township or assessment district herein described subject to taxation for the year so far as I have been able to ascertain, and that the assessed value set down in the proper column opposite the descriptions of property is a just and equal assessment of the property according to law.

Dated

If the supervisor of assessments determines that the township or multi-township assessor has not completed the assessments as required by law before returning the assessment books under this Section, the county board may submit a bill to the township board of trustees for the reasonable costs incurred by the supervisor of assessments in completing the assessments.

(Source: P.A. 85-1253; 88-455.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Garrett, **Senate Bill No. 2140**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 | Walsh |
| Cullerton | Laufen | Ronen | Watson |
| del Valle | Lightford | Roskam | Welch |
| DeLeo | Link | Rutherford | Winkel |
| Dillard | Luechtefeld | Sandoval | Wojcik |
| Forby | Maloney | Schoenberg | Mr. President |

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Garrett
Geo-Karis

Martinez
Meeks

Shadid
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2145** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2145 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 3.330 as follows:

(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)

Sec. 3.330. Pollution control facility.

(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:

- (1) (Blank);
- (2) waste storage sites regulated under 40 CFR, Part 761.42;
- (3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
- (4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
- (5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;
- (6) sites or facilities used by any person to specifically conduct a landscape composting operation;
- (7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;
- (8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;
- (9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;
- (10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);
- (11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;
- (12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection

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with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility accepting exclusively general construction or demolition debris, located in a county with a population over 700,000, and operated and located in accordance with Section 22.38 of this Act; and

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, that:

(A) accepts uncontaminated broken concrete with or without protruding metal bars for separation and processing; and

(B) provided these materials are not speculatively accumulated, returns these materials to the economic mainstream in the form of raw materials or products.

(b) A new pollution control facility is:

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or

(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 92-574, eff. 6-26-02.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Jacobs, **Senate Bill No. 2145**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Lauzen	Roskam	Welch
del Valle	Lightford	Rutherford	Winkel
DeLeo	Link	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Mr. President
Forby	Martinez	Shadid	
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

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 and ask their concurrence therein.

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On motion of Senator Silverstein, **Senate Bill No. 2148**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 17; Present 7.

The following voted in the affirmative:

Bomke	Geo-Karis	Munoz	Sullivan, J.
Clayborne	Harmon	Obama	Trotter
Collins	Hendon	Ronen	Viverito
Crotty	Hunter	Roskam	Welch
Cullerton	Lightford	Sandoval	Wojcik
del Valle	Link	Schoenberg	Mr. President
DeLeo	Maloney	Shadid	
Forby	Martinez	Silverstein	
Garrett	Meeks	Sullivan, D.	

The following voted in the negative:

Althoff	Jones, W.	Rauschenberger	Walsh
Brady	Lauzen	Righter	Winkel
Burzynski	Luechtefeld	Rutherford	
Jacobs	Peterson	Sieben	
Jones, J.	Petka	Soden	

The following voted present:

Cronin	Haine	Radogno	Watson
Dillard	Halvorson	Risinger	

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 and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 2158**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President

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Forby	Maloney	Schoenberg
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Forby, **Senate Bill No. 2163**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 26.

The following voted in the affirmative:

Bomke	Geo-Karis	Righter	Syverson
Brady	Haine	Risinger	Viverito
Burzynski	Halvorson	Roskam	Walsh
Cronin	Jacobs	Rutherford	Watson
Cullerton	Jones, J.	Shadid	Welch
DeLeo	Luechtefeld	Sieben	Winkel
Dillard	Petka	Soden	
Forby	Rauschenberger	Sullivan, J.	

The following voted in the negative:

Althoff	Hunter	Meeks	Schoenberg
Clayborne	Jones, W.	Munoz	Silverstein
Collins	Lauzen	Obama	Sullivan, D.
Crotty	Lightford	Peterson	Trotter
del Valle	Link	Radogno	Wojcik
Garrett	Maloney	Ronen	
Hendon	Martinez	Sandoval	

This roll call verified.

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 and ask their concurrence therein.

On motion of Senator Althoff, **Senate Bill No. 2164**, having been transcribed and typed and all amendments adopted thereto having been printed, 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

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Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Petka, **Senate Bill No. 2165**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Senator Martinez requested a ruling from the Chair as to whether **Senate Bill 2165** preempts the powers of Home Rule Units in accordance with Article VII, Section 6, of the Constitution of the State of Illinois.

The Chair ruled that **Senate Bill 2165** does not preempt the powers of Home Rule Units, therefore, a vote of thirty of the members elected will be required for its passage.

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

Yeas 38; Nays 20.

The following voted in the affirmative:

Althoff	Haine	Rauschenberger	Syverson
Bomke	Halvorson	Righter	Trotter
Brady	Jacobs	Risinger	Viverito
Burzynski	Jones, J.	Roskam	Walsh
Clayborne	Jones, W.	Rutherford	Watson
Cronin	Lauzen	Shadid	Welch
Crotty	Luechtefeld	Sieben	Winkel
Dillard	Peterson	Soden	Wojcik
Forby	Petka	Sullivan, D.	
Geo-Karis	Radogno	Sullivan, J.	

The following voted in the negative:

Collins	Hendon	Meeks	Silverstein
Cullerton	Hunter	Munoz	Mr. President
del Valle	Lightford	Obama	
DeLeo	Link	Ronen	
Garrett	Maloney	Sandoval	
Harmon	Martinez	Schoenberg	

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 and ask their concurrence therein.

On motion of Senator Viverito, **Senate Bill No. 2166**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

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Yeas 57; Nays None.

The following voted in the affirmative:

Aloff	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
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Jacobs, **Senate Bill No. 2174**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

Aloff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Laufen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2176**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays 6.

The following voted in the affirmative:

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

The following voted in the negative:

Jones, W.	Rauschenberger	Rutherford
Lauzen	Risinger	Syverson

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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2177**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, D.
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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).

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Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Halvorson, **Senate Bill No. 2180**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 41; Nays 14; Present 1.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Sullivan, D.
Clayborne	Haine	Meeks	Sullivan, J.
Collins	Halvorson	Munoz	Trotter
Cronin	Harmon	Obama	Viverito
Crotty	Hendon	Peterson	Walsh
Cullerton	Hunter	Radogno	Welch
del Valle	Jacobs	Ronen	Wojcik
DeLeo	Jones, W.	Sandoval	Mr. President
Dillard	Lightford	Schoenberg	
Forby	Link	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Bomke	Laufen	Risinger	Watson
Brady	Luechtefeld	Roskam	Winkel
Burzynski	Petka	Rutherford	
Jones, J.	Righter	Soden	

The following voted present:

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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Garrett, **Senate Bill No. 2196** was recalled from the order of third reading to the order of second reading.

Senator Garrett offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2196, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 14, line 28, immediately after "facilities.", by inserting "The District shall include cost benefit analysis in its deliberations and in evaluating priorities for projects from watershed to watershed.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

[March 25, 2004]

On motion of Senator Garrett, **Senate Bill No. 2196**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 26.

The following voted in the affirmative:

Collins	Halvorson	Meeks	Trotter
Crotty	Harmon	Munoz	Viverito
Cullerton	Hendon	Obama	Walsh
del Valle	Hunter	Radogno	Welch
DeLeo	Lightford	Ronen	Wojcik
Garrett	Link	Sandoval	Mr. President
Geo-Karis	Maloney	Silverstein	
Haine	Martinez	Sullivan, D.	

The following voted in the negative:

Althoff	Jones, J.	Righter	Soden
Bomke	Jones, W.	Risinger	Sullivan, J.
Brady	Laufen	Roskam	Syverson
Burzynski	Luechtefeld	Rutherford	Watson
Clayborne	Peterson	Schoenberg	Winkel
Forby	Petka	Shadid	
Jacobs	Rauschenberger	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2201**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Laufen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	

[March 25, 2004]

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2205**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 3.

The following voted in the affirmative:

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

The following voted in the negative:

Brady
Jones, W.
Laufen

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2206**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 2.

The following voted in the affirmative:

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

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Forby	Meeks	Sieben
Garrett	Munoz	Silverstein
Geo-Karis	Obama	Soden

The following voted in the negative:

Brady
Lauzen

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2207**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 53; Nays 3.

The following voted in the affirmative:

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

The following voted in the negative:

Brady
Lauzen
Winkel

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2208**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 53; Nays 3.

The following voted in the affirmative:

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

The following voted in the negative:

Brady
Lauzen
Winkel

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2209**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 7.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Soden	Winkel
Burzynski	Lauzen	Sullivan, D.	

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 and ask their concurrence therein.

[March 25, 2004]

On motion of Senator E. Jones, **Senate Bill No. 2210**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 49; Nays 7.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Soden	Winkel
Cronin	Lauzen	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2211**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 48; Nays 7; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Risinger	Winkel
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Burzynski Lauzen Soden

The following voted present:

Cronin

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2212**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 7.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Risinger	Winkel
Dillard	Lauzen	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2213**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 6.

The following voted in the affirmative:

Althoff	Geo-Karis	Meeks	Silverstein
Bomke	Haine	Munoz	Sullivan, D.
Burzynski	Halvorson	Obama	Sullivan, J.
Clayborne	Harmon	Peterson	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Rauschenberger	Viverito

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Crotty	Jacobs	Ronen	Walsh
Cullerton	Jones, J.	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Wojcik
Dillard	Luechtefeld	Schoenberg	Mr. President
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	

The following voted in the negative:

Brady	Lauzen	Soden
Jones, W.	Risinger	Winkel

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2214**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 51; Nays 5.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Lauzen	Winkel
Jones, W.	Risinger	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2215**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 48; Nays 8.

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The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Syversen
Cronin	Lauzen	Winkel
Dillard	Rauschenberger	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2216**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 48; Nays 9.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Lauzen	Sullivan, D.
Cronin	Rauschenberger	Syversen
Jones, W.	Soden	Winkel

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).

[March 25, 2004]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2217**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 46; Nays 11.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Righter	Syverson
Burzynski	Lauzen	Soden	Winkel
Cronin	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2218**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 47; Nays 10.

The following voted in the affirmative:

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

The following voted in the negative:

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Brady	Jones, W.	Righter	Winkel
Burzynski	Lauzen	Soden	
Cronin	Rauschenberger	Syverson	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2219**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 43; Nays 13; Present 1.

The following voted in the affirmative:

Althoff	Geo-Karis	Meeks	Shadid
Bomke	Haine	Munoz	Silverstein
Clayborne	Halvorson	Obama	Sullivan, J.
Collins	Hendon	Peterson	Trotter
Crotty	Hunter	Petka	Viverito
Cullerton	Jacobs	Radogno	Walsh
del Valle	Lightford	Ronen	Watson
DeLeo	Link	Roskam	Welch
Dillard	Luechtefeld	Rutherford	Wojcik
Forby	Maloney	Sandoval	Mr. President
Garrett	Martinez	Schoenberg	

The following voted in the negative:

Brady	Lauzen	Sieben	Winkel
Burzynski	Rauschenberger	Soden	
Jones, J.	Righter	Sullivan, D.	
Jones, W.	Risinger	Syverson	

The following voted present:

Cronin

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2220**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 46; Nays 10.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Silverstein
Bomke	Harmon	Obama	Sullivan, J.
Clayborne	Hendon	Peterson	Syverson

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Collins	Hunter	Petka	Trotter
Crotty	Jacobs	Radogno	Viverito
Cullerton	Jones, W.	Rauschenberger	Walsh
del Valle	Lightford	Ronen	Watson
DeLeo	Link	Roskam	Welch
Forby	Luechtefeld	Rutherford	Wojcik
Garrett	Maloney	Sandoval	Mr. President
Geo-Karis	Martinez	Schoenberg	
Haine	Meeks	Shadid	

The following voted in the negative:

Brady	Lauzen	Sieben	Winkel
Dillard	Righter	Soden	
Jones, J.	Risinger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2221**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 47; Nays 10.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, W.	Risinger	Winkel
Dillard	Lauzen	Sieben	
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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2222**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[March 25, 2004]

Yeas 49; Nays 7; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, J.	Rauschenberger	Winkel
Burzynski	Lauzen	Righter	

The following voted present:

Jones, W.

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2223**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 46; Nays 11.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Lauzen	Risinger	Syverson
Cronin	Rauschenberger	Sieben	Winkel
Jones, J.	Righter	Soden	

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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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2224**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 45; Nays 12.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Rauschenberger	Soden
Burzynski	Righter	Sullivan, D.
Jones, J.	Risinger	Syverson
Lauzen	Sieben	Winkel

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2225**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 43; Nays 10.

The following voted in the affirmative:

Althoff	Geo-Karis	Meeks	Silverstein
Bomke	Haine	Munoz	Sullivan, D.
Clayborne	Halvorson	Obama	Sullivan, J.
Collins	Hendon	Peterson	Trotter
Cronin	Hunter	Petka	Viverito
Crotty	Jacobs	Radogno	Walsh
Cullerton	Lightford	Ronen	Watson
del Valle	Link	Rutherford	Welch
DeLeo	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President

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Garrett Martinez Shadid

The following voted in the negative:

Brady	Lauzen	Risinger	Winkel
Dillard	Rauschenberger	Sieben	
Jones, J.	Righter	Syversen	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2226**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 43; Nays 12.

The following voted in the affirmative:

Althoff	Garrett	Maloney	Shadid
Bomke	Geo-Karis	Martinez	Silverstein
Clayborne	Haine	Meeks	Sullivan, D.
Collins	Halvorson	Munoz	Sullivan, J.
Cronin	Harmon	Obama	Trotter
Crotty	Hendon	Peterson	Viverito
Cullerton	Hunter	Radogno	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Rutherford	Wojcik
Dillard	Link	Sandoval	Mr. President
Forby	Luechtefeld	Schoenberg	

The following voted in the negative:

Brady	Lauzen	Sieben
Burzynski	Rauschenberger	Soden
Jones, J.	Righter	Syversen
Jones, W.	Risinger	Winkel

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2227**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 23; Present 1.

The following voted in the affirmative:

Clayborne	Geo-Karis	Martinez	Trotter
Collins	Haine	Meeks	Viverito
Crotty	Halvorson	Munoz	Walsh
Cullerton	Harmon	Obama	Welch

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del Valle	Hendon	Ronen	Mr. President
DeLeo	Hunter	Sandoval	
Dillard	Jacobs	Schoenberg	
Forby	Lightford	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Righter	Sullivan, D.
Bomke	Luechtefeld	Risinger	Sullivan, J.
Brady	Peterson	Roskam	Syverson
Burzynski	Petka	Rutherford	Watson
Jones, J.	Radogno	Sieben	Winkel
Jones, W.	Rauschenberger	Soden	

The following voted present:

Cronin

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2228**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 29; Nays 27.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Trotter
Collins	Harmon	Munoz	Viverito
Crotty	Hendon	Obama	Walsh
Cullerton	Hunter	Ronen	Welch
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Garrett	Link	Shadid	
Haine	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sullivan, D.
Bomke	Jones, W.	Righter	Sullivan, J.
Brady	Lauzen	Risinger	Syverson
Burzynski	Luechtefeld	Roskam	Watson
Cronin	Peterson	Rutherford	Winkel
Forby	Petka	Sieben	Wojcik
Geo-Karis	Radogno	Soden	

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

On motion of Senator E. Jones, **Senate Bill No. 2229**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

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Yeas 31; Nays 27.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Crotty	Harmon	Meeks	Trotter
Cullerton	Hendon	Munoz	Viverito
del Valle	Hunter	Obama	Walsh
DeLeo	Jacobs	Ronen	Welch
Dillard	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sullivan, D.
Bomke	Jones, W.	Righter	Sullivan, J.
Brady	Lauzen	Risinger	Syverson
Burzynski	Luechtefeld	Roskam	Watson
Cronin	Peterson	Rutherford	Winkel
Forby	Petka	Sieben	Wojcik
Geo-Karis	Radogno	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2230**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 29; Nays 26; Present 1.

The following voted in the affirmative:

Clayborne	Harmon	Meeks	Trotter
Collins	Hendon	Munoz	Viverito
Crotty	Hunter	Obama	Walsh
Cullerton	Jacobs	Ronen	Welch
del Valle	Lightford	Sandoval	Mr. President
DeLeo	Link	Schoenberg	
Garrett	Maloney	Shadid	
Haine	Martinez	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

The following voted present:

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Dillard

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

On motion of Senator E. Jones, **Senate Bill No. 2231**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 26; Present 1.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Crotty	Harmon	Meeks	Trotter
Cullerton	Hendon	Munoz	Viverito
del Valle	Hunter	Obama	Walsh
DeLeo	Jacobs	Ronen	Welch
Garrett	Lightford	Sandoval	Mr. President
Geo-Karis	Link	Schoenberg	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

The following voted present:

Dillard

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2232**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 26.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

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The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2233**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 27.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sullivan, D.
Bomke	Jones, W.	Righter	Sullivan, J.
Brady	Lauzen	Risinger	Syverson
Burzynski	Luechtefeld	Roskam	Watson
Cronin	Peterson	Rutherford	Winkel
Dillard	Petka	Sieben	Wojcik
Forby	Radogno	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2234**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 25.

The following voted in the affirmative:

Bomke	Haine	Martinez	Trotter
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Clayborne	Halvorson	Meeks	Viverito
Collins	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2235**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 24; Present 3.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Silverstein
Collins	Halvorson	Martinez	Trotter
Crotty	Harmon	Meeks	Viverito
Cullerton	Hendon	Munoz	Walsh
del Valle	Hunter	Ronen	Welch
DeLeo	Jacobs	Sandoval	Mr. President
Garrett	Lightford	Schoenberg	
Geo-Karis	Link	Shadid	

The following voted in the negative:

Althoff	Luechtefeld	Roskam	Watson
Bomke	Peterson	Rutherford	Winkel
Brady	Petka	Sieben	Wojcik
Burzynski	Radogno	Soden	
Forby	Rauschenberger	Sullivan, D.	
Jones, J.	Righter	Sullivan, J.	
Lauzen	Risinger	Syverson	

The following voted present:

Cronin
Jones, W.
Obama

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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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2236**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 24; Present 2.

The following voted in the affirmative:

Clayborne	Geo-Karis	Meeks	Trotter
Collins	Haine	Munoz	Viverito
Cronin	Halvorson	Obama	Walsh
Crotty	Hunter	Radogno	Welch
Cullerton	Jacobs	Sandoval	Mr. President
del Valle	Lightford	Schoenberg	
DeLeo	Link	Shadid	
Forby	Maloney	Silverstein	
Garrett	Martinez	Sullivan, J.	

The following voted in the negative:

Althoff	Lauzen	Ronen	Watson
Bomke	Luechtefeld	Roskam	Winkel
Brady	Peterson	Rutherford	Wojcik
Burzynski	Petka	Sieben	
Hendon	Rauschenberger	Soden	
Jones, J.	Righter	Sullivan, D.	
Jones, W.	Risinger	Syversen	

The following voted present:

Dillard
Harmon

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2237**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 27; Nays 27; Present 4.

The following voted in the affirmative:

Clayborne	Halvorson	Maloney	Silverstein
Crotty	Harmon	Martinez	Trotter
Cullerton	Hendon	Meeks	Viverito
del Valle	Hunter	Munoz	Walsh
DeLeo	Jacobs	Ronen	Welch
Geo-Karis	Lightford	Sandoval	Mr. President

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Haine Link Shadid

The following voted in the negative:

Althoff	Jones, J.	Righter	Sullivan, D.
Bomke	Jones, W.	Risinger	Sullivan, J.
Brady	Lauzen	Roskam	Syverson
Burzynski	Luechtefeld	Rutherford	Watson
Cronin	Peterson	Schoenberg	Winkel
Forby	Petka	Sieben	Wojcik
Garrett	Radogno	Soden	

The following voted present:

Collins	Obama
Dillard	Rauschenberger

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

On motion of Senator E. Jones, **Senate Bill No. 2238**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 23.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Viverito
Collins	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Wojcik
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Garrett	Maloney	Silverstein	
Haine	Martinez	Trotter	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, D.
Bomke	Lauzen	Risinger	Sullivan, J.
Brady	Luechtefeld	Roskam	Syverson
Burzynski	Peterson	Rutherford	Watson
Forby	Petka	Sieben	Winkel
Jones, J.	Rauschenberger	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2239**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 23.

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The following voted in the affirmative:

Clayborne	Harmon	Munoz	Viverito
Collins	Hendon	Obama	Walsh
Crotty	Hunter	Radogno	Welch
Cullerton	Jacobs	Ronen	Wojcik
del Valle	Lightford	Sandoval	Mr. President
DeLeo	Link	Schoenberg	
Garrett	Maloney	Shadid	
Haine	Martinez	Silverstein	
Halvorson	Meeks	Trotter	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, D.
Bomke	Lauzen	Riskam	Sullivan, J.
Brady	Luechtefeld	Roskam	Syverson
Burzynski	Peterson	Rutherford	Watson
Forby	Petka	Sieben	Winkel
Jones, J.	Rauschenberger	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2240**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 34; Nays 23.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Silverstein
Collins	Haine	Martinez	Trotter
Cronin	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Wojcik
DeLeo	Jacobs	Sandoval	Mr. President
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, D.
Bomke	Lauzen	Risinger	Sullivan, J.
Brady	Luechtefeld	Roskam	Syverson
Burzynski	Peterson	Rutherford	Watson
Forby	Petka	Sieben	Winkel
Jones, J.	Rauschenberger	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 and ask their concurrence therein.

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On motion of Senator E. Jones, **Senate Bill No. 2241**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 24.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Wojcik
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Garrett	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Laufen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2242**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 25; Present 1.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Mr. President
DeLeo	Jacobs	Sandoval	
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Laufen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel

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Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

The following voted present:

Cronin

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2243**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 26.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Forby	Petka	Sieben	Wojcik
Geo-Karis	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2244**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 25; Present 1.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito

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Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Garrett	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

The following voted present:

Dillard

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2245**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 25.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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).

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Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2246**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 25.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Silverstein
Collins	Haine	Martinez	Trotter
Cronin	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Mr. President
DeLeo	Jacobs	Sandoval	
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2247**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 4.

The following voted in the affirmative:

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

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Garrett

Martinez

Silverstein

The following voted in the negative:

Lauzen

Risinger

Rauschenberger

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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 1:20 o'clock p.m., Senator Halvorson presiding.

On motion of Senator E. Jones, **Senate Bill No. 2248**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 26.

The following voted in the affirmative:

Clayborne

Haine

Maloney

Shadid

Collins

Halvorson

Martinez

Silverstein

Crotty

Harmon

Meeks

Trotter

Cullerton

Hendon

Munoz

Viverito

del Valle

Hunter

Obama

Walsh

DeLeo

Jacobs

Ronen

Welch

Dillard

Lightford

Sandoval

Mr. President

Garrett

Link

Schoenberg

The following voted in the negative:

Althoff

Jones, W.

Righter

Sullivan, J.

Bomke

Lauzen

Risinger

Syverson

Brady

Luechtefeld

Roskam

Watson

Burzynski

Peterson

Rutherford

Winkel

Forby

Petka

Sieben

Wojcik

Geo-Karis

Radogno

Soden

Jones, J.

Rauschenberger

Sullivan, D.

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2249**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 29; Nays 28.

The following voted in the affirmative:

Clayborne

Halvorson

Martinez

Trotter

Collins

Harmon

Meeks

Viverito

Crotty

Hendon

Munoz

Walsh

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Cullerton	Hunter	Obama	Welch
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Garrett	Link	Shadid	
Haine	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Jones, W.	Risinger	Watson
Brady	Lauzen	Roskam	Winkel
Burzynski	Luechtefeld	Rutherford	Wojcik
Cronin	Peterson	Sieben	
Dillard	Petka	Soden	
Forby	Radogno	Sullivan, D.	
Geo-Karis	Rauschenberger	Sullivan, J.	

This roll call verified.

Following the verification of the roll call, the Chair directed that the name of Senator Ronen having voted in the affirmative, be removed, as that member was absent from the floor at the time of the verification.

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

On motion of Senator E. Jones, **Senate Bill No. 2250**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 24.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Trotter
Collins	Halvorson	Martinez	Viverito
Crotty	Harmon	Meeks	Walsh
Cullerton	Hendon	Munoz	Welch
del Valle	Hunter	Obama	Mr. President
DeLeo	Jacobs	Ronen	
Dillard	Jones, W.	Sandoval	
Garrett	Lightford	Schoenberg	
Geo-Karis	Link	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Risinger	Watson
Bomke	Luechtefeld	Roskam	Winkel
Brady	Peterson	Rutherford	Wojcik
Burzynski	Petka	Soden	
Cronin	Radogno	Sullivan, D.	
Forby	Rauschenberger	Sullivan, J.	
Jones, J.	Righter	Syverson	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2251**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 24.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Silverstein
Collins	Halvorson	Meeks	Trotter
Cronin	Harmon	Munoz	Viverito
Crotty	Hendon	Obama	Walsh
Cullerton	Hunter	Petka	Welch
del Valle	Jacobs	Ronen	Mr. President
DeLeo	Lightford	Sandoval	
Dillard	Link	Schoenberg	
Garrett	Maloney	Shadid	

The following voted in the negative:

Althoff	Lauzen	Roskam	Watson
Bomke	Luechtefeld	Rutherford	Winkel
Brady	Peterson	Sieben	Wojcik
Burzynski	Radogno	Soden	
Forby	Rauschenberger	Sullivan, D.	
Jones, J.	Righter	Sullivan, J.	
Jones, W.	Risinger	Syverson	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2252**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 26.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Garrett	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel

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Dillard	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2253**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 25.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Silverstein
Collins	Haine	Martinez	Trotter
Cronin	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Mr. President
DeLeo	Jacobs	Sandoval	
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2254**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 26.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Cronin	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President

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Garrett Link Schoenberg

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Forby	Petka	Sieben	Wojcik
Geo-Karis	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2255**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 27.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sullivan, D.
Bomke	Jones, W.	Righter	Sullivan, J.
Brady	Lauzen	Risinger	Syverson
Burzynski	Luechtefeld	Roskam	Watson
Cronin	Peterson	Rutherford	Winkel
Dillard	Petka	Sieben	Wojcik
Forby	Radogno	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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2256**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 24.

The following voted in the affirmative:

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Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Cronin	Harmon	Munoz	Walsh
Crotty	Hendon	Obama	Welch
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Risinger	Watson
Bomke	Luechtefeld	Roskam	Winkel
Brady	Peterson	Rutherford	Wojcik
Burzynski	Petka	Sieben	
Forby	Radogno	Sullivan, D.	
Jones, J.	Rauschenberger	Sullivan, J.	
Jones, W.	Righter	Syverson	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2257**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 26.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Trotter
Collins	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Mr. President
DeLeo	Jacobs	Sandoval	
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Righter	Sullivan, J.
Bomke	Lauzen	Risinger	Syverson
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Winkel
Cronin	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	

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 and ask their concurrence therein.

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On motion of Senator E. Jones, **Senate Bill No. 2258**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 25.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Silverstein
Collins	Haine	Martinez	Trotter
Cronin	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Mr. President
DeLeo	Jacobs	Sandoval	
Dillard	Lightford	Schoenberg	
Garrett	Link	Shadid	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2259**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 25.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Cronin	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	

The following voted in the negative:

Althoff	Lauzen	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	Wojcik
Forby	Radogno	Soden	

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Jones, J.	Rauschenberger	Sullivan, D.
Jones, W.	Righter	Sullivan, J.

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2260**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Senator Rauschenberger questioned if **Senate Bill No. 2260** would increase the General Obligation Bonds and require a three-fifths vote for passage.

The Chair ruled that the bill only makes a technical change, therefore, a vote of thirty of the members elected will be required for its passage.

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

Yeas 30; Nays 28.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Jones, W.	Risinger	Watson
Brady	Lauzen	Roskam	Winkel
Burzynski	Luechtefeld	Rutherford	Wojcik
Cronin	Peterson	Sieben	
Dillard	Petka	Soden	
Forby	Radogno	Sullivan, D.	
Geo-Karis	Rauschenberger	Sullivan, J.	

This roll call verified.

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2261**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 28.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
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Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Jones, W.	Risinger	Watson
Brady	Lauzen	Roskam	Winkel
Burzynski	Luechtefeld	Rutherford	Wojcik
Cronin	Peterson	Sieben	
Dillard	Petka	Soden	
Forby	Radogno	Sullivan, D.	
Geo-Karis	Rauschenberger	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2262**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 28.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Jones, W.	Risinger	Watson
Brady	Lauzen	Roskam	Winkel
Burzynski	Luechtefeld	Rutherford	Wojcik
Cronin	Peterson	Sieben	
Dillard	Petka	Soden	
Forby	Radogno	Sullivan, D.	
Geo-Karis	Rauschenberger	Sullivan, J.	

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 and ask their concurrence therein.

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On motion of Senator E. Jones, **Senate Bill No. 2263**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 28.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Jones, W.	Risinger	Watson
Brady	Lauzen	Roskam	Winkel
Burzynski	Luechtefeld	Rutherford	Wojcik
Cronin	Peterson	Sieben	
Dillard	Petka	Soden	
Forby	Radogno	Sullivan, D.	
Geo-Karis	Rauschenberger	Sullivan, J.	

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 and ask their concurrence therein.

On motion of Senator E. Jones, **Senate Bill No. 2264**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 27.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Trotter
Crotty	Hendon	Munoz	Viverito
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Ronen	Welch
DeLeo	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Geo-Karis	Rauschenberger	Sullivan, D.
Bomke	Jones, J.	Righter	Sullivan, J.
Brady	Jones, W.	Risinger	Syverson
Burzynski	Lauzen	Roskam	Watson
Cronin	Luechtefeld	Rutherford	Winkel

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Dillard	Peterson	Sieben	Wojcik
Forby	Petka	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 and ask their concurrence therein.

On motion of Senator J. Sullivan, **Senate Bill No. 2270**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

Jacobs
Jones, W.

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 and ask their concurrence therein.

On motion of Senator Jacobs, **Senate Bill No. 2272**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 43; Nays 13; Present 1.

The following voted in the affirmative:

Althoff	Hendon	Peterson	Soden
Bomke	Hunter	Petka	Sullivan, D.
Brady	Jacobs	Radogno	Sullivan, J.
Burzynski	Jones, J.	Rauschenberger	Syverson
Crotty	Jones, W.	Righter	Trotter
del Valle	Lauzen	Risinger	Viverito
DeLeo	Lightford	Rutherford	Walsh

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Forby	Luechtefeld	Sandoval	Watson
Geo-Karis	Martinez	Shadid	Wojcik
Halvorson	Meeks	Sieben	Mr. President
Harmon	Munoz	Silverstein	

The following voted in the negative:

Clayborne	Garrett	Ronen	Winkel
Collins	Link	Roskam	
Cronin	Maloney	Schoenberg	
Cullerton	Obama	Welch	

The following voted present:

Haine

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 and ask their concurrence therein.

On motion of Senator Forby, **Senate Bill No. 2273**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 41; Nays 16.

The following voted in the affirmative:

Bomke	Halvorson	Petka	Sullivan, J.
Brady	Hendon	Radogno	Syverson
Burzynski	Hunter	Rauschenberger	Trotter
Clayborne	Jacobs	Righter	Viverito
Crotty	Jones, J.	Risinger	Walsh
del Valle	Jones, W.	Rutherford	Watson
DeLeo	Lauzen	Sandoval	Wojcik
Dillard	Lightford	Shadid	Mr. President
Forby	Luechtefeld	Sieben	
Geo-Karis	Martinez	Silverstein	
Haine	Munoz	Soden	

The following voted in the negative:

Althoff	Harmon	Ronen	Winkel
Collins	Link	Roskam	
Cronin	Maloney	Schoenberg	
Cullerton	Obama	Sullivan, D.	
Garrett	Peterson	Welch	

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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2278**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[March 25, 2004]

Yeas 31; Nays 27.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Soden
Crotty	Hendon	Munoz	Sullivan, J.
Cullerton	Hunter	Obama	Trotter
del Valle	Jacobs	Ronen	Viverito
DeLeo	Lightford	Sandoval	Walsh
Forby	Link	Schoenberg	Mr. President
Garrett	Maloney	Shadid	

The following voted in the negative:

Althoff	Haine	Radogno	Sullivan, D.
Bomke	Jones, J.	Rauschenberger	Syverson
Brady	Jones, W.	Righter	Watson
Burzynski	Lauzen	Risinger	Welch
Cronin	Luechtefeld	Roskam	Winkel
Dillard	Peterson	Rutherford	Wojcik
Geo-Karis	Petka	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Jacobs, **Senate Bill No. 2290**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Halvorson	Obama	Sullivan, D.
Bomke	Harmon	Peterson	Sullivan, J.
Brady	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Righter	Viverito
Cronin	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lauzen	Roskam	Welch
del Valle	Lightford	Rutherford	Winkel
DeLeo	Link	Sandoval	Wojcik
Dillard	Luechtefeld	Schoenberg	Mr. President
Forby	Maloney	Shadid	
Garrett	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	
	Munoz	Soden	

The following voted in the negative:

Rauschenberger

[March 25, 2004]

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2293** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2 . Amend Senate Bill 2293 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 3-12, 6-2, and 6-16.1 as follows:

(235 ILCS 5/3-12) (from Ch. 43, par. 108)

Sec. 3-12. Powers and duties of State Commission.

(a) The State commission shall have the following powers, functions and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific premises where the violation occurred.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State commission's determination and notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. The fine imposed under this paragraph may not exceed \$500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed \$20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to \$50.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

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(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint, and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business. The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

(8) In the conduct of any hearing authorized to be held by the commission, to appoint, at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any Circuit Court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

(11.1) To license persons providing education and training to alcohol beverage sellers and servers under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

(12) To develop and maintain a repository of license and regulatory information.

(13) On or before January 15, 1994, the Commission shall issue a written report to the Governor and General Assembly that is to be based on a comprehensive study of the impact on and implications for the State of Illinois of Section 1926 of the Federal ADAMHA Reorganization Act of

1992 (Public Law 102-321). This study shall address the extent to which Illinois currently complies with the provisions of P.L. 102-321 and the rules promulgated pursuant thereto.

As part of its report, the Commission shall provide the following essential information:

- (i) the number of retail distributors of tobacco products, by type and geographic area, in the State;
- (ii) the number of reported citations and successful convictions, categorized by type and location of retail distributor, for violation of the Sale of Tobacco to Minors Act and the Smokeless Tobacco Limitation Act;
- (iii) the extent and nature of organized educational and governmental activities that are intended to promote, encourage or otherwise secure compliance with any Illinois laws that prohibit the sale or distribution of tobacco products to minors; and
- (iv) the level of access and availability of tobacco products to individuals under the age of 18.

To obtain the data necessary to comply with the provisions of P.L. 102-321 and the requirements of this report, the Commission shall conduct random, unannounced inspections of a geographically and scientifically representative sample of the State's retail tobacco distributors.

The Commission shall consult with the Department of Public Health, the Department of Human Services, the Illinois State Police and any other executive branch agency, and private organizations that may have information relevant to this report.

The Commission may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of this amendatory Act of 1998 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.

As part of its report, the Commission shall provide the following information:

- (i) the amount of State excise and sales tax revenues generated as a result of this amendatory Act of 1998;
 - (ii) the amount of licensing fees received as a result of this amendatory Act of 1998;
 - (iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.
- (Source: P.A. 91-553, eff. 8-14-99; 91-922, eff. 7-7-00; 92-378, eff. 8-16-01; 92-813, eff. 8-21-02.)
(235 ILCS 5/6-2) (from Ch. 43, par. 120)

Sec. 6-2. Issuance of licenses to certain persons prohibited.

(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

- (1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.
- (2) A person who is not of good character and reputation in the community in which he resides.
- (3) A person who is not a citizen of the United States.
- (4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
- (5) A person who has been convicted of being the keeper or is keeping a house of ill fame.
- (6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- (7) A person whose license issued under this Act has been revoked for cause.
- (8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
- (9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political

subdivision, unless residency is required by local ordinance.

(10) A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the Business Corporation Act of 1983 to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall be interested directly in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 50,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 92-378, eff. 8-16-01; 93-266, eff. 1-1-04.)

(235 ILCS 5/6-16.1)

Sec. 6-16.1. Enforcement actions.

(a) A licensee or an officer, associate, member, representative, agent, or employee of a licensee may sell, give, or deliver alcoholic liquor to a person under the age of 21 years or authorize the sale, gift, or delivery of alcoholic liquor to a person under the age of 21 years pursuant to a plan or action to investigate, patrol, or otherwise conduct a "sting operation" or enforcement action against a person employed by the licensee or on any licensed premises if the licensee or officer, associate, member, representative, agent, or employee of the licensee provides written notice, at least 14 days before the

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"sting operation" or enforcement action, unless governing body of the municipality or county having jurisdiction sets a shorter period by ordinance, to the law enforcement agency having jurisdiction, the local liquor control commissioner, or both. Notice provided under this Section shall be valid for a "sting operation" or enforcement action conducted within 60 days of the provision of that notice, unless the governing body of the municipality or county having jurisdiction sets a shorter period by ordinance.

(b) A local liquor control commission or unit of local government that conducts alcohol and tobacco compliance operations shall establish a policy and standards for alcohol and tobacco compliance operations to investigate whether a licensee is furnishing (1) alcoholic liquor to persons under 21 years of age in violation of this Act or (2) tobacco to persons in violation of the Sale of Tobacco to Minors Act.

(c) The Illinois Law Enforcement Training Standards Board shall develop a model policy and guidelines for the operation of alcohol and tobacco compliance checks by local law enforcement officers. The Illinois Law Enforcement Training Standards Board shall also require the supervising officers of such compliance checks to have met a minimum training standard as determined by the Board. The Board shall have the right to waive any training based on current written policies and procedures for alcohol and tobacco compliance check operations and in-service training already administered by the local law enforcement agency, department, or office.

(d) The provisions of subsections (b) and (c) do not apply to a home rule unit with more than 2,000,000 inhabitants.

(e) A home rule unit, other than a home rule unit with more than 2,000,000 inhabitants, may not regulate enforcement actions in a manner inconsistent with the regulation of enforcement actions under this Section. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A licensee who is the subject of an enforcement action or "sting operation" under this Section and is found, pursuant to the enforcement action, to be in compliance with this Act shall be notified by the enforcement agency action that no violation was found within 30 days after the finding.

(Source: P.A. 92-503, eff. 1-1-02.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Jacobs, **Senate Bill No. 2293**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Harmon	Peterson	Sullivan, D.
Bomke	Hendon	Petka	Sullivan, J.
Brady	Hunter	Radogno	Syverson
Clayborne	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
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

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Halvorson Obama Soden

The following voted in the negative:

Collins

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 and ask their concurrence therein.

On motion of Senator Jacobs, **Senate Bill No. 2299**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 46; Nays 9; Present 2.

The following voted in the affirmative:

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

The following voted in the negative:

Bomke	Jones, J.	Risinger
Brady	Lauzen	Roskam
Cronin	Meeks	Winkel

The following voted present:

Harmon
Obama

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 and ask their concurrence therein.

On motion of Senator del Valle, **Senate Bill No. 2317**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 32; Nays 16; Present 9.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Trotter
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Collins	Harmon	Munoz	Viverito
Crotty	Hendon	Obama	Walsh
Cullerton	Hunter	Ronen	Welch
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Forby	Link	Shadid	
Garrett	Maloney	Silverstein	
Haine	Martinez	Sullivan, J.	

The following voted in the negative:

Brady	Luechtefeld	Sieben	Winkel
Burzynski	Petka	Soden	
Cronin	Rauschenberger	Sullivan, D.	
Jones, W.	Roskam	Syverson	
Lauzen	Rutherford	Watson	

The following voted present:

Althoff	Jones, J.	Righter
Bomke	Peterson	Risinger
Dillard	Radogno	Wojcik

This bill, having failed to receive the vote of three-fifths of the members elected, was declared lost, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

On motion of Senator Welch, **Senate Bill No. 2320**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Walsh, **Senate Bill No. 2327**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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 and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 2329**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

[March 25, 2004]

On motion of Senator Hunter, **Senate Bill No. 2335** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2335 on page 1, line 12, by replacing "equal to" with "in an amount up to".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 2335**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 2339** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2339 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 364.01 as follows:

(215 ILCS 5/364.01 new)

Sec. 364.01. Qualified cancer trials.

(a) No individual or group policy of accident and health insurance issued or renewed in this State on or after the effective date of this amendatory Act of the 93rd General Assembly may be cancelled or non-renewed for any individual based on that individual's participation in a qualified cancer trial.

(b) Qualified cancer trials must meet the following criteria:

(1) the effectiveness of the treatment has not been determined relative to established therapies;

(2) the trial is under clinical investigation as part of an approved cancer research trial in Phase II, Phase III, or Phase IV of investigation;

(3) the trial is approved by the U.S. Secretary of Health and Human Services, the Director of the National Institutes of Health, the Commissioner of the Food and Drug Administration (through an investigational new drug exemption under Section 505(l) of the federal Food, Drug, and Cosmetic Act or an investigational device exemption under Section 520(g) of that Act), or a qualified nongovernmental cancer research entity as defined in guidelines of the National Institutes of Health or a peer reviewed and approved cancer research program, as defined by the U.S. Secretary of Health and Human Services, conducted for the primary purpose of determining whether or not a cancer treatment is safe or efficacious or has any other characteristic of a cancer treatment that must be demonstrated in order for the cancer treatment to be medically necessary or appropriate;

(4) the trial is being conducted at multiple sites throughout the State;

(5) the patient's primary care physician, if any, is involved in the coordination of care; and

(6) the results of the investigational trial will be submitted for publication in peer-reviewed scientific studies, research, or literature published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff. These studies may include those conducted by or under the auspices of the federal government's Agency for Health Care Policy and Research, National Institutes of Health, National Cancer Institute, National Academy of Sciences, Health Care Financing Administration, and any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health services."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2339**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Obama	Sullivan, D.
Bomke	Halvorson	Peterson	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	Lauzen	Rutherford	Winkel
del Valle	Lightford	Sandoval	Wojcik
DeLeo	Link	Schoenberg	Mr. President
Dillard	Maloney	Shadid	
Forby	Martinez	Sieben	
Garrett	Meeks	Silverstein	
Geo-Karis	Munoz	Soden	

[March 25, 2004]

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 and ask their concurrence therein.

On motion of Senator Lightford, **Senate Bill No. 2360**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 33; Nays 20; Present 1.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Silverstein
Collins	Harmon	Meeks	Sullivan, J.
Crotty	Hendon	Munoz	Trotter
Cullerton	Hunter	Obama	Walsh
del Valle	Jacobs	Righter	Welch
DeLeo	Jones, J.	Ronen	Mr. President
Forby	Lightford	Sandoval	
Garrett	Link	Schoenberg	
Haine	Maloney	Shadid	

The following voted in the negative:

Althoff	Lauzen	Roskam	Watson
Bomke	Luechtefeld	Rutherford	Winkel
Brady	Petka	Sieben	
Burzynski	Radogno	Soden	
Cronin	Rauschenberger	Sullivan, D.	
Jones, W.	Risinger	Syverson	

The following voted present:

Wojcik

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 and ask their concurrence therein.

On motion of Senator Trotter, **Senate Bill No. 2367**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh

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Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator J. Sullivan, **Senate Bill No. 2370**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Walsh, **Senate Bill No. 2372**, having been transcribed and typed and all amendments adopted thereto having been printed, 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

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Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Ronen, **Senate Bill No. 2375** was recalled from the order of third reading to the order of second reading.

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

Senator Ronen offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 2375 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Section 25-65 as follows:
(30 ILCS 500/25-65 new)

Sec. 25-65. Contracts performed outside the United States. Prior to contracting or as a requirement of solicitation of any State contracts for services as defined in Section 1-15.90, whichever is appropriate, prospective vendors shall disclose in a statement of work any services under that contract, including any subcontracts, that are anticipated to be performed outside the United States. The Chief Procurement Officer may consider such disclosure in awarding the contract or evaluating the bid or offer, provided that such consideration is not inconsistent with any obligation under any international agreement to which the State of Illinois is a party. The Department of Central Management Services shall prepare and deliver to the General Assembly, no later than September 1, 2007, a report on the impact of outsourcing services on the State's cost of procurement that identifies those contracts where it was disclosed that services were provided outside of the United States, a description and value of such services."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Ronen, **Senate Bill No. 2375**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 53; Nays 4.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Obama	Sullivan, J.
Brady	Hendon	Peterson	Syverson
Burzynski	Hunter	Petka	Trotter
Clayborne	Jacobs	Radogno	Viverito

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Collins	Jones, J.	Rauschenberger	Walsh
Crotty	Jones, W.	Righter	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Sandoval	Wojcik
Dillard	Luechtefeld	Schoenberg	Mr. President
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Haine	Meeks	Silverstein	

The following voted in the negative:

Cronin	Risinger
Geo-Karis	Rutherford

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 and ask their concurrence therein.

On motion of Senator Ronen, **Senate Bill No. 2379**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 53; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Munoz, **Senate Bill No. 2381** 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 Senate Bill 2381 on page 2, line 11, by replacing "\$1,500,000" with "\$1,200,000".

[March 25, 2004]

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Munoz, **Senate Bill No. 2381**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays 1.

The following voted in the affirmative:

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

The following voted in the negative:

Petka

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 and ask their concurrence therein.

On motion of Senator Munoz, **Senate Bill No. 2382**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel

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DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Shadid, **Senate Bill No. 2386** was recalled from the order of third reading to the order of second reading.

Senator Shadid offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2386, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 23, page 2, line 23, and page 3, line 13, by inserting after "force" wherever it appears the following:
" unless the use of force involves willful or wanton misconduct".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Shadid, **Senate Bill No. 2386**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Radogno	Viverito
Collins	Jacobs	Rauschenberger	Walsh
Cronin	Jones, J.	Righter	Watson
Crotty	Jones, W.	Risinger	Welch
Cullerton	Lauzen	Ronen	Winkel
del Valle	Lightford	Roskam	Wojcik
DeLeo	Link	Rutherford	Mr. President
Dillard	Luechtefeld	Sandoval	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

[March 25, 2004]

On motion of Senator Crotty, **Senate Bill No. 2395**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2397**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 35; Nays 19.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Silverstein
Collins	Halvorson	Meeks	Soden
Crotty	Harmon	Munoz	Sullivan, J.
Cullerton	Hendon	Obama	Trotter
del Valle	Hunter	Petka	Viverito
DeLeo	Jacobs	Ronen	Walsh
Dillard	Lightford	Sandoval	Welch
Forby	Link	Schoenberg	Mr. President
Garrett	Maloney	Shadid	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sieben
Bomke	Lauzen	Righter	Syverson
Brady	Luechtefeld	Risinger	Winkel
Burzynski	Peterson	Roskam	Wojcik
Cronin	Radogno	Rutherford	

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 and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2398**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 24; Present 1.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Crotty	Harmon	Meeks	Sullivan, J.
Cullerton	Hendon	Munoz	Trotter
del Valle	Hunter	Obama	Viverito
DeLeo	Jacobs	Ronen	Welch
Forby	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Syverson
Bomke	Jones, W.	Righter	Watson
Brady	Lauzen	Risinger	Winkel
Burzynski	Luechtefeld	Roskam	
Cronin	Peterson	Rutherford	
Dillard	Petka	Sieben	
Geo-Karis	Radogno	Soden	

The following voted present:

Walsh

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 and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 2399**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 34; Nays 18; Present 3.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Silverstein
Crotty	Halvorson	Meeks	Sullivan, J.
Cullerton	Harmon	Munoz	Trotter
del Valle	Hendon	Obama	Viverito
DeLeo	Hunter	Petka	Walsh
Dillard	Jacobs	Ronen	Wojeik
Forby	Lightford	Sandoval	Mr. President
Garrett	Link	Schoenberg	

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Geo-Karis Maloney Shadid

The following voted in the negative:

Althoff	Lauzen	Righter	Soden
Bomke	Luechtefeld	Risinger	Syverson
Burzynski	Peterson	Roskam	Watson
Cronin	Radogno	Rutherford	
Jones, J.	Rauschenberger	Sieben	

The following voted present:

Collins
Jones, W.
Welch

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2401** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2401 on page 1, line 5, by replacing "Section 2-114" with "Sections 2-114 and 3-414"; and

on page 1, below line 28, by inserting the following:

"(625 ILCS 5/3-414) (from Ch. 95 1/2, par. 3-414)

Sec. 3-414. Expiration of registration.

(a) Every vehicle registration under this Chapter and every registration card and registration plate or registration sticker issued hereunder to a vehicle shall be for the periods specified in this Chapter and shall expire at midnight on the day and date specified in this Section as follows:

1. When registered on a calendar year basis commencing January 1, expiration shall be on the 31st day of December or at such other date as may be selected in the discretion of the Secretary of State; however, through December 31, 2004, registrations of apportionable vehicles, motorcycles, motor driven cycles and pedalcycles shall commence on the first day of April and shall expire March 31st of the following calendar year;

1.1. Beginning January 1, 2005, registrations of motorcycles and motor driven cycles shall commence on January 1 and shall expire on December 31 or on another date that may be selected by the Secretary; registrations of apportionable vehicles and pedalcycles, however, shall commence on the first day of April and shall expire March 31 of the following calendar year;

2. When registered on a 2 calendar year basis commencing January 1 of an even-numbered year, expiration shall be on the 31st day of December of the ensuing odd-numbered year, or at such other later date as may be selected in the discretion of the Secretary of State not beyond March 1 next;

3. When registered on a fiscal year basis commencing July 1, expiration shall be on the 30th day of June or at such other later date as may be selected in the discretion of the Secretary of State not beyond September 1 next;

4. When registered on a 2 fiscal year basis commencing July 1 of an even-numbered year, expiration shall be on the 30th day of June of the ensuing even-numbered year, or at such other later date as may be selected in the discretion of the Secretary of State not beyond September 1 next;

5. When registered on a 4 fiscal year basis commencing July 1 of an even-numbered year, expiration shall be on the 30th day of June of the second ensuing even-numbered year, or at such other later date as may be selected in the discretion of the Secretary of State not beyond September 1 next;

(b) Vehicle registrations of vehicles of the first division shall be for a calendar year or 2 calendar year basis as provided for in this Chapter.

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Vehicle registrations of vehicles under Sections 3-807, 3-808 and 3-809 shall be on an indefinite term basis or a 2 calendar year basis as provided for in this Chapter.

Vehicle registrations for vehicles of the second division shall be for a fiscal year, 2 fiscal year or calendar year basis as provided for in this Chapter.

Motor vehicles registered under the provisions of Sections 3-402.1 and 3-405.3 shall be issued multi-year registration plates with a new registration card issued annually upon payment of the appropriate fees. Apportionable trailers and apportionable semitrailers registered under the provisions of Section 3-402.1 shall be issued multi-year registration plates and cards that will be subject to revocation for failure to pay annual fees required by Section 3-814.1. The Secretary shall determine when these vehicles shall be issued new registration plates.

(c) Every vehicle registration specified in Section 3-810 and every registration card and registration plate or registration sticker issued thereunder shall expire on the 31st day of December of each year or at such other date as may be selected in the discretion of the Secretary of State.

(d) Every vehicle registration for a vehicle of the second division weighing over 8,000 pounds, except as provided in paragraph (g) of this Section, and every registration card and registration plate or registration sticker, where applicable, issued hereunder to such vehicles shall be issued for a fiscal year commencing on July 1st of each registration year. However, the Secretary of State may, pursuant to an agreement or arrangement or declaration providing for apportionment of a fleet of vehicles with other jurisdictions, provide for registration of such vehicles under apportionment or for all of the vehicles registered in Illinois by an applicant who registers some of his vehicles under apportionment on a calendar year basis instead, and the fees or taxes to be paid on a calendar year basis shall be identical to those specified in this Act for a fiscal year registration. Provision for installment payment may also be made.

(e) Semitrailer registrations under apportionment may be on a calendar year under a reciprocal agreement or arrangement and all other semitrailer registrations shall be on fiscal year or 2 fiscal year or 4 fiscal year basis as provided for in this Chapter.

(f) The Secretary of State may convert annual registration plates or 2-year registration plates, whether registered on a calendar year or fiscal year basis, to multi-year plates. The determination of which plate categories and when to convert to multi-year plates is solely within the discretion of the Secretary of State.

(g) After January 1, 1975, each registration, registration card and registration plate or registration sticker, where applicable, issued for a recreational vehicle or recreational or camping trailer, except a house trailer, used exclusively by the owner for recreational purposes, and not used commercially nor as a truck or bus, nor for hire, shall be on a calendar year basis; except that the Secretary of State shall provide for registration and the issuance of registration cards and plates or registration stickers, where applicable, for one 6-month period in order to accomplish an orderly transition from a fiscal year to a calendar year basis. Fees and taxes due under this Act for a registration year shall be appropriately reduced for such 6-month transitional registration period.

(h) The Secretary of State may, in order to accomplish an orderly transition for vehicles registered under Section 3-402.1 of this Code from a calendar year registration to a March 31st expiration, require applicants to pay fees and taxes due under this Code on a 15 month registration basis. However, if in the discretion of the Secretary of State this creates an undue hardship on any applicant the Secretary may allow the applicant to pay 3 month fees and taxes at the time of registration and the additional 12 month fees and taxes to be payable no later than March 31 of the year after this amendatory Act of 1991 takes effect.

(i) The Secretary of State may stagger registrations, of vehicles for which multi-year plates are issued pursuant to Section 3-414.1, as necessary for the convenience of the public and the efficiency of his Office. In order to appropriately and effectively accomplish any such staggering, the Secretary of State is authorized to prorate required registration fees, but in no event for a period longer than 15 months, at a monthly rate for a 12 month registration fee.

(Source: P.A. 92-629, eff. 7-1-03.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

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READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Jacobs, **Senate Bill No. 2401**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2404** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2404 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 229.4 and adding Section 229.4a as follows:

(215 ILCS 5/229.4) (from Ch. 73, par. 841.4)

Sec. 229.4. Standard Non-forfeiture Law for Individual Deferred Annuities.

(1) No contract of annuity issued on or after the operative date of this Section except as stated in subsection (11) shall be delivered or issued for delivery in this State unless it contains in substance the following provisions or corresponding provisions which in the opinion of the Director are at least as favorable to the contract holder upon cessation of payment of considerations under the contract:

(a) That upon cessation of payment of considerations under a contract, the company will grant a paid-up annuity benefit on a plan stipulated in the contract of such value as is specified in subsections (3), (4), (5), (6) and (8).

(b) If a contract provides for a lump sum settlement at maturity, or at any other time, that upon surrender of the contract at or prior to the commencement of any annuity payments, the company will pay in lieu of any paid-up annuity benefit a cash surrender benefit of such amount as is specified in subsections (3), (4), (6) and (8). The company shall reserve the right to defer the payment of such cash surrender benefit for a period of 6 months after demand therefor with surrender of the contract.

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(c) A statement of the mortality table, if any, and interest rates used in calculating any minimum paid-up annuity, cash surrender or death benefits that are guaranteed under the contract, together with sufficient information to determine the amount of such benefits.

(d) A statement that any paid-up annuity, cash surrender or death benefits that may be available under the contract are not less than the minimum benefits required by any statute of the state in which the contract is delivered and an explanation of the manner in which such benefits are altered by the existence of any additional amounts credited by the company to the contract, any indebtedness to the company on the contract or any prior withdrawals from or partial surrenders of the contract.

Notwithstanding the requirements of this subsection, any deferred annuity contract may provide that if no considerations have been received under a contract for a period of 2 full years and the portion of the paid-up annuity benefit at maturity on the plan stipulated in the contract arising from considerations paid prior to such period would be less than \$20.00 monthly, the company may at its option terminate such contract by payment in cash of the present value of such portion of the paid-up annuity benefit, calculated on the basis of the mortality table, if any, and interest rate specified in the contract for determining the paid-up annuity benefit, and by such payment shall be relieved of any further obligation under such contract.

(2) The minimum values as specified in subsections (3), (4), (5), (6) and (8) of any paid-up annuity, cash surrender or death benefits available under an annuity contract shall be based upon minimum nonforfeiture amounts as defined in this subsection.

(a) With respect to contracts providing for flexible considerations, the minimum nonforfeiture amount at any time at or prior to the commencement of any annuity payments shall be equal to an accumulation up to such time at a rate of interest of 3% per annum of percentages of the net considerations, as hereinafter defined, paid prior to such time, decreased by the sum of (i) any prior withdrawals from or partial surrenders of the contract accumulated at a rate of interest of 3% per annum and (ii) the amount of any indebtedness to the company on the contract, including interest due and accrued, and increased by any existing additional amounts credited by the company to the contract.

The net considerations for a given contract year used to define the minimum nonforfeiture amount shall be an amount not less than zero and shall be equal to the corresponding gross considerations credited to the contract during that contract year less an annual contract charge of \$30.00 and less a collection charge of \$1.25 per consideration credited to the contract during that contract year. The percentages of net considerations shall be 65% of the net consideration for the first contract year and 87 1/2% of the net considerations for the second and later contract years. Notwithstanding the provisions of the preceding sentence, the percentage shall be 65% of the portion of the total net consideration for any renewal contract year which exceeds by not more than two times the sum of those portions of the net considerations in all prior contract years for which the percentage was 65%.

(a-5) Notwithstanding the provisions of paragraph (a) of this subsection, the minimum nonforfeiture amount for any contract issued on or after July 1, 2002 and before July 1, 2005 shall be based on a rate of interest of 1.5% per annum.

(b) With respect to contracts providing for fixed scheduled considerations, minimum nonforfeiture amounts shall be calculated on the assumption that considerations are paid annually in advance and shall be defined as for contracts with flexible considerations which are paid annually, with two exceptions:

(i) The portion of the net consideration for the first contract year to be accumulated shall be the sum of 65% of the net consideration for the first contract year plus 22 1/2% of the excess of the net consideration for the first contract year over the lesser of the net considerations for the second and third contract years.

(ii) The annual contract charge shall be the lesser of (A) \$30.00 or (B) 10% of the gross annual consideration.

(c) With respect to contracts providing for a single consideration, minimum nonforfeiture amounts shall be defined as for contracts with flexible considerations except that the percentage of net consideration used to determine the minimum nonforfeiture amount shall be equal to 90% and the net consideration shall be the gross consideration less a contract charge of \$75.00.

(3) Any paid-up annuity benefit available under a contract shall be such that its present value on the date annuity payments are to commence is at least equal to the minimum nonforfeiture amount on that date. Such present value shall be computed using the mortality table, if any, and the interest rate specified in the contract for determining the minimum paid-up annuity benefits guaranteed in the contract.

(4) For contracts which provide cash surrender benefits, such cash surrender benefits available prior to maturity shall not be less than the present value as of the date of surrender of that portion of the maturity value of the paid-up annuity benefit which would be provided under the contract at maturity arising from considerations paid prior to the time of cash surrender reduced by the amount appropriate to reflect any prior withdrawals from or partial surrenders of the contract, such present value being calculated on the basis of an interest rate not more than 1% higher than the interest rate specified in the contract for accumulating the net considerations to determine such maturity value, decreased by the amount of any indebtedness to the company on the contract, including interest due and accrued, and increased by any existing additional amounts credited by the company to the contract. In no event shall any cash surrender benefit be less than the minimum nonforfeiture amount at that time. The death benefit under such contracts shall be at least equal to the cash surrender benefit.

(5) For contracts which do not provide cash surrender benefits, the present value of any paid-up annuity benefit available as a nonforfeiture option at any time prior to maturity shall not be less than the present value of that portion of the maturity value of the paid-up benefit provided under the contract arising from considerations paid prior to the time of the contract is surrendered in exchange for, or changed to, a deferred paid-up annuity, such present value being calculated for the period prior to the maturity date on the basis of the interest rate specified in the contract for accumulating the net considerations to determine such maturity value, and increased by any existing additional amounts credited by the company to the contract. For contracts which do not provide any death benefits prior to the commencement of any annuity payments, such present values shall be calculated on the basis of such interest rate and the mortality table specified in the contract for determining the maturity value of the paid-up annuity benefit. However, in no event shall the present value of a paid-up annuity benefit be less than the minimum nonforfeiture amount at that time.

(6) For the purpose of determining the benefits calculated under subsections (4) and (5), in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates, the maturity date shall be deemed to be the latest date for which election shall be permitted by the contract, but shall not be deemed to be later than the anniversary of the contract next following the annuitant's seventieth birthday or the tenth anniversary of the contract, whichever is later.

(7) Any contract which does not provide cash surrender benefits or does not provide death benefits at least equal to the minimum nonforfeiture amount prior to the commencement of any annuity payments shall include a statement in a prominent place in the contract that such benefits are not provided.

(8) Any paid-up annuity, cash surrender or death benefits available at any time, other than on the contract anniversary under any contract with fixed scheduled considerations, shall be calculated with allowance for the lapse of time and the payment of any scheduled considerations beyond the beginning of the contract year in which cessation of payment of considerations under the contract occurs.

(9) For any contract which provides, within the same contract by rider or supplemental contract provision, both annuity benefits and life insurance benefits that are in excess of the greater of cash surrender benefits or a return of the gross considerations with interest, the minimum nonforfeiture benefits shall be equal to the sum of the minimum nonforfeiture benefits for the annuity portion and the minimum nonforfeiture benefits, if any, for the life insurance portion computed as if each portion were a separate contract. Notwithstanding the provisions of subsections (3), (4), (5), (6) and (8), additional benefits payable (a) in the event of total and permanent disability, (b) as reversionary annuity or deferred reversionary annuity benefits, or (c) as other policy benefits additional to life insurance, endowment, and annuity benefits, and considerations for all such additional benefits, shall be disregarded in ascertaining the minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits that may be required by this section. The inclusion of such additional benefits shall not be required in any paid-up benefits, unless such additional benefits separately would require minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits.

(10) After the effective date of this Section, any company may file with the Director a written notice of its election to comply with the provisions of this Section after a specified date before the second anniversary of the effective date of this Section. After the filing of such notice, then upon such specified date, which shall be the operative date of this section for such company, this Section shall become operative with respect to annuity contracts thereafter issued by such company. If a company makes no such election, the operative date of this section for such company shall be the second anniversary of the effective date of this Section.

(11) This Section shall not apply to any reinsurance, group annuity purchased under a retirement plan or plan of deferred compensation established or maintained by an employer (including a partnership or sole proprietorship) or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under Section 408 of the Internal Revenue Code,

as now or hereafter amended, premium deposit fund, variable annuity, investment annuity, immediate annuity, any deferred annuity contract after annuity payments have commenced, or reversionary annuity, nor to any contract which shall be delivered outside this State through an agent or other representative of the company issuing the contract.

(12) This Section is repealed on July 1, 2006.

(Source: P.A. 92-541, eff. 7-1-02.)

(215 ILCS 5/229.4a new)

Sec. 229.4a. Standard Non-forfeiture Law for Individual Deferred Annuities.

(1) Title. This Section shall be known as the Standard Nonforfeiture Law for Individual Deferred Annuities.

(2) Applicability. This Section shall not apply to any reinsurance, group annuity purchased under a retirement plan or plan of deferred compensation established or maintained by an employer (including a partnership or sole proprietorship) or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under Section 408 of the Internal Revenue Code, as now or hereafter amended, premium deposit fund, variable annuity, investment annuity, immediate annuity, any deferred annuity contract after annuity payments have commenced, or reversionary annuity, nor to any contract which shall be delivered outside this State through an agent or other representative of the company issuing the contract.

(3) Nonforfeiture Requirements.

(A) In the case of contracts issued on or after the operative date of this Section as defined in subsection (13), no contract of annuity, except as stated in subsection (2), shall be delivered or issued for delivery in this State unless it contains in substance the following provisions, or corresponding provisions which in the opinion of the Director of Insurance are at least as favorable to the contract holder, upon cessation of payment of considerations under the contract:

(i) That upon cessation of payment of considerations under a contract, or upon the written request of the contract owner, the company shall grant a paid-up annuity benefit on a plan stipulated in the contract of such value as is specified in subsections (5), (6), (7), (8) and (10);

(ii) If a contract provides for a lump sum settlement at maturity, or at any other time, that upon surrender of the contract at or prior to the commencement of any annuity payments, the company shall pay in lieu of a paid-up annuity benefit a cash surrender benefit of such amount as is specified in subsections (5), (6), (8) and (10). The company may reserve the right to defer the payment of the cash surrender benefit for a period not to exceed 6 months after demand therefor with surrender of the contract after making written request and receiving written approval of the Director. The request shall address the necessity and equitability to all policyholders of the deferral;

(iii) A statement of the mortality table, if any, and interest rates used calculating any minimum paid-up annuity, cash surrender, or death benefits that are guaranteed under the contract, together with sufficient information to determine the amounts of the benefits; and

(iv) A statement that any paid-up annuity, cash surrender or death benefits that may be available under the contract are not less than the minimum benefits required by any statute of the state in which the contract is delivered and an explanation of the manner in which the benefits are altered by the existence of any additional amounts credited by the company to the contract, any indebtedness to the company on the contract or any prior withdrawals from or partial surrenders of the contract.

(B) Notwithstanding the requirements of this Section, a deferred annuity contract may provide that if no considerations have been received under a contract for a period of 2 full years and the portion of the paid-up annuity benefit at maturity on the plan stipulated in the contract arising from prior considerations paid would be less than \$20 monthly, the company may at its option terminate the contract by payment in cash of the then present value of the portion of the paid-up annuity benefit, calculated on the basis on the mortality table, if any, and interest rate specified in the contract for determining the paid-up annuity benefit, and by this payment shall be relieved of any further obligation under the contract.

(4) Minimum values. The minimum values as specified in subsections (5), (6), (7), (8) and (10) of any paid-up annuity, cash surrender or death benefits available under an annuity contract shall be based upon minimum nonforfeiture amounts as defined in this subsection.

(A)(i) The minimum nonforfeiture amount at any time at or prior to the commencement of any annuity payments shall be equal to an accumulation up to such time at rates of interest as indicated in subdivision (4)(B) of the net considerations (as hereinafter defined) paid prior to such time, decreased by the sum of paragraphs (a) through (d) below:

(a) Any prior withdrawals from or partial surrenders of the contract accumulated at rates of interest as indicated in subdivision (4)(B);

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(b) An annual contract charge of \$50, accumulated at rates of interest as indicated in subdivision (4)(B);

(c) Any premium tax paid by the company for the contract, accumulated at rates of interest as indicated in subdivision (4)(B); and

(d) The amount of any indebtedness to the company on the contract, including interest due and accrued.

(ii) The net considerations for a given contract year used to define the minimum nonforfeiture amount shall be an amount equal to 87.5% of the gross considerations, credited to the contract during that contract year.

(B) The interest rate used in determining minimum nonforfeiture amounts shall be an annual rate of interest determined as the lesser of 3% per annum and the following, which shall be specified in the contract if the interest rate will be reset:

(i) The five-year Constant Maturity Treasury Rate reported by the Federal Reserve as of a date, or average over a period, rounded to the nearest 1/20th of one percent, specified in the contract no longer than 15 months prior to the contract issue date or redetermination date under subdivision (4)(B)(iv);

(ii) Reduced by 125 basis points;

(iii) Where the resulting interest rate is not less than 1%; and

(iv) The interest rate shall apply for an initial period and may be redetermined for additional periods. The redetermination date, basis and period, if any, shall be stated in the contract. The basis is the date or average over a specified period that produces the value of the 5-year Constant Maturity Treasury Rate to be used at each redetermination date.

(C) During the period or term that a contract provides substantive participation in an equity indexed benefit, it may increase the reduction described in subdivision (4)(B)(ii) above by up to an additional 100 basis points to reflect the value of the equity index benefit. The present value at the contract issue date, and at each redetermination date thereafter, of the additional reduction shall not exceed market value of the benefit. The Director may require a demonstration that the present value of the additional reduction does not exceed the market value of the benefit. Lacking such a demonstration that is acceptable to the Director, the Director may disallow or limit the additional reduction.

(D) The Director may adopt rules to implement the provisions of subdivision (4)(C) and to provide for further adjustments to the calculation of minimum nonforfeiture amounts for contracts that provide substantive participation in an equity index benefit and for other contracts that the Director determines adjustments are justified.

(5) Computation of Present Value. Any paid-up annuity benefit available under a contract shall be such that its present value on the date annuity payments are to commence is at least equal to the minimum nonforfeiture amount on that date. Present value shall be computed using the mortality table, if any, and the interest rates specified in the contract for determining the minimum paid-up annuity benefits guaranteed in the contract.

(6) Calculation of Cash Surrender Value. For contracts that provide cash surrender benefits, the cash surrender benefits available prior to maturity shall not be less than the present value as of the date of surrender of that portion of the maturity value of the paid-up annuity benefit that would be provided under the contract at maturity arising from considerations paid prior to the time of cash surrender reduced by the amount appropriate to reflect any prior withdrawals from or partial surrenders of the contract, such present value being calculated on the basis of an interest rate not more than 1% higher than the interest rate specified in the contract for accumulating the net considerations to determine maturity value, decreased by the amount of any indebtedness to the company on the contract, including interest due and accrued, and increased by any existing additional amounts credited by the company to the contract. In no event shall any cash surrender benefit be less than the minimum nonforfeiture amount at that time. The death benefit under such contracts shall be at least equal to the cash surrender benefit.

(7) Calculation of Paid-up Annuity Benefits. For contracts that do not provide cash surrender benefits, the present value of any paid-up annuity benefit available as a nonforfeiture option at any time prior to maturity shall not be less than the present value of that portion of the maturity value of the paid-up annuity benefit provided under the contract arising from considerations paid prior to the time the contract is surrendered in exchange for, or changed to, a deferred paid-up annuity, such present value being calculated for the period prior to the maturity date on the basis of the interest rate specified in the contract for accumulating the net considerations to determine maturity value, and increased by any additional amounts credited by the company to the contract. For contracts that do not provide any death benefits prior to the commencement of any annuity payments, present values shall be calculated on the basis of such interest rate and the mortality table specified in the contract for determining the maturity value of the paid-up annuity benefit. However, in no event shall the present value of a paid-up annuity

benefit be less than the minimum nonforfeiture amount at that time.

(8) Maturity Date. For the purpose of determining the benefits calculated under subsections (6) and (7), in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates, the maturity date shall be deemed to be the latest date for which election shall be permitted by the contract, but shall not be deemed to be later than the anniversary of the contract next following the annuitant's seventieth birthday or the tenth anniversary of the contract, whichever is later.

(9) Disclosure of Limited Death Benefits. A contract that does not provide cash surrender benefits or does not provide death benefits at least equal to the minimum nonforfeiture amount prior to the commencement of any annuity payments shall include a statement in a prominent place in the contract that such benefits are not provided.

(10) Inclusion of Lapse of Time Considerations. Any paid-up annuity, cash surrender or death benefits available at any time, other than on the contract anniversary under any contract with fixed scheduled considerations, shall be calculated with allowance for the lapse of time and the payment of any scheduled considerations beyond the beginning of the contract year in which cessation of payment of considerations under the contract occurs.

(11) Proration of Values; Additional Benefits. For a contract which provides, within the same contract by rider or supplemental contract provision, both annuity benefits and life insurance benefits that are in excess of the greater of cash surrender benefits or a return of the gross considerations with interest, the minimum nonforfeiture benefits shall be equal to the sum of the minimum nonforfeiture benefits for the annuity portion and the minimum nonforfeiture benefits, if any, for the life insurance portion computed as if each portion were a separate contract. Notwithstanding the provisions of subsections (5), (6), (7), (8) and (10), additional benefits payable in the event of total and permanent disability, as reversionary annuity or deferred reversionary annuity benefits, or as other policy benefits additional to life insurance, endowment and annuity benefits, and considerations for all such additional benefits, shall be disregarded in ascertaining the minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits that may be required under this Section. The inclusion of such benefits shall not be required in any paid-up benefits, unless the additional benefits separately would require minimum nonforfeiture amounts, paid-up annuity, cash surrender and death benefits.

(12) Rules. The Director may adopt rules to implement the provisions of this Section.

(13) Effective Date. After the effective date of this amendatory Act of the 93rd General Assembly, a company may elect to apply its provisions to annuity contracts on a contract form-by-contract form basis before July 1, 2006. In all other instances, this Section shall become operative with respect to annuity contracts issued by the company on or after July 1, 2006.

Section 99. Effective date. This Act takes effect on July 1, 2004."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2404, AS AMENDED, by replacing the introductory clause of Section 5 with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 143, 229.4, and 408 and adding Section 229.4a as follows:

(215 ILCS 5/143) (from Ch. 73, par. 755)

Sec. 143. Policy forms.

(1) Life, accident and health. No company transacting the kind or kinds of business enumerated in Classes 1 (a), 1 (b) and 2 (a) of Section 4 shall issue or deliver in this State a policy or certificate of insurance or evidence of coverage, attach an endorsement or rider thereto, incorporate by reference bylaws or other matter therein or use an application blank in this State until the form and content of such policy, certificate, evidence of coverage, endorsement, rider, bylaw or other matter incorporated by reference or application blank has been filed electronically with the Director, either through the System for Electronic Rate and Form Filing (SERFF) or as otherwise prescribed by the Director, and approved by the Director. The Department shall mail a quarterly invoice to the company for the appropriate filing fees required under Section 408, ~~and the appropriate filing fee under Section 408 has been paid, except that~~ Any such endorsement or rider that unilaterally reduces benefits and is to be attached to a policy

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subsequent to the date the policy is issued must be filed with, reviewed, and formally approved by the Director prior to the date it is attached to a policy issued or delivered in this State. It shall be the duty of the Director to withhold approval of any such policy, certificate, endorsement, rider, bylaw or other matter incorporated by reference or application blank filed with him if it contains provisions which encourage misrepresentation or are unjust, unfair, inequitable, ambiguous, misleading, inconsistent, deceptive, contrary to law or to the public policy of this State, or contains exceptions and conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy. In all cases the Director shall approve or disapprove any such form within 60 days after submission unless the Director extends by not more than an additional 30 days the period within which he shall approve or disapprove any such form by giving written notice to the insurer of such extension before expiration of the initial 60 days period. The Director shall withdraw his approval of a policy, certificate, evidence of coverage, endorsement, rider, bylaw, or other matter incorporated by reference or application blank if he subsequently determines that such policy, certificate, evidence of coverage, endorsement, rider, bylaw, other matter, or application blank is misrepresentative, unjust, unfair, inequitable, ambiguous, misleading, inconsistent, deceptive, contrary to law or public policy of this State, or contains exceptions or conditions which unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy or evidence of coverage.

If a previously approved policy, certificate, evidence of coverage, endorsement, rider, bylaw or other matter incorporated by reference or application blank is withdrawn for use, the Director shall serve upon the company an order of withdrawal of use, either personally or by mail, and if by mail, such service shall be completed if such notice be deposited in the post office, postage prepaid, addressed to the company's last known address specified in the records of the Department of Insurance. The order of withdrawal of use shall take effect 30 days from the date of mailing but shall be stayed if within the 30-day period a written request for hearing is filed with the Director. Such hearing shall be held at such time and place as designated in the order given by the Director. The hearing may be held either in the City of Springfield, the City of Chicago or in the county where the principal business address of the company is located. The action of the Director in disapproving or withdrawing such form shall be subject to judicial review under the Administrative Review Law.

All examinations, investigations, and hearings provided for by this Code may be conducted either by the Director personally or by one or more of the actuaries, technical advisors, deputies, supervisors, or examiners employed or retained by the Department and designated by the Director for that purpose. When necessary to supplement its examination procedures, the Department may retain independent actuaries deemed competent by the Director, independent certified public accountants, or qualified examiners of insurance companies deemed competent by the Director, or any combination of the foregoing, the cost of which shall be borne by the company or person being examined.

This subsection shall not apply to riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under his life insurance policy.

(2) Casualty, fire, and marine. The Director shall require the filing of all policy forms issued or delivered by any company transacting the kind or kinds of business enumerated in Classes 2 (except Class 2 (a)) and 3 of Section 4. In addition, he may require the filing of any generally used riders, endorsements, certificates, application blanks, and other matter incorporated by reference in any such policy or contract of insurance. The Department shall mail a quarterly invoice to the company for the appropriate filing fees required under Section 408 along with the appropriate filing fee under Section 408. Companies that are members of an organization, bureau, or association may have the same filed for them by the organization, bureau, or association. If the Director shall find from an examination of any such policy form, rider, endorsement, certificate, application blank, or other matter incorporated by reference in any such policy so filed that it (i) violates any provision of this Code, (ii) contains inconsistent, ambiguous, or misleading clauses, or (iii) contains exceptions and conditions that will unreasonably or deceptively affect the risks that are purported to be assumed by the policy, he shall order the company or companies issuing these forms to discontinue their use. Nothing in this subsection shall require a company transacting the kind or kinds of business enumerated in Classes 2 (except Class 2 (a)) and 3 of Section 4 to obtain approval of these forms before they are issued nor in any way affect the legality of any policy that has been issued and found to be in conflict with this subsection, but such policies shall be subject to the provisions of Section 442.

(3) This Section shall not apply (i) to surety contracts or fidelity bonds, (ii) to policies issued to an industrial insured as defined in Section 121-2.08 except for workers' compensation policies, nor (iii) to riders or endorsements prepared to meet special, unusual, peculiar, or extraordinary conditions applying to an individual risk.

(Source: P.A. 90-794, eff. 8-14-98.)"; and

by replacing Section 99 with the following:

"(215 ILCS 5/408) (from Ch. 73, par. 1020)

Sec. 408. Fees and charges.

(1) The Director shall charge, collect and give proper acquittances for the payment of the following fees and charges:

- (a) For filing all documents submitted for the incorporation or organization or certification of a domestic company, except for a fraternal benefit society, \$2,000.
- (b) For filing all documents submitted for the incorporation or organization of a fraternal benefit society, \$500.
- (c) For filing amendments to articles of incorporation and amendments to declaration of organization, except for a fraternal benefit society, a mutual benefit association, a burial society or a farm mutual, \$200.
- (d) For filing amendments to articles of incorporation of a fraternal benefit society, a mutual benefit association or a burial society, \$100.
- (e) For filing amendments to articles of incorporation of a farm mutual, \$50.
- (f) For filing bylaws or amendments thereto, \$50.
- (g) For filing agreement of merger or consolidation:
 - (i) for a domestic company, except for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, \$2,000.
 - (ii) for a foreign or alien company, except for a fraternal benefit society, \$600.
 - (iii) for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, \$200.
- (h) For filing agreements of reinsurance by a domestic company, \$200.
- (i) For filing all documents submitted by a foreign or alien company to be admitted to transact business or accredited as a reinsurer in this State, except for a fraternal benefit society, \$5,000.
- (j) For filing all documents submitted by a foreign or alien fraternal benefit society to be admitted to transact business in this State, \$500.
- (k) For filing declaration of withdrawal of a foreign or alien company, \$50.
- (l) For filing annual statement, except a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, \$200.
- (m) For filing annual statement by a fraternal benefit society, \$100.
- (n) For filing annual statement by a farm mutual, a mutual benefit association, or a burial society, \$50.
- (o) For issuing a certificate of authority or renewal thereof except to a fraternal benefit society, \$200.
- (p) For issuing a certificate of authority or renewal thereof to a fraternal benefit society, \$100.
- (q) For issuing an amended certificate of authority, \$50.
- (r) For each certified copy of certificate of authority, \$20.
- (s) For each certificate of deposit, or valuation, or compliance or surety certificate, \$20.
- (t) For copies of papers or records per page, \$1.
- (u) For each certification to copies of papers or records, \$10.
- (v) For multiple copies of documents or certificates listed in subparagraphs (r), (s), and (u) of paragraph (1) of this Section, \$10 for the first copy of a certificate of any type and \$5 for each additional copy of the same certificate requested at the same time, unless, pursuant to paragraph (2) of this Section, the Director finds these additional fees excessive.
- (w) For issuing a permit to sell shares or increase paid-up capital:
 - (i) in connection with a public stock offering, \$300;
 - (ii) in any other case, \$100.
- (x) For issuing any other certificate required or permissible under the law, \$50.
- (y) For filing a plan of exchange of the stock of a domestic stock insurance company, a plan of demutualization of a domestic mutual company, or a plan of reorganization under Article XII, \$2,000.
- (z) For filing a statement of acquisition of a domestic company as defined in Section 131.4 of this Code, \$2,000.

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(aa) For filing an agreement to purchase the business of an organization authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act or of a health maintenance organization or a limited health service organization, \$2,000.

(bb) For filing a statement of acquisition of a foreign or alien insurance company as defined in Section 131.12a of this Code, \$1,000.

(cc) For filing a registration statement as required in Sections 131.13 and 131.14, the notification as required by Sections 131.16, 131.20a, or 141.4, or an agreement or transaction required by Sections 124.2(2), 141, 141a, or 141.1, \$200.

(dd) For filing an application for licensing of:

(i) a religious or charitable risk pooling trust or a workers' compensation pool, \$1,000;

(ii) a workers' compensation service company, \$500;

(iii) a self-insured automobile fleet, \$200; or

(iv) a renewal of or amendment of any license issued pursuant to (i), (ii), or (iii) above, \$100.

(ee) For filing articles of incorporation for a syndicate to engage in the business of insurance through the Illinois Insurance Exchange, \$2,000.

(ff) For filing amended articles of incorporation for a syndicate engaged in the business of insurance through the Illinois Insurance Exchange, \$100.

(gg) For filing articles of incorporation for a limited syndicate to join with other subscribers or limited syndicates to do business through the Illinois Insurance Exchange, \$1,000.

(hh) For filing amended articles of incorporation for a limited syndicate to do business through the Illinois Insurance Exchange, \$100.

(ii) For a permit to solicit subscriptions to a syndicate or limited syndicate, \$100.

(jj) For the filing of each form as required in Section 143 of this Code, \$50 per form.

The fee for advisory and rating organizations shall be \$200 per form.

(i) For the purposes of the form filing fee, filings made on insert page basis will be considered one form at the time of its original submission. Changes made to a form subsequent to its approval shall be considered a new filing.

(ii) Only one fee shall be charged for a form, regardless of the number of other forms or policies with which it will be used.

~~(iii) (Blank). Fees charged for a policy filed as it will be issued regardless of the number of forms comprising that policy shall not exceed \$1,000 or \$2,000 for advisory or rating organizations.~~

(iv) The Director may by rule exempt forms from such fees.

(kk) For filing an application for licensing of a reinsurance intermediary, \$500.

(ll) For filing an application for renewal of a license of a reinsurance intermediary, \$200.

(2) When printed copies or numerous copies of the same paper or records are furnished or certified, the Director may reduce such fees for copies if he finds them excessive. He may, when he considers it in the public interest, furnish without charge to state insurance departments and persons other than companies, copies or certified copies of reports of examinations and of other papers and records.

(3) The expenses incurred in any performance examination authorized by law shall be paid by the company or person being examined. The charge shall be reasonably related to the cost of the examination including but not limited to compensation of examiners, electronic data processing costs, supervision and preparation of an examination report and lodging and travel expenses. All lodging and travel expenses shall be in accord with the applicable travel regulations as published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Section 132 shall be in accordance with travel rates prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon authorization of the Director. With the exception of the direct reimbursements authorized by the Director, all performance examination charges collected by the Department shall be paid to the Insurance Producers Administration Fund, however, the electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company being examined for payment to the Statistical Services Revolving Fund.

(4) At the time of any service of process on the Director as attorney for such service, the Director shall charge and collect the sum of \$20, which may be recovered as taxable costs by the party to the suit or action causing such service to be made if he prevails in such suit or action.

(5) (a) The costs incurred by the Department of Insurance in conducting any hearing authorized by

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law shall be assessed against the parties to the hearing in such proportion as the Director of Insurance may determine upon consideration of all relevant circumstances including: (1) the nature of the hearing; (2) whether the hearing was instigated by, or for the benefit of a particular party or parties; (3) whether there is a successful party on the merits of the proceeding; and (4) the relative levels of participation by the parties.

(b) For purposes of this subsection (5) costs incurred shall mean the hearing officer fees, court reporter fees, and travel expenses of Department of Insurance officers and employees; provided however, that costs incurred shall not include hearing officer fees or court reporter fees unless the Department has retained the services of independent contractors or outside experts to perform such functions.

(c) The Director shall make the assessment of costs incurred as part of the final order or decision arising out of the proceeding; provided, however, that such order or decision shall include findings and conclusions in support of the assessment of costs. This subsection (5) shall not be construed as permitting the payment of travel expenses unless calculated in accordance with the applicable travel regulations of the Department of Central Management Services, as approved by the Governor's Travel Control Board. The Director as part of such order or decision shall require all assessments for hearing officer fees and court reporter fees, if any, to be paid directly to the hearing officer or court reporter by the party(s) assessed for such costs. The assessments for travel expenses of Department officers and employees shall be reimbursable to the Director of Insurance for deposit to the fund out of which those expenses had been paid.

(d) The provisions of this subsection (5) shall apply in the case of any hearing conducted by the Director of Insurance not otherwise specifically provided for by law.

(6) The Director shall charge and collect an annual financial regulation fee from every domestic company for examination and analysis of its financial condition and to fund the internal costs and expenses of the Interstate Insurance Receivership Commission as may be allocated to the State of Illinois and companies doing an insurance business in this State pursuant to Article X of the Interstate Insurance Receivership Compact. The fee shall be the greater fixed amount based upon the combination of nationwide direct premium income and nationwide reinsurance assumed premium income or upon admitted assets calculated under this subsection as follows:

(a) Combination of nationwide direct premium income and nationwide reinsurance assumed premium.

(i) \$150, if the premium is less than \$500,000 and there is no reinsurance assumed premium;

(ii) \$750, if the premium is \$500,000 or more, but less than \$5,000,000 and there is no reinsurance assumed premium; or if the premium is less than \$5,000,000 and the reinsurance assumed premium is less than \$10,000,000;

(iii) \$3,750, if the premium is less than \$5,000,000 and the reinsurance assumed premium is \$10,000,000 or more;

(iv) \$7,500, if the premium is \$5,000,000 or more, but less than \$10,000,000;

(v) \$18,000, if the premium is \$10,000,000 or more, but less than \$25,000,000;

(vi) \$22,500, if the premium is \$25,000,000 or more, but less than \$50,000,000;

(vii) \$30,000, if the premium is \$50,000,000 or more, but less than \$100,000,000;

(viii) \$37,500, if the premium is \$100,000,000 or more.

(b) Admitted assets.

(i) \$150, if admitted assets are less than \$1,000,000;

(ii) \$750, if admitted assets are \$1,000,000 or more, but less than \$5,000,000;

(iii) \$3,750, if admitted assets are \$5,000,000 or more, but less than \$25,000,000;

(iv) \$7,500, if admitted assets are \$25,000,000 or more, but less than \$50,000,000;

(v) \$18,000, if admitted assets are \$50,000,000 or more, but less than \$100,000,000;

(vi) \$22,500, if admitted assets are \$100,000,000 or more, but less than \$500,000,000;

(vii) \$30,000, if admitted assets are \$500,000,000 or more, but less than \$1,000,000,000;

(viii) \$37,500, if admitted assets are \$1,000,000,000 or more.

(c) The sum of financial regulation fees charged to the domestic companies of the same affiliated group shall not exceed \$250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.

(7) The Director shall charge and collect an annual financial regulation fee from every foreign or alien company, except fraternal benefit societies, for the examination and analysis of its financial condition

and to fund the internal costs and expenses of the Interstate Insurance Receivership Commission as may be allocated to the State of Illinois and companies doing an insurance business in this State pursuant to Article X of the Interstate Insurance Receivership Compact. The fee shall be a fixed amount based upon Illinois direct premium income and nationwide reinsurance assumed premium income in accordance with the following schedule:

- (a) \$150, if the premium is less than \$500,000 and there is no reinsurance assumed premium;
- (b) \$750, if the premium is \$500,000 or more, but less than \$5,000,000 and there is no reinsurance assumed premium; or if the premium is less than \$5,000,000 and the reinsurance assumed premium is less than \$10,000,000;
- (c) \$3,750, if the premium is less than \$5,000,000 and the reinsurance assumed premium is \$10,000,000 or more;
- (d) \$7,500, if the premium is \$5,000,000 or more, but less than \$10,000,000;
- (e) \$18,000, if the premium is \$10,000,000 or more, but less than \$25,000,000;
- (f) \$22,500, if the premium is \$25,000,000 or more, but less than \$50,000,000;
- (g) \$30,000, if the premium is \$50,000,000 or more, but less than \$100,000,000;
- (h) \$37,500, if the premium is \$100,000,000 or more.

The sum of financial regulation fees under this subsection (7) charged to the foreign or alien companies within the same affiliated group shall not exceed \$250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.

(8) Beginning January 1, 1992, the financial regulation fees imposed under subsections (6) and (7) of this Section shall be paid by each company or domestic affiliated group annually. After January 1, 1994, the fee shall be billed by Department invoice based upon the company's premium income or admitted assets as shown in its annual statement for the preceding calendar year. The invoice is due upon receipt and must be paid no later than June 30 of each calendar year. All financial regulation fees collected by the Department shall be paid to the Insurance Financial Regulation Fund. The Department may not collect financial examiner per diem charges from companies subject to subsections (6) and (7) of this Section undergoing financial examination after June 30, 1992.

(9) In addition to the financial regulation fee required by this Section, a company undergoing any financial examination authorized by law shall pay the following costs and expenses incurred by the Department: electronic data processing costs, the expenses authorized under Section 131.21 and subsection (d) of Section 132.4 of this Code, and lodging and travel expenses.

Electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company undergoing examination for payment to the Statistical Services Revolving Fund. Except for direct reimbursements authorized by the Director or direct payments made under Section 131.21 or subsection (d) of Section 132.4 of this Code, all financial regulation fees and all financial examination charges collected by the Department shall be paid to the Insurance Financial Regulation Fund.

All lodging and travel expenses shall be in accordance with applicable travel regulations published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Sections 132.1 through 132.7 shall be in accordance with travel rates prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon the authorization of the Director.

In the case of an organization or person not subject to the financial regulation fee, the expenses incurred in any financial examination authorized by law shall be paid by the organization or person being examined. The charge shall be reasonably related to the cost of the examination including, but not limited to, compensation of examiners and other costs described in this subsection.

(10) Any company, person, or entity failing to make any payment of \$150 or more as required under this Section shall be subject to the penalty and interest provisions provided for in subsections (4) and (7) of Section 412.

(11) Unless otherwise specified, all of the fees collected under this Section shall be paid into the Insurance Financial Regulation Fund.

(12) For purposes of this Section:

- (a) "Domestic company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of this State, and in addition includes a not-for-profit corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act, a health maintenance organization, and a limited health service organization.

(b) "Foreign company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any state of the United States other than this State and in addition includes a health maintenance organization and a limited health service organization which is incorporated or organized under the laws of any state of the United States other than this State.

(c) "Alien company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any country other than the United States.

(d) "Fraternal benefit society" means a corporation, society, order, lodge or voluntary association as defined in Section 282.1 of this Code.

(e) "Mutual benefit association" means a company, association or corporation authorized by the Director to do business in this State under the provisions of Article XVIII of this Code.

(f) "Burial society" means a person, firm, corporation, society or association of individuals authorized by the Director to do business in this State under the provisions of Article XIX of this Code.

(g) "Farm mutual" means a district, county and township mutual insurance company authorized by the Director to do business in this State under the provisions of the Farm Mutual Insurance Company Act of 1986.

(Source: P.A. 93-32, eff. 7-1-03.)

Section 99. Effective date. This Act takes effect upon becoming law, except the provisions changing Section 229.4 of and adding Section 229.4a to the Illinois Insurance Code take effect on July 1, 2004."

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 3 was held in the Committee on Rules.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Jacobs, **Senate Bill No. 2404**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 49; Nays 5.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Lauzen	Welch
Forby	Sullivan, J.	

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).

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Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Dillard, **Senate Bill No. 2407**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, J.
Brady	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

The following voted in the negative:

Burzynski

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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2411**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 4.

The following voted in the affirmative:

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

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The following voted in the negative:

Burzynski	Rauschenberger
Jones, J.	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 and ask their concurrence therein.

Senator J. Jones asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 2411**.

On motion of Senator DeLeo, **Senate Bill No. 2432**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, J.
Brady	Hendon	Petka	Syverson
Burzynski	Hunter	Radogno	Trotter
Clayborne	Jacobs	Rauschenberger	Viverito
Collins	Jones, J.	Righter	Walsh
Cronin	Jones, W.	Risinger	Watson
Crotty	Lauzen	Ronen	Welch
Cullerton	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2441**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 27.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Shadid
Collins	Halvorson	Martinez	Silverstein
Crotty	Harmon	Meeks	Trotter
Cullerton	Hendon	Munoz	Viverito
del Valle	Hunter	Obama	Walsh
DeLeo	Jacobs	Ronen	Mr. President
Forby	Lightford	Sandoval	

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Garrett Link Schoenberg

The following voted in the negative:

Althoff	Jones, J.	Rauschenberger	Sullivan, J.
Bomke	Jones, W.	Righter	Syverson
Brady	Lauzen	Risinger	Watson
Burzynski	Luechtefeld	Roskam	Welch
Cronin	Peterson	Rutherford	Winkel
Dillard	Petka	Sieben	Wojcik
Geo-Karis	Radogno	Soden	

This roll call verified.

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 and ask their concurrence therein.

On motion of Senator Righter, **Senate Bill No. 2447**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator W. Jones, **Senate Bill No. 2451**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; Nays 4.

The following voted in the affirmative:

Althoff	Haine	Martinez	Soden
Bomke	Halvorson	Meeks	Sullivan, J.
Burzynski	Harmon	Munoz	Syverson

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Clayborne	Hendon	Obama	Trotter
Collins	Hunter	Peterson	Viverito
Cronin	Jacobs	Rauschenberger	Walsh
Crotty	Jones, J.	Risinger	Watson
Cullerton	Jones, W.	Ronen	Welch
del Valle	Lauzen	Sandoval	Winkel
DeLeo	Lightford	Schoenberg	Wojcik
Dillard	Link	Shadid	Mr. President
Forby	Luechtefeld	Sieben	
Geo-Karis	Maloney	Silverstein	

The following voted in the negative:

Brady	Roskam
Petka	Rutherford

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 and ask their concurrence therein.

On motion of Senator Dillard, **Senate Bill No. 2456**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Garrett
Viverito

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 and ask their concurrence therein.

On motion of Senator Sieben, **Senate Bill No. 2457**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

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Yeas 56; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Burzynski, **Senate Bill No. 2460**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Harmon

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 and ask their concurrence therein.

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On motion of Senator Martinez, **Senate Bill No. 2466**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Luechtefeld
Watson

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 and ask their concurrence therein.

On motion of Senator Haine, **Senate Bill No. 2471**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, J.
Brady	Harmon	Petka	Syverson
Burzynski	Hendon	Radogno	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

[March 25, 2004]

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 2491** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was held in the Committee on Rules.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 2491 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 143.11b, 143.14, 143.15, 143.16, 143.17, 143.17a, and 513a11 as follows:

(215 ILCS 5/143.11b)

Sec. 143.11b. Assignment or transfer of property and casualty policies. An assignment or transfer of a policy of insurance to which Section 143.11 applies among or between insurers within an insurance holding company system or insurers under common management or control, or as a result of a merger, acquisition, or restructuring of an insurance company, is not a nonrenewal for purposes of the notification requirements under Sections 143.12 through 143.24. However, in the event of an increase in the renewal premium of 30% or more, change in deductibles or change in coverage that materially alters any policy to which subsection b of Section 143.17a applies, the company shall adhere to the provisions set forth in subsection b of Section 143.17a. A company making an assignment or transfer of a policy among or between insurers within an insurance holding company system or insurers under common management or control, or as a result of a merger, acquisition, or restructuring of an insurance company, shall have delivered to the named insured notice of such assignment or transfer at least 60 days prior to the renewal date. An exact and unaltered copy of the notice shall also be sent to the insured's producer, if known, and agent of record. The assignment or transfer of a policy or policies of insurance among or between insurers shall not occur without the producer or agent of record, or both, having a signed agency contract with the entity to which the policy or policies are to be assigned or transferred. If there is not a signed agency contract, all of the notice requirements of Sections 143.17 and 143.17a shall apply. Nothing in this Section shall contravene any existing producer and company contract rights. For purposes of this Section, the insured's producer, if known, and agent of record may opt to accept notification of assignment or transfer of policies electronically.

(Source: P.A. 91-800, eff. 6-13-00.)

(215 ILCS 5/143.14) (from Ch. 73, par. 755.14)

Sec. 143.14. Notice of cancellation.

(a) No notice of cancellation of any policy of insurance, to which Section 143.11 applies, shall be effective unless mailed by the company to the named insured and the mortgage or lien holder, at the last mailing address known by the company. The company shall maintain proof of mailing of such notice on a recognized U.S. Post Office form or a form acceptable to the U. S. Post Office or other commercial mail delivery service. A copy of all such notices shall be sent to the insured's broker if known, or the agent of record, ~~and to the mortgage or lien holder~~, if known, at the last mailing address known to the company. For purposes of this Section, the mortgage or lien holder, insured's broker, if known, or the agent of record may opt to accept notification electronically.

(b) Whenever a financed insurance contract is cancelled, the insurer shall return whatever gross unearned premiums are due under the insurance contract or contracts not to exceed the unpaid balance due the premium finance company directly to the premium finance company effecting the cancellation for the account of the named insured. The return premium must be mailed to the premium finance company within 60 days. The request for the unearned premium by the premium finance company shall be in the manner of a monthly account, current accounting by producer, policy number, unpaid balance and name of insured for each cancelled amount. In the event the insurance contract or contracts are subject to audit, the insurer shall retain the right to withhold the return of the portion of premium that can be identified to the contract or contracts until the audit is completed. Within 30 days of the completion of the audit, if a premium retained by the insurer after crediting the earned premium would result in a

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surplus, the insurer shall return the surplus directly to the premium finance company. If the audit should result in an additional premium due the insurer, the obligation for the collection of this premium shall fall upon the insurer and not affect any other contract or contracts currently being financed by the premium finance company for the named insured.

(c) Whenever a premium finance agreement contains a power of attorney enabling the premium finance company to cancel any insurance contract or contracts in the agreement, the insurer shall honor the date of cancellation as set forth in the request from the premium finance company without requiring the return of the insurance contract or contracts. The insurer may mail to the named insured an acknowledgment of the notice of cancellation from the premium finance company but the named insured shall not incur any additional premium charge for any extension of coverage. The insurer need not maintain proof of mailing of this notice.

(d) All statutory regulatory and contractual restrictions providing that the insurance contract may not be cancelled unless the required notice is mailed to a governmental agency, mortgagee, lienholder, or other third party shall apply where cancellation is effected under a power of attorney under a premium finance agreement. The insurer shall have the right for a premium charge for this extension of coverage.

(Source: P.A. 86-370; 86-437; 86-1028; 87-811; 87-1123.)

(215 ILCS 5/143.15) (from Ch. 73, par. 755.15)

Sec. 143.15. Mailing of cancellation notice. All notices of cancellation of insurance as defined in subsections (a), (b) and (c) of Section 143.13 must be mailed at least 30 days prior to the effective date of cancellation to the named insured and mortgagee or lien holder, if known, at the last mailing address known to the company. All notices of cancellation shall include a specific explanation of the reason or reasons for cancellation. However, where cancellation is for nonpayment of premium, the notice of cancellation must be mailed at least 10 days before the effective date of the cancellation. For purposes of this Section, the mortgagee or lien holder, if known, may opt to accept notification electronically.

(Source: P.A. 89-669, eff. 1-1-97.)

(215 ILCS 5/143.16) (from Ch. 73, par. 755.16)

Sec. 143.16. Mailing of cancellation notice. All notices of cancellation of insurance to which Section 143.11 applies, except for those defined in subsections (a), (b) and (c) of Section 143.13 must be mailed at least 30 days prior to the effective date of cancellation during the first 60 days of coverage. After the coverage has been effective for 61 days or more, all notices must be mailed at least 60 days prior to the effective date of cancellation. All such notices shall include a specific explanation of the reason or reasons for cancellation and shall be mailed to the named insured and mortgagee or lien holder, if known, at the last mailing address known to the company. However, where cancellation is for nonpayment of premium, the notice of cancellation must be mailed at least 10 days before the effective date of the cancellation. For purposes of this Section, the mortgagee or lien holder, if known, may opt to accept notification electronically.

(Source: P.A. 89-669, eff. 1-1-97.)

(215 ILCS 5/143.17) (from Ch. 73, par. 755.17)

Sec. 143.17. Notice of intention not to renew.

a. No company shall fail to renew any policy of insurance, as defined in subsections (a), (b), (c), and (h) of Section 143.13, to which Section 143.11 applies, unless it shall send by mail to the named insured at least 30 days advance notice of its intention not to renew. The company shall maintain proof of mailing of such notice on a recognized U.S. Post Office form or a form acceptable to the U. S. Post Office or other commercial mail delivery service. An exact and unaltered copy of such notice shall also be sent to the insured's broker, if known, or the agent of record and to the mortgagee or lien holder at the last mailing address known by the company. However, where cancellation is for nonpayment of premium, the notice of cancellation must be mailed at least 10 days before the effective date of the cancellation.

b. This Section does not apply if the company has manifested its willingness to renew directly to the named insured. Such written notice shall specify the premium amount payable, including any premium payment plan available, and the name of any person or persons, if any, authorized to receive payment on behalf of the company. If no person is so authorized, the premium notice shall so state. The notice of nonrenewal and the proof of mailing shall be effected on the same date.

b-5. This Section does not apply if the company manifested its willingness to renew directly to the named insured. However, no company may impose changes in deductibles or coverage for any policy forms applicable to an entire line of business enumerated in subsections (a), (b), (c), and (h) of Section 143.13 to which Section 143.11 applies unless the company mails to the named insured written notice of the change in deductible or coverage at least 60 days prior to the renewal or anniversary date. An exact and unaltered copy of the notice shall also be sent to the insured's broker, if known, or the agent of

record.

c. Should a company fail to comply with (a) or (b) of this Section, the policy shall terminate only on the effective date of any similar insurance procured by the insured with respect to the same subject or location designated in both policies.

d. Renewal of a policy does not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal.

e. In all notices of intention not to renew any policy of insurance, as defined in Section 143.11 the company shall provide a specific explanation of the reasons for nonrenewal.

f. For purposes of this Section, the insured's broker, if known, or the agent of record and the mortgagee or lien holder may opt to accept notification electronically.

(Source: P.A. 91-597, eff. 1-1-00.)

(215 ILCS 5/143.17a) (from Ch. 73, par. 755.17a)

Sec. 143.17a. Notice of intention not to renew.

a. No company shall fail to renew any policy of insurance, to which Section 143.11 applies, except for those defined in subsections (a), (b), (c), and (h) of Section 143.13, unless it shall send by mail to the named insured at least 60 days advance notice of its intention not to renew. The company shall maintain proof of mailing of such notice on one of the following forms: a recognized U.S. Post Office form or a form acceptable to the U.S. Post Office or other commercial mail delivery service. An exact and unaltered copy of such notice shall also be sent to the insured's broker, if known, or the agent of record and to the mortgagee or lien holder at the last mailing address known by the company. However, where cancellation is for nonpayment of premium, the notice of cancellation must be mailed at least 10 days before the effective date of the cancellation.

b. This Section does not apply if the company has manifested its willingness to renew directly to the named insured. Provided, however, that no company may increase the renewal premium on any policy of insurance to which Section 143.11 applies, except for those defined in subsections (a), (b), (c), and (h) of Section 143.13, by 30% or more, nor impose changes in deductibles or coverage that materially alter the policy, unless the company shall have mailed or delivered to the named insured written notice of such increase or change in deductible or coverage at least 60 days prior to the renewal or anniversary date. The increase in premium shall be the renewal premium based on the known exposure as of the date of the quotation compared to the premium as of the last day of coverage for the current year's policy, annualized. The premium on the renewal policy may be subsequently amended to reflect any change in exposure or reinsurance costs not considered in the quotation. An exact and unaltered copy of such notice shall also be sent to the insured's broker, if known, or the agent of record. If an insurer fails to provide the notice required by this subsection, then the company must extend the current policy under the same terms, conditions, and premium to allow 60 days notice of renewal and provide the actual renewal premium quotation and any change in coverage or deductible on the policy. Proof of mailing or proof of receipt may be proven by a sworn affidavit by the insurer as to the usual and customary business practices of mailing notice pursuant to this Section or may be proven consistent with Illinois Supreme Court Rule 236.

c. Should a company fail to comply with the non-renewal notice requirements of subsection a., the policy shall be extended for an additional year or until the effective date of any similar insurance procured by the insured, whichever is less, on the same terms and conditions as the policy sought to be terminated, unless the insurer has manifested its intention to renew at a different premium that represents an increase not exceeding 30%.

d. Renewal of a policy does not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal.

e. In all notices of intention not to renew any policy of insurance, as defined in Section 143.11 the company shall provide a specific explanation of the reasons for nonrenewal.

f. For purposes of this Section, the insured's broker, if known, or the agent of record and the mortgagee or lien holder may opt to accept notification electronically.

(Source: P.A. 93-477, eff. 8-8-03.)

(215 ILCS 5/513a11) (from Ch. 73, par. 1065.60a11)

Sec. 513a11. Cancellation requirements upon default.

(a) When a premium finance agreement contains a power of attorney enabling the premium finance company to cancel any insurance contract or contracts listed in the premium finance agreement, the insurance contract or contracts shall not be cancelled by the premium finance company unless the request for cancellation is effectuated under this Section.

(b) Not less than 10 days written notice shall be mailed to the named insured of the intent of the premium finance company to cancel the insurance contract unless the default is cured within the 10 day

period.

(c) After expiration of the 10 day period, the premium finance company may request, in the name of the named insured, cancellation of the insurance contract or contracts by mailing or hand delivering to the insurer a request for cancellation, and the insurance contract shall be cancelled as if the request for cancellation had been submitted by the named insured, but without requiring the return of the insurance contract or contracts. The premium finance company shall also mail a copy of the request for cancellation to the named insured at his last known address.

(d) All statutory, regulatory, and contractual restrictions providing that the insurance contract may not be cancelled unless notice is given to a governmental agency, mortgagee, or other third party shall apply where cancellation is effected under provisions of this Section. The insurer shall give the notice to any governmental agency, mortgagee, or other third party on or before the fifth business day after it receives the notice of cancellation from the premium finance company. For purposes of this Section, any governmental agency, mortgagee, or other third party may opt to receive notices electronically.

(e) In the event that the collection of return premiums for the account of the named insured results in a surplus over the amount due from the named insured, the premium finance company shall refund the excess to the named insured; however, no refund is required if it amounts to less than \$5.

(f) All cancellation provisions required of the premium finance company and insurer are applicable to any policy to which Section 143.11 applies.

(Source: P.A. 87-811.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2491**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2495**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2496**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

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On motion of Senator Cullerton, **Senate Bill No. 2502**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Geo-Karis	Meeks	Shadid
Bomke	Haine	Munoz	Sieben
Brady	Halvorson	Obama	Silverstein
Burzynski	Hendon	Peterson	Soden
Clayborne	Hunter	Petka	Sullivan, J.
Collins	Jacobs	Radogno	Syverson
Cronin	Jones, J.	Rauschenberger	Trotter
Crotty	Jones, W.	Righter	Watson
Cullerton	Lauzen	Risinger	Welch
del Valle	Lightford	Ronen	Winkel
DeLeo	Link	Roskam	Wojcik
Dillard	Luechtefeld	Rutherford	Mr. President
Forby	Maloney	Sandoval	
Garrett	Martinez	Schoenberg	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 2503** was recalled from the order of third reading to the order of second reading.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2503 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Accessible Voting Technology for the Blind Act of 2004.

Section 5. Definitions. As used in this Act:

"Access" means all of the following:

- (1) The ability to retrieve all of the information contained in the ballot.
- (2) The ability to retrieve any instructional information necessary for the effective casting of the ballot, in the form of audible prompts, online help, recorded materials, knowledgeable officials, or other appropriate methods.
- (3) The ability to make and verify all selections contained in the ballot, including write in selections.
- (4) The ability to move freely through all the information contained in paragraphs (1), (2), and (3), including, but not limited to, the ability to move both forward and backward through all items and the ability to skip items.

"Privacy" means the same level of secrecy of the ballot and voting process which is accorded to all voters, using visual and nonvisual means.

"Nonvisual" means methods of retrieving information, such as synthesized speech, Braille, or other methods, that do not require sight.

Section 10. Requirements for accessible voting technology and systems.

- (a) The State Board of Elections shall require (by certification or otherwise) that the voting technology

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and systems used by the State or any political subdivision provide blind and visually impaired individuals with access and privacy, which is equivalent to that provided to individuals who are not blind or visually impaired, including the ability for the voter to cast and verify all selections made by both visual and nonvisual means.

(b) In requiring nonvisual access and determining appropriate methods and systems for providing it pursuant to subsection (a), the State Board of Elections shall obtain recommendations from representatives of blind consumer organizations, experts in accessible software and hardware design, and any other individual or organization the Board determines to be appropriate.

Section 15. Technology and systems compliance.

(a) Compliance with this Act in regard to voting technology and systems purchased prior to the effective date of this Act shall be achieved at the time of procurement of an upgrade or replacement of the existing equipment or systems.

(b) Voting technology and systems purchased after the effective date of this Act must meet, or exceed the standards set by the Federal Elections Commission on April 30, 2002.

Section 20. Compliance with federal law; rule making authority. The State Board of Elections shall promulgate any rules necessary for the implementation of this Act; provided that the rules comport with the Help America Vote Act of 2002, P.L. 107-252, in all relevant respects and that recommendations from representatives of consumer organizations of the blind shall be considered.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2503**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Watson
Crotty	Jones, W.	Risinger	Welch
Cullerton	Lauzen	Ronen	Winkel
del Valle	Lightford	Roskam	Wojcik
DeLeo	Link	Rutherford	Mr. President
Dillard	Luechtefeld	Sandoval	
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

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SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 2517** was recalled from the order of third reading to the order of second reading.

Floor Amendments numbered 2, 3 and 4 were held in the Committee on Rules.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 5

AMENDMENT NO. 5. Amend Senate Bill 2517 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Accessible Electronic Information Act.

Section 5. Legislative findings. The Legislature finds and declares all of the following:

(a) Thousands of citizens in this State have disabilities (including blindness or visual impairment) that prevent them from using conventional print material.

(b) The State fulfills an important responsibility by providing books and magazines prepared in Braille, audio, and large-type formats made available to eligible blind and disabled persons.

(c) The technology, transcription methods, and means of distribution used for these materials are labor-intensive and cannot support rapid dissemination to individuals in rural and urban areas throughout the State.

(d) Lack of direct and prompt access to information included in newspapers, magazines, newsletters, schedules, announcements, and other time-sensitive materials limits educational opportunities, literacy, and full participation in society by blind and disabled persons.

Section 10. Definitions. As used in this Act:

"Accessible electronic information service" means news and other timely information (including newspapers) provided to eligible individuals from a multi-state service center, using high-speed computers and telecommunications technology for interstate acquisition of content and rapid distribution in a form appropriate for use by such individuals.

"Blind and disabled persons" means those individuals who are eligible for library loan services through the Library of Congress and the State Library for the Blind and Physically Handicapped pursuant to 36 CFR 701.10(b).

"Director" means the State Librarian.

"Qualified entity" means an agency, instrumentality, or political subdivision of the State or a nonprofit organization that:

- (1) provides interstate access for eligible persons to read daily newspapers by producing audio editions by computer; and
- (2) provides a means of program administration and reader registration on the Internet.

Section 15. Accessible electronic information service program. The Director by rule shall develop and implement a program of grants to qualified entities for the provision of accessible electronic information service to blind and disabled persons throughout Illinois. The grants shall be funded through appropriations from the Accessible Electronic Information Service Fund established in Section 20.

Section 20. Accessible Electronic Information Service Fund.

(a) Before July 1 of each year, the Illinois Commerce Commission, in consultation with the Director, shall determine the amount of funding necessary to support the program described in Section 15 during the next fiscal year and shall certify that amount to the State Treasurer.

(b) Each month, the State Treasurer shall transfer 1/12th of the amount determined under subsection (a) from the Digital Divide Elimination Infrastructure Fund into the Accessible Electronic Information Service Fund, a special fund created in the State treasury that may be appropriated only for the purposes of this Act. If moneys in the Digital Divide Elimination Infrastructure Fund are insufficient to meet the transfer requirements of this subsection, the Illinois Commerce Commission shall direct the Illinois Telecommunications Access Corporation, or its successor, to remit the amount of any insufficiency to the Director for deposit into the Accessible Electronic Information Service Fund from surcharges collected by the Corporation, or its successor, under Section 13-703 of the Public Utilities Act.

[March 25, 2004]

Section 90. The State Finance Act is amended by adding Section 5.625 as follows:
(30 ILCS 105/5.625 new)

Sec. 5.625. The Accessible Electronic Information Service Fund.

Section 95. The Public Utilities Act is amended by changing Section 13-301.3 as follows:
(220 ILCS 5/13-301.3)

(Section scheduled to be repealed on July 1, 2005)

Sec. 13-301.3. Digital Divide Elimination Infrastructure Program.

(a) The Digital Divide Elimination Infrastructure Fund is created as a special fund in the State treasury. All moneys in the Fund shall be used, subject to appropriation, by the Commission to fund (i) the construction of facilities specified in Commission rules adopted under this Section and (ii) the accessible electronic information program, as provided in Section 20 of the Accessible Electronic Information Act. The Commission may accept private and public funds, including federal funds, for deposit into the Fund. Earnings attributable to moneys in the Fund shall be deposited into the Fund.

(b) The Commission shall adopt rules under which it will make grants out of funds appropriated from the Digital Divide Elimination Infrastructure Fund to eligible entities as specified in the rules for the construction of high-speed data transmission facilities in eligible areas of the State. For purposes of determining whether an area is an eligible area, the Commission shall consider, among other things, whether (i) in such area, advanced telecommunications services, as defined in subsection (c) of Section 13-517 of this Act, are under-provided to residential or small business end users, either directly or indirectly through an Internet Service Provider, (ii) such area has a low population density, and (iii) such area has not yet developed a competitive market for advanced services. In addition, if an entity seeking a grant of funds from the Digital Divide Elimination Infrastructure Fund is an incumbent local exchange carrier having the duty to serve such area, and the obligation to provide advanced services to such area pursuant to Section 13-517 of this Act, the entity shall demonstrate that it has sought and obtained an exemption from such obligation pursuant to subsection (b) of Section 13-517. Any entity seeking a grant of funds from the Digital Divide Elimination Infrastructure Fund shall demonstrate to the Commission that the grant shall be used for the construction of high-speed data transmission facilities in an eligible area and demonstrate that it satisfies all other requirements of the Commission's rules. The Commission shall determine the information that it deems necessary to award grants pursuant to this Section.

(c) The rules of the Commission shall provide for the competitive selection of recipients of grant funds available from the Digital Divide Elimination Infrastructure Fund pursuant to the Illinois Procurement Code. Grants shall be awarded to bidders chosen on the basis of the criteria established in such rules.

(d) All entities awarded grant moneys under this Section shall maintain all records required by Commission rule for the period of time specified in the rules. Such records shall be subject to audit by the Commission, by any auditor appointed by the State, or by any State officer authorized to conduct audits.

(Source: P.A. 92-22, eff. 6-30-01; 93-306, eff. 7-23-03.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 5 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2517**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 3.

The following voted in the affirmative:

Allthoff

Haine

Munoz

Silverstein

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

The following voted in the negative:

Brady
Lauzen
Rauschenberger

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2525** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2525 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Section 7-210 as follows:

(220 ILCS 5/7-210 new)

Sec. 7-210. Commission oversight of nonpublic, unregulated sales at retail of natural gas by public utilities.

(a) This Section shall apply to any gas utility that served more than 60,000 gas customers but less than 75,000 gas customers in this State on January 1, 2000 and that provides competitive electric power and energy to electric delivery service customers through a business division of its electric utility pursuant to Section 16-116. For the purposes of this Section, terms shall have the same meaning as defined in Section 7-108, Article XVI, and Article XIX.

(b) After the effective date of this amendatory Act of the 93rd General Assembly, unregulated sales of natural gas by a gas utility within or outside its service area shall be subject to the provisions of this Section. This Section shall not be interpreted to invalidate any contract for unregulated sales of natural gas executed by a gas utility prior to the effective date of this amendatory Act of the 93rd General Assembly, but unregulated sales of natural gas pursuant to such contract after the effective date of this amendatory Act of the 93rd General Assembly shall be subject to the provisions of this Section.

(c) A gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall be subject to Sections 7-102(g), 7-205, 7-206, and 9-230 with respect to such sales.

(d) Notwithstanding any language of Article XIX to the contrary, a gas utility offering unregulated sales of natural gas to a residential customer or a small commercial customer within or outside its service area shall be subject to Sections 19-110(e)(2), 19-110(e)(3), 19-110(e)(5), 19-115, and 19-120.

(e) A gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall not subsidize such sales through the utility's regulated business. Costs and revenues from the gas utility's unregulated sales of gas to an end-use customer within or outside its service area shall not be included in the calculation of the utility's regulated gas rates and charges.

[March 25, 2004]

(f) A gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall not discriminate in the provision of regulated gas service based upon the existence or terms of an unregulated sale of natural gas.

(g) The Commission shall require a gas utility to file reports regarding its unregulated sales of natural gas in the State. The reports shall be treated as confidential documents. To the extent the Commission determines it to be necessary and in the public interest, the Commission may order an audit of a gas utility regarding its unregulated sales of natural gas in the State.

(h) The Commission shall have the authority to require the gas utility to file its contracts for unregulated sales of natural gas in the State. The contracts shall be treated as confidential documents.

(i) Within 120 days after the effective date of this amendatory Act of the 93rd General Assembly, the Commission shall adopt provisions requiring functional separation between a gas utility's unregulated retail sales of natural gas in the State and its regulated retail gas services in the State. In establishing or considering the functional separations provisions, the Commission shall take into account the effects on the cost and reliability of service and the obligation of the gas utility under the Act. The Commission shall adopt separations provisions that are a cost effective means to ensure compliance with this Section. The provisions adopted by the Commission shall permit a gas utility to offer unregulated retail sales of natural gas in the State through the same business division of the utility that offers competitive electric power and energy to electric delivery service customers. Until provisions are adopted by the Commission, the gas utility shall comply with the functional separations rules for electric utilities adopted pursuant to Section 16-119A, to the extent determined applicable by the Commission through emergency rules established within 60 days of the passage of this Act.

(j) A gas utility shall not release or assign gas storage capacity procured for its regulated Illinois retail customers to its business division offering unregulated retail sales of natural gas or allow such storage capacity to be managed by that business division.

(k) Except as approved by the Commission, a gas utility shall not use gas commodity or interstate pipeline services for unregulated retail sales of natural gas in the State if such commodity or service was procured for its regulated Illinois retail customers.

(l) In addition to any other remedy provided in the Act, the Commission may order a gas utility to cease offering unregulated retail sales of natural gas in the State if it finds, after notice and hearing, that the gas utility willfully violated this Section.

(m) This Section shall not be applicable to unregulated sales of natural gas by an affiliate of a gas utility. Nothing herein shall be construed as impacting the applicability of other Sections of the Act to the unregulated sale of natural gas by an affiliate."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Jacobs, **Senate Bill No. 2525**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Shadid
Bomke	Haine	Meeks	Sieben
Brady	Halvorson	Munoz	Silverstein
Burzynski	Harmon	Obama	Sullivan, J.
Clayborne	Hendon	Peterson	Syverson
Collins	Hunter	Petka	Trotter
Cronin	Jacobs	Radogno	Viverito
Crotty	Jones, J.	Rauschenberger	Walsh
Cullerton	Jones, W.	Risinger	Watson

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del Valle	Lauzen	Ronen	Welch
DeLeo	Lightford	Roskam	Winkel
Dillard	Link	Rutherford	Wojcik
Forby	Luechtefeld	Sandoval	Mr. President
Garrett	Maloney	Schoenberg	

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2526**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Forby, **Senate Bill No. 2530**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch

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del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2536**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2542**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Haine	Meeks	Sieben
Bomke	Halvorson	Munoz	Silverstein
Brady	Harmon	Obama	Soden
Burzynski	Hendon	Peterson	Sullivan, J.
Clayborne	Hunter	Petka	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Laufen	Ronen	Watson

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del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President
Geo-Karis	Martinez	Shadid	

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 and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 2545**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 2546**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch

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del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Shadid, **Senate Bill No. 2547**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 53; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Brady
Wojcik

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 and ask their concurrence therein.

On motion of Senator Sandoval, **Senate Bill No. 2548**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Geo-Karis	Meeks	Sieben
Bomke	Haine	Munoz	Silverstein
Brady	Halvorson	Obama	Soden
Burzynski	Harmon	Peterson	Sullivan, J.

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Clayborne	Hendon	Petka	Syverson
Collins	Hunter	Rauschenberger	Trotter
Cronin	Jacobs	Righter	Viverito
Crotty	Jones, J.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Dillard	Luechtefeld	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President
Garrett	Martinez	Shadid	

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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 2551**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Meeks	Sieben
Bomke	Halvorson	Munoz	Silverstein
Brady	Harmon	Obama	Soden
Burzynski	Hendon	Peterson	Sullivan, J.
Clayborne	Hunter	Petka	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
Forby	Luechtefeld	Sandoval	Wojcik
Garrett	Maloney	Schoenberg	
Geo-Karis	Martinez	Shadid	

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 and ask their concurrence therein.

On motion of Senator Harmon, **Senate Bill No. 2559**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 2.

The following voted in the affirmative:

Althoff	Haine	Meeks	Sieben
Bomke	Halvorson	Munoz	Silverstein
Brady	Harmon	Obama	Soden
Burzynski	Hendon	Peterson	Sullivan, J.
Clayborne	Hunter	Petka	Syverson

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Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
Garrett	Martinez	Shadid	

The following voted in the negative:

Geo-Karis
Welch

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2572**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 1.

The following voted in the affirmative:

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

The following voted in the negative:

Harmon

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 2578** was recalled from the order of third reading to the order of second reading.

Senator Cullerton offered the following amendment and moved its adoption:

[March 25, 2004]

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 2578, AS AMENDED, by replacing all of Sec. 24-1.7 of Section 5 with the following:

"(720 ILCS 5/24-1.7 new)

Sec. 24-1.7. Armed habitual criminal.

(a) A person commits the offense of being an armed habitual criminal if he or she receives, sells, possesses, or transfers any firearm after having been convicted a total of 2 or more times of any combination of the following offenses:

(1) a forcible felony as defined in Section 2-8 of this Code;

(2) unlawful use of a weapon by a felon; aggravated unlawful use of a weapon; aggravated discharge of a firearm; vehicular hijacking; aggravated vehicular hijacking; aggravated battery of a child; intimidation; aggravated intimidation; gunrunning; home invasion; or aggravated battery with a firearm; or

(3) any violation of the Illinois Controlled Substances Act or the Cannabis Control Act that is punishable as a Class 3 felony or higher.

(b) Sentence. Being an armed habitual criminal is a Class X felony."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2578**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Obama, **Senate Bill No. 2579**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[March 25, 2004]

Yeas 56; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Trotter, **Senate Bill No. 2583**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2601**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[March 25, 2004]

Yeas 37; Nays 17.

The following voted in the affirmative:

Bomke	Haine	Munoz	Sullivan, J.
Clayborne	Halvorson	Obama	Trotter
Collins	Harmon	Ronen	Viverito
Crotty	Hendon	Rutherford	Walsh
Cullerton	Hunter	Sandoval	Welch
del Valle	Jacobs	Schoenberg	Winkel
DeLeo	Lightford	Shadid	Mr. President
Dillard	Link	Sieben	
Forby	Martinez	Silverstein	
Garrett	Meeks	Soden	

The following voted in the negative:

Althoff	Jones, J.	Petka	Watson
Brady	Jones, W.	Rauschenberger	Wojcik
Burzynski	Laufen	Risinger	
Cronin	Luechtefeld	Roskam	
Geo-Karis	Peterson	Syverson	

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 and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2602**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 13.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Soden
Collins	Harmon	Munoz	Sullivan, J.
Cullerton	Hendon	Obama	Trotter
del Valle	Hunter	Risinger	Viverito
DeLeo	Jacobs	Ronen	Walsh
Dillard	Jones, W.	Sandoval	Welch
Forby	Lightford	Schoenberg	Winkel
Garrett	Link	Shadid	Wojcik
Geo-Karis	Maloney	Sieben	Mr. President
Haine	Martinez	Silverstein	

The following voted in the negative:

Althoff	Jones, J.	Petka	Watson
Brady	Laufen	Rauschenberger	
Burzynski	Luechtefeld	Roskam	
Cronin	Peterson	Rutherford	

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).

[March 25, 2004]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2603**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 38; Nays 17.

The following voted in the affirmative:

Bomke	Geo-Karis	Maloney	Soden
Clayborne	Haine	Martinez	Sullivan, J.
Collins	Halvorson	Meeks	Trotter
Crotty	Harmon	Munoz	Viverito
Cullerton	Hendon	Obama	Walsh
del Valle	Hunter	Ronen	Welch
DeLeo	Jacobs	Sandoval	Winkel
Dillard	Jones, W.	Schoenberg	Mr. President
Forby	Lightford	Shadid	
Garrett	Link	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Righter	Syverson
Brady	Luechtefeld	Risinger	Watson
Burzynski	Peterson	Roskam	
Cronin	Petka	Rutherford	
Jones, J.	Rauschenberger	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2605**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

[March 25, 2004]

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 and ask their concurrence therein.

On motion of Senator Haine, **Senate Bill No. 2617**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Soden, **Senate Bill No. 2626**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

[March 25, 2004]

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 and ask their concurrence therein.

On motion of Senator Winkel, **Senate Bill No. 2630**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2634**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	

[March 25, 2004]

Geo-Karis

Meeks

Silverstein

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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2635**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2653**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Geo-Karis	Meeks	Sieben
Bomke	Haine	Munoz	Silverstein
Brady	Halvorson	Obama	Sullivan, J.
Burzynski	Harmon	Peterson	Syverson
Clayborne	Hendon	Petka	Trotter
Collins	Hunter	Rauschenberger	Viverito
Cronin	Jacobs	Righter	Walsh
Crotty	Jones, J.	Risinger	Watson
Cullerton	Jones, W.	Ronen	Welch
del Valle	Lauzen	Roskam	Winkel
DeLeo	Lightford	Rutherford	Wojcik
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	

[March 25, 2004]

Garrett

Martinez

Shadid

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 and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2654**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Laufen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator W. Jones, **Senate Bill No. 2659**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 1.

The following voted in the affirmative:

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

[March 25, 2004]

Geo-Karis Martinez Sieben

The following voted in the negative:

Burzynski

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 and ask their concurrence therein.

On motion of Senator Shadid, **Senate Bill No. 2678**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 30; Nays 23; Present 2.

The following voted in the affirmative:

Brady	Harmon	Martinez	Silverstein
Clayborne	Hendon	Meeks	Trotter
Crotty	Hunter	Munoz	Viverito
Cullerton	Jacobs	Risinger	Walsh
del Valle	Jones, W.	Ronen	Welch
DeLeo	Lightford	Rutherford	Mr. President
Haine	Link	Sandoval	
Halvorson	Maloney	Shadid	

The following voted in the negative:

Althoff	Geo-Karis	Rauschenberger	Sullivan, J.
Bomke	Jones, J.	Righter	Syverson
Burzynski	Lauzen	Roskam	Watson
Cronin	Luechtefeld	Schoenberg	Winkel
Forby	Peterson	Sieben	Wojcik
Garrett	Petka	Soden	

The following voted present:

Collins
Obama

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2682**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.

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

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 and ask their concurrence therein.

On motion of Senator Ronen, **Senate Bill No. 2665**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 31; Nays 23.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Soden
Collins	Harmon	Munoz	Sullivan, J.
Crotty	Hendon	Obama	Trotter
Cullerton	Hunter	Ronen	Viverito
del Valle	Lightford	Sandoval	Walsh
DeLeo	Link	Schoenberg	Welch
Forby	Maloney	Shadid	Mr. President
Haine	Martinez	Silverstein	

The following voted in the negative:

Althoff	Jacobs	Petka	Sieben
Bomke	Jones, J.	Rauschenberger	Syverson
Brady	Jones, W.	Righter	Watson
Burzynski	Lauzen	Risinger	Winkel
Cronin	Luechtefeld	Roskam	Wojcik
Geo-Karis	Peterson	Rutherford	

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 and ask their concurrence therein.

At the hour of 5:53 o'clock p.m., Senator DeLeo presiding.

On motion of Senator Welch, **Senate Bill No. 2091**, having been transcribed and typed and all amendments adopted thereto having been printed, 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.

[March 25, 2004]

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Halvorson, **Senate Bill No. 2424**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Cronin, **Senate Bill No. 2683**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[March 25, 2004]

Yeas 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2689**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 3.

The following voted in the affirmative:

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

The following voted in the negative:

Forby
Jones, J.
Sullivan, J.

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 and ask their concurrence therein.

[March 25, 2004]

On motion of Senator Crotty, **Senate Bill No. 2690**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Sandoval, **Senate Bill No. 2693**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 36; Nays 16.

The following voted in the affirmative:

Bomke	Halvorson	Munoz	Sullivan, J.
Clayborne	Harmon	Obama	Trotter
Collins	Hendon	Petka	Viverito
Crotty	Hunter	Ronen	Walsh
Cullerton	Jacobs	Roskam	Welch
del Valle	Lightford	Sandoval	Mr. President
DeLeo	Link	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Silverstein	
Haine	Meeks	Soden	

The following voted in the negative:

Althoff	Jones, J.	Risinger	Wojcik
Brady	Lauzen	Rutherford	
Burzynski	Peterson	Sieben	
Dillard	Rauschenberger	Watson	
Geo-Karis	Righter	Winkel	

[March 25, 2004]

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 and ask their concurrence therein.

On motion of Senator Burzynski, **Senate Bill No. 2696**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 51; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Jones, W.
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 and ask their concurrence therein.

On motion of Senator Munoz, **Senate Bill No. 2701**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 35; Nays 19.

The following voted in the affirmative:

Clayborne	Geo-Karis	Maloney	Silverstein
Collins	Haine	Meeks	Soden
Crotty	Halvorson	Munoz	Sullivan, J.
Cullerton	Harmon	Obama	Trotter
del Valle	Hendon	Ronen	Viverito
DeLeo	Hunter	Rutherford	Walsh
Dillard	Jacobs	Sandoval	Welch
Forby	Lightford	Schoenberg	Mr. President
Garrett	Link	Shadid	

The following voted in the negative:

[March 25, 2004]

Althoff	Jones, W.	Rauschenberger	Syverson
Bomke	Lauzen	Righter	Watson
Brady	Luechtefeld	Risinger	Winkel
Burzynski	Peterson	Roskam	Wojcik
Jones, J.	Petka	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Clayborne, **Senate Bill No. 2704**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4027

A bill for AN ACT concerning vehicles.

HOUSE BILL NO. 4067

A bill for AN ACT concerning minors.

HOUSE BILL NO. 4458

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4491

A bill for AN ACT concerning education.

HOUSE BILL NO. 4788

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4847

A bill for AN ACT concerning insurance.

[March 25, 2004]

HOUSE BILL NO. 4856
A bill for AN ACT concerning disclosure of utility services to be provided by landlords.
HOUSE BILL NO. 4989
A bill for AN ACT concerning pest control.
HOUSE BILL NO. 5017
A bill for AN ACT concerning fire protection districts.
HOUSE BILL NO. 5061
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 6753
A bill for AN ACT in relation to alcoholic liquor.
HOUSE BILL NO. 6845
A bill for AN ACT concerning long-term care.
Passed the House, March 25, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4027, 4067, 4458, 4491, 4788, 4847, 4856, 4989, 5017, 5061, 6753 and 6845** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 3833
A bill for AN ACT concerning taxes.
HOUSE BILL NO. 3978
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4076
A bill for AN ACT concerning taxes.
HOUSE BILL NO. 4135
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4232
A bill for AN ACT in relation to health, which may be known as the Colleen O'Sullivan Law.
HOUSE BILL NO. 4269
A bill for AN ACT concerning identification.
HOUSE BILL NO. 4271
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4393
A bill for AN ACT concerning professional regulation.
HOUSE BILL NO. 4621
A bill for AN ACT concerning capital development.
HOUSE BILL NO. 4887
A bill for AN ACT concerning taxes.
HOUSE BILL NO. 4976
A bill for AN ACT concerning taxes.
HOUSE BILL NO. 6567
A bill for AN ACT concerning transportation.
Passed the House, March 25, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3833, 3978, 4076, 4135, 4232, 4269, 4271, 4393, 4621, 4887, 4976 and 6567** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 393, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

[March 25, 2004]

House Bill No. 3877, sponsored by Senator Brady, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3942, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3979, sponsored by Senator Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4005, sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4006, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4023, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4032, sponsored by Senators Obama - E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4109, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4120, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4239, sponsored by Senator Petka, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4371, sponsored by Senator Obama, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4431, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4444, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4461, sponsored by Senators Collins – Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4489, sponsored by Senator Soden, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4686, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4730, sponsored by Senator Obama, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4771, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4777, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4818, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

[March 25, 2004]

House Bill No. 4833, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4980, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4996, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5131, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5533, sponsored by Senators Crotty – Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5050, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6745, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6786, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 7026, sponsored by Senators Collins – Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 7029, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 7057, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4027, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4458, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4788, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6845, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4076, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4135, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4393, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3922, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4389, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4453, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4171, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4651, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4103, sponsored by Senators Walsh – Rutherford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4966, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4395, sponsored by Senator Obama, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4478, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

SENATE BILL NO. 3374. Introduced by Senator E. Jones, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its March 25, 2004 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bill No. 4769.**

Executive: **House Bills Numbered 4005, 4031, 4194 and 4371.**

Health and Human Services: **House Bills Numbered 3942, 4730 and 7026.**

Insurance and Pensions: **House Bill No. 393.**

Judiciary: **House Bills Numbered 2582, 4032, 4275, 4538, 4751, 4771, 6786, 6811 and 7057.**

Licensed Activities: **House Bill No. 4157.**

Revenue: **House Bills Numbered 4106, 4461 and 4705.**

State Government: **House Bills Numbered 3877, 4686 and 4947.**

Transportation: **House Bills Numbered 2587, 4489 and 4833.**

Senator Viverito, Chairperson of the Committee on Rules, during its March 25, 2004 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

State Government: **Senate Resolution No. 474.**

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bill No. 717** on March 27, 2003, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 717** was returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bill No. 2268** on July 1, 2003, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 2268** was returned to the order of second reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 2707**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

Bomke	Haine	Meeks	Silverstein
Brady	Halvorson	Munoz	Soden
Burzynski	Harmon	Obama	Sullivan, J.
Clayborne	Hendon	Petka	Syverson
Collins	Hunter	Rauschenberger	Trotter
Cronin	Jacobs	Righter	Viverito
Crotty	Jones, J.	Risinger	Walsh
Cullerton	Jones, W.	Ronen	Watson
del Valle	Lauzen	Roskam	Welch
DeLeo	Lightford	Rutherford	Winkel
Dillard	Link	Sandoval	Wojcik
Forby	Luechtefeld	Schoenberg	Mr. President
Garrett	Maloney	Shadid	
Geo-Karis	Martinez	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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Lightford, **Senate Bill No. 2710**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

Allthoff	Geo-Karis	Meeks	Sieben
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[March 25, 2004]

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

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 and ask their concurrence therein.

On motion of Senator Halvorson, **Senate Bill No. 2718**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 2726**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
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[March 25, 2004]

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

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 and ask their concurrence therein.

On motion of Senator Sandoval, **Senate Bill No. 2731**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator J. Sullivan, **Senate Bill No. 2755**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Shadid
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[March 25, 2004]

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

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cronin, **Senate Bill No. 2732** was recalled from the order of third reading to the order of second reading.

Senator Shadid offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2 . Amend Senate Bill 2732 as follows:

on page 3, line 1, by replacing "8" with "7"; and

on page 3, by replacing lines 2 through 4 with the following: "participate in the pilot project. One school district shall be located in the City of Chicago, 3 school districts shall be located in the area that makes up of the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside of the City of Chicago, and 3 school districts shall be located in the remainder of the State."; and

on page 3, line 32, by replacing "8" with "9"; and

on page 3, line 33, after "project", by inserting ", with at least 3 from the school district located in the City of Chicago and one from each of the other school districts selected".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cronin, **Senate Bill No. 2732**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 42; Nays 13.

The following voted in the affirmative:

Althoff	Haine	Meeks	Soden
Bomke	Halvorson	Munoz	Sullivan, J.
Clayborne	Harmon	Obama	Trotter

[March 25, 2004]

Collins	Hendon	Petka	Viverito
Cronin	Hunter	Risinger	Walsh
Crotty	Jacobs	Ronen	Welch
Cullerton	Jones, J.	Sandoval	Winkel
del Valle	Lightford	Schoenberg	Wojcik
DeLeo	Link	Shadid	Mr. President
Dillard	Maloney	Sieben	
Forby	Martinez	Silverstein	

The following voted in the negative:

Brady	Jones, W.	Rauschenberger	Watson
Burzynski	Lauzen	Roskam	
Garrett	Luechtefeld	Rutherford	
Geo-Karis	Peterson	Syverson	

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 and ask their concurrence therein.

On motion of Senator J. Sullivan, **Senate Bill No. 2756**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Cullerton, **Senate Bill No. 2757**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 51; Nays 5.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Lauzen	Sullivan, J.
Forby	Rauschenberger	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Maloney, **Senate Bill No. 2768** was recalled from the order of third reading to the order of second reading.

Senator Maloney offered the following amendment and moved its adoption:

AMENDMENT NO. 5

AMENDMENT NO. 5. Amend Senate Bill 2768, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 2, lines 28 and 29, by replacing "medical record" with "medication record".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 5 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Maloney, **Senate Bill No. 2768**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson

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Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojeik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator del Valle, **Senate Bill No. 2769**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojeik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 2788**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays 1.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Sieben
Bomke	Haine	Meeks	Silverstein
Brady	Halvorson	Munoz	Soden
Burzynski	Harmon	Obama	Sullivan, J.
Clayborne	Hendon	Peterson	Syverson
Collins	Hunter	Petka	Trotter

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Cronin	Jacobs	Rauschenberger	Viverito
Crotty	Jones, J.	Righter	Walsh
Cullerton	Jones, W.	Ronen	Watson
del Valle	Lauzen	Roskam	Welch
DeLeo	Lightford	Rutherford	Winkel
Dillard	Link	Sandoval	Wojcik
Forby	Luechtefeld	Schoenberg	Mr. President
Garrett	Maloney	Shadid	

The following voted in the negative:

Risinger

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 and ask their concurrence therein.

On motion of Senator del Valle, **Senate Bill No. 2794**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 49; Nays 6.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Jones, J.	Righter
Burzynski	Lauzen	Risinger

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 and ask their concurrence therein.

On motion of Senator Hendon, **Senate Bill No. 2799**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 41; Nays 11.

The following voted in the affirmative:

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Bomke	Harmon	Obama	Soden
Clayborne	Hendon	Petka	Sullivan, J.
Collins	Hunter	Righter	Trotter
Crotty	Jacobs	Ronen	Viverito
Cullerton	Jones, W.	Roskam	Walsh
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Wojcik
Forby	Maloney	Schoenberg	Mr. President
Geo-Karis	Martinez	Shadid	
Haine	Meeks	Sieben	
Halvorson	Munoz	Silverstein	

The following voted in the negative:

Althoff	Jones, J.	Peterson	Watson
Brady	Lauzen	Rauschenberger	Winkel
Burzynski	Luechtefeld	Risinger	

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 and ask their concurrence therein.

On motion of Senator Peterson, **Senate Bill No. 2807**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Cullerton

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 and ask their concurrence therein.

On motion of Senator Brady, **Senate Bill No. 2820**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[March 25, 2004]

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

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 and ask their concurrence therein.

On motion of Senator Sieben, **Senate Bill No. 2839**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays 1.

The following voted in the affirmative:

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

The following voted in the negative:

Lauzen

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).

[March 25, 2004]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Halvorson, **Senate Bill No. 2844**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Laufen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Walsh, **Senate Bill No. 2845**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Laufen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

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 and ask their concurrence therein.

On motion of Senator Trotter, **Senate Bill No. 2847**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Geo-Karis	Meeks	Sieben
Bomke	Haine	Munoz	Silverstein
Brady	Halvorson	Obama	Soden
Burzynski	Harmon	Peterson	Sullivan, J.
Clayborne	Hendon	Petka	Syverson
Collins	Hunter	Rauschenberger	Viverito
Cronin	Jacobs	Righter	Walsh
Crotty	Jones, J.	Risinger	Watson
Cullerton	Jones, W.	Ronen	Welch
del Valle	Lauzen	Roskam	Winkel
DeLeo	Lightford	Rutherford	Wojcik
Dillard	Link	Sandoval	Mr. President
Forby	Luechtefeld	Schoenberg	
Garrett	Martinez	Shadid	

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 and ask their concurrence therein.

On motion of Senator Welch, **Senate Bill No. 2861**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Geo-Karis	Martinez	Sieben
Bomke	Haine	Meeks	Silverstein
Brady	Halvorson	Munoz	Soden
Burzynski	Harmon	Obama	Sullivan, J.
Clayborne	Hendon	Peterson	Syverson
Collins	Hunter	Petka	Trotter
Cronin	Jacobs	Rauschenberger	Viverito
Crotty	Jones, J.	Risinger	Walsh
Cullerton	Jones, W.	Ronen	Watson
del Valle	Lauzen	Roskam	Welch
DeLeo	Lightford	Rutherford	Winkel
Dillard	Link	Sandoval	Wojcik
Forby	Luechtefeld	Schoenberg	
Garrett	Maloney	Shadid	

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 and ask their concurrence therein.

On motion of Senator Sandoval, **Senate Bill No. 2878**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Pending roll call on motion of Senator Sandoval, further consideration of **Senate Bill No. 2878** was postponed.

On motion of Senator Maloney, **Senate Bill No. 2879**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 55; Nays None.

The following voted in the affirmative:

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

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 and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 2880**, having been transcribed and typed and all amendments adopted thereto having been printed, 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	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Clayborne	Hunter	Rauschenberger	Viverito
Collins	Jacobs	Righter	Walsh
Cronin	Jones, J.	Risinger	Watson
Crotty	Jones, W.	Ronen	Welch
Cullerton	Lauzen	Roskam	Winkel
del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	

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Forby	Maloney	Shadid
Garrett	Martinez	Sieben
Geo-Karis	Meeks	Silverstein

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 and ask their concurrence therein.

On motion of Senator Munoz, **Senate Bill No. 2887**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 44; Nays 9.

The following voted in the affirmative:

Althoff	Haine	Munoz	Trotter
Bomke	Halvorson	Peterson	Viverito
Brady	Harmon	Petka	Walsh
Clayborne	Hendon	Rauschenberger	Watson
Collins	Hunter	Ronen	Welch
Crotty	Jacobs	Roskam	Winkel
Cullerton	Jones, W.	Sandoval	Wojcik
del Valle	Lightford	Schoenberg	Mr. President
DeLeo	Link	Shadid	
Dillard	Maloney	Sieben	
Forby	Martinez	Silverstein	
Garrett	Meeks	Syverson	

The following voted in the negative:

Burzynski	Lauzen	Risinger
Geo-Karis	Luechtefeld	Rutherford
Jones, J.	Righter	Sullivan, J.

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 and ask their concurrence therein.

On motion of Senator Munoz, **Senate Bill No. 2892**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 3; Present 1.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Obama	Sullivan, J.
Brady	Hendon	Peterson	Syverson
Burzynski	Hunter	Petka	Trotter
Clayborne	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lauzen	Roskam	Winkel

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del Valle	Lightford	Rutherford	Wojcik
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Garrett	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

The following voted in the negative:

Forby
Risinger
Welch

The following voted present:

Collins

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 and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 2901**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

Munoz
Sandoval

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 and ask their concurrence therein.

On motion of Senator Haine, **Senate Bill No. 2908**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[March 25, 2004]

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

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 and ask their concurrence therein.

On motion of Senator del Valle, **Senate Bill No. 2918**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 48; Nays 5; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	Lauzen	Watson
Burzynski	Rauschenberger	

The following voted present:

Luechtefeld

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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 Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Sandoval, **Senate Bill No. 2919**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 32; Nays 17; Present 3.

The following voted in the affirmative:

Clayborne	Harmon	Munoz	Trotter
Collins	Hendon	Obama	Viverito
Crotty	Hunter	Petka	Walsh
Cullerton	Jacobs	Ronen	Welch
del Valle	Lightford	Sandoval	Mr. President
DeLeo	Link	Schoenberg	
Garrett	Maloney	Shadid	
Haine	Martinez	Silverstein	
Halvorson	Meeks	Sullivan, J.	

The following voted in the negative:

Althoff	Lauzen	Risinger	Watson
Burzynski	Luechtefeld	Roskam	Wojcik
Forby	Peterson	Rutherford	
Jones, J.	Rauschenberger	Sieben	
Jones, W.	Righter	Soden	

The following voted present:

Bomke
Cronin
Dillard

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 and ask their concurrence therein.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Petka, **Senate Bill No. 2188** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2188 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Retired Officers Security Act.

Section 5. Legislative declaration. The General Assembly finds that as a matter of public policy it is necessary to provide statewide uniform standards for issuing permits to carry concealed firearms for retired peace officers and that no person who does not qualify under the provisions of this Act receives a

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permit to carry concealed firearms. The General Assembly recognizes that it already regulates the use and possession of concealed firearms under Sections 24-1 and 24-1.6 of the Criminal Code of 1961 and that the regulation of concealed firearms is an exclusive statewide function. The General Assembly does not delegate to the Department of State Police the authority to regulate or restrict the issuing of concealed firearms permits provided for in this Act beyond those provisions contained in this Act.

Section 10. Definitions. As used in this Act:

"Concealed firearm" means a handgun carried on or about a person completely or mostly concealed from view of the public, or carried in a vehicle in such a way as it is concealed from view of the public.

"Department" means the Department of State Police.

"Director" means the Director of State Police.

"Fund" means the Retired Officers Security Trust Fund.

"Handgun" has the meaning ascribed to it in subsection (A)(h) of Section 24-3 of the Criminal Code of 1961.

"Permit" means a permit to carry a concealed firearm issued by the Department of State Police.

"Permittee" means a person who is issued a permit to carry a concealed firearm by the Department of State Police.

Section 15. Retired Officers Security Fund.

(a) There is created the Retired Officers Security Trust Fund. The Fund shall be maintained apart from the State treasury and shall be administered by the Department. Moneys from federal and State sources may be deposited into the Fund. Fees from applications for new, renewal, corrected, and duplicate concealed firearms permits shall be deposited into the Fund. The Department may invest the moneys in the Fund, and any income on these investments shall be reinvested in the Fund.

(b) The Department shall use the moneys in the Fund exclusively for the administration of this Act.

Section 20. Permit for concealed firearms. The Department of State Police is authorized to issue permits to carry concealed firearms to persons qualified as provided in this Act. Permits to carry a concealed firearm shall be valid throughout the State for a period of 4 years from the date of issuance. Any person in compliance with the terms of the permit may carry concealed firearms on or about his or her person. The permittee shall carry the permit at all times the permittee is carrying a concealed firearm and shall display the permit upon the request of a law enforcement officer. The permit is valid throughout the State.

Section 25. Application for permit and qualifications of applicants.

(a) An applicant for a permit shall obtain the application from the Department of State Police. The completed application and all accompanying material plus an application fee of \$100 for a new permit or \$75 for a renewal shall be submitted to the Department of State Police.

(b) The Department of State Police, upon a person's application for a concealed firearms permit, upon receipt of the appropriate fees, and after compliance with the procedures set out in this Section, shall issue the applicant a concealed firearms permit if the person:

(1) resides within the State of Illinois and has been a resident for the last 6 months

and is a permanent resident of the United States;

(2) has not been convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor evidencing violence, is not free on any form of bond or pretrial release, and has no outstanding warrants for those crimes;

(3) has no record of mental disease or mental illness on file with the Department of State Police or the Department of Human Services that would evidence incapacity, or lack of proper mental capacity;

(4) has not been committed to a state or federal facility for the abuse of a controlled substance or cannabis or has not been convicted of a misdemeanor violation of the Illinois Controlled Substances Act or the Cannabis Control Act or similar laws of any other state relating to controlled substances or cannabis within a 10-year period immediately preceding the date on which the application is submitted; and

(5) shows proof that he or she either:

(A) is a graduate of a police training institute or academy, who after graduating served for at least 10 years as a sworn, full-time peace officer qualified to carry firearms for any federal or State department or agency or for any unit of local government of Illinois and has retired as a local, State, or federal peace officer in a publicly created peace officer retirement system;

whose service in law enforcement was honorably terminated through retirement or disability and not as a result of discipline, suspension, discharge, or decertification by the Illinois Law Enforcement Training Standards Board; or

(B) earned the Military Occupation Specialty (MOS) of a military police officer, investigator, or its equivalent in any of the Armed Forces and served for at least 10 years as a member of the United States Armed Forces, which service was honorably terminated and not as a result of discipline, suspension, or dishonorable discharge.

Section 30. Contents of application. The initial application shall be in writing, under oath and under the penalties of perjury, on a standard form promulgated by the Department of State Police, and shall be accompanied by the appropriate fees and required documentation. The application shall contain only the following information:

- (1) the applicant's name, address, gender, and date and place of birth;
- (2) a head and shoulder color photograph taken within 30 days preceding the date on which the application is submitted;
- (3) questions to certify or demonstrate the applicant has completed a firearms and deadly use of force training and education prerequisites specified under this Act;
- (4) a statement that the applicant is a resident of the State of Illinois and has been a resident for the last 6 months and is a permanent resident of the United States;
- (5) a waiver of privacy and confidentiality rights and privileges enjoyed by the applicant under all federal and State laws governing access to juvenile court, criminal justice, psychological or psychiatric records, or records relating to the applicant's history of institutionalization, and an affirmative request that any person having custody of any such record provide it or information concerning it to the Department;
- (6) a conspicuous warning that false statements made by the applicant will result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961;
- (7) that the applicant possesses a currently valid Illinois Firearm Owner's Identification Card, together with the card number, or is applying for the card in conjunction with the concealed firearms permit application;
- (8) an affirmation that the applicant has never been convicted of any felony;
- (9) the applicant's signature, under oath, attesting to the following statement: "I, the undersigned, state, under oath and subject to the penalty of perjury, that I am not a streetgang member as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act and that I will not join or become associated with a criminal streetgang."; and
- (10) appropriate documentation to support that the applicant meets the requirements of clause (b)(5) of Section 25 of this Act.

Section 35. Submission of identifying information; fee. In addition to the completed application, the applicant must submit the following information to the Department of State Police:

- (i) a head and shoulder color photograph as required by Section 30 in a size specified by the Department of State Police taken within 30 days preceding the date on which the application is submitted;
- (ii) a non-refundable permit fee of \$100 if he or she has not previously been issued such a permit by the Department of State Police, or a non-refundable permit fee of \$75 for each renewal of a permit;
- (iii) a full set of legible fingerprints administered to the applicant by the Department of State Police, or any other federal, State, county, or municipal law enforcement agency; any cost of fingerprinting shall be paid by the applicant; and
- (iv) a photocopy of a certificate or other evidence of completion of a course to show compliance with Section 90 of this Act.

Section 40. Approval of application.

(a) If the Department of State Police finds that the applicant possesses a valid Firearm Owner's Identification Card, meets the training requirements of this Act, and has provided the documentation and paid the fees required for issuance of a concealed firearms permit and that, as nearly as it is possible to determine, nothing in the applicant's background or present circumstances disqualify him or her from

possessing a firearm in Illinois, it shall approve the application and issue the applicant a wallet-sized permit bearing the photograph of the applicant within 90 days.

(b) If the applicant is found to be ineligible, the Department of State Police shall deny the application and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within 30 days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the Department of State Police shall reconsider its decision and inform the applicant within 30 days of the result of the reconsideration. The applicant shall further be informed of the right to appeal the denial in the circuit court of his or her place of residence.

(c) The Department of State Police shall maintain an automated listing of permit holders and pertinent information, and this information shall be available on-line, upon request, at all times to all Illinois law enforcement agencies. Except as provided in this subsection, information on applications for permits, names and addresses, or other identifying information relating to permit holders shall be confidential and shall not be made available except to law enforcement agencies. Requests for information about any permit holder made by persons other than a bona fide law enforcement agency shall be made to the Department of State Police together with any fee required for the providing of information. The Department of State Police may, upon proper application and the payment of the required fee, provide to the requester, in written form only, a list of names of any or all holders in the State of Illinois licensed to carry a concealed firearm. No identifying information other than the name shall be provided, and information for geographic areas or other subdivisions of any type from the list shall not be provided, except to a bona fide law enforcement agency, and shall be confidential. No requests for lists of local or statewide permit holders shall be made to any State or local law enforcement agency. No other agency of government other than the Department of State Police shall provide any information to a requester not entitled to it by law. The names of all persons, other than law enforcement agencies and peace officers, requesting information under this Section shall be public records.

Section 45. Revocation of a permit. A permit issued under Section 40 shall be suspended or revoked if the permit holder becomes ineligible to be issued a permit under the criteria set forth in clauses (b)(1), (2), (3), (4), and (5) of Section 25 or subsection (b) of Section 40 of this Act. When an order of protection is issued under Section 112A-14 of the Code of Criminal Procedure of 1963 or under Section 214 of the Illinois Domestic Violence Act of 1986 against a person holding a permit issued under this Act, the holder of the permit shall surrender the permit to the court or to the officer serving the order. The officer to whom the permit is surrendered shall forthwith transmit the permit to the court issuing the order. The permit shall be suspended until the order is terminated.

Section 50. Notification of renewal. Not later than 120 days before the expiration of any permit issued under this Act, the Department of State Police shall notify the permit holder in writing of the expiration and furnish an application for renewal of the permit.

Section 55. Renewal of permit.

(a) The permit shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and required renewal fee. The renewal application shall contain the same required information as set forth in paragraphs (1) through (9) of Section 30, except that in lieu of the firearm education and use of deadly force training, the applicant need only demonstrate previous issuance of and continued eligibility for a concealed firearms permit.

(b) A permittee who fails to file a renewal application on or before its expiration date must pay an additional late fee of \$25. A person who fails to renew his or her application within 6 months after its expiration must reapply for a new permit and pay the fee for a new application.

Section 60. Change of address, change of name, or lost or destroyed permits.

(a) Within 30 days after the changing of a permanent residence, or within 30 days after loss or destruction of a concealed firearms permit, the permittee shall notify the Department of State Police of the loss, destruction, change of name, or change of residence. Failure to notify the Department of State Police shall constitute a noncriminal violation with a penalty of \$25 payable to the Department of State Police.

(b) If a person issued a permit to carry a concealed firearm changes residence within this State, or changes his or her name, the person to whom the permit was issued may upon payment of \$25 to the Department of State Police obtain a corrected concealed firearms permit with a change of address or change of name upon furnishing a notarized statement to the Department of State Police that the permittee has changed residence, or his or her name, and upon submission of an application as set forth

in Section 25 and photograph as set forth in paragraph (2) of Section 30 of this Act. A concealed firearms permit shall be automatically invalid after 30 days if the permittee has not notified the Department of State Police of a change of residence.

(c) If a permit to carry a concealed firearm is lost or destroyed, the permit shall be automatically invalid, and the person to whom the permit was issued may upon payment of \$25 to the Department of State Police obtain a duplicate, upon furnishing a notarized statement to the Department of State Police that the permit was lost or destroyed and submission of an application as set forth in Section 25 and paragraph as set forth in paragraph (2) of Section 30 of this Act.

Section 65. Concealed firearms permit.

(a) A concealed firearm permit shall authorize the person in whose name the permit is issued to carry concealed firearms on or about his or her person or vehicle throughout the State. No permit issued under this Section shall authorize any person to carry a concealed firearm into or upon:

(i) Any police, sheriff, or Department of State Police office or station without the consent of the chief law enforcement officer in charge of that office or station.

(ii) The facility of any adult or juvenile detention or correctional institution, prison, or jail.

(iii) Any courthouse, solely occupied by the Circuit, Appellate, or Supreme Court, or a courtroom of any of those courts, or court proceeding, except that nothing in this Section shall preclude a judge, holding a concealed firearm permit, from carrying a concealed firearm within a courthouse.

(iv) Any meeting of the governing body of a unit of local government; or any meeting of the General Assembly or a committee of the General Assembly, except that nothing in this Section shall preclude a member of the body, holding a concealed firearms permit, from carrying a concealed firearm at a meeting of the body which he or she is a member.

(v) The General Assembly may by statute, and the county or municipality may by ordinance, prohibit or limit the carrying of concealed firearms by permit holders in that portion of a building owned, leased, or controlled by that unit of government. That portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute or ordinance may be denied entrance to the building, ordered to leave the building, and, if the employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute or ordinance. The provisions of this Section shall not apply to any other unit of government.

(vi) Any portion of an establishment licensed to dispense beer or alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to that purpose. This paragraph (vi) does not apply to any bona fide restaurant open to the general public having dining facilities for not less than 50 persons and that receives at least 50% of its gross annual income from the dining facilities by the sale of food.

(vii) Any area of an airport to which access is controlled by the inspection of persons and property.

(viii) Any place where the carrying of a firearm is prohibited by federal law.

(ix) Any elementary or secondary school facility without the consent of school authorities.

(x) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this Section shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or permit.

(xi) A riverboat gambling operation or horse racing facility accessible by the public.

(xii) Any gated area of an amusement park.

(xiii) Any stadium, arena, or collegiate or professional sporting event.

(xiv) A church or other place of religious worship.

A violation of this subsection (a) is a Class C misdemeanor.

(b) A concealed firearm permit does not authorize the concealed carrying or transportation of a stun gun or taser.

Section 70. Immunity of Department, sheriff, municipal police department, and their employees and

agents. The Department of State Police, office of the county sheriff, or municipal police department, and any employee or agent of the Department of State Police, county sheriff, or municipal police department is not liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke permits issued under this Act.

Section 80. Fees.

(a) Fees collected under this Act and deposited into the Retired Officers Security Trust Fund shall be used exclusively for administering the provisions of this Act; except that, commencing January 1, 2005, any excess moneys in the Fund may be used to ensure the prompt and efficient processing of applications received under Section 30 of this Act.

(b) Fees for a concealed firearms permit shall be:

New permit.....					\$100
Renewal.....					\$75
Duplicate	due	to	lost	or	\$25
destroyed.....					
Corrected permit due to change of address					
or name.....					\$25
Late renewal fee.....					\$25

Section 85. Applicant training.

(a) The applicant training course shall be the standardized training course furnished by the Department and taught by a qualified firearms instructor, consisting of:

(1) Eight hours of classroom instruction, covering at least the following topics:

- (i) handgun safety in the classroom, at home, on the firing range, or while carrying the firearm;
- (ii) the basic principles of marksmanship;
- (iii) care and cleaning of handguns; and
- (iv) by means of a videotape produced or approved by the Department:
 - (A) the requirements for obtaining a concealed firearms permit in this State;
 - (B) laws relating to firearms as prescribed in the Firearm Owners Identification Card Act, Article 24 of the Criminal Code of 1961, and 18 U.S.C. 921 through 930; and
 - (C) laws relating to the justifiable use of force as prescribed in Article 7 of the Criminal Code of 1961.

(2) Live firing exercises of sufficient duration for each applicant to fire:

- (i) a handgun from a standing position;
- (ii) a minimum of 20 rounds; and
- (iii) at a distance from a B-21 silhouette target, or an equivalent as approved by the Department, of 7 yards.

(b) The classroom portion of the course may be, at the qualified firearms instructor's discretion, divided into segments of not less than 2 hours each.

(c) (1) An applicant training course shall not be open to persons who are less than 21 years of age.

(2) An applicant training course students shall complete a course application form, which shall include a statement acknowledging receipt of copies of pertinent statutory provisions listed in clauses (A), (B), and (C) of subparagraph (iv) of paragraph (1) of subsection (a) and a liability waiver.

(3) The course application form may be obtained from the qualified firearms instructor at the time of the course.

(d) At the conclusion of the classroom portion of the applicant training course, the qualified firearms instructor shall:

- (1) distribute a standard course examination to the students;
- (2) not leave the room in which the examination is being held while the examination is in progress;
- (3) collect examination booklets and answer sheets from each student at the end of the examination period;
- (4) not grade the examinations in the presence of students; and
- (5) not divulge an applicant's numeric score on the day of the examination, but may

indicate whether an applicant passed or failed the examination.

- (e) A person shall not:
- (1) make an unauthorized copy of the applicant training course examination, in whole or in part;
 - (2) possess the applicant training course examination, or questions from the examination, unless authorized by the Department; or
 - (3) divulge the contents of an applicant training course examination questions to another person.
- (f) (1) Students shall provide their own safe, functional handgun and factory-loaded ammunition.
- (2) Prior to conducting range firing, the certified firearms instructor shall:
 - (i) inspect each applicant's firearm; and
 - (ii) not allow the firing of a handgun that is not in sound mechanical condition or otherwise may pose a safety hazard.
- (g) Grades of "passing" shall not be given on range work to an applicant who:
- (1) does not follow the orders of the certified firearms instructor;
 - (2) in the judgment of the certified firearms instructor, handles a firearm in a manner that poses a danger to the applicant or to others; or
 - (3) during the testing portion of the range work fails to hit the silhouette portion of the target with a majority of 20 rounds.
- (h) Certified firearms instructors shall:
- (1) allow monitoring of their classes by officials of any certifying agency;
 - (2) make all course records available upon demand to authorized personnel of the Department; and
 - (3) not divulge course records except as authorized by the certifying agency.
- (i) (1) Fees for applicant training courses shall not exceed \$75 per student.
- (2) Qualified firearms instructors shall collect the fee and remit \$25 of the fee to the Department.
 - (3) Fees shall not be refunded to students who fail or otherwise do not complete the course.
- (j) An applicant training course shall not have more than 40 students in the classroom portion or more than 10 students per range officer engaged in range firing.
- (k) Within 3 working days after the completion of the course, the certified firearms instructor shall:
- (1) grade the examinations; and
 - (2) mail to the Department:
 - (i) the completed course application form, showing the student's score on the written examination and indicating whether the student passed or failed the range work; and
 - (ii) the graded examinations.
- (l) Within 15 days after receipt of the material described in section (k), the Department shall mail to the applicant:
- (i) a certificate of successful course completion; or
 - (ii) notification that the applicant has failed the course and will not be certified.
- (m) A student shall be issued a certificate of completion if he or she:
- (i) answers at least 70% of the written examination questions correctly; and
 - (ii) achieves a grade of "passing" on the range work.
- (n) (1) Students who score below 70% on the written examination may retake the examination one time without having to retake the course.
- (2) Students who do not achieve a grade of "passing" on the range work may repeat the range work one time without having to retake the course.
 - (3) Notices of failure shall include information on whether the student failed the written exam, the range firing, or both.

Section 90. Firearms instructors training.

- (a) Persons who are not qualified firearms instructors shall not teach applicant training courses.
- (b) Persons who are not qualified firearms instructors shall not advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a permit to carry concealed firearms in this State.

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- (c) Persons who are not certified instructor trainers shall not teach instructor qualification courses.
- (d) Persons wishing to become qualified firearms instructors shall:
 - (1) be at least 21 years of age;
 - (2) be a citizen of the United States; and
 - (3) meet the requirements of subsection (b) of Section 25.
- (e) Persons wishing to become instructor trainers, in addition to the requirements of subsection (d) of this Section, shall:
 - (1) possess a high school diploma or GED certificate;
 - (2) have at least one of the following valid firearms instructor certifications:
 - (I) National Rifle Association Personal Protection Instructor;
 - (II) National Rifle Association Pistol Marksmanship Instructor;
 - (III) certification from a firearms instructor's course offered by a State or federal governmental agency; or
 - (IV) a similar firearms instructor qualifying course, approved the Director of State Police or his or her designee.
- (f) (1) Applicants shall agree to background checks.
 - (2) An applicant may be disqualified from taking firearms instructor training, or have his or her instructor qualification revoked, if the applicant:
 - (A) does not meet the requirements of this Act to possess a concealed firearms permit;
 - (B) provides false or misleading information on the application; or
 - (C) has had a prior instructor qualification revoked by the Department.
- (g) The training course to certify firearms instructors and instructor trainers shall include:
 - (1) Sixteen hours of classroom instruction covering at least the following topics:
 - (i) by means of a videotape produced or approved by the Department:
 - (A) the requirements for obtaining a concealed firearms permit in this State;
 - (B) laws relating to firearms as contained in the Firearm Owners Identification Card Act, Article 24 of the Criminal Code of 1961, and 18 U.S.C. 921 through 930;
 - (C) laws relating to the justifiable use of force as contained in Article 7 of the Criminal Code of 1961;
 - (D) the conduct of applicant training courses;
 - (E) record-keeping requirements of this Act;
 - (F) the basic nomenclature of handguns;
 - (G) the basic principles of marksmanship; and
 - (H) the safe handling of handguns.
 - (2) A classroom demonstration, during which the instructor candidate shall receive instruction on and demonstrate competency in the ability to prepare and deliver a classroom presentation using materials from the applicant curriculum.
 - (3) Range instruction and firing of live ammunition, during which the instructor candidate shall receive instruction on and demonstrate competency in the ability to:
 - (i) handle and fire a handgun safely and accurately;
 - (ii) conduct a function test and safety inspection of common types of handguns;
 - (iii) clean common types of handguns; and
 - (iv) supervise and conduct live firing exercises in a safe and efficient manner.
 - (h) To qualify as a certified firearms instructor or instructor trainer, instructor candidates shall achieve:
 - (1) a minimum score of 70% on a written examination covering the material taught during the classroom portion of the course;
 - (2) a minimum score of 80% on range firing of a handgun from the standing position while aiming at a B-21 PC silhouette target or an equivalent as approved by the Department, with a minimum of:
 - (i) ten rounds from 7 yards;
 - (ii) ten rounds from 15 yards; and
 - (iii) a score of "passing" from the course instructor for demonstrating competency in each of the following:
 - (A) supervising and conducting live fire;
 - (B) cleaning and inspecting handguns; and
 - (C) preparing and delivering the classroom lecture.
 - (i) Instructor candidates who fail to meet the minimum requirements of subsection (g) of this Section

may retake the examination, range work, or classroom demonstration one time without having to repeat the course.

(j) Qualified firearms instructor and instructor trainer certificates shall be valid for 3 years from date of issue. Qualified firearms instructors or instructor trainers may renew their certification by successfully completing a refresher course offered or approved by the Department.

(k) The fees for instructor trainer or refresher courses shall be \$100 per student.

(1) The fees for qualified instructor courses shall be no more than \$100 per student.

The instructor trainer shall remit \$50 per student to the Department.

(2) Fees shall not be refunded to those who do not pass or otherwise fail to complete a course.

(l) Course participants shall provide their own safe, functional handgun and factory-loaded ammunition.

(m) Prior to conducting range firing, the course instructor shall:

(1) inspect each applicant's firearm; and

(2) not allow the firing of a handgun that is not in sound mechanical condition or otherwise may pose a safety hazard.

Section 95. Repeal. This Act is repealed on January 1, 2010.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 105. The Firearm Owners Identification Card Act is amended by changing Section 13.1 as follows:

(430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

Sec. 13.1. The provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act, except that an ordinance of a unit of local government, including a home rule unit, is invalid if it is inconsistent with the Retired Officers Security Act. It is declared to be the policy of this State that the regulation of the right to carry concealed firearms is an exclusive power and function of the State. A home rule unit may not regulate the issuance of permits to carry concealed firearms or the carrying and transportation of firearms. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 76-1939.)

Section 110. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided

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that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm authorization card by the Department of Professional Regulation. Conditions for the renewal of firearm authorization cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Such firearm authorization card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm authorization card by the Department of Professional Regulation. Conditions for renewal of firearm authorization cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Such firearm authorization card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) A person issued a permit to carry a concealed firearm under the Retired Officers Security Act.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

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

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

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

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

(Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439, eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)

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

Senator Petka offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2 . Amend Senate Bill 2188, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Retired Officers Security Act.

Section 5. Legislative declaration. The General Assembly finds that as a matter of public policy it is necessary to provide statewide uniform standards for issuing permits to carry concealed firearms for retired peace officers and that no person who does not qualify under the provisions of this Act receives a permit to carry concealed firearms. The General Assembly recognizes that it already regulates the use and possession of concealed firearms under Sections 24-1 and 24-1.6 of the Criminal Code of 1961 and that the regulation of concealed firearms is an exclusive statewide function. The General Assembly does not delegate to the Department of State Police the authority to regulate or restrict the issuing of concealed firearms permits provided for in this Act beyond those provisions contained in this Act.

Section 10. Definitions. As used in this Act:

"Concealed firearm" means a handgun carried on or about a person completely or mostly concealed from view of the public, or carried in a vehicle in such a way as it is concealed from view of the public.

"Department" means the Department of State Police.

"Director" means the Director of State Police.

"Fund" means the Retired Officers Security Trust Fund.

"Handgun" has the meaning ascribed to it in subsection (A)(h) of Section 24-3 of the Criminal Code of 1961.

"Permit" means a permit to carry a concealed firearm issued by the Department of State Police.

"Permittee" means a person who is issued a permit to carry a concealed firearm by the Department of

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State Police.

Section 15. Retired Officers Security Fund.

(a) There is created the Retired Officers Security Trust Fund. The Fund shall be maintained apart from the State treasury and shall be administered by the Department. Moneys from federal and State sources may be deposited into the Fund. Fees from applications for new, renewal, corrected, and duplicate concealed firearms permits shall be deposited into the Fund. The Department may invest the moneys in the Fund, and any income on these investments shall be reinvested in the Fund.

(b) The Department shall use the moneys in the Fund exclusively for the administration of this Act.

Section 20. Permit for concealed firearms. The Department of State Police is authorized to issue permits to carry concealed firearms to persons qualified as provided in this Act. Permits to carry a concealed firearm shall be valid throughout the State for a period of 5 years from the date of issuance. Any person in compliance with the terms of the permit may carry concealed firearms on or about his or her person. The permittee shall carry the permit at all times the permittee is carrying a concealed firearm and shall display the permit upon the request of a law enforcement officer. The permit is valid throughout the State.

Section 25. Application for permit and qualifications of applicants.

(a) An applicant for a permit shall obtain the application from the Department of State Police. The completed application and all accompanying material plus an application fee of \$100 for a new permit or \$100 for a renewal shall be submitted to the Department of State Police. The Department of State Police may promulgate rules for the use of this fee that are not inconsistent with this Act.

(b) The Department of State Police, upon a person's application for a concealed firearms permit, upon receipt of the appropriate fees, and after compliance with the procedures set out in this Section, shall issue the applicant a concealed firearms permit if the person:

(1) resides within the State of Illinois and has been a resident for the last 6 months and is a permanent resident of the United States;

(2) has not been convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor evidencing violence, is not free on any form of bond or pretrial release for any offense that would prohibit the person from obtaining a permit under this Act, and has no outstanding warrants for those crimes;

(3) has no record of mental disease or mental illness on file with the Department of State Police, the Department of Human Services, or any other State or federal agencies that would evidence incapacity, or lack of proper mental capacity;

(4) has not been committed to a state or federal facility for the abuse of a controlled substance or cannabis or has not been convicted of a misdemeanor violation of the Illinois Controlled Substances Act or the Cannabis Control Act or similar laws of any other state relating to controlled substances or cannabis within a 10-year period immediately preceding the date on which the application is submitted; and

(5) shows proof that he or she either:

(A) is a graduate of a police training institute or police academy, who after graduating served for at least 10 years as a sworn, full-time peace officer qualified to carry firearms for any federal or State department or agency or for any unit of local government of Illinois and has retired as a local, State, or federal peace officer in a publicly created peace officer retirement system; whose service in law enforcement was honorably terminated through retirement or disability and not as a result of discipline, suspension, discharge, or decertification by the Illinois Law Enforcement Training Standards Board; or

(B) earned the Military Occupation Specialty (MOS) of a military police officer, investigator, or its equivalent in any of the Armed Forces and served for at least 10 years as a member of the United States Armed Forces, which service was honorably terminated and not as a result of discipline, suspension, or dishonorable discharge.

Section 30. Contents of application. The initial application shall be in writing, submitted under oath and under the penalties of perjury, on a standard form promulgated by the Department of State Police, and shall be accompanied by the appropriate fees and required documentation. The application shall contain only the following information:

(1) the applicant's name, address, gender, and date and place of birth;

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- (2) a head and shoulder color photograph taken within 30 days preceding the date on which the application is submitted;
- (3) questions to certify or demonstrate the applicant has completed a firearms and deadly use of force training and education prerequisites specified under this Act;
- (4) a statement that the applicant is a resident of the State of Illinois and has been a resident for the last 6 months and is a United States citizen or a naturalized citizen;
- (5) a waiver of privacy and confidentiality rights and privileges enjoyed by the applicant under all federal and State laws governing access to juvenile court, criminal justice, psychological or psychiatric records, or records relating to the applicant's history of institutionalization, and an affirmative request that any person having custody of any such record provide it or information concerning it to the Department;
- (6) a conspicuous warning that false statements made by the applicant will result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961;
- (7) that the applicant possesses a currently valid Illinois Firearm Owner's Identification Card, together with the card number, or is applying for the card in conjunction with the concealed firearms permit application;
- (8) an affirmation that the applicant has never been convicted of any felony;
- (9) the applicant's signature, under oath, attesting to the following statement: "I, the undersigned, state, under oath and subject to the penalty of perjury, that I am not a streetgang member as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act and that I will not join or become associated with a criminal streetgang."; and
- (10) appropriate documentation to support that the applicant meets the requirements of clause (b)(5) of Section 25 of this Act.

Section 35. Submission of identifying information; fee. In addition to the completed application, the applicant must submit the following information to the Department of State Police:

- (i) a recent head and shoulder color photograph of the applicant as required by Section 30 in a size specified by the Department of State Police taken preceding the date on which the application is submitted;
- (ii) a non-refundable permit fee of \$100 if he or she has not previously been issued such a permit by the Department of State Police, or a non-refundable permit fee of \$100 for each renewal of a permit;
- (iii) a full set of legible fingerprints administered to the applicant by the Department of State Police, or any other federal, State, county, or municipal law enforcement agency; any cost of fingerprinting shall be paid by the applicant; and
- (iv) a photocopy of a certificate or other evidence of completion of a course to show compliance with Section 90 of this Act.

Section 40. Approval of application.

(a) If the Department of State Police finds that the applicant possesses a valid Firearm Owner's Identification Card, meets the training requirements of this Act, and has provided the documentation and paid the fees required for issuance of a concealed firearms permit and that, as nearly as it is possible to determine, nothing in the applicant's background or present circumstances disqualify him or her from possessing a firearm in Illinois, it shall approve the application and issue the applicant a wallet-sized permit bearing the photograph of the applicant within 90 days or the Department may issue a new Firearm Owner's Identification Card with an endorsement for the carrying of a concealed firearm.

(b) If the applicant is found to be ineligible, the Department of State Police shall deny the application and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within 30 days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the Department of State Police shall reconsider its decision and inform the applicant within 30 days of the result of the reconsideration. The applicant shall further be informed of the right to appeal the denial in the circuit court of his or her place of residence.

(c) The Department of State Police shall maintain an automated record listing of permit holders, including their names and addresses, and this information shall be available on-line, upon request, at all times to all Illinois law enforcement agencies. Except as provided in this subsection, information on applications for permits, names and addresses, or other identifying information relating to permit holders shall be confidential and shall not be made available except to law enforcement agencies. Requests for

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information about any permit holder made by persons other than a bona fide law enforcement agency shall be made to the Department of State Police together with any fee required for the providing of information. The Department of State Police may, upon proper application and the payment of the required fee, provide to the requester, in written form only, a list of names of any or all holders in the State of Illinois licensed to carry a concealed firearm. No identifying information other than the name shall be provided, and information for geographic areas or other subdivisions of any type from the list shall not be provided, except to a bona fide law enforcement agency, and shall be confidential. No requests for lists of local or statewide permit holders shall be made to any State or local law enforcement agency. No other agency of government other than the Department of State Police shall provide any information to a requester not entitled to it by law. The names of all persons, other than law enforcement agencies and peace officers, requesting information under this Section shall be public records.

Section 45. Revocation of a permit. A permit issued under Section 40 shall be revoked if the permit holder becomes ineligible to be issued a permit under the criteria set forth in clauses (b)(1), (2), (3), (4), and (5) of Section 25 or subsection (b) of Section 40 of this Act. When the holder of the permit has his or her Firearm Owner's Identification Card revoked, when an order of protection is issued under Section 112A-14 of the Code of Criminal Procedure of 1963 or under Section 214 of the Illinois Domestic Violence Act of 1986 against a person holding a permit issued under this Act, the holder of the permit shall surrender the permit to the court or to the officer serving the order. The officer to whom the permit is surrendered shall forthwith transmit the permit to the court issuing the order. The permit shall be revoked until the order is terminated.

Section 50. Notification of renewal. Not later than 60 days before the expiration of any permit issued under this Act, the Department of State Police shall notify the permit holder in writing of the expiration and furnish an application for renewal of the permit.

Section 55. Renewal of permit. The permit shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and required renewal fee. The renewal application shall contain the same required information as set forth in paragraphs (1) through (9) of Section 30, except that in lieu of the firearm education and use of deadly force training, the applicant need only demonstrate previous issuance of and continued eligibility for a concealed firearms permit.

Section 60. Change of address, change of name, or lost or destroyed permits.

(a) Within 30 days after the changing of a permanent residence, or within 30 days after loss or destruction of a concealed firearms permit, the permittee shall notify the Department of State Police of the loss, destruction, change of name, or change of residence. Failure to notify the Department of State Police shall constitute a noncriminal violation with a penalty of \$25 payable to the Department of State Police.

(b) If a person issued a permit to carry a concealed firearm changes residence within this State, or changes his or her name, the person to whom the permit was issued may upon payment of \$25 to the Department of State Police obtain a corrected concealed firearms permit with a change of address or change of name upon furnishing a notarized statement to the Department of State Police that the permittee has changed residence, or his or her name, and upon submission of an application as set forth in Section 25 and photograph as set forth in paragraph (2) of Section 30 of this Act. A concealed firearms permit shall be invalid after 30 days if the permittee has not notified the Department of State Police of a change of residence.

(c) If a person to carry a concealed firearm is lost or destroyed, the permit shall be cancelled, and the person to whom the permit was issued may upon payment of \$25 to the Department of State Police obtain a new permit, upon furnishing a notarized statement to the Department of State Police that the permit was lost or destroyed and submission of an application as set forth in Section 25 and photograph as set forth in paragraph (2) of Section 30 of this Act.

Section 65. Concealed firearms permit.

(a) A concealed firearm permit shall authorize the person in whose name the permit is issued to carry concealed firearms on or about his or her person or vehicle throughout the State. No permit issued under this Section shall authorize any person to carry a concealed firearm into or upon:

- (i) Any police, sheriff, or Department of State Police office or station without the consent of the chief law enforcement officer in charge of that office or station.
- (ii) The facility of any adult or juvenile detention or correctional institution,

prison, or jail.

(iii) Any courthouse, solely occupied by the Circuit, Appellate, or Supreme Court, or a courtroom of any of those courts, or court proceeding, except that nothing in this Section shall preclude a judge, holding a concealed firearm permit, from carrying a concealed firearm within a courthouse.

(iv) Any meeting of the governing body of a unit of local government; or any meeting of the General Assembly or a committee of the General Assembly, except that nothing in this Section shall preclude a member of the body, holding a concealed firearms permit, from carrying a concealed firearm at a meeting of the body which he or she is a member.

(v) The General Assembly may by statute, and the county or municipality may by ordinance, prohibit or limit the carrying of concealed firearms by permit holders in that portion of a building owned, leased, or controlled by that unit of government. That portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute or ordinance may be denied entrance to the building, ordered to leave the building, and, if the employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute or ordinance. The provisions of this Section shall not apply to any other unit of government.

(vi) Any portion of an establishment licensed to dispense beer or alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to that purpose. This paragraph (vi) does not apply to any bona fide restaurant open to the general public having dining facilities for not less than 50 persons and that receives at least 50% of its gross annual income from the dining facilities by the sale of food.

(vii) Any area of an airport to which access is controlled by the inspection of persons and property.

(viii) Any place where the carrying of a firearm is prohibited by federal law.

(ix) Any elementary or secondary school facility without the consent of school authorities.

(x) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this Section shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or permit.

(xi) A riverboat gambling operation or horse racing facility accessible by the public.

(xii) Any gated area of an amusement park.

(xiii) Any stadium, arena, or collegiate or professional sporting event.

(xiv) A church or other place of religious worship.

A violation of this subsection (a) is a Class C misdemeanor.

(b) A concealed firearm permit does not authorize the concealed carrying or transportation of a stun gun or taser.

Section 70. Immunity of Department, sheriff, municipal police department, and their employees and agents. The Department of State Police, office of the county sheriff, or municipal police department, and any employee or agent of the Department of State Police, county sheriff, or municipal police department is not liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke permits issued under this Act.

Section 80. Fees.

(a) Fees collected under this Act and deposited into the Retired Officers Security Trust Fund shall be used exclusively for administering the provisions of this Act; except that, commencing January 1, 2005, any excess moneys in the Fund may be used to ensure the prompt and efficient processing of applications received under Section 30 of this Act.

(b) Fees for a concealed firearms permit shall be:

New permit.....					\$100
Renewal.....					\$100
Duplicate	due	to	lost	or	\$25
destroyed.....					
Corrected permit due to change of address					

or name..... \$25

Section 85. Applicant training.

(a) The applicant training course shall be the standardized training course furnished by the Department and taught by a qualified firearms instructor, consisting of:

(1) Eight hours of classroom instruction, covering at least the following topics:

(i) handgun safety in the classroom, at home, on the firing range, or while carrying the firearm;

(ii) the basic principles of marksmanship;

(iii) care and cleaning of handguns; and

(iv) by means of a videotape produced or approved by the Department:

(A) the requirements for obtaining a concealed firearms permit in this State;

(B) laws relating to firearms as prescribed in the Firearm Owners

Identification Card Act, Article 24 of the Criminal Code of 1961, and 18 U.S.C. 921 through 930; and

(C) laws relating to the justifiable use of force as prescribed in Article 7 of the Criminal Code of 1961.

(2) Live firing exercises of sufficient duration for each applicant to fire:

(i) a handgun from a standing position;

(ii) a minimum of 20 rounds; and

(iii) at a distance from a B-21 silhouette target, or an equivalent as approved by the Department, of 7 yards.

(b) The classroom portion of the course may be, at the qualified firearms instructor's discretion, divided into segments of not less than 2 hours each.

(c) (1) An applicant training course shall not be open to persons who are less than 21 years of age.

(2) An applicant training course students shall complete a course application form, which shall include a statement acknowledging receipt of copies of pertinent statutory provisions listed in clauses (A), (B), and (C) of subparagraph (iv) of paragraph (1) of subsection (a) and a liability waiver.

(3) The course application form may be obtained from the qualified firearms instructor at the time of the course.

(d) At the conclusion of the classroom portion of the applicant training course, the qualified firearms instructor shall:

(1) distribute a standard course examination to the students;

(2) not leave the room in which the examination is being held while the examination is in progress;

(3) collect examination booklets and answer sheets from each student at the end of the examination period;

(4) not grade the examinations in the presence of students; and

(5) not divulge an applicant's numeric score on the day of the examination, but may indicate whether an applicant passed or failed the examination.

(e) A person shall not:

(1) make an unauthorized copy of the applicant training course examination, in whole or in part;

(2) possess the applicant training course examination, or questions from the examination, unless authorized by the Department; or

(3) divulge the contents of an applicant training course examination questions to another person.

(f) (1) Students shall provide their own safe, functional handgun and factory-loaded ammunition.

(2) Prior to conducting range firing, the certified firearms instructor shall:

(i) inspect each applicant's firearm; and

(ii) not allow the firing of a handgun that is not in sound mechanical condition or otherwise may pose a safety hazard.

(g) Grades of "passing" shall not be given on range work to an applicant who:

(1) does not follow the orders of the certified firearms instructor;

(2) in the judgment of the certified firearms instructor, handles a firearm in a manner

- that poses a danger to the applicant or to others; or
- (3) during the testing portion of the range work fails to hit the silhouette portion of the target with a majority of 20 rounds.
- (h) Certified firearms instructors shall:
- (1) allow monitoring of their classes by officials of any certifying agency;
 - (2) make all course records available upon demand to authorized personnel of the Department; and
 - (3) not divulge course records except as authorized by the certifying agency.
- (i) (1) Fees for applicant training courses shall not exceed \$75 per student.
- (2) Qualified firearms instructors shall collect the fee and remit \$25 of the fee to the Department.
- (3) Fees shall not be refunded to students who fail or otherwise do not complete the course.
- (j) An applicant training course shall not have more than 40 students in the classroom portion or more than 10 students per range officer engaged in range firing.
- (k) Within 3 working days after the completion of the course, the certified firearms instructor shall:
- (1) grade the examinations; and
 - (2) provide to the student a certificate of successful course completion if he or she:
 - (i) answers at least 70% of the written examination questions correctly; and
 - (ii) achieves a grade of "passing" on the range work.
- (l) (1) Students who score below 70% on the written examination may retake the examination one time without having to retake the course.
- (2) Students who do not achieve a grade of "passing" on the range work may repeat the range work one time without having to retake the course.
- (3) Notices of failure shall include information on whether the student failed the written exam, the range firing, or both.

Section 90. Firearms instructors training.

- (a) Persons who are not qualified firearms instructors shall not teach applicant training courses.
- (b) Persons who are not qualified firearms instructors shall not advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a permit to carry concealed firearms in this State.
- (c) Persons who are not certified instructor trainers shall not teach instructor qualification courses.
- (d) Persons wishing to become qualified firearms instructors shall:
- (1) be at least 21 years of age;
 - (2) be citizens of the United States; and
 - (3) have been issued Firearm Owner's Identification Cards.
- (e) Persons wishing to become instructor trainers, in addition to the requirements of subsection (d) of this Section, shall:
- (1) possess a high school diploma or GED certificate;
 - (2) have at least one of the following valid firearms instructor certifications:
 - (I) National Rifle Association Personal Protection Instructor;
 - (II) National Rifle Association Pistol Marksmanship Instructor;
 - (III) certification from a firearms instructor's course offered by a State or federal governmental agency; or
 - (IV) a similar firearms instructor qualifying course, approved the Director of State Police or his or her designee.
- (f) (1) Applicants shall agree to background checks.
- (2) An applicant may be disqualified from taking firearms instructor training, or have his or her instructor qualification revoked, if the applicant:
- (A) does not meet the requirements of the Firearm Owners Identification Card Act;
 - (B) provides false or misleading information on the application; or
 - (C) has had a prior instructor qualification revoked by the Department.
- (g) The training course to certify firearms instructors and instructor trainers shall include:
- (1) Sixteen hours of classroom instruction covering at least the following topics:
 - (i) by means of a videotape produced or approved by the Department:
 - (A) the requirements for obtaining a concealed firearms permit in this State;
 - (B) laws relating to firearms as contained in the Firearm Owners Identification

Card Act, Article 24 of the Criminal Code of 1961, and 18 U.S.C. 921 through 930;

(C) laws relating to the justifiable use of force as contained in Article 7 of the Criminal Code of 1961;

(D) the conduct of applicant training courses;

(E) record-keeping requirements of this Act;

(F) the basic nomenclature of handguns;

(G) the basic principles of marksmanship; and

(H) the safe handling of handguns.

(2) A classroom demonstration, during which the instructor candidate shall receive instruction on and demonstrate competency in the ability to prepare and deliver a classroom presentation using materials from the applicant curriculum.

(3) Range instruction and firing of live ammunition, during which the instructor candidate shall receive instruction on and demonstrate competency in the ability to:

(i) handle and fire a handgun safely and accurately;

(ii) conduct a function test and safety inspection of common types of handguns;

(iii) clean common types of handguns; and

(iv) supervise and conduct live firing exercises in a safe and efficient manner.

(h) To qualify as a certified firearms instructor or instructor trainer, instructor candidates shall achieve:

(1) a minimum score of 70% on a written examination covering the material taught during the classroom portion of the course;

(2) a minimum score of 80% on range firing of a handgun from the standing position while aiming at a B-21 PC silhouette target or an equivalent as approved by the Department, with a minimum of:

(i) ten rounds from 7 yards;

(ii) ten rounds from 15 yards; and

(iii) a score of "passing" from the course instructor for demonstrating competency in each of the following:

(A) supervising and conducting live fire;

(B) cleaning and inspecting handguns; and

(C) preparing and delivering the classroom lecture.

(i) Instructor candidates who fail to meet the minimum requirements of subsection (g) of this Section may retake the examination, range work, or classroom demonstration one time without having to repeat the course.

(j) Qualified firearms instructor and instructor trainer certificates shall be valid for 3 years from date of issue. Qualified firearms instructors or instructor trainers may renew their certification by successfully completing a refresher course offered or approved by the Department.

(k) The fees for instructor trainer or refresher courses shall be \$100 per student.

(1) The fees for qualified instructor courses shall be no more than \$100 per student.

The instructor trainer shall remit \$50 per student to the Department.

(2) Fees shall not be refunded to those who do not pass or otherwise fail to complete a course.

(l) Course participants shall provide their own safe, functional handgun and factory-loaded ammunition.

(m) Prior to conducting range firing, the course instructor shall:

(1) inspect each applicant's firearm; and

(2) not allow the firing of a handgun that is not in sound mechanical condition or otherwise may pose a safety hazard.

Section 95. Repeal. This Act is repealed on July 1, 2010.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 105. The Firearm Owners Identification Card Act is amended by changing Section 13.1 as follows:

(430 ILCS 65/13.1) (from Ch. 38, par. 83-13.1)

Sec. 13.1. The provisions of any ordinance enacted by any municipality which requires registration or

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imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act, except that an ordinance of a unit of local government, including a home rule unit, is invalid if it is inconsistent with the Retired Officers Security Act. It is declared to be the policy of this State that the regulation of the right to carry concealed firearms is an exclusive power and function of the State. A home rule unit may not regulate the issuance of permits to carry concealed firearms or the carrying and transportation of firearms. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 76-1939.)

Section 110. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm authorization card by the Department of Professional Regulation. Conditions for the renewal of firearm authorization cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Such firearm authorization card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees

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and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm authorization card by the Department of Professional Regulation. Conditions for renewal of firearm authorization cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Such firearm authorization card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) A person issued a permit to carry a concealed firearm under the Retired Officers Security Act.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

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

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

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

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the

manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

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(Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439, eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)

Section 999. Effective date. This Act takes effect January 1, 2005."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2271** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1 . Amend Senate Bill 2271 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Physical Therapy Act is amended by changing Section 31 as follows:

(225 ILCS 90/31) (from Ch. 111, par. 4281)

(Section scheduled to be repealed on January 1, 2006)

Sec. 31. Violations; use of words, abbreviations, figures, or letters indicating licensure.

(c) Any person who is found to have violated any provision of this Act is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for the second and any subsequent offense.

(b) Any person representing himself as a physical therapist or that the services he renders are physical therapy services, or uses any words, such as physical therapy, physical therapist, physiotherapy or physiotherapist, abbreviations, figures or letters with the intention of indicating practice as a licensed physical therapist, when he does not possess a currently valid license as defined herein, commits a Class A misdemeanor, for a first offense, and a Class 4 felony for a second or subsequent offense.

© Any person representing himself as a physical therapist assistant or that the services he renders are physical therapy services, or uses any words such as physical therapy or physical therapist assistant, or uses abbreviations, figures or letters with the intention of indicating practice as a physical therapist assistant, when he does not possess a currently valid license as defined herein, commits a Class A misdemeanor for a first offense, and a Class 4 felony for a second or subsequent offense.

(Source: P.A. 85-342; 86-1396.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 2607** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Rules.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 2

AMENDMENT NO. 2 . Amend Senate Bill 2607 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-14-2 as follows:

(730 ILCS 5/3-14-2) (from Ch. 38, par. 1003-14-2)

Sec. 3-14-2. Supervision on Parole, Mandatory Supervised Release and Release by Statute.

(b) The Department shall retain custody of all persons placed on parole or mandatory supervised release or released pursuant to Section 3-3-10 of this Code and shall supervise such persons during their parole or release period in accord with the conditions set by the Prisoner Review Board. Such conditions shall include referral to an alcohol or drug abuse treatment program, as

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appropriate, if such person has previously been identified as having an alcohol or drug abuse problem. Such conditions may include that the person use an approved electronic monitoring device subject to Article 8A of Chapter V.

(b) The Department shall assign personnel to assist persons eligible for parole in preparing a parole plan. Such Department personnel shall make a report of their efforts and findings to the Prisoner Review Board prior to its consideration of the case of such eligible person.

© A copy of the conditions of his parole or release shall be signed by the parolee or releasee and given to him and to his supervising officer who shall report on his progress under the rules and regulations of the Prisoner Review Board. The supervising officer shall report violations to the Prisoner Review Board and shall have the full power of peace officers in the arrest and retaking of any parolees or releasees or the officer may request the Department to issue a warrant for the arrest of any parolee or releasee who has allegedly violated his parole or release conditions. If the parolee or releasee commits an act that constitutes a felony using a firearm or knife, or, if applicable, fails to comply with the requirements of the Sex Offender Registration Act, the officer shall request the Department to issue a warrant and the Department shall issue the warrant and the officer or the Department shall file a violation report with notice of charges with the Prisoner Review Board. A sheriff or other peace officer may detain an alleged parolee or releasee until a warrant for his return to the Department can be issued. The parolee or releasee may be delivered to any secure place until he can be transported to the Department.

(b) The supervising officer shall regularly advise and consult with the parolee or releasee, assist him in adjusting to community life, inform him of the restoration of his rights on successful completion of sentence under Section 5-5-5.

(b) Supervising officers shall receive specialized training in the special needs of female releasees or parolees including the family reunification process.

(f) The supervising officer shall keep such records as the Prisoner Review Board or Department may require. All records shall be entered in the master file of the individual.

(Source: P.A. 86-661; 86-1281; 87-855.)

Section 10. The Sex Offender Registration Act is amended by changing Sections 2, 3, 6, 8, 8-5, and 10 as follows:

(730 ILCS 150/2) (from Ch. 38, par. 222)

Sec. 2. Definitions.

(b) As used in this Article, "sex offender" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a sex offense set forth in subsection (B) of this Section or the attempt to commit an included sex offense, and:

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

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

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

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

(e) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25© of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(f) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(2) certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(3) subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

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(5) adjudicated a juvenile delinquent as the result of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

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

For purposes of this Section, "convicted" shall have the same meaning as "adjudicated".

(B) As used in this Article, "sex offense" means:

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

- 11-20.1 (child pornography),
- 11-6 (indecent solicitation of a child),
- 11-9.1 (sexual exploitation of a child),
- 11-15.1 (soliciting for a juvenile prostitute),
- 11-18.1 (patronizing a juvenile prostitute),
- 11-17.1 (keeping a place of juvenile prostitution),
- 11-19.1 (juvenile pimping),
- 11-19.2 (exploitation of a child),
- 12-13 (criminal sexual assault),
- 12-14 (aggravated criminal sexual assault),
- 12-14.1 (predatory criminal sexual assault of a child),
- 12-15 (criminal sexual abuse),
- 12-16 (aggravated criminal sexual abuse),
- 12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, and the offense was committed on or after January 1, 1996:

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

An attempt to commit any of these offenses.

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age, the defendant was at least 17 years of age at the time of the commission of the offense, and the offense was committed on or after June 1, 1996.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961, and the offense was committed on or after June 1, 1997.

(1.9) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998.

(1.10) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after July 1, 1999:

- 10-4 (forcible detention, if the victim is under 18 years of age),
- 11-6.5 (indecent solicitation of an adult),
- 11-15 (soliciting for a prostitute, if the victim is under 18 years of age),
- 11-16 (pandering, if the victim is under 18 years of age),
- 11-18 (patronizing a prostitute, if the victim is under 18 years of age),
- 11-19 (pimping, if the victim is under 18 years of age).

(1.11) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after the effective date of this amendatory Act of the 92nd General Assembly:

11-9 (public indecency for a third or subsequent conviction),

11-9.2 (custodial sexual misconduct).

(1.12) A violation or attempted violation of Section 5.1 of the Wrongs to Children Act (permitting sexual abuse) when the offense was committed on or after the effective date of this amendatory Act of the 92nd General Assembly.

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

© A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (B), (C), and (E) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person or a sexually violent person under any federal law, Uniform Code of Military Justice, or the law of another state or foreign country that is substantially equivalent to the Sexually Dangerous Persons Act or the Sexually Violent Persons Commitment Act shall constitute an adjudication for the purposes of this Article.

(C-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, committed on or after June 1, 1996 against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (C-5) of this Section shall constitute a conviction for the purpose of this Article.

(D) As used in this Article, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the sex offender expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(D-1) As used in this Article, "supervising officer" means the assigned Illinois Department of Corrections parole agent or county probation officer.

(E) As used in this Article, "sexual predator" means any person who, after July 1, 1999, is:

(1) Convicted for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (E) of this Section shall constitute a conviction for the purpose of this Article. Convicted of a violation or attempted violation of any of the following Sections of the Criminal Code of 1961, if the conviction occurred after July 1, 1999:

11-17.1 (keeping a place of juvenile prostitution),

11-19.1 (juvenile pimping),

11-19.2 (exploitation of a child),

11-20.1 (child pornography),

12-13 (criminal sexual assault, if the victim is a person under 12 years of age),

12-14 (aggravated criminal sexual assault),

12-14.1 (predatory criminal sexual assault of a child),

12-16 (aggravated criminal sexual abuse),

12-33 (ritualized abuse of a child); or

(2) convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense; or

(3) certified as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) convicted of a second or subsequent offense which requires registration pursuant to this Act. The conviction for the second or subsequent offense must have occurred after July 1, 1999. For purposes of this paragraph (5), "convicted" shall include a conviction under any substantially similar Illinois, federal, Uniform Code of Military Justice, sister state, or foreign country law.

(F) As used in this Article, "out-of-state student" means any sex offender, as defined in this Section, or sexual predator who is enrolled in Illinois, on a full-time or part-time basis, in any public or private

educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(G) As used in this Article, "out-of-state employee" means any sex offender, as defined in this Section, or sexual predator who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

(730 ILCS 150/3) (from Ch. 38, par. 223)

Sec. 3. Duty to register.

(b) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, and school attended. The sex offender or sexual predator shall register:

(1) with the chief of police in each of the municipalities in which he or she attends school, is employed, resides or is temporarily domiciled for a period of time of 10 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in each of the counties in which he or she attends school, is employed, resides or is temporarily domiciled in an unincorporated area or, if incorporated, no police chief exists.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 10 or more days during any calendar year.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 10 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence:

(1) with the chief of police in each of the municipalities in which he or she attends school or is employed for a period of time of 10 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in each of the counties in which he or she attends school or is employed for a period of time of 10 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 10 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

© The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection ©(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.5) Except as provided in subsection ©(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 10 days of notification of his or her requirement to register. If notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or

indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection ©(4), any person convicted on or after January 1, 1996, shall register in person within 10 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within 10 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a \$20 initial registration fee and a \$10 annual renewal fee.

The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Ten dollars for the initial registration fee and \$5 of the annual renewal fee shall be used by the registering agency for official purposes. Ten dollars of the initial registration fee and \$5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used to fund practices endorsed or required by the Sex Offender Management Board Act including but not limited to sex offenders evaluation, treatment, or monitoring programs that are or may be developed, as well as for administrative costs, including staff, incurred by the Board.

(b) Within 10 days after obtaining or changing employment and, if employed on January 1, 2000, within 10 days after that date, a person required to register under this Section must report, in person or in writing to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 92-828, eff. 8-22-02; 93-616, eff. 1-1-04.)

(730 ILCS 150/6) (from Ch. 38, par. 226)

Sec. 6. Duty to report; change of address, school, or employment; duty to inform. A person who has been adjudicated to be sexually dangerous or is a sexually violent person and is later released, or found to be no longer sexually dangerous or no longer a sexually violent person and discharged, shall report in person to the law enforcement agency with whom he or she last registered no later than 90 days after the date of his or her last registration and every 90 days thereafter. Any other person who is required to register under this Article shall report in person to the appropriate law enforcement agency with whom he or she last registered within one year from the date of last registration and every year thereafter. If any person required to register under this Article changes his or her residence address, place of employment, or school, he or she shall, in writing, within 10 days inform the law enforcement agency with whom he or she last registered of his or her new address, change in employment, or school and register with the appropriate law enforcement agency within the time period specified in Section 3. The law enforcement agency shall, within 3 days of receipt, notify the Department of State Police and the law enforcement agency having jurisdiction of the new place of residence, change in employment, or school. Initial and updated registration information shall be highlighted on the Department of State Police Sex Offender Database for a period of 90 days.

If any person required to register under this Article establishes a residence or employment outside of the State of Illinois, within 10 days after establishing that residence or employment, he or she shall, in writing, inform the law enforcement agency with which he or she last registered of his or her out-of-state residence or employment. The law enforcement agency with which such person last registered shall, within 3 days notice of an address or employment change, notify the Department of State Police. The Department of State Police shall forward such information to the out-of-state law enforcement agency having jurisdiction in the form and manner prescribed by the Department of State Police.

(Source: P.A. 91-48, eff. 7-1-99; 91-394, eff. 1-1-00; 92-16, eff. 6-28-01; 92-828, eff. 8-22-02.)

(730 ILCS 150/8) (from Ch. 38, par. 228)

Sec. 8. Registration Requirements. Registration as required by this Article shall consist of a statement in writing signed by the person giving the information that is required by the Department of State Police, which may include the fingerprints and must include a current photograph of the person, to be updated annually. The registration information must include whether the person is a sex offender as defined in the Sex Offender and Child Murderer Community Notification Law. Within 3 days, the registering law

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enforcement agency shall forward any required information to the Department of State Police. The registering law enforcement agency shall enter the information into the Law Enforcement Agencies Data System (LEADS) as provided in Sections 6 and 7 of the Intergovernmental Missing Child Recovery Act of 1984.

(Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)

(730 ILCS 150/8-5)

Sec. 8-5. ~~Verification~~ ~~Address verification~~ requirements.

(b) Address verification. The agency having jurisdiction shall verify the address of sex offenders, as defined in Section 2 of this Act, or sexual predators required to register with their agency at least once per calendar year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(b) Registration verification. The supervising officer shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections facility, contact the law enforcement agency in the jurisdiction in which the sex offender or sexual predator designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a sex offender or sexual predator on probation, parole, or mandatory supervised release who fails to comply with the requirements of this Act.

(Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

(730 ILCS 150/10) (from Ch. 38, par. 230)

Sec. 10. Penalty. Any person who is required to register under this Article who violates any of the provisions of this Article and any person who is required to register under this Article who seeks to change his or her name under Article 21 of the Code of Civil Procedure is guilty of a Class 3 4 felony. Any person who is required to register under this Article who knowingly or wilfully gives material information required by this Article that is false is guilty of a Class 3 felony. Any person convicted of a violation of any provision of this Article shall, in addition to any other penalty required by law, be required to serve a minimum period of 7 days confinement in the local county jail. The court shall impose a mandatory minimum fine of \$500 for failure to comply with any provision of this Article. These fines shall be deposited in the Sex Offender Registration Fund. Any sex offender, as defined in Section 2 of this Act, or sexual predator who violates any provision of this Article may be tried in any Illinois county where the sex offender can be located.

(Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99; 92-16, eff. 6-28-01; 92-828, eff. 8-22-02.)

Section 15. The Sex Offender and Child Murderer Community Notification Law is amended by changing Section 115 as follows:

(730 ILCS 152/115)

Sec. 115. Sex offender database.

(b) The Department of State Police shall establish and maintain a Statewide Sex Offender Database for the purpose of identifying sex offenders and making that information available to the persons specified in Sections 120 and 125 of this Law. The Database shall be created from the Law Enforcement Agencies Data System (LEADS) established under Section 6 of the Intergovernmental Missing Child Recovery Act of 1984. The Department of State Police shall examine its LEADS database for persons registered as sex offenders under the Sex Offender Registration Act and shall identify those who are sex offenders and shall add all the information, including photographs if available, on those sex offenders to the Statewide Sex Offender Database.

(b) The Department of State Police must make the information contained in the Statewide Sex Offender Database accessible on the Internet by means of a hyperlink labeled "Sex Offender Information" on the Department's World Wide Web home page and must include hyperlinks to the sex offender Web sites of Missouri, Indiana, Wisconsin, Kentucky, and Iowa. The Department of State Police must update that information as it deems necessary and must highlight additions to its registry for a period of 90 days.

The Department of State Police may require that a person who seeks access to the sex offender information submit biographical information about himself or herself before permitting access to the sex offender information. The Department of State Police may limit access to the sex offender information to information about sex offenders who reside within a specified geographic area in proximity to the address of the person seeking that information. The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this subsection (b) and those rules must include procedures to ensure that the information in the database is accurate.

(Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)”.

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There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Schoenberg, **Senate Bill No. 2724** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on Executive.

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

On motion of Senator Crotty, **Senate Bill No. 2791** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2791 by replacing everything after the enacting clause with the following:

"Section 5. The Mobile Home Landlord and Tenant Rights Act is amended by changing Section 9 and by adding Section 9.5 as follows:

(765 ILCS 745/9) (from Ch. 80, par. 209)

Sec. 9. The Terms of Fees and Rents. The terms for payment of rent shall be clearly set forth and all charges for services, ground or lot rent, unit rent, or any other charges shall be specifically itemized in the lease and in all billings of the tenant by the park owner.

The owner shall not change the rental terms nor increase the cost of fees, except as provided herein.

The park owner shall not charge a transfer or selling fee as a condition of sale of a mobile home that is going to remain within the park unless a service is rendered.

Rents charged to a tenant by a park owner may be increased upon the renewal of a lease. Notification of an increase shall be delivered 60 days prior to expiration of the lease.

Except in a municipality with a population greater than 2,000,000 people, the rent for a tenant who is at least 62 years of age or disabled at the time of renewal of a lease and who is renting the same lot that the tenant rented in the immediately preceding year may not be increased in any year by a percentage that exceeds the greater of the following: (i) the change in the consumer price index-u during the immediately preceding calendar year or (ii) 3%. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84=100. If this index is no longer published, the Illinois Department of Labor shall adopt a comparable substitute index by rule for purposes of this Section.

(Source: P.A. 86-851.)

(765 ILCS 745/9.5 new)

Sec. 9.5. Penalties. Any park owner who increases the rent of a tenant who is at least 62 years of age or disabled in violation of Section 9 is guilty of a petty offense and shall be fined \$500 for the first violation and \$1,000 for a second or subsequent violation. The State's Attorney shall prosecute violations under this Section."

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2791 by replacing everything after the enacting clause with the following:

"Section 5. The Mobile Home Landlord and Tenant Rights Act is amended by changing Section 9 as follows:

(765 ILCS 745/9) (from Ch. 80, par. 209)

Sec. 9. The Terms of Fees and Rents. The terms for payment of rent ~~shall~~ **must** be clearly set forth and all charges for services, ground or lot rent, unit rent, or any other charges shall be specifically itemized in the lease and in all billings of the tenant by the park owner.

The owner shall not change the rental terms nor increase the cost of fees, except as provided herein.

The park owner shall not charge a transfer or selling fee as a condition of sale of a mobile home that is going to remain within the park unless a service is rendered.

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Rents charged to a tenant by a park owner may be increased upon the renewal of a lease. Notification of an increase shall be delivered 60 days prior to expiration of the lease. (Source: P.A. 86-851.)".

Floor Amendment No. 3 was held in the Committee on Rules.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Winkel, **Senate Bill No. 2858** having been printed, was taken up, read by title a second time.

Floor Amendments numbered 1 and 2 were held in the Committee on Rules.
There being no further amendments the bill was ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 2907** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Rules.
There being no further amendments the bill was ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 2921** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 3166** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 3174** having been printed, was taken up, read by title a second time and ordered to a third reading.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

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

	HOUSE BILL NO. 3989
A bill for AN ACT in relation to firearms.	
	HOUSE BILL NO. 4022
A bill for AN ACT concerning disability services.	
	HOUSE BILL NO. 4176
A bill for AN ACT concerning preventive services.	
	HOUSE BILL NO. 4263
A bill for AN ACT concerning taxes.	
	HOUSE BILL NO. 4266
A bill for AN ACT concerning education.	
	HOUSE BILL NO. 4310
A bill for AN ACT concerning child support.	
	HOUSE BILL NO. 4452
A bill for AN ACT concerning special districts.	
	HOUSE BILL NO. 4560
A bill for AN ACT concerning public health.	
	HOUSE BILL NO. 4610
A bill for AN ACT in relation to minors.	
	HOUSE BILL NO. 6574
A bill for AN ACT concerning freedom of information.	
	HOUSE BILL NO. 6740
A bill for AN ACT concerning the Office of Banks and Real Estate.	
	HOUSE BILL NO. 6841
A bill for AN ACT concerning education.	

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Passed the House, March 25, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3989, 4022, 4176, 4263, 4266, 4310, 4452, 4560, 4610, 6574, 6740 and 6841** were taken up, ordered printed and placed on first reading.

LEGISLATIVE MEASURE FILED

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 1 to Senate Bill 717

At the hour of 8:10 o'clock p.m., the Chair announced that the Senate stand adjourned until Friday, March 26, 2004, at 9:00 o'clock a.m.