



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

55TH LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, OCTOBER 19, 2005

3:29 O'CLOCK P.M.

NO. 55

[October 19, 2005]

SENATE
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55th Legislative Day

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Bill Number	Legislative Action	Page(s)
SJR 0052	Committee on Rules	26
HB 1009	First Reading	90

The Senate met pursuant to adjournment.
 Pursuant to the Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.
 Silent prayer was observed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Report on Illinois Education Funding Recommendations, submitted by Education Funding Advisory Board.

Report on Plan to Reduce the Need for Day Care Outside the Home, submitted by the Department of Human Rights in compliance with P.A. 87-552

2004 Annual Flex-Time Report, submitted by the Department on Aging.

Report on Underrepresented Groups in Illinois Higher Education for 2005, submitted by the Illinois Board of Higher Education.

Report on Gender Equity in Intercollegiate Athletics, submitted by the Illinois Board of Higher Education in accordance with 110 ILCS 205/9.24.

Energy Conservation Technical Assistance Update 2004 Report, submitted by the Department of Commerce and Economic Opportunity.

Energy Efficiency Trust Fund Program Report for January 2003, submitted by Department of Commerce and Economic Opportunity.

Renewable Energy Resources Program Report for December 1997 through December 2004, submitted by the Illinois Department of Commerce and Economic Opportunity.

Report on the Feasibility of Creating a State Advocacy Program of the Homeless Mentally Ill and Developmentally Disabled, submitted by the Department of Human Services in accordance with House Resolution 413 of the 93rd General Assembly.

FY2004 Report on State of Illinois Small Business Set-Aside Program, submitted by the Department of Central Management Services.

Third Quarter FY2005 Procurement Report Regarding Minority and Women Owned Business Participation, submitted by the Metropolitan Pier and Exposition Authority.

2004 Annual Report, submitted by the Chicago/Gary Regional Airport Authority.

Status Report of Illinois Disabilities Service Act, submitted by the Illinois Disabilities Services Advisory Committee.

Report on WIC and Family Case Management Programs, submitted by the Illinois Department of Human Services.

Annual Report of the Cervical Cancer Task Force, submitted by the Department of Public Health.

Report on reorganization and consolidation of workforce development and job training programs resulting from Executive Order 11, submitted by Department of Commerce and Economic Opportunity.

Report on the Evaluation of Academic Medical Center Hospitals, submitted by Department of Public Aid and Department of Public Health.

[October 19, 2005]

Second Report on Reorganization of the Illinois Building Commission and the Capital Development Board, submitted by the Capital Development Board.

Report on the Wheeling Township Road District Flood Hazard Mitigation Project, submitted by the Department of Natural Resources.

Executive Summary School Cully Drainage Study, Village of Lemont, submitted by the Department of Natural Resources.

Annual Report in accordance with Section 5/4-201.16 of the Illinois Highway Code, submitted by the Department of Transportation.

Report on the Impact on Patient Care of a PDL for Antipsychotic Medications and Anticonvulsants, submitted by the Department of Healthcare and Family Services.

Final Reports on Developmental Disabilities, Mental Health and SASS Cost Analysis, submitted by Department of Children and Family Services and Department of Human Services.

FY2006 Highway Improvement Program, submitted by Department of Transportation.

Monthly Briefing, July 2005, submitted by the Commission on Government Forecasting and Accountability.

Report pursuant to Executive Order 2003-7, submitted by the Department of Central Management Services.

FY2003 Report on the Business Enterprise Program for Minorities, Females and Persons with Disabilities, submitted by Department of Central Management Services.

FY2004 Report on the Business Enterprise Program for Minorities, Females and Persons with Disabilities, submitted by Department of Central Management Services.

Report of the Senate Task Force on Illinois Alcoholic Beverage Laws submitted in compliance with SR 139 of the 94th General Assembly.

Report in compliance with the Illinois Promotion Act requiring DCEO to establish and maintain an affirmative action program to promote equal employment opportunity and eliminate the effects of past discrimination, submitted by the Department of Commerce and Economic Opportunity.

FY2005 Annual Report, submitted by the Office of the State Appellate Defender.

Report of the City of East St. Louis Financial Advisory Authority, submitted by the City of East St. Louis Financial Advisory Authority

Fiscal Year 2005 Report on Emerging Money Managers, submitted by the Illinois State Board of Investment.

Report on Federal Funds to State Agencies FY 2003-2005, submitted by the Legislative Research Unit

2005 Report on the Use of Emerging Investment Managers, submitted by the State Universities Retirement System.

Autism Task Force Report, submitted by the Department of Human Services.

Quarterly Report to the Legislature, submitted by the Department of Corrections.

Minutes of the meetings of the Board of Trustees of Southern Illinois University – July 12, 13, and 14, 2005, submitted by Southern Illinois University Board of Trustees.

[October 19, 2005]

FY2005 Before- and After-School Report, submitted by the Illinois State Board of Education.

Financial Statements for the Metropolitan Pier and Exposition Authority for the 12 months ended June 30, 2005, submitted by the Metropolitan Pier and Exposition Authority.

Monthly Briefing, August 2005, submitted by the Commission on Government Forecasting and Accountability.

Wagering in Illinois 2005 Update, submitted by the Commission on Government Forecasting and Accountability.

2004 Annual Report and Financial Summaries of the ICHIP, submitted by the Comprehensive Health Insurance Plan, Office of the Board of Directors.

Report summarizing consolidation and reorganization activities, status and results of the transfer of certain media functions to CMS pursuant to Executive Order 2004-2, submitted by the Department of Central Management Services.

For the Record – 2005, FY 2005 Highway Improvement Accomplishments, submitted by the Department of Transportation.

Property Taxes in Illinois 2005 Update, submitted by the Commission on Government Forecasting and Accountability.

FY2006 Budget Summary of the State of Illinois, submitted by the Commission on Government Forecasting and Accountability.

Screening, Assessment and Support Services Monitoring and Evaluation Report, submitted by the Department of Healthcare and Family Services.

Certification for Designation of Franklin County Power of Illinois, LLC, as an Illinois High Impact Business, submitted by the Department of Commerce and Economic Opportunity.

2005 Edition – Motor Fuel – Pricing Factors, Tax Structures and Other Related Issues, submitted by the Commission on Government Forecasting and Accountability.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

COMMUNICATIONS

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – SECRETARY OF STATE
July 6, 2005

Honorable Linda Hawker
Secretary of the Senate
Room 401
Capitol Building
Springfield, Illinois 62706

Dear Ms. Hawker:

This office is forwarding herewith copies of the Notice of Vacancy from the Legislative Committee of the Republican Party for the 28th Legislative District declaring the existence of a vacancy in the Office of Senator in the Ninety-Fourth General Assembly in the 28th Legislative District, as a result of the resignation of Senator Kathleen L. “Kay” Wojcik.

[October 19, 2005]

Also enclosed is the copy of the Republican Legislative Committee's Certificate of Appointment, along with the Oath of Office for John Millner, 756 Burning Trail, Carol Stream, Illinois 60188 who was appointed to fill the vacancy in the Office of Senator, in the 94th General Assembly for the 28th Legislative District.

Yours truly,
s/Jesse White
Secretary of State

NOTICE

Changes in the Ninety-Fourth General Assembly

SENATE

Appointment

John Millner
756 Burning Trail
Carol Stream, Illinois 60188
28th Legislative District
Appointed: July 1, 2005
Oath: July 1, 2005
Filed: July 6, 2005

Vacancy

Kathleen L. "Kay" Wojcik
28th Legislative District
Resigned
Filed: July 6, 2005

cc: Communications Department
House Speaker Madigan
House Minority Leader Cross
Legal Department
Legislative Affairs
Office of the Governor
Secretary of State
Senate President Jones
Senate Minority Leader Watson
State Board of Elections

NOTIFICATION OF VACANCY

Legislative Committee of the
Republican Party of the
28th Legislative District

STATE OF ILLINOIS
COUNTY OF DUPAGE

WHEREAS, Senator Kathleen L. "Kay" Wojcik, a member of the Republican Party, has resigned as Senator in the General Assembly for the Twenty-eighth Legislative District;

WHEREAS, Senator Wojcik's resignation is effective June 30, 2005;

NOW, THEREFORE, the Legislative Committee of the Republican Party of the Twenty-eighth Legislative District does hereby find and declare that the office of Senator for the Twenty-eighth Legislative District is vacant.

SIGNED: s/Kirk Dillard
Chairman

Date: 7/1/05

CERTIFICATE OF APPOINTMENT TO FILL VACANCY
IN THE OFFICE OF SENATOR IN THE GENERAL ASSEMBLY
IN THE TWENTY-EIGHTH LEGISLATIVE DISTRICT

[October 19, 2005]

Legislative Committee of the
Republican Party of the
28th Legislative District

STATE OF ILLINOIS
COUNTY OF DUPAGE

WHEREAS, a vacancy has occurred in the office of Senator in the General Assembly in the 28th Legislative District of the State of Illinois by reason of the resignation of Kathleen L. “Kay” Wojcik, a duly elected officer of the Republican Party from the 28th Legislative District of Illinois; and

WHEREAS, the Legislative Committee of the Republican Party of the 28th Legislative District has met and voted to fill the vacancy in said office, as required by 10 ILCS 25/6;

NOW, THEREFORE, BE IT RESOLVED that the Legislative Committee of the Republican Party of the 28th Legislative District hereby appoints John Millner of 756 Burning Trail, Carol Stream, IL 60188, a member of the Republican Party, to the office of Senator in the General Assembly in the 28th Legislative District.

s/Kirk Dillard
Chairman

s/Brian B. McGuire
Secretary

Dated: 7/1/05

Oath of Office
Illinois State Senator
John Millner

The first day of July 2005
St. Andrews County Club
West Chicago, Illinois

I, John Miller do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of State Senator for the State of Illinois according to the best of my ability.

s/John Millner
Senator John Millner 28th District

I Judge Ann Brackley Jorgensen being duly authorized to administer oaths certifies that the forgoing oath of office was administered to John Millner on this 1st day of July 2005.

s/Honorable Ann Brackley Jorgensen
Circuit Judge, 18th Judicial Circuit

DAVE SULLIVAN
STATE SENATOR – 33RD DISTRICT

August 30, 2005

Ms. Linda Hawker
Secretary of the Senate
401 State Capitol

[October 19, 2005]

Springfield, IL 62706

Dear Secretary Hawker:

It is with mixed emotions that I write you this letter to officially inform you of my decision to retire from the Illinois Senate effective at Noon on Monday, September 12, 2005.

I have been honored to serve as a member of this great institution for the past seven years. Representing the people of Chicago and the Northwest suburbs has been a tremendous experience for me. Together I think we have accomplished much for the area as well as create good public policy. The friendships my family and I have made will last a lifetime.

I look forward to seeing you soon.

Best Regards,

s/Dave Sullivan

cc: Senate President Emil Jones
Senate Republican Leader Frank Watson
Assistant Secretary of the Senate Scott Kaiser

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – SECRETARY OF STATE

September 19, 2005

Honorable Linda Hawker
Secretary of the Senate
Room 401
Capitol Building
Springfield, Illinois 62706

Dear Ms. Hawker:

This office is forwarding herewith copies of the Notice of Vacancy from the Legislative Committee of the Republican Party for the 33rd Legislative District declaring the existence of a vacancy in the Office of Senator in the Ninety-Fourth General Assembly in the 33rd Legislative District, as a result of the resignation of Senator David Sullivan.

Also enclosed is the copy of the Republican Legislative Committee's Certificate of Appointment, along with the Oath of Office for Cheryl Axley, 90 E. Milburn Ave., Mt. Prospect, Illinois 60056 who was appointed to fill the vacancy in the Office of Senator, in the 94th General Assembly, for the 33rd Legislative District.

Yours truly,
s/Jesse White
Secretary of State

NOTICE

Changes in the Ninety-Fourth General Assembly

Senate

Appointment
Cheryl Axley
90 E. Milburn Ave.
Mt. Prospect, Illinois 60056

Vacancy
David Sullivan
33rd Legislative District
Resigned: September 12, 2005

[October 19, 2005]

33rd Legislative District
Appointed: September 17, 2005
Oath: September 17, 2005
Filed: September 19, 2005

Filed: September 19, 2005

cc: Communications Department
House Speaker Madigan
House Minority Leader Cross
Legal Department
Legislative Affairs
Office of the Governor
Secretary of State
Senate President Jones
Senate Minority Leader Watson
State Board of Elections

NOTIFICATION OF VACANCY

Legislative Committee of the
Republican Party of the
33rd Legislative District

STATE OF ILLINOIS

WHEREAS, Senator David Sullivan, a member of the Republican Party, has resigned as Senator in the General Assembly for the 33rd Legislative District; and

WHEREAS, Senator Sullivan was the duly elected State Senator for the 33rd Legislative District for the 94th General Assembly; and

WHEREAS, Senator Sullivan's resignation was effective at Noon on September 12, 2005;

NOW, THEREFORE, the Legislative Committee of the Republican Party of the 33rd Legislative District does hereby find and declare that the office of Senator for the 33rd Legislative District is vacant for the remainder of the 94th General Assembly.

SIGNED: s/Scott Serchuk
Chairman

ATTEST: s/Gary Skoien
Secretary

Date: 9/15/05

CERTIFICATE OF APPOINTMENT TO FILL VACANCY
IN LEGISLATIVE OR REPRESENTATIVE DISTRICT OFFICE

WHEREAS, a vacancy has occurred in the office of Senator in the General Assembly in the 33rd Legislative District of the State of Illinois by reason of the resignation of David Sullivan, a duly elected officer of the Republican Party from the 33rd Legislative District of Illinois; and

WHEREAS, the Legislative Committee of the Republican Party of the 33rd Legislative District has met and voted to fill the vacancy in said office, as required by 10 ILCS 5/25-6;

BE IT RESOLVED that the Legislative Committee of the Republican Party of the 33rd Legislative District hereby appoints Cheryl Axley of 90 E. Milburn Ave., Mt. Prospect, Illinois, a member of the Republican Party, to the office of Senator in the Legislative District of Illinois.

s/Scott Serchuk
Chairman

s/Gary Skoien
Secretary

[October 19, 2005]

Dated 9/17/05

OATH OF OFFICE
STATE OF ILLINOIS

I, Cheryl Axley, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of State Senator for the 33rd Legislative District of the State of Illinois to the best of my ability.

s/Cheryl Axley

Subscribed and sworn to before me, this 17th day of September, 2005

s/Jo Ellen Johnson
Notary Public/State of Illinois

COMMUNICATIONS FROM MINORITY LEADER

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST SENATE DISTRICT
July 1, 2005

Ms. Linda Hawker
Secretary of the Senate
403 State House
Springfield, Illinois 62706

Dear Madam Secretary:

Please be advised that I have made the following changes to the 94th General Assembly Standing Committees:

Due to the retirement of Senator Wojcik, Senator John O. Jones is appointed Minority Spokesman of the Committee on Licensed Activities.

Senator Pamela Althoff will replace Senator John Jones as Minority Spokesman of Commerce and Economic Development.

Senator John Millner will replace Senator Althoff as Minority Spokesman of Housing and Community Affairs. Senator Althoff remains as a member of the Committee.

Senator Millner will replace Senator Dave Sullivan on the Committee on Licensed Activities. He will also serve on the Committee on State Government, replacing Senator Wojcik.

These appointments are effective immediately. If you have any questions please contact my Chief of Staff, Brian McFadden, at 217-782-8184.

Sincerely,

s/Frank Watson
Senate Republican Leader

cc: Senate President Emil Jones, Jr.
House Speaker Michael Madigan
House Republican Leader Tom Cross
Secretary of State, Index Division

[October 19, 2005]

Legislative Research Unit
Governor's Legislative Office
Scott Kaiser
Mark Mahoney

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

October 5, 2005

Linda Hawker
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Secretary Hawker:

Pursuant to Senate Rule 3-2, I am making the following changes to the minority membership of the following standing committees of the Senate:

Local Government: Senator Cheryl Axley shall replace Senator Wendell Jones as Minority Spokesperson.

Transportation: Senator Cheryl Axley shall replace former Senator Dave Sullivan as a member.

Housing and Community Affairs: Senator Wendell Jones shall replace Senator John Millner as Minority Spokesperson.

Environment and Energy: Senator Dale Risinger shall replace former Senator Dave Sullivan as Minority Spokesperson.

State Government: Senator John Millner shall replace Senator Dale Risinger as Minority Spokesperson, Senator Bill Peterson shall serve as a member and Senator Risinger will no longer serve on the Committee.

Financial Institutions: Senator Cheryl Axley shall replace Senator Bill Peterson as a member.

Pensions and Investments: Senator Millner shall replace Senator Petka as a member.

These changes shall take effect immediately.

Sincerely,

s/Frank Watson
Senate Republican Leader

cc: Senate President Emil Jones
Assistant Secretary of the Senate Scott Kaiser

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

October 17, 2005

[October 19, 2005]

Linda Hawker
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Secretary Hawker:

Pursuant to Senate Rule 3-2, Senator Christine Radogno shall replace Senator Todd Sieben as a member of the Health and Human Services Committee.

This change shall take effect immediately.

Sincerely,

s/Frank Watson
Senator Republican Leader

cc: Senate President Emil Jones, Jr.
House Speaker Michael Madigan
House Republican Leader Tom Cross
Secretary of State, Index Division
Legislative Research Unit
Governor's Legislative Office
Scott Kaiser
Mark Mahoney

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

October 19, 2005

Linda Hawker
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Secretary Hawker:

Pursuant to the provisions of Senate Rule 3-5(b) and (c), I am hereby appointing Senator Christine Radogno to replace Senator Peter Roskam as a member of the Senate Rules Committee. This appointment shall take effect immediately.

Thank you.

Sincerely,

s/Frank Watson
Senator Republican Leader

cc: Senate President Emil Jones
Senator Christine Radogno
Assistant Secretary of the Senate Scott Kaiser

[October 19, 2005]

PRESENTATION OF RESOLUTIONS**SENATE RESOLUTION 265**

Offered by Senator Dillard and all Senators:
Mourns the death of Judith "Judy" Polizzi of Lisle.

SENATE RESOLUTION 266

Offered by Senator Dillard and all Senators:
Mourns the death of Judge Robert A. Cox of Winfield.

SENATE RESOLUTION 267

Offered by Senator Raoul and all Senators:
Mourns the death of Dr. Maurice F. Rabb, Jr., of Chicago.

SENATE RESOLUTION 268

Offered by Senator E. Jones and all Senators:
Mourns the death of Joseph H. Haley of Chicago.

SENATE RESOLUTION 269

Offered by Senator Haine and all Senators:
Mourns the death of Ralph L. Franklin of Caseyville.

SENATE RESOLUTION 270

Offered by Senator Haine and all Senators:
Mourns the death of James R. Halloran of Godfrey.

SENATE RESOLUTION 271

Offered by Senator Link and all Senators:
Mourns the death of Elisha Irvin, Jr., of Waukegan.

SENATE RESOLUTION 272

Offered by Senator Link and all Senators:
Mourns the death of William J. Niemietz of North Chicago.

SENATE RESOLUTION 273

Offered by Senator E. Jones and all Senators:
Mourns the death of George Turk of Chicago.

SENATE RESOLUTION 274

Offered by Senator Althoff and all Senators:
Mourns the death of Christopher "Chris" Dwyer of McHenry.

SENATE RESOLUTION 275

Offered by Senator Forby and all Senators:
Mourns the death of Jennie Eubanks of Mount Vernon.

SENATE RESOLUTION 276

Offered by Senator Forby and all Senators:
Mourns the death of Jeremiah Cody South of Marion.

SENATE RESOLUTION 277

Offered by Senator Forby and all Senators:
Mourns the death of Mildred E. Meinders of Metropolis.

SENATE RESOLUTION 278

Offered by Senator Forby and all Senators:
Mourns the death of Elia (Bianchini) Battaglia of Royalton.

SENATE RESOLUTION 279

Offered by Senator Forby and all Senators:
Mourns the death of James C. "JC" Kirk of Herrin.

SENATE RESOLUTION 280

Offered by Senator Forby and all Senators:
Mourns the death of Katie Keele of West Frankfort.

SENATE RESOLUTION 281

Offered by Senator Forby and all Senators:
Mourns the death of Caswell Martin of Norris City.

SENATE RESOLUTION 282

Offered by Senator Forby and all Senators:
Mourns the death of James J. "Jimmy" Galt of Shawneetown.

SENATE RESOLUTION 283

Offered by Senator Forby and all Senators:
Mourns the death of Sergeant Brian Romines of Simpson.

SENATE RESOLUTION 284

Offered by Senator Forby and all Senators:
Mourns the death of Adonis Watson.

SENATE RESOLUTION 285

Offered by Senator Forby and all Senators:
Mourns the death of Al Oxford of Johnston City.

SENATE RESOLUTION 286

Offered by Senator Forby and all Senators:
Mourns the death of James M. "Strawberry" Nelson of Anna.

SENATE RESOLUTION 287

Offered by Senator Forby and all Senators:
Mourns the death of Hazel Graul of Herrin.

SENATE RESOLUTION 288

Offered by Senator Forby and all Senators:
Mourns the death of Shirley Green of Herrin.

SENATE RESOLUTION 289

Offered by Senator Haine and all Senators:
Mourns the death of William Lee "Bill" Williams of Alton.

SENATE RESOLUTION 290

Offered by Senator E. Jones and all Senators:
Mourns the death of Ida Jones Martin of Chicago.

SENATE RESOLUTION 291

Offered by Senator Maloney and all Senators:
Mourns the death of Dr. Rosemarie Carroll of Palos Heights.

SENATE RESOLUTION 292

Offered by Senator Link and all Senators:
Mourns the death of John A. Bakshis of Vernon Hills.

SENATE RESOLUTION 293

Offered by Senator Link and all Senators:
Mourns the death of Irene McKinney of Waukegan.

[October 19, 2005]

SENATE RESOLUTION 294

Offered by Senator Link and all Senators:
Mourns the death of Eva Ash of North Chicago.

SENATE RESOLUTION 295

Offered by Senator Link and all Senators:
Mourns the death of David Roland "Wolfe" Nystrom of Waukegan.

SENATE RESOLUTION 296

Offered by Senator Link and all Senators:
Mourns the death of Helen T. Kendzior of North Chicago.

SENATE RESOLUTION 297

Offered by Senator Link and all Senators:
Mourns the death of John Wayne Moran of Waukegan.

SENATE RESOLUTION 298

Offered by Senator E. Jones and all Senators:
Mourns the death of Matilda "Tillie" Dennis of Chicago.

SENATE RESOLUTION 299

Offered by Senator Link and all Senators:
Mourns the death of Julia Emma Rosing, formerly of Libertyville.

SENATE RESOLUTION 300

Offered by Senator Link and all Senators:
Mourns the death of Rose M. Quigley.

SENATE RESOLUTION 301

Offered by Senator Wilhelmi and all Senators:
Mourns the death of George Mikan, formerly of Joliet.

SENATE RESOLUTION 302

Offered by Senator Link and all Senators:
Mourns the death of Jeffrey Williams of Waukegan.

SENATE RESOLUTION 303

Offered by Senator Link and all Senators:
Mourns the death of Lawrence S. "Link" Lindquist of Waukegan.

SENATE RESOLUTION 304

Offered by Senator Link and all Senators:
Mourns the death of Dean J. Seger of North Chicago.

SENATE RESOLUTION 305

Offered by Senator Link and all Senators:
Mourns the death of Anna Marie Lentine of Zion.

SENATE RESOLUTION 306

Offered by Senator Haine and all Senators:
Mourns the death of Fred A. Dalton of Collinsville.

SENATE RESOLUTION 307

Offered by Senator Haine and all Senators:
Mourns the death of Lucille E. "Lucy" Roderfeld of Alton.

SENATE RESOLUTION 308

Offered by Senator Haine and all Senators:
Mourns the death of Edward Maag of Belleville.

SENATE RESOLUTION 309

Offered by Senator Risinger and all Senators:
Mourns the death of Raymond Earl Zimmerman of Princeton.

SENATE RESOLUTION 310

Offered by Senator Halvorson and all Senators:
Mourns the death of Barbara Johnson.

SENATE RESOLUTION 311

Offered by Senator Lightford, Senator E. Jones and all Senators:
Mourns the death of Ronald Lee Smith of Springfield.

SENATE RESOLUTION 312

Offered by Senator Clayborne and all Senators:
Mourns the death of Dr. LaRona Jane Morris.

SENATE RESOLUTION 313

Offered by Senator Raoul and all Senators:
Mourns the death of Camille Nicole (Comer) Cook of Chicago.

SENATE RESOLUTION 314

Offered by Senator Clayborne and all Senators:
Mourns the death of Richard Ray Jackson, Sr., of East St. Louis.

SENATE RESOLUTION 315

Offered by Senator Clayborne and all Senators:
Mourns the death of Robert E. "Bob" Becker, Sr., of Belleville.

SENATE RESOLUTION 316

Offered by Senator Forby and all Senators:
Mourns the death of Carl D. Chaney of Benton.

SENATE RESOLUTION 317

Offered by Senator Forby and all Senators:
Mourns the death of Raymond E. Bruce of Lake of Egypt.

SENATE RESOLUTION 318

Offered by Senator Forby and all Senators:
Mourns the death of William Ryan "Billy" Taylor of Marion.

SENATE RESOLUTION 319

Offered by Senator Forby and all Senators:
Mourns the death of Robert E. "Bob" Nelson of Marion.

SENATE RESOLUTION 320

Offered by Senator Forby and all Senators:
Mourns the death of Anthony Christian "Tony" Tuma of Zeigler.

SENATE RESOLUTION 321

Offered by Senator Forby and all Senators:
Mourns the death of Silas "Si" Otten of Anna.

SENATE RESOLUTION 322

Offered by Senator Forby and all Senators:
Mourns the death of Virginia L. Kapraun of Mulkeytown.

SENATE RESOLUTION 323

Offered by Senator Forby and all Senators:
Mourns the death of Donna Norris Carlson of O'Fallon, Missouri, formerly of Paulton.

SENATE RESOLUTION 324

Offered by Senator Forby and all Senators:
Mourns the death of Robert "Bob" Webb of Christopher.

SENATE RESOLUTION 325

Offered by Senator Forby and all Senators:
Mourns the death of David Lee Baker of Herrin.

SENATE RESOLUTION 326

Offered by Senator Forby and all Senators:
Mourns the death of Charles Thomas "Tom" Futrell of Marion.

SENATE RESOLUTION 327

Offered by Senator Forby and all Senators:
Mourns the death of Frances Florence Jones of Christopher.

SENATE RESOLUTION 328

Offered by Senator E. Jones and all Senators:
Mourns the death of Robert "Bob" Webb of Christopher.

SENATE RESOLUTION 329

Offered by Senator Forby and all Senators:
Mourns the death of Normal L. Magnuson of West Frankfort.

SENATE RESOLUTION 330

Offered by Senator Forby and all Senators:
Mourns the death of Evelyn (McCarty) Weger of Benton.

SENATE RESOLUTION 331

Offered by Senator Forby and all Senators:
Mourns the death of Lila Mae Campbell of Marion.

SENATE RESOLUTION 332

Offered by Senator Forby and all Senators:
Mourns the death of Johnye Elizabeth Dehnbostel of Benton.

SENATE RESOLUTION 333

Offered by Senator Forby and all Senators:
Mourns the death of Avis Irene Sanders of Dongola.

SENATE RESOLUTION 334

Offered by Senator Forby and all Senators:
Mourns the death of James L. Chamness of Cobden.

SENATE RESOLUTION 335

Offered by Senator Forby and all Senators:
Mourns the death of Bill John Stacey.

SENATE RESOLUTION 336

Offered by Senator Forby and all Senators:
Mourns the death of Gene R. "Doc" Haynes.

SENATE RESOLUTION 337

Offered by Senator Forby and all Senators:
Mourns the death of Ruth Perrine of Cartersville.

SENATE RESOLUTION 338

Offered by Senator Forby and all Senators:
Mourns the death of Edith Adina Durham of Goreville.

SENATE RESOLUTION 339

Offered by Senator Forby and all Senators:
Mourns the death of Lola Ethel Evans of Cartersville.

SENATE RESOLUTION 340

Offered by Senator Forby and all Senators:
Mourns the death of Bob Absher of Carrier Mills.

SENATE RESOLUTION 341

Offered by Senator Forby and all Senators:
Mourns the death of Nellie Crites of Lake of Egypt and Goreville.

SENATE RESOLUTION 342

Offered by Senator Forby and all Senators:
Mourns the death of Ida Marie Boester of Marion.

SENATE RESOLUTION 343

Offered by Senator Forby and all Senators:
Mourns the death of Eileen Veach Lucas of Christopher.

SENATE RESOLUTION 344

Offered by Senator Forby and all Senators:
Mourns the death of Robert "Bob" Skaggs of Wickliffe, Kentucky, formerly of Cairo.

SENATE RESOLUTION 345

Offered by Senator Forby and all Senators:
Mourns the death of Loyd Yoast of Blairsville.

SENATE RESOLUTION 346

Offered by Senator Forby and all Senators:
Mourns the death of Larry Leon Reeves of Pulaski.

SENATE RESOLUTION 347

Offered by Senator Forby and all Senators:
Mourns the death of Virginia Kapraun of Mulkeytown.

SENATE RESOLUTION 348

Offered by Senator Forby and all Senators:
Mourns the death of James Coffel of Christopher.

SENATE RESOLUTION 349

Offered by Senator Forby and all Senators:
Mourns the death of Arthur Pedigo of Herrin.

SENATE RESOLUTION 350

Offered by Senator Forby and all Senators:
Mourns the death of James "Jim" O. Lance of Benton.

SENATE RESOLUTION 351

Offered by Senator Forby and all Senators:
Mourns the death of Elizabeth Winn of Marion.

SENATE RESOLUTION 352

Offered by Senator Forby and all Senators:
Mourns the death of William T. "Pete" Wallace of Herrin.

SENATE RESOLUTION 353

Offered by Senator Forby and all Senators:
Mourns the death of James "Curtis" Smith of Anna.

SENATE RESOLUTION 354

Offered by Senator Forby and all Senators:
Mourns the death of Rodney M. Rolla of Buckner.

SENATE RESOLUTION 355

Offered by Senator Forby and all Senators:
Mourns the death of Charles C. Morris of Herrin.

SENATE RESOLUTION 356

Offered by Senator Forby and all Senators:
Mourns the death of Eva Mae Goddard of Anna.

SENATE RESOLUTION 357

Offered by Senator Forby and all Senators:
Mourns the death of Glada Cagle of Creal Springs.

SENATE RESOLUTION 358

Offered by Senator Forby and all Senators:
Mourns the death of Louise Matlock of Thebes.

SENATE RESOLUTION 359

Offered by Senator Forby and all Senators:
Mourns the death of Robert L. Johns of Orient.

SENATE RESOLUTION 360

Offered by Senator Forby and all Senators:
Mourns the death of Jimmie D. "Jim" Hess of Marion.

SENATE RESOLUTION 361

Offered by Senator Forby and all Senators:
Mourns the death of Cheryl M. Jones of West City.

SENATE RESOLUTION 362

Offered by Senator Forby and all Senators:
Mourns the death of Bob Marshall of Marion.

SENATE RESOLUTION 363

Offered by Senator Forby and all Senators:
Mourns the death of John S. Baker of Marion.

SENATE RESOLUTION 364

Offered by Senator Forby and all Senators:
Mourns the death of Paula Diane Melvin of West Frankfort.

SENATE RESOLUTION 365

Offered by Senator Forby and all Senators:
Mourns the death of Jayne E. Border of Benton.

SENATE RESOLUTION 366

Offered by Senator Clayborne and all Senators:
Mourns the death of West Nash, Jr.

SENATE RESOLUTION 367

Offered by Senator E. Jones and all Senators:
Mourns the death of Mitchell P. Shadid of Peoria.

SENATE RESOLUTION 368

Offered by Senator Shadid and all Senators:
Mourns the death of George R. Knight of Pekin.

SENATE RESOLUTION 369

Offered by Senator Shadid and all Senators:
Mourns the death of Donald R. Grieves of Peoria.

SENATE RESOLUTION 370

Offered by Senator Shadid and all Senators:
Mourns the death of Edward H. "Brother Harry" Shempf of Bartonville.

SENATE RESOLUTION 371

Offered by Senator Link and all Senators:
Mourns the death of Tadeusz "Ted" Molek of North Chicago.

SENATE RESOLUTION 372

Offered by Senator Link and all Senators:
Mourns the death of George J. Zbyski of Grayslake.

SENATE RESOLUTION 373

Offered by Senator Link and all Senators:
Mourns the death of Stanley F. Pyktel of Park City.

SENATE RESOLUTION 374

Offered by Senator Link and all Senators:
Mourns the death of Lucille Presley of North Chicago.

SENATE RESOLUTION 375

Offered by Senator Link and all Senators:
Mourns the death of Janet Eisenberg of Waukegan.

SENATE RESOLUTION 376

Offered by Senator Shadid and all Senators:
Mourns the death of Harold Schmeilski of Peoria.

SENATE RESOLUTION 377

Offered by Senator Shadid and all Senators:
Mourns the death of Gunnery Sergeant Terry W. Ball, Jr., of Jacksonville, North Carolina, formerly of East Peoria.

SENATE RESOLUTION 378

Offered by Senator Haine and all Senators:
Mourns the death of John H. Doerr of Holiday Shores.

SENATE RESOLUTION 379

Offered by Senator Haine and all Senators:
Mourns the death of Rhea G. Vroman of Wood River.

SENATE RESOLUTION 380

Offered by Senator Haine and all Senators:
Mourns the death of Drew Schmidt of Godfrey.

SENATE RESOLUTION 381

Offered by Senator Haine and all Senators:
Mourns the death of Anthony "Tony" Ventimiglia of Alton.

SENATE RESOLUTION 382

Offered by Senator Haine and all Senators:
Mourns the death of Bessie Mae Brown of Alton.

SENATE RESOLUTION 383

Offered by Senator Haine and all Senators:
Mourns the death of Curtis S. Blevins of Wood River.

SENATE RESOLUTION 384

Offered by Senator Forby and all Senators:
Mourns the death of Donna Kaye Smith of Benton.

SENATE RESOLUTION 385

Offered by Senator Forby and all Senators:
Mourns the death of John K. Hovenga of Herrin.

SENATE RESOLUTION 386

Offered by Senator Forby and all Senators:
Mourns the death of Howard Wayne Eubanks.

SENATE RESOLUTION 387

Offered by Senator Forby and all Senators:
Mourns the death of Charles Hugh Hogan of Herrin.

SENATE RESOLUTION 388

Offered by Senator Forby and all Senators:
Mourns the death of William Howard Davis of McClure.

SENATE RESOLUTION 389

Offered by Senator Forby and all Senators:
Mourns the death of Wanda Upchurch of Johnston City.

SENATE RESOLUTION 390

Offered by Senator Forby and all Senators:
Mourns the death of Lela M. Duncan of Carterville.

SENATE RESOLUTION 391

Offered by Senator Forby and all Senators:
Mourns the death of Lola Jane (Yates) Richardson of Carterville.

SENATE RESOLUTION 392

Offered by Senator Forby and all Senators:
Mourns the death of David Lingle of Stonefort.

SENATE RESOLUTION 393

Offered by Senator Forby and all Senators:
Mourns the death of Elizabeth W. Lieb of Mounds.

SENATE RESOLUTION 394

Offered by Senator Forby and all Senators:
Mourns the death of Jim Galloway of Thompsonville.

SENATE RESOLUTION 395

Offered by Senator Forby and all Senators:
Mourns the death of Ken J. Boyer of Jackson, Missouri, formerly of Anna.

SENATE RESOLUTION 396

Offered by Senator Forby and all Senators:
Mourns the death of Kathryn B. Hendrickson of Marion.

SENATE RESOLUTION 397

Offered by Senator Forby and all Senators:
Mourns the death of Hosea Auburn Thomas of West Frankfort.

SENATE RESOLUTION 398

Offered by Senator Forby and all Senators:
Mourns the death of Barbara May White of Cartersville.

SENATE RESOLUTION 399

Offered by Senator Forby and all Senators:
Mourns the death of Charles Junior Biggerstaff of Benton.

SENATE RESOLUTION 400

Offered by Senator Forby and all Senators:
Mourns the death of John W. Somers of Marion.

SENATE RESOLUTION 401

Offered by Senator Forby and all Senators:
Mourns the death of Ina Robertson of Marion.

SENATE RESOLUTION 402

Offered by Senator Forby and all Senators:
Mourns the death of Mildred F. Heal of Herrin.

SENATE RESOLUTION 403

Offered by Senator Forby and all Senators:
Mourns the death of Dorothy (Stringer) Robey of Benton.

SENATE RESOLUTION 404

Offered by Senator Forby and all Senators:
Mourns the death of Diana L. Dodd of Anna.

SENATE RESOLUTION 405

Offered by Senator Forby and all Senators:
Mourns the death of Kenneth O. Carpenter of Christopher.

SENATE RESOLUTION 406

Offered by Senator Forby and all Senators:
Mourns the death of Mildred Perschbacher Gavel of Marion.

SENATE RESOLUTION 407

Offered by Senator Forby and all Senators:
Mourns the death of Art "Bud" Bourland of West Frankfort.

SENATE RESOLUTION 408

Offered by Senator Forby and all Senators:
Mourns the death of Kenneth Robert Dobbins of Zeigler.

SENATE RESOLUTION 409

Offered by Senator Forby and all Senators:
Mourns the death of Willie Carter of Johnston City.

SENATE RESOLUTION 410

Offered by Senator Forby and all Senators:
Mourns the death of Josephine Monti of Coello.

SENATE RESOLUTION 411

Offered by Senator Forby and all Senators:
Mourns the death of Mayple Grace (Joplin) Meacham of West Frankfort.

SENATE RESOLUTION 412

Offered by Senator Forby and all Senators:
Mourns the death of David Owen Fogle of Energy.

SENATE RESOLUTION 413

Offered by Senator E. Jones and all Senators:
Mourns the death of James J. Bonarigo of Lansing.

SENATE RESOLUTION 414

Offered by Senator Clayborne and all Senators:
Mourns the death of Leroy J. Ducksworth of Fairview Heights.

SENATE RESOLUTION 415

Offered by Senator Lightford and all Senators:
Mourns the death of Sharon R. Calderone of Forest Park.

SENATE RESOLUTION 416

Offered by Senator Peterson, Senator Geo-Karis, Senator Link, Senator Garrett and all Senators:
Mourns the death of Frank J. Nustra of Highwood.

SENATE RESOLUTION 417

Offered by Senator E. Jones, Senator Cullerton and all Senators:
Mourns the death of Mary Janette Holmes of Springfield.

SENATE RESOLUTION 418

Offered by Senator Watson and all Senators:
Mourns the death of John W. Luttrell of Decatur.

SENATE RESOLUTION 419

Offered by Senator Lightford and all Senators:
Mourns the death of Cobra L. Hunley.

SENATE RESOLUTION 420

Offered by Senator E. Jones and all Senators:
Mourns the death of Salah El Din Abdelaziz Tawfik Hassan of Springfield.

SENATE RESOLUTION 421

Offered by Senator Harmon and all Senators:
Mourns the death of Shaniya Ja'el Crittle.

SENATE RESOLUTION 422

Offered by Senator Viverito, Senator E. Jones and all Senators:
Mourns the death of Margaret McAuliffe Kueste of Burbank.

SENATE RESOLUTION 423

Offered by Senator Shadid and all Senators:
Mourns the death of Walter H. "Wuzzy" Meister of Peoria.

SENATE RESOLUTION 424

Offered by Senator Link and all Senators:
Mourns the death of First Lieutenant David L. Giaimo of Waukegan.

SENATE RESOLUTION 425

Offered by Senator Link and all Senators:
Mourns the death of Leslie Enid Furtkamp of Park City.

SENATE RESOLUTION 426

Offered by Senator Link and all Senators:
Mourns the death of Lauretta E. Opeka of Waukegan.

SENATE RESOLUTION 427

Offered by Senator Link and all Senators:
Mourns the death of Michael R. Kerr of Waukegan.

SENATE RESOLUTION 428

Offered by Senator Link and all Senators:
Mourns the death of LeRoy H. "Bud" Ellis of Gurnee.

SENATE RESOLUTION 429

Offered by Senator Link and all Senators:
Mourns the death of Rosetta Lucas of Waukegan.

SENATE RESOLUTION 430

Offered by Senator Clayborne and all Senators:
Mourns the death of Minister Derrick Voncell Jackson.

SENATE RESOLUTION 431

Offered by Senator Lauzen and all Senators:
Mourns the death of Margaret Elizabeth Baker Martin of Aurora.

SENATE RESOLUTION 432

Offered by Senator Lauzen and all Senators:
Mourns the death of Donald D. Wesemann of Hampshire.

SENATE RESOLUTION 433

Offered by Senator Lauzen and all Senators:
Mourns the death of Gerald Sodaro of Mount Prospect.

SENATE RESOLUTION 434

Offered by Senator Lauzen and all Senators:
Mourns the death of Cathy L. Cameron of Chicago.

SENATE RESOLUTION 435

Offered by Senator Lauzen and all Senators:
Mourns the death of Dr. James N. Schubert of Arkport, New York.

SENATE RESOLUTION 436

Offered by Senator Forby and all Senators:
Mourns the death of Mike Kimmel of Benton.

SENATE RESOLUTION 437

Offered by Senator Forby and all Senators:
Mourns the death of Earl H. Long of West Frankfort.

SENATE RESOLUTION 438

Offered by Senator Forby and all Senators:
Mourns the death of Alan Spencer of Carterville.

SENATE RESOLUTION 439

Offered by Senator Forby and all Senators:
Mourns the death of Jeanette Campbell of Galatia.

SENATE RESOLUTION 440

Offered by Senator Forby and all Senators:
Mourns the death of Floyd Ray Sullivan of Royalton.

SENATE RESOLUTION 441

Offered by Senator Forby and all Senators:
Mourns the death of the Reverend Kenneth E. Price of Benton.

SENATE RESOLUTION 442

Offered by Senator Forby and all Senators:
Mourns the death of William Severin O'Sullivan of Boonville, Indiana.

SENATE RESOLUTION 443

Offered by Senator Dillard and all Senators:
Mourns the death of Dr. Rollin George Taecker, Ph.D., of Naperville.

SENATE RESOLUTION 444

Offered by Senator Dillard and all Senators:
Mourns the death of Leo A. Klier of Naperville.

SENATE RESOLUTION 445

Offered by Senator Dillard and all Senators:
Mourns the death of William E. Wannemaker of Downers Grove.

SENATE RESOLUTION 446

Offered by Senator Hunter and all Senators:
Mourns the death of Carolyn Gloria Hunter Moody.

SENATE RESOLUTION 447

Offered by Senator Hunter and all Senators:
Mourns the death of Haywood Jones, Jr.

SENATE RESOLUTION 448

Offered by Senator Hunter and all Senators:
Mourns the death of Derrick L. Pollion.

SENATE RESOLUTION 449

Offered by Senator Hunter and all Senators:
Mourns the death of Ronald A. Bolton of Chicago.

SENATE RESOLUTION 450

Offered by Senator Hunter and all Senators:
Mourns the death of Mrs. Blondell Luster of Chicago.

SENATE RESOLUTION 451

Offered by Senator Hunter and all Senators:
Mourns the death of Betty L. Thomas of Camden, New Jersey.

SENATE RESOLUTION 452

Offered by Senator Hunter and all Senators:
Mourns the death of Dorothy Jean Miller of Chicago.

SENATE RESOLUTION 453

Offered by Senator Hunter and all Senators:
Mourns the death of Mary "Jane" Hunter of Chicago.

SENATE RESOLUTION 454

Offered by Senator Hunter and all Senators:
Mourns the death of Tombol Malik of Chicago.

SENATE RESOLUTION 455

Offered by Senator Hunter and all Senators:
Mourns the death of Doris J. Patterson.

SENATE RESOLUTION 456

Offered by Senator Hunter and all Senators:
Mourns the death of Reverend Willie Davis Melton.

SENATE RESOLUTION 457

Offered by Senator Shadid and all Senators:
Mourns the death of Gabriel (Vallianatos) Vallas of Brimfield.

SENATE RESOLUTION 458

Offered by Senator Shadid and all Senators:
Mourns the death of Wilma P. Thiemann of Peoria.

SENATE RESOLUTION 459

Offered by Senator Shadid and all Senators:
Mourns the death of Mark A. Linder of Peoria.

SENATE JOINT RESOLUTION 51

Offered by Senator E. Jones and all Senators:
Mourns the death of John H. Johnson of Chicago.

By unanimous consent, the following resolutions were referred to the Resolutions Consent Calendar.

Senator Lightford offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 52

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated September 30, 2005, with the Senate, the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the General Assembly is encouraged to promptly review and evaluate the Report and determine whether to disapprove, in whole or in part, the Report or any waiver request or appealed request outlined in the Report.

REPORT RECEIVED

ILLINOIS STATE BOARD OF EDUCATION
MEMORANDUM

[October 19, 2005]

TO: The Honorable Emil Jones, Jr., Senate President
 The Honorable Frank C. Watson, Senate Minority Leader
 The Honorable Michael J. Madigan, Speaker of the House
 The Honorable Tom Cross, House Republican Leader

FROM: Randy J. Dunn
 State Superintendent of Education

DATE: September 30, 2005

RE: Waivers of School Code Mandates: Fall 2005 Summary Report

As required by Section 2-3.25g of the School Code (105 ILCS 5/2-3.25g), the following report provides summaries of requests for waivers of School Code mandates being transmitted to the Illinois General Assembly for its consideration. Also included are summaries of requests for waivers and modifications acted on by the State Board of Education and of applications that have been returned to school districts or other eligible applicants.

If you have any questions or comments, please contact Jonathan Furr, General Counsel, at 217/782-8535.

cc: The Honorable Rod R. Blagojevich, Governor
 Mark Mahoney, Clerk of the House
 Linda Hawker, Secretary of the Senate
 Legislative Research Unit
 State Government Report Center

Executive Summary

The following report outlines waivers of School Code mandates that school districts, regional offices of education, or special education or vocational education cooperatives have requested since the last report, which was transmitted in May 2005. Pursuant to Section 2-3.25g of the School Code (105 ILCS 5/2-3.25g), these requests must be sent to the General Assembly for its consideration before October 1, 2005.

The report is organized by subject area and by school district, regional office, or special education or vocational education cooperative. The General Assembly may disapprove the report in whole or in part within 30 calendar days after each chamber next convenes once the report is filed. This is done by a joint resolution. If either chamber fails to reject a waiver request, then that request is deemed granted.

Section I summarizes the 38 requests received for waivers of School Code mandates for consideration by the General Assembly, which are presented alphabetically by topic area. The largest number of applications received seeks waivers from Section 27-6 of the School Code regarding physical education (11 requests), followed by nine petitions regarding parent-teacher conference days, six addressing inservice training, and four petitions pertaining to driver education. Three petitions each address administrative cost limitations and evaluation plans, and one petition each concerns use of funds and substitute teachers.

The requests dealing with substitute teachers seek authorization to employ substitutes for longer than the 90 days allowed under Section 21-9 of the School Code (see page 7 of the report).

This document also contains three other sections beyond what is required under Section 2-3.25g of the School Code. Section II lists the modifications or waivers of State Board of Education rules and modifications of School Code mandates upon which the State Board has acted. Of the 86 approvals, 80 address legal school holidays, two address driver education, three address physical education, and one pertains to substitute teachers.

Section III describes the 12 requests that have been returned to or withdrawn by the petitioning entities. Section IV shows all the requests submitted, organized by Senate and House district.

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In addition, the requests received are summarized by subject area in a table following this Executive Summary. Complete copies of the waiver requests for the General Assembly's consideration have been made available to legislative staff.

This is the twenty-first report submitted pursuant to Section 2-3.25g of the School Code, which requires that the State Board of Education compile and submit requests for waivers of School Code mandates to the General Assembly before March 1 and October 1 of each year.

Summary of Applications for Waivers and Modifications
Volume 21 – Fall 2005

Topic	Denied by		Transmitted to GA	Withdrawn or Returned
	Approved	SBE		
Content of Evaluation Plans	0	0	3	0
Driver Education	2	0	4	0
Funds	0	0	1	0
Legal School Holidays	80	0	0	6
Limitation of Administrative Costs	0	0	3	0
Parent-Teacher Conferences	0	0	9	0
Physical Education	3	0	11	1
PSAE – Instructional Time	0	0	0	4
School Improvement/ Inservice Training	0	0	6	0
Substitute Teachers	1	0	1	1
Petition Summary	86	0	38	12
TOTAL NUMBER OF APPLICATIONS:		136		

SECTION I

Applications Transmitted to the General Assembly

Content of Evaluation Plans

Glenn Ellyn SD 41 – DuPage (SD 21/HD 42) / Expiration: 2010-11 school year
WM100-3614-1 – Waiver of School Code (Section 24A-5) request to allow the district to replace the current rating scale of “excellent, satisfactory, and unsatisfactory” for a teacher evaluation process with ratings of “professional growth track – no rating”, “professional assistance track – satisfactory”, and “unsatisfactory.”

Cook County SD 130 – Cook (SD 14/HD 27) / Expiration: 2010-11 school year
WM100-3626-2 (renewal) – Waiver of School Code (Section 24A-5) request to allow the district to

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establish a teacher evaluation plan which ensures that each non-tenured teacher is evaluated every school year and that tenured teachers with satisfactory performance are evaluated at the completion of their multi-year professional growth plan, which could be one, two or three years in length.

Northfield TSHD 225 – Cook (SD 9/HD 17) / Expiration: 2009-10 school year

WM100-3632 – Waiver of School Code (Section 24A-5) request to allow the district to employ a Teacher Appraisal Program to evaluate tenured teachers that will include self-assessment, professional goal-setting and narrative review by the teacher’s supervisor. The review process will result either in an “inferred” rating of “excellent/satisfactory” or an actual rating of “unsatisfactory”.

Driver Education

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2009-10 school year

WM100-3549 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$200 of students who participate in driver education courses.

Palatine THSD 211 – Cook (SD 28/HD 56) / Expiration: 2010-11 school year

WM100-3561 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$350 of students who participate in driver education courses.

St. Charles CUSD 303 – Kane, DuPage (SD 25/HD 49) / Expiration: 2009-10 school year

WM100-3613 – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$200 of students who participate in driver education courses.

Barrington CUSD 220 – Lake (SD 26/HD 52) / Expiration: 2010-11 school year

WM100-3623-1 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$350 of students who participate in driver education courses.

Funds

Union Ridge SD 86 – Cook (SD 10/HD 20) / Expiration: 2010-11 school year

WM100-3563-1 (renewal) – Waiver of School Code (Section 17-2) request to allow the district to collect revenue generated from the tax rates established for the Education Fund, the Operations and Maintenance Fund, and the Transportation Fund and to use the revenue in the method and in the fund that best meets the needs of the district and its students.

Limitation of Administrative Cost

Evergreen Park ESD 124 – Cook (SD 18/HD 36) / Expiration: 2005-06 school year

WM100-3562 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district employs a special education coordinator for its junior high school. Previously, that position’s costs had been paid with a grant provided by Medicaid’s Administrative Outreach funds; however, that source of funding is decreasing and the district must use local funds for the position, causing it to exceed the 5 percent limitation.

Lindop SD 92 – Cook (SD 4/HD 7) / Expiration: 2004-05 school year

WM100-3573 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district employed a curriculum director for the 2003-04 school year, but that person could not begin the position until after the start of the school year. For the 2004-05 school year, the director’s salary was increased from \$100,000 to \$105,000, but since the person did not receive a full year’s salary the previous school year, the increase caused the district to exceed the 5 percent limitation for 2004-05.

Zion-Benton THSD 126 – Lake (SD 31/HD 61) / Expiration: 2005-06 school year

WM100-3628 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district anticipates exceeding the 5 percent limit during school year 2005-06 for several reasons. During school year 2004-05, the district did not include in the budget funds for emergency purposes, resulting in an actual budget

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that was artificially low. In addition, a growth in enrollment has increased the number of staff and costs for internal services. Administrative contracts will increase more than 5 percent in accordance with goals established by and contracts approved by the board of education. Additional stipends paid to staff, such as for those in the bilingual program, also contributed to the administrative cost increase.

Parent-Teacher Conferences

Sparta CUSD 140 – Randolph (SD 58/HD 116) / Expiration: 2009-10 school year

WM100-3536 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a shortened day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2009-10 school year

WM100-3560-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year

WM100-3572-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM100-3593-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. The 3½ hours of parent-teacher time would be applied to each of the half days of student attendance so that they can be counted among the 176 days of actual pupil attendance required by Section 10-19.

Brown County CUSD 1 – Brown (SD 47/HD 93) / Expiration: 2009-10 school year

WM100-3594 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Sterling CUSD 5 – Whiteside (SD 45/HD 90) / Expiration: 2010-11 school year

WM100-3595 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week, once in the fall for all schools and once in the spring for the high school and middle school. The district also will hold a day-long conference for some of its elementary schools before the start of the school year. One day following the fall conferences and spring conferences will be a nonattendance day for students and staff. The four evening sessions and before-school conference will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Kings CSD 144 – Ogle (SD 35/HD 70) / Expiration: 2010-11 school year

WM100-3597-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during the school year. One day during the year will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

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Galesburg CUSD 205 – Knox (SD 37/HD 74) / Expiration: 2010-11 school year

WM100-3608-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year

WM100-3615-2 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Physical Education

Madison CUSD 12 – Madison (SD 57/HD 114) / Expiration: 2009-10 school year

WM100-3569 – Waiver of School Code (Section 27-6) request to allow the district to permit students in grades 6 through 8 to participate in physical education every other day for 55 minutes each session rather than daily. On the days when physical education is not offered, students will be participating in a “literacy/numeracy” period, receiving remediation, intervention or enrichment. The district hopes to improve academic performance in reading and math for its middle school, which currently is identified for corrective action under the provisions of the No Child Left Behind Act of 2001.

Wilmington SD 209-U – Will (SD 38/HD 75) / Expiration: 2010-11 school year

WM100-3577 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 6 through 12 from the physical education requirement for a variety of reasons: students who participate in two or more interscholastic athletic programs; those who have failed an academic course needed for promotion or graduation; and those who elect to take a course other than physical education and have permission from their principals to do so. The waiver, if approved, will allow the district to use the instructional day in the “most beneficial manner to students.”

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM100-3593-2 – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 and 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program or competitive cheerleading.

Danville CCSD 118 – Vermilion (SD 52/HD 104) / Expiration: 2010-11 school year

WM100-3598 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 through 12 from the daily physical education requirement if they have taken the course during summer school. Students in the summer session will participate daily in physical education for 130 minutes each session for six weeks. If granted, the waiver would allow students to take additional coursework during the regular school term.

Hononegah CHSD 207 – Winnebago (SD 34/HD 68) / Expiration: 2006-07 school year

WM100-3600 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 10 through 12 from the daily physical education requirement for one semester for ongoing participation in an interscholastic athletic program. In addition, students in grades 11 and 12 who have enrolled in six academic classes will be excused from physical education.

Casey-Westfield CUSD 4-C – Clark (SD 55/HD 109) / Expiration: 2010-11 school year

WM100-3603-1 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 and 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program, or if needed in order to take a course required for graduation or to enroll in a postsecondary institution, if failure to take the course would prevent the student from graduating or being admitted to the postsecondary institution.

Clay City CUSD 10 – Clay (SD 54/HD 108) / Expiration: 2010-11 school year

WM100-3605 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse

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students in grades 11 and 12 from the daily physical education requirement in order to enroll in additional academic classes. The district states that all students meet state standards for Physical Development and Health at the conclusion of grade 10.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year

WM100-3615-1 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 6 through 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program, and students in grades 9 through 12 from the daily physical education requirement for ongoing participation in cheerleading, pom-poms or dance line. If approved, the waiver will allow high school students to take additional academic classes and for those in middle school, to schedule a supervised study session if they are also enrolled in band or music.

Glennard THSD 87 – DuPage (SD 21/HD 42) / Expiration: 2006-07 school year

WM100-3619 – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grade 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program. The district has reduced the number of periods in its school day to six from seven; if approved, the waiver will allow students to enroll in more academic courses.

Worth SD 127 – Cook (SD 18/HD 35) / Expiration: 2010-11 school year

WM100-3629 (renewal)– Waiver of School Code (Section 27-6) request to allow the district to permit students in kindergarten through grade 5 to participate in physical education three times a week for 30 minutes each session rather than daily for 20 minutes each session. Multiple standards and goals are incorporated into each session, increasing the intensity of each class period.

Mundelein CHSD 120 – Lake (SD 26/HD 51) / Expiration: 2010-11 school year

WM100-3631 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 11 and 12 from the daily physical education requirement for one semester for ongoing participation in cheerleading, pom-poms, or show choir. The district, which offers a four-block schedule for its classes, states this waiver, if approved, will allow these students to schedule a study hall or enroll in other courses.

School Improvement/Inservice Training

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2010-11 school year

WM100-3560-2 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to hold two full-day teacher inservice sessions instead of four half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

Paris-Union SD 95 – Edgar (SD 55/HD 109) / Expiration: 2006-07 school year

WM100-3575-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to dismiss students two hours early during the first five full days of school in order for staff to conduct school improvement activities. The district will accumulate sufficient time beyond the five-clock-hour requirement during the next 30 days to apply towards these days.

Paris CUSD 4 – Edgar (SD 55/HD 109) / Expiration: 2006-07 school year

WM100-3576-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to dismiss students two hours early during the first five full days of school in order for staff to conduct school improvement activities. The district will accumulate sufficient time beyond the five-clock-hour requirement during the next 30 days to apply towards these days.

Crete-Monee SD 201U – Will (SD 40/HD 80) / Expiration: 2009-10 school year

WM100-3604 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to begin school an hour late one day a week in order to conduct school improvement activities necessary to help remove the district from Academic Early Warning status. The district will accumulate sufficient time beyond the five-clock-hour requirement during preceding days to apply toward the late start day.

Aurora East SD 131 – Kane (SD 42/HD 83) / Expiration: 2008-09 school year

WM100-3625-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the

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district to hold two full-day teacher inservice sessions instead of four half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

Cook County SD 130 – Cook (SD 14/HD 27) / Expiration: 2010-11 school year
WM100-3626-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to hold three full-day teacher inservice sessions instead of six half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

Substitute Teachers

Beach Park CCSD 3 – Lake (SD 31/HD 61) / Expiration: 2009-10 school year
WM100-3591 (renewal) – Waiver of School Code (Section 21-9) request to allow the district to employ substitute teachers for more than 90 days in any one school year. If a substitute is needed for more than 90 consecutive days in a particular classroom, then the district will try to make arrangements to find a fully certified teacher. Using substitutes for longer than 90 days will enable teachers to attend staff development opportunities; prevent classes from being combined or canceled; and eliminate the need to use special services teachers to cover regular teachers' classrooms.

SECTION II

Applications Approved by the State Board of Education

Driver Education

Clinton CUSD 15 – DeWitt, Macon, Logan (SD 44/HD 87) / Expiration: 2010-11 school year
WM200-3582 – Waiver of Administrative Rule (23 Illinois Administrative Code 252.20(d)(7)(A)) allows the district to contract with an approved commercial driving school to offer the classroom and behind-the-wheel portions of driver education. The district states that instructors will hold proper teacher certification. The contract will allow the district to offer driver education at \$275 per student, rather than \$317 per student, saving the district approximately \$6,090 annually.

Evanston THSD 202 – Cook (SD 9/HD 18) / Expiration: 2010-11 school year
WM200-3618 (renewal) – Waiver of Administrative Rule (23 Illinois Administrative Code 252.20(b)(1)) allows the district to offer driver education during evening and summer sessions only. The district will continue to use certified teachers for the program.

Holidays

Lansing SD 158 – Cook (SD 15/HD 29) / Expiration: 2009-10 school year
WM300-3519 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Palatine TSHD 211 – Cook (SD 28/HD 56) / Expiration: 2009-10 school year
WM300-3520 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Wabash CUSD 348 – Wabash (SD 55/HD 109) / Expiration: 2009-10 school year
WM300-3521 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Bridges Regional Safe School Program – Coles, Clark, Cumberland, Douglas, Edgar, Moultrie, Shelby (SD 55/HD 110) / Expiration: 2009-10 school year
WM300-3522 – Modification of School Code (Section 24-2) allows the regional office to recognize the contributions of Casimir Pulaski through

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instructional activities rather than observing a school holiday in his honor for students attending its Regional Safe Schools Program.

Northbrook SD 27 – Cook (SD 29/HD 57) / Expiration: 2005-06 school year
 WM300-3523 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Christopher Columbus. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Lombard ESD 44 – DuPage (SD 21/HD 42) / Expiration: 2009-10 school year
 WM300-3524 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Paw Paw CUSD 271 – Lee (SD 45/HD 90) / Expiration: 2009-10 school year
 WM300-3525 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Winnetka SD 36 – Cook (SD 9/HD 18) / Expiration: 2009-10 school year
 WM300-3527 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance or schedule a half a day each of student attendance and an inservice training session on the legal holidays honoring Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Lockport SD 91 – Will (SD 43/HD 85) / Expiration: 2008-09 school year
 WM300-3528 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Havana CUSD 126 – Mason (SD 47/HD 94) / Expiration: 2005-06 school year
 WM300-3531 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Catlin CUSD 5 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
 WM300-3532 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Danville CCSD 18 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
 WM300-3533 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, parent-teacher conferences, an inservice training session or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Deerfield SD 109 – Lake (SD 29/HD 58) / Expiration: 2005-06 school year
 WM300-3534 – Modification of School Code (Section 24-2) allows the district to schedule student attendance or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

LaGrange Highlands SD 106 – Cook (SD 41/HD 82) / Expiration: 2009-10 school year
 WM300-3535 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

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Lake Bluff SD 65 – Lake (SD 29/HD 58) / Expiration: 2005-06 school year

WM300-3537 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Rossville-Alvin CUSD 7 – Vermilion (SD 53/HD 105) / Expiration: 2009-10 school year

WM300-3538 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Crystal Lake CSD 47 – McHenry (SD 32/HD 64) / Expiration: 2009-10 school year

WM300-3539 – Modification of School Code (Section 24-2) allows the district to schedule student attendance or either a half-day inservice training session or half-day school improvement day with student attendance on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Crab Orchard CUSD 3 – Williamson (SD 59/HD 117) / Expiration: 2009-10 school year

WM300-3540 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Northfield THSD 225 – Cook (SD 9/HD 17) / Expiration: 2010-11 school year

WM300-3541 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance or a staff inservice training session on the legal school holiday honoring Christopher Columbus. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Itasca SD 10 – DuPage (SD 23/HD 46) / Expiration: 2009-10 school year

WM300-3543 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Lake Park High School District 108 – DuPage (SD 23/HD 45) / Expiration: 2009-10 school year

WM300-3544 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

Allendale CCSD 17 – Wabash (SD 55/HD 109) / Expiration: 2009-10 school year

WM300-3545 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Porta CUSD 202 – Menard (SD 50/HD 100) / Expiration: 2009-10 school year

WM300-3546 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Bismarck-Henning CUSD 1 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
 WM300-3547 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Opdyke-Belle Rive CCSD 5 – Jefferson (SD 54/HD 107) / Expiration: 2009-10 school year
 WM300-3548 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

ROE #9 R.E.A.D.Y. Program – Champaign, Ford (SD 52/HD 103) / Expiration: 2009-10 school year
 WM300-3551 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Vermilion Vocational Education Delivery System – Vermilion (SD 52/HD 104) / Expiration: 2006-07 school year
 WM300-3552-1 – Modification of School Code (Section 24-2) allows the system to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Vermilion Association for Special Education – Vermilion (SD 52/HD 104) / Expiration: 2006-07 school year
 WM300-3552-2 – Modification of School Code (Section 24-2) allows the cooperative to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Downers Grove CHSD 99 – DuPage (SD 24/HD 47) / Expiration: 2005-06 school year
 WM300-3555 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Armstrong THSD 225 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
 WM300-3556 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Waukegan CUSD 60 – Lake (SD 30/HD 60) / Expiration: 2009-10 school year
 WM300-3557 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Harrison SD 36 – McHenry (SD 32/HD 63) / B (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

Silvis SD 34 – Rock Island (SD 36/HD 71) / Expiration: 2009-10 school year
 WM300-3559 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2009-10 school year
 WM300-3560-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than

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observing school holidays in their honor.

Union Ridge SD 86 – Cook (SD 10/HD 20) / Expiration: 2010-11 school year

WM300-3563-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Pleasantdale SD 107 – Cook (SD 41/HD 82) / Expiration: 2009-10 school year

WM300-3564 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

River Ridge CUSD 210 – Jo Daviess (SD 45/HD 89) / B (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Shirland CCSD 134 – Winnebago (SD 34/HD 68) / Expiration: 2010-11 school year

WM300-3566 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Salem SD 111 – Marion (SD 54/HD 107) / Expiration: 2010-11 school year

WM300-3567 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Giant City SD 130 – Jackson (SD 58/HD 115) / Expiration: 2010-11 school year

WM300-3568 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

East Alton – Wood River CHSD 14 – Madison (SD 56/HD 111) / Expiration: 2010-11 school year

WM300-3570 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Eswood SD 269 – Ogle (SD 35/HD 70) / Expiration: 2010-11 school year

WM300-3571 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year

WM300-3572-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Christopher Columbus through instructional activities rather than observing a school holiday in his honor.

Urbana SD 116 – Champaign (SD 52/HD 103) / Expiration: 2010-11 school year

WM300-3574 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Paris-Union SD 95 – Edgar (SD 55/HD 109) / Expiration: 2010-11 school year

WM300-3575-2 – (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Paris CUSD 4 – Edgar (SD 55/HD 109) / Expiration: 2010-11 school year

WM300-3576-2 – (renewal) – Modification of School Code (Section 24-2) allows the district to

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recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Litchfield CUSD 12 – Montgomery (SD 49/HD 98) / Expiration: 2009-10 school year
WM300-3578 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

North Wayne CUSD 200 – Wayne (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3579 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Flora CUSD 35 – Clay (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3580 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

DuPage HSD 88 – DuPage (SD 21/HD 41) / Expiration: 2010-11 school year
WM300-3581 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

East Alton SD 13 – Madison (SD 56/HD 111) / Expiration: 2010-11 school year
WM300-3583 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

West Richland CUSD 2 – Richland (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3585 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

East Peoria SD 86 – Tazewell (SD 46/HD 91) / Expiration: 2010-11 school year
WM300-3587 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Naperville CUSD 203 – DuPage (SD 48/HD 96) / Expiration: 2010-11 school year
WM300-3588 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Lincolnwood SD 74 – Cook (SD 8/HD 16) / Expiration: 2010-11 school year
WM300-3589 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Golf SD 67 – Cook (SD 8/HD 15) / Expiration: 2010-11 school year
WM300-3592 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year
WM300-3593-4 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

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Bethalto CUSD 8 – Madison (SD 56/HD 111) / Expiration: 2009-10 school year
 WM300-3596 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Abraham Lincoln and Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Kings CSD 144 – Ogle (SD 35/HD 70) / Expiration: 2009-10 school year
 WM300-3597-2 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

Brookfield-LaGrange Park SD 95 – Cook (SD 11/HD 21) / Expiration: 2010-11 school year
 WM300-3599 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Eastland CUSD 308 – Carroll (SD 45/HD 89) / Expiration: 2010-11 school year
 WM300-3601 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Rock Island SD 41 – Rock Island (SD 36/HD 72) / Expiration: 2006-07 school year
 WM300-3602-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Casey-Westfield CUSD 4-C – Clark (SD 55/HD 109) / Expiration: 2010-11 school year
 WM300-3603-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Chadwick-Milledgeville CUSD 399 – Carroll (SD 45/HD 89) / Expiration: 2010-11 school year
 WM300-3607 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Minooka CHSD 111 – Grundy (SD 25/HD 50) / Expiration: 2010-11 school year
 WM300-3609 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Schuyler-Industry CUSD 5 – Schuyler (SD 47/HD 93) / Expiration: 2009-10 school year
 WM300-3610 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Westmont CUSD 201 – DuPage (SD 24/HD 47) / Expiration: 2009-10 school year
 WM300-3611 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Glen Ellyn SD 41 – DuPage (SD 21/HD 42) / Expiration: 2010-11 school year

WM300-3614-2 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year

WM300-3615-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

East Peoria CHSD 309 – Tazewell (SD 46/HD 91) / Expiration: 2010-11 school year

WM300-3616 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Carbondale ESD 95 – Jackson (SD 58/HD 115) / Expiration: 2010-11 school year

WM300-3617 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Rockford SD 205 – Winnebago (SD 34/HD 67) / Expiration: 2010-11 school year

WM300-3620 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Evergreen Park CHSD 231 – Cook (SD 18/HD 36) / Expiration: 2010-11 school year

WM300-3621 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Hamilton CCSD 328 – Hancock (SD 47/HD 94) / Expiration: 2010-11 school year

WM300-3622 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Barrington CUSD 220 – Lake (SD 26/HD 52) / Expiration: 2010-11 school year

WM300-3623-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Evanston THSD 202 – Cook (SD 9/HD 18) / Expiration: 2010-11 school year

WM300-3624 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Aurora East SD 131 – Kane (SD 42/HD 83) / Expiration: 2008-09 school year

WM300-3625-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Virden CUSD 4 – Macoupin (SD 49/HD 98) / Expiration: 2010-11 school year

WM300-3627 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

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Arlington Heights SD 25 – Cook (SD 33/HD 66) / Expiration: 2010-11 school year
WM300-3630 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Stewardson-Strasburg CUSD 5A – Shelby (SD 55/HD 109) / Expiration: 2010-11 school year
WM300-3633 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Physical Education

Woodland CUSD 5 – Livingston (SD 53/HD 106) / Expiration: 2009-10 school year
WM300-3526 (renewal) – Modification of School Code (Section 27-6) allows the district to permit students in grades 7 through 12 to participate in physical education every other day for 88 minutes each session rather than daily due to an 8-block schedule.

Central CUSD 4 – Iroquois (SD 53/HD 105) / Expiration: 2009-10 school year
WM300-3529 (renewal) – Modification of School Code (Section 27-6) allows the district to permit students in grades 7 through 12 to participate in physical education every other day for 83 minutes each session rather than daily due to an 8-block schedule.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year
WM300-3572-2 (renewal) – Modification of School Code (Section 27-6) allows the district to permit students in grades 9 through 12 to participate in physical education every other day for 84 minutes each session rather than daily due to an 8-block schedule.

Substitute Teachers

Berwyn South SD 100 – Cook (SD 12/HD 23) / Expiration: 2008-09 school year
WM300-3530 – Modification of School Code (Section 21-9) allows the district to employ substitute teaching staff for up to 120 paid school days, or 650 paid school hours, for a single school year instead of 90 paid days, or 450 paid school hours.

SECTION III

Applications Returned to Applicants

Listed below are several categories of requests that have been returned to applicants. Some of these applicants sought permission for actions that were already permissible under the law or rules. Other requests were returned because they were ineligible under the law (e.g., mandates not found in the School Code, applicant is not eligible to apply, application incomplete).

NO WAIVER NEEDED

Holidays

New Hope CCSD 6 – Wayne (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3584 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holidays honoring Dr. Martin Luther King, Jr., and Casimir Pulaski. The district has a current modification that will expire at the end of the 2005-06 school year.

Physical Education

Galesburg CUSD 205 – Knox (SD 37/HD 74) / Expiration: 2010-11 school year
WM300-3608-2 (renewal) – Modification of School Code (Section 27-6). The district requested to be allowed to permit students in grades 9 through 12 to participate in physical education every day for 85 minutes each session for one semester only due to a 4-block schedule. P.A. 94-198, effective January 1, 2006, allows districts to offer physical education on less than a daily basis if the district is engaged in

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block scheduling.

Prairie State Achievement Examination – Instructional Time

Naperville CUSD 203 – DuPage (SD 48/HD 96) / Expiration: 2010-11 school year
WM300-3590 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year
WM300-3593-3 – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

Rock Island SD 41 – Rock Island (SD 36/HD 72) / Expiration: 2008-09 school year
WM300-3602-1 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

LaSalle-Peru TSHD 120 – LaSalle (SD 38/HD 76) / Expiration: 2009-10 school year
WM300-3612 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

INELIGIBLE

Holidays

Downers Grove CHSD 99 – DuPage (SD 24/HD 47) / Expiration: 2005-06 school year
WM300-3542 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Casimir Pulaski. The school district failed to hold the public hearing to consider the request on a day other than a regular board meeting day.

Harrison SD 36 – McHenry (SD 32/HD 63) / Expiration: 2009-10 school year
WM300-3550 – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring all veterans of foreign wars. The district failed to provide proper notice of the public hearing held to consider the request.

United CUSD 304 – Warren (SD 47/HD 94) / Expiration: 2005-06 school year
WM300-3554 – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holidays honoring Dr. Martin Luther King, Jr., and Casimir Pulaski. The district failed to provide proper notice of the public hearing held to consider the request.

Montmorency CCSD 145 – Whiteside (SD 45/HD 90) / Expiration: 2010-11 school year
WM300-3586 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Abraham Lincoln. The district failed to provide proper notice of the public hearing held to consider the request.

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Mount Prospect SD 57 – Cook (SD 33/HD 66) / Expiration: 2010-11 school year
WM300-3606 (renewal)– Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Abraham Lincoln. The district failed to provide proper notice of the public hearing held to consider the request.

Substitute Teachers

Cairo SD 1 – Alexander (SD 59/HD 118) / Expiration: 2009-10 school year
WM100-3553 (renewal) – Waiver of School Code (Section 21-9). The district requested to be allowed to employ substitute teachers for more than 90 days in a school year. The school district failed to hold the public hearing to consider the request on a day other than a regular board meeting day and to provide proper notice of the hearing.

SECTION IV

Applications by Senate and House Districts

All requests received during this waiver cycle are presented numerically by Senate and House district, and then alphabetically by school district or eligible applicant. The “action” to be taken or already taken for each request is noted; that is, requests for waivers upon which the General Assembly must act are noted as “waivers”, modifications already acted upon by the State Board of Education are noted as “modifications”, and requests that were returned for a variety of reasons are listed under their respective legislative district.

SD 4/HD 7

Lindop SD 92 – Cook (SD 4/HD 7) / Expiration: 2004-05 school year
WM100-3573 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district employed a curriculum director for the 2003-04 school year, but that person could not begin the position until after the start of the school year. For the 2004-05 school year, the director’s salary was increased from \$100,000 to \$105,000, but since the person did not receive a full year’s salary the previous school year, the increase caused the district to exceed the 5 percent limitation for 2004-05.

SD 8/HD 15

Golf SD 67 – Cook (SD 8/HD 15) / Expiration: 2010-11 school year
WM300-3592 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 8/HD 16

Lincolnwood SD 74 – Cook (SD 8/HD 16) / Expiration: 2010-11 school year
WM300-3589 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

SD 9/HD 17

Northfield THSD 225 – Cook (SD 9/HD 17) / Expiration: 2010-11 school year
WM300-3541 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance or a staff inservice training session on the legal school holiday honoring Christopher Columbus. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.
Northfield TSHD 225 – Cook (SD 9/HD 17) / Expiration: 2009-10 school year
WM100-3632 – Waiver of School Code (Section 24A-5) request to allow the district to employ a

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Teacher Appraisal Program to evaluate tenured teachers that will include self-assessment, professional goal-setting and narrative review by the teacher's supervisor. The review process will result either in an "inferred" rating of "excellent/satisfactory" or an actual rating of "unsatisfactory".

SD 9/HD 18

Evanston THSD 202 – Cook (SD 9/HD 18) / Expiration: 2010-11 school year
WM200-3618 (renewal) – Waiver of Administrative Rule (23 Illinois Administrative Code 252.20(b)(1)) allows the district to offer driver education during evening and summer sessions only. The district will continue to use certified teachers for the program.

Evanston THSD 202 – Cook (SD 9/HD 18) / Expiration: 2010-11 school year
WM300-3624 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Winnetka SD 36 – Cook (SD 9/HD 18) / Expiration: 2009-10 school year
WM300-3527 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance or schedule a half a day each of student attendance and an inservice training session on the legal holidays honoring Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

SD 10/HD 20

Union Ridge SD 86 – Cook (SD 10/HD 20) / Expiration: 2010-11 school year
WM100-3563-1 (renewal) – Waiver of School Code (Section 17-2) request to allow the district to collect revenue generated from the tax rates established for the Education Fund, the Operations and Maintenance Fund, and the Transportation Fund and to use the revenue in the method and in the fund that best meets the needs of the district and its students.

Union Ridge SD 86 – Cook (SD 10/HD 20) / Expiration: 2010-11 school year
WM300-3563-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 11/HD 21

Brookfield-LaGrange Park SD 95 – Cook (SD 11/HD 21) / Expiration: 2010-11 school year
WM300-3599 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 12/HD 23

Berwyn South SD 100 – Cook (SD 12/HD 23) / Expiration: 2008-09 school year
WM300-3530 – Modification of School Code (Section 21-9) allows the district to employ substitute teaching staff for up to 120 paid school days, or 650 paid school hours, for a single school year instead of 90 paid days, or 450 paid school hours.

SD 14/HD 27

Cook County SD 130 – Cook (SD 14/HD 27) / Expiration: 2010-11 school year
WM100-3626-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to hold three full-day teacher inservice sessions instead of six half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

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Cook County SD 130 – Cook (SD 14/HD 27) / Expiration: 2010-11 school year

WM100-3626-2 (renewal) – Waiver of School Code (Section 24A-5) request to allow the district to establish a teacher evaluation plan which ensures that each non-tenured teacher is evaluated every school year and that tenured teachers with satisfactory performance are evaluated at the completion of their multi-year professional growth plan, which could be one, two or three years in length.

SD 15/HD 29

Lansing SD 158 – Cook (SD 15/HD 29) / Expiration: 2009-10 school year

WM300-3519 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 18/HD 35

Worth SD 127 – Cook (SD 18/HD 35) / Expiration: 2010-11 school year

WM100-3629 (renewal)– Waiver of School Code (Section 27-6) request to allow the district to permit students in kindergarten through grade 5 to participate in physical education three times a week for 30 minutes each session rather than daily for 20 minutes each session. Multiple standards and goals are incorporated into each session, increasing the intensity of each class period.

SD 18/HD 36

Evergreen Park CHSD 231 – Cook (SD 18/HD 36) / Expiration: 2010-11 school year

WM300-3621 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Evergreen Park ESD 124 – Cook (SD 18/HD 36) / Expiration: 2005-06 school year

WM100-3562 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district employs a special education coordinator for its junior high school. Previously, that position’s costs had been paid with a grant provided by Medicaid’s Administrative Outreach funds; however, that source of funding is decreasing and the district must use local funds for the position, causing it to exceed the 5 percent limitation.

SD 21/HD 41

DuPage HSD 88 – DuPage (SD 21/HD 41) / Expiration: 2010-11 school year

WM300-3581 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 21/HD 42

Glen Ellyn SD 41 – DuPage (SD 21/HD 42) / Expiration: 2010-11 school year

WM100-3614-1 – Waiver of School Code (Section 24A-5) request to allow the district to replace the current rating scale of “excellent, satisfactory, and unsatisfactory” for a teacher evaluation process with ratings of “professional growth track – no rating”, “professional assistance track – satisfactory”, and “unsatisfactory.”

Glen Ellyn SD 41 – DuPage (SD 21/HD 42) / Expiration: 2010-11 school year

WM300-3614-2 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers’ institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

Glenbard THSD 87 – DuPage (SD 21/HD 42) / Expiration: 2006-07 school year
 WM100-3619 – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grade 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program. The district has reduced the number of periods in its school day to six from seven; if approved, the waiver will allow students to enroll in more academic courses.

Lombard ESD 44 – DuPage (SD 21/HD 42) / Expiration: 2009-10 school year
 WM300-3524 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

SD 23/HD 45

Lake Park High School District 108 – DuPage (SD 23/HD 45) / Expiration: 2009-10 school year
 WM300-3544 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

SD 23/HD 46

Itasca SD 10 – DuPage (SD 23/HD 46) / Expiration: 2009-10 school year
 WM300-3543 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

SD 24/HD 47

Downers Grove CHSD 99 – DuPage (SD 24/HD 47) / Expiration: 2005-06 school year
 WM300-3542 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Casimir Pulaski. The school district failed to hold the public hearing to consider the request on a day other than a regular board meeting day.

Downers Grove CHSD 99 – DuPage (SD 24/HD 47) / Expiration: 2005-06 school year
 WM300-3555 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Westmont CUSD 201 – DuPage (SD 24/HD 47) / Expiration: 2009-10 school year
 WM300-3611 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 25/HD 49

St. Charles CUSD 303 – Kane, DuPage (SD 25/HD 49) / Expiration: 2009-10 school year
 WM100-3613 – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$200 of students who participate in driver education courses.

SD 25/HD 50

Minooka CHSD 111 – Grundy (SD 25/HD 50) / Expiration: 2010-11 school year
 WM300-3609 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 26/HD 51

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Mundelein CHSD 120 – Lake (SD 26/HD 51) / Expiration: 2010-11 school year
 WM100-3631 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 11 and 12 from the daily physical education requirement for one semester for ongoing participation in cheerleading, pom-poms, or show choir. The district, which offers a four-block schedule for its classes, states this waiver, if approved, will allow these students to schedule a study hall or enroll in other courses.

SD 26/HD 52

Barrington CUSD 220 – Lake (SD 26/HD 52) / Expiration: 2010-11 school year
 WM100-3623-1 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$350 of students who participate in driver education courses.

Barrington CUSD 220 – Lake (SD 26/HD 52) / Expiration: 2010-11 school year
 WM300-3623-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 28/HD 56

Palatine TSHD 211 – Cook (SD 28/HD 56) / Expiration: 2009-10 school year
 WM300-3520 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Palatine THSD 211 – Cook (SD 28/HD 56) / Expiration: 2010-11 school year
 WM100-3561 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$350 of students who participate in driver education courses.

SD 29/HD 57

Northbrook SD 27 – Cook (SD 29/HD 57) / Expiration: 2005-06 school year
 WM300-3523 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Christopher Columbus. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

SD 29/HD 58

Deerfield SD 109 – Lake (SD 29/HD 58) / Expiration: 2005-06 school year
 WM300-3534 – Modification of School Code (Section 24-2) allows the district to schedule student attendance or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Lake Bluff SD 65 – Lake (SD 29/HD 58) / Expiration: 2005-06 school year
 WM300-3537 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 30/HD 60

Waukegan CUSD 60 – Lake (SD 30/HD 60) / Expiration: 2009-10 school year
 WM300-3557 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

SD 31/HD 61

Beach Park CCSD 3 – Lake (SD 31/HD 61) / Expiration: 2009-10 school year
 WM100-3591 (renewal) – Waiver of School Code (Section 21-9) request to allow the district to employ substitute teachers for more than 90 days in any one school year. If a substitute is needed for more than 90 consecutive days in a particular classroom, then the district will try to make arrangements to find a fully certified teacher. Using substitutes for longer than 90 days will enable teachers to attend staff development opportunities; prevent classes from being combined or canceled; and eliminate the need to use special services teachers to cover regular teachers' classrooms.

Zion-Benton THSD 126 – Lake (SD 31/HD 61) / Expiration: 2005-06 school year
 WM100-3628 – Waiver of School Code (Section 17-1.5) request to allow the district to waive the limitation of administrative costs due to circumstances beyond its control. The district anticipates exceeding the 5 percent limit during school year 2005-06 for several reasons. During school year 2004-05, the district did not include in the budget funds for emergency purposes, resulting in an actual budget that was artificially low. In addition, a growth in enrollment has increased the number of staff and costs for internal services. Administrative contracts will increase more than 5 percent in accordance with goals established by and contracts approved by the board of education. Additional stipends paid to staff, such as for those in the bilingual program, also contributed to the administrative cost increase.

SD 32/HD 63

Harrison SD 36 – McHenry (SD 32/HD 63) / Expiration: 2009-10 school year
 WM300-3550 – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring all veterans of foreign wars. The district failed to provide proper notice of the public hearing held to consider the request.

Harrison SD 36 – McHenry (SD 32/HD 63) / Expiration: 2009-10 school year
 WM300-3558 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

SD 32/HD 64

Crystal Lake CSD 47 – McHenry (SD 32/HD 64) / Expiration: 2009-10 school year
 WM300-3539 – Modification of School Code (Section 24-2) allows the district to schedule student attendance or either a half-day inservice training session or half-day school improvement day with student attendance on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

SD 33/HD 66

Arlington Heights SD 25 – Cook (SD 33/HD 66) / Expiration: 2010-11 school year
 WM300-3630 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Mount Prospect SD 57 – Cook (SD 33/HD 66) / Expiration: 2010-11 school year
 WM300-3606 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Abraham Lincoln. The district failed to provide proper notice of the public hearing held to consider the request.

SD 34/HD 67

Rockford SD 205 – Winnebago (SD 34/HD 67) / Expiration: 2010-11 school year
 WM300-3620 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

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SD 34/HD 68

Hononegah CHSD 207 – Winnebago (SD 34/HD 68) / Expiration: 2006-07 school year
 WM100-3600 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 10 through 12 from the daily physical education requirement for one semester for ongoing participation in an interscholastic athletic program. In addition, students in grades 11 and 12 who have enrolled in six academic classes will be excused from physical education.

Shirland CCSD 134 – Winnebago (SD 34/HD 68) / Expiration: 2010-11 school year
 WM300-3566 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 35/HD 70

Eswood SD 269 – Ogle (SD 35/HD 70) / Expiration: 2010-11 school year
 WM300-3571 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Kings CSD 144 – Ogle (SD 35/HD 70) / Expiration: 2010-11 school year
 WM100-3597-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during the school year. One day during the year will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Kings CSD 144 – Ogle (SD 35/HD 70) / Expiration: 2009-10 school year
 WM300-3597-2 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of all veterans of foreign wars through instructional activities rather than observing a school holiday in their honor.

SD 36/HD 71

Silvis SD 34 – Rock Island (SD 36/HD 71) / Expiration: 2009-10 school year
 WM300-3559 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

SD 36/HD 72

Rock Island SD 41 – Rock Island (SD 36/HD 72) / Expiration: 2008-09 school year
 WM300-3602-1 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

Rock Island SD 41 – Rock Island (SD 36/HD 72) / Expiration: 2006-07 school year
 WM300-3602-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

SD 37/HD 74

Galesburg CUSD 205 – Knox (SD 37/HD 74) / Expiration: 2010-11 school year
 WM100-3608-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the

district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Galesburg CUSD 205 – Knox (SD 37/HD 74) / Expiration: 2010-11 school year
WM300-3608-2 (renewal) – Modification of School Code (Section 27-6). The district requested to be allowed to permit students in grades 9 through 12 to participate in physical education every day for 85 minutes each session for one semester only due to a 4-block schedule. P.A. 94-198, effective January 1, 2006, allows districts to offer physical education on less than a daily basis if the district is engaged in block scheduling.

SD 38/HD 75

Wilmington SD 209-U – Will (SD 38/HD 75) / Expiration: 2010-11 school year
WM100-3577 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 6 through 12 from the physical education requirement for a variety of reasons: students who participate in two or more interscholastic athletic programs; those who have failed an academic course needed for promotion or graduation; and those who elect to take a course other than physical education and have permission from their principals to do so. The waiver, if approved, will allow the district to use the instructional day in the “most beneficial manner to students.”

SD 38/HD 76

LaSalle-Peru TSHD 120 – LaSalle (SD 38/HD 76) / Expiration: 2009-10 school year
WM300-3612 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

SD 40/HD 80

Crete-Monee SD 201U – Will (SD 40/HD 80) / Expiration: 2009-10 school year
WM100-3604 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to begin school an hour late one day a week in order to conduct school improvement activities necessary to help remove the district from Academic Early Warning status. The district will accumulate sufficient time beyond the five-clock-hour requirement during preceding days to apply toward the late start day.

SD 41/HD 82

LaGrange Highlands SD 106 – Cook (SD 41/HD 82) / Expiration: 2009-10 school year
WM300-3535 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Pleasantdale SD 107 – Cook (SD 41/HD 82) / Expiration: 2009-10 school year
WM300-3564 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 42/HD 83

Aurora East SD 131 – Kane (SD 42/HD 83) / Expiration: 2008-09 school year
WM100-3625-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to hold two full-day teacher inservice sessions instead of four half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

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Aurora East SD 131 – Kane (SD 42/HD 83) / Expiration: 2008-09 school year
 WM300-3625-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

SD 43/HD 85

Lockport SD 91 – Will (SD 43/HD 85) / Expiration: 2008-09 school year
 WM300-3528 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 44/HD 87

Clinton CUSD 15 – DeWitt, Macon, Logan (SD 44/HD 87) / Expiration: 2010-11 school year
 WM200-3582 – Waiver of Administrative Rule (23 Illinois Administrative Code 252.20(d)(7)(A)) allows the district to contract with an approved commercial driving school to offer the classroom and behind-the-wheel portions of driver education. The district states that instructors will hold proper teacher certification. The contract will allow the district to offer driver education at \$275 per student, rather than \$317 per student, saving the district approximately \$6,090 annually.

SD 45/HD 89

Chadwick-Milledgeville CUSD 399 – Carroll (SD 45/HD 89) / Expiration: 2010-11 school year
 WM300-3607 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Eastland CUSD 308 – Carroll (SD 45/HD 89) / Expiration: 2010-11 school year
 WM300-3601 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

River Ridge CUSD 210 – Jo Daviess (SD 45/HD 89) / Expiration: 2010-11 school year
 WM300-3565 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

SD 45/HD 90

Montmorency CCSD 145 – Whiteside (SD 45/HD 90) / Expiration: 2010-11 school year
 WM300-3586 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holiday honoring Abraham Lincoln. The district failed to provide proper notice of the public hearing held to consider the request.

Paw Paw CUSD 271 – Lee (SD 45/HD 90) / Expiration: 2009-10 school year
 WM300-3525 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Sterling CUSD 5 – Whiteside (SD 45/HD 90) / Expiration: 2010-11 school year
 WM100-3595 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week, once in the fall for all schools and once in the spring for the high school and middle school. The district also will hold a day-long conference for some of its elementary schools before the start of the school year. One day following the fall conferences and spring conferences will be a nonattendance day for students and staff. The four evening sessions and before-school conference will be counted among the 176 days of actual pupil attendance required by Section

10-19.

SD 46/HD 91

East Peoria SD 86 – Tazewell (SD 46/HD 91) / Expiration: 2010-11 school year
WM300-3587 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

East Peoria CHSD 309 – Tazewell (SD 46/HD 91) / Expiration: 2010-11 school year
WM300-3616 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 47/HD 93

Brown County CUSD 1 – Brown (SD 47/HD 93) / Expiration: 2009-10 school year
WM100-3594 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Schuyler-Industry CUSD 5 – Schuyler (SD 47/HD 93) / Expiration: 2009-10 school year
WM300-3610 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

SD 47/HD 94

Hamilton CCSD 328 – Hancock (SD 47/HD 94) / Expiration: 2010-11 school year
WM300-3622 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Havana CUSD 126 – Mason (SD 47/HD 94) / Expiration: 2005-06 school year
WM300-3531 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

United CUSD 304 – Warren (SD 47/HD 94) / Expiration: 2005-06 school year
WM300-3554 – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holidays honoring Dr. Martin Luther King, Jr., and Casimir Pulaski. The district failed to provide proper notice of the public hearing held to consider the request.

SD 48/HD 96

Naperville CUSD 203 – DuPage (SD 48/HD 96) / Expiration: 2010-11 school year
WM300-3588 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Naperville CUSD 203 – DuPage (SD 48/HD 96) / Expiration: 2010-11 school year
WM300-3590 (renewal) – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in

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which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

SD 49/HD 97

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM100-3593-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a 3 clock-hours of student attendance twice during a given week. The 3½ hours of parent-teacher time would be applied to each of the half days of student attendance so that they can be counted among the 176 days of actual pupil attendance required by Section 10-19.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM100-3593-2 – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 and 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program or competitive cheerleading.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM300-3593-3 – Modification of School Code (Section 18-8.05(F)(2)(d)). The district requested to be allowed to adjust the length of its school day for all or some of its students on the days in which the Prairie State Achievement Examination is administered. P.A. 94-438, effective August 4, 2005, allows districts to adjust their instructional time on test administration days, provided that the district has banked sufficient time to be applied to these days so that they can be counted among the 176 days of pupil attendance required by Section 10-19.

North Greene UD 3 – Greene (SD 49/HD 97) / Expiration: 2010-11 school year

WM300-3593-4 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

SD 49/HD 98

Litchfield CUSD 12 – Montgomery (SD 49/HD 98) / Expiration: 2009-10 school year

WM300-3578 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Virden CUSD 4 – Macoupin (SD 49/HD 98) / Expiration: 2010-11 school year

WM300-3627 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

SD 50/HD 100

Porta CUSD 202 – Menard (SD 50/HD 100) / Expiration: 2009-10 school year

WM300-3546 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

SD 52/HD 103

ROE #9 R.E.A.D.Y. Program – Champaign, Ford (SD 52/HD 103) / Expiration: 2009-10 school year

WM300-3551 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize

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the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

Urbana SD 116 – Champaign (SD 52/HD 103) / Expiration: 2010-11 school year
WM300-3574 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

SD 52/HD 104

Armstrong THSD 225 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
WM300-3556 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Bismarck-Henning CUSD 1 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
WM300-3547 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Catlin CUSD 5 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
WM300-3532 – Modification of School Code (Section 24-2) allows the district to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Danville CCSD 18 – Vermilion (SD 52/HD 104) / Expiration: 2009-10 school year
WM300-3533 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, parent-teacher conferences, an inservice training session or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Danville CCSD 118 – Vermilion (SD 52/HD 104) / Expiration: 2010-11 school year
WM100-3598 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 through 12 from the daily physical education requirement if they have taken the course during summer school. Students in the summer session will participate daily in physical education for 130 minutes each session for six weeks. If granted, the waiver would allow students to take additional coursework during the regular school term.

Vermilion Vocational Education Delivery System – Vermilion (SD 52/HD 104) / Expiration: 2006-07 school year
WM300-3552-1 – Modification of School Code (Section 24-2) allows the system to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

Vermilion Association for Special Education – Vermilion (SD 52/HD 104) / Expiration: 2006-07 school year
WM300-3552-2 – Modification of School Code (Section 24-2) allows the cooperative to schedule a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

SD 53/HD 105

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Central CUSD 4 – Iroquois (SD 53/HD 105) / Expiration: 2009-10 school year
 WM300-3529 (renewal) – Modification of School Code (Section 27-6) allows the district to permit students in grades 7 through 12 to participate in physical education every other day for 83 minutes each session rather than daily due to an 8-block schedule.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2009-10 school year
 WM100-3549 (renewal) – Waiver of School Code (Section 27-23) request to allow the district to charge a reasonable fee not to exceed \$200 of students who participate in driver education courses.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year
 WM100-3615-1 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 6 through 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program, and students in grades 9 through 12 from the daily physical education requirement for ongoing participation in cheerleading, pom-poms or dance line. If approved, the waiver will allow high school students to take additional academic classes and for those in middle school, to schedule a supervised study session if they are also enrolled in band or music.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year
 WM100-3615-2 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Ridgeview CUSD 19 – McLean (SD 53/HD 105) / Expiration: 2010-11 school year
 WM300-3615-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Rossville-Alvin CUSD 7 – Vermilion (SD 53/HD 105) / Expiration: 2009-10 school year
 WM300-3538 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers' institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will be provided rather than observing the legal school holiday.

SD 53/HD 106

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2009-10 school year
 WM100-3560-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2010-11 school year
 WM100-3560-2 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to hold two full-day teacher inservice sessions instead of four half days, and to count the days among the 176 days of actual pupil attendance required by Section 10-19. The district will accumulate sufficient time beyond the five-clock-hour requirement to apply towards these days.

Lexington SD 7 – McLean (SD 53/HD 106) / Expiration: 2009-10 school year
 WM300-3560-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Woodland CUSD 5 – Livingston (SD 53/HD 106) / Expiration: 2009-10 school year
 WM300-3526 (renewal) – Modification of School Code (Section 27-6) allows the district to permit

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students in grades 7 through 12 to participate in physical education every other day for 88 minutes each session rather than daily due to an 8-block schedule.

SD 54/HD 107

Opdyke-Belle Rive CCSD 5 – Jefferson (SD 54/HD 107) / Expiration: 2009-10 school year
WM300-3548 – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

Salem SD 111 – Marion (SD 54/HD 107) / Expiration: 2010-11 school year
WM300-3567 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus through instructional activities rather than observing school holidays in their honor.

SD 54/HD 108

Clay City CUSD 10 – Clay (SD 54/HD 108) / Expiration: 2010-11 school year
WM100-3605 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 11 and 12 from the daily physical education requirement in order to enroll in additional academic classes. The district states that all students meet state standards for Physical Development and Health at the conclusion of grade 10.

Flora CUSD 35 – Clay (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3580 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

New Hope CCSD 6 – Wayne (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3584 (renewal) – Modification of School Code (Section 24-2). The district requested to be allowed to hold school on the legal school holidays honoring Dr. Martin Luther King, Jr., and Casimir Pulaski. The district has a current modification that will expire at the end of the 2005-06 school year.

North Wayne CUSD 200 – Wayne (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3579 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

West Richland CUSD 2 – Richland (SD 54/HD 108) / Expiration: 2010-11 school year
WM300-3585 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

SD 55/HD 109

Allendale CCSD 17 – Wabash (SD 55/HD 109) / Expiration: 2009-10 school year
WM300-3545 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

Casey-Westfield CUSD 4-C – Clark (SD 55/HD 109) / Expiration: 2010-11 school year
WM100-3603-1 (renewal) – Waiver of School Code (Section 27-6) request to allow the district to excuse students in grades 9 and 10 from the daily physical education requirement for ongoing participation in an interscholastic athletic program, or if needed in order to take a course required for graduation or to enroll in a postsecondary institution, if failure to take the course would prevent the student from graduating or being admitted to the postsecondary institution.

Casey-Westfield CUSD 4-C – Clark (SD 55/HD 109) / Expiration: 2010-11 school year
WM300-3603-2 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize

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the contributions of Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars through instructional activities rather than observing school holidays in their honor.

Paris CUSD 4 – Edgar (SD 55/HD 109) / Expiration: 2006-07 school year

WM100-3576-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to dismiss students two hours early during the first five full days of school in order for staff to conduct school improvement activities. The district will accumulate sufficient time beyond the five-clock-hour requirement during the next 30 days to apply towards these days.

Paris CUSD 4 – Edgar (SD 55/HD 109) / Expiration: 2010-11 school year

WM300-3576-2 – (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Paris-Union SD 95 – Edgar (SD 55/HD 109) / Expiration: 2006-07 school year

WM100-3575-1 – Waiver of School Code (Section 18-8.05(F)(2)(d)(2)) request to allow the district to dismiss students two hours early during the first five full days of school in order for staff to conduct school improvement activities. The district will accumulate sufficient time beyond the five-clock-hour requirement during the next 30 days to apply towards these days.

Paris-Union SD 95 – Edgar (SD 55/HD 109) / Expiration: 2010-11 school year

WM300-3575-2 – (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Stewardson-Strasburg CUSD 5A – Shelby (SD 55/HD 109) / Expiration: 2010-11 school year

WM300-3633 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Wabash CUSD 348 – Wabash (SD 55/HD 109) / Expiration: 2009-10 school year

WM300-3521 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln and Casimir Pulaski through instructional activities rather than observing school holidays in their honor.

SD 55/HD 110

Bridges Regional Safe School Program – Coles, Clark, Cumberland, Douglas, Edgar, Moultrie, Shelby (SD 55/HD 110) / Expiration: 2009-10 school year

WM300-3522 – Modification of School Code (Section 24-2) allows the regional office to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor for students attending its Regional Safe Schools Program.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year

WM100-3572-1 (renewal) – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a full day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year

WM300-3572-2 (renewal) – Modification of School Code (Section 27-6) allows the district to permit students in grades 9 through 12 to participate in physical education every other day for 84 minutes each session rather than daily due to an 8-block schedule.

Monticello CUSD 25 – Piatt (SD 55/HD 110) / Expiration: 2009-10 school year

WM300-3572-3 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Christopher Columbus through instructional activities rather than observing a school

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holiday in his honor.

SD 56/HD 111

Bethalto CUSD 8 – Madison (SD 56/HD 111) / Expiration: 2009-10 school year
WM300-3596 (renewal) – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers’ institute day on the legal holidays honoring Abraham Lincoln and Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individuals will be provided rather than observing the legal school holidays.

East Alton SD 13 – Madison (SD 56/HD 111) / Expiration: 2010-11 school year
WM300-3583 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

East Alton – Wood River CHSD 14 – Madison (SD 56/HD 111) / Expiration: 2010-11 school year
WM300-3570 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Abraham Lincoln through instructional activities rather than observing a school holiday in his honor.

SD 57/HD 114

Madison CUSD 12 – Madison (SD 57/HD 114) / Expiration: 2009-10 school year
WM100-3569 – Waiver of School Code (Section 27-6) request to allow the district to permit students in grades 6 through 8 to participate in physical education every other day for 55 minutes each session rather than daily. On the days when physical education is not offered, students will be participating in a “literacy/numeracy” period, receiving remediation, intervention or enrichment. The district hopes to improve academic performance in reading and math for its middle school, which currently is identified for corrective action under the provisions of the No Child Left Behind Act of 2001.

SD 58/HD 115

Carbondale ESD 95 – Jackson (SD 58/HD 115) / Expiration: 2010-11 school year
WM300-3617 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

Giant City SD 130 – Jackson (SD 58/HD 115) / Expiration: 2010-11 school year
WM300-3568 (renewal) – Modification of School Code (Section 24-2) allows the district to recognize the contributions of Casimir Pulaski through instructional activities rather than observing a school holiday in his honor.

SD 58/HD 116

Sparta CUSD 140 – Randolph (SD 58/HD 116) / Expiration: 2009-10 school year
WM100-3536 – Waiver of School Code (Section 18-8.05(F)(2)(d)(1)) request to allow the district the option of scheduling parent-teacher conferences in the evening following a shortened day of student attendance twice during a given week. One day during that week will be a nonattendance day for students and staff. The two evening sessions will be counted among the 176 days of actual pupil attendance required by Section 10-19.

SD 59/HD 117

Crab Orchard CUSD 3 – Williamson (SD 59/HD 117) / Expiration: 2009-10 school year
WM300-3540 – Modification of School Code (Section 24-2) allows the district to schedule student attendance, inservice training sessions, parent-teacher conferences or a teachers’ institute day on the legal holiday honoring Casimir Pulaski. The institute program is subject to prior approval from the Regional Office of Education. Instruction pertaining to the contributions of the honored individual will

[October 19, 2005]

be provided rather than observing the legal school holiday.

SD 59/HD 118

Cairo SD 1 – Alexander (SD 59/HD 118) / Expiration: 2009-10 school year
WM100-3553 (renewal) – Waiver of School Code (Section 21-9). The district requested to be allowed to employ substitute teachers for more than 90 days in a school year. The school district failed to hold the public hearing to consider the request on a day other than a regular board meeting day and to provide proper notice of the hearing.

The foregoing report was placed before the Senate, ordered received and placed on file in the Secretary's Office.

INTRODUCTION OF BILLS

SENATE BILL NO. 2125. Introduced by Senator Sandoval, a bill for AN ACT concerning finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2126. Introduced by Senator Petka, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2127. Introduced by Senator Bomke, a bill for AN ACT concerning water and sewer service.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2128. Introduced by Senator Bomke, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2129. Introduced by Senator Althoff, a bill for AN ACT concerning safety.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2130. Introduced by Senator Watson, a bill for AN ACT concerning vehicles.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2131. Introduced by Senator Althoff, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2132. Introduced by Senator Althoff, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2133. Introduced by Senator Cronin, a bill for AN ACT concerning revenue.

[October 19, 2005]

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2134. Introduced by Senator Jacobs, a bill for AN ACT concerning state government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2135. Introduced by Senator Jacobs, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2136. Introduced by Senator J. Jones, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2137. Introduced by Senator Halvorson, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2138. Introduced by Senators del Valle - Schoenberg, a bill for AN ACT concerning procurement.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

COMMUNICATIONS

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – SECRETARY OF STATE
JESSE WHITE – Secretary of State

October 19, 2005

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 94th General Assembly as vetoed by the Governor, together with his objections.

SENATE BILLS

57
244
272
288
326
471
769
847
1294
1665
1915
1986

[October 19, 2005]

2087
2104
2116

Respectfully,

JESSE WHITE
Secretary of State

August 1, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 57, entitled "AN ACT concerning firearms." I am a strong supporter of closing the gun show loophole, which allows criminals access to guns without undergoing background checks. This is precisely the reason I intend to sign Senate Bill 1333 into law. However, Senate Bill 57 contains additional provisions that I find unacceptable. Namely, Senate Bill 57 requires the destruction of firearm purchase records. These records are critical law enforcement tools.

For this reason, I hereby veto and return Senate Bill 57.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 12, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 244, entitled "AN ACT concerning liquor." Senate Bill 244 carves a specific exception to the prohibition of issuing a liquor license within 100 feet of a school. I do not believe that this type of individual exception to this important prohibition is warranted.

For this reason, I hereby veto and return Senate Bill 244.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 12, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 272, entitled "AN ACT concerning local government." Senate Bill 272 allows a non-home rule municipality to increase sales taxes after approved by referendum. I understand that forty

[October 19, 2005]

communities have imposed sales taxes under this section of the law and I believe the current ½% limit is prudent. The challenge, which we have faced throughout state government, is to fund important services and programs without asking the people of Illinois to pay more in taxes. I remain committed to this principle and cannot support legislation that asks for an increase in taxes.

For this reason, I hereby veto and return Senate Bill 272.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 12, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 288, entitled "AN ACT concerning the Metropolitan Water Reclamation District." Senate Bill 288 exempts the position of "assistant director of personnel" from the civil service protections of the Metropolitan Water Reclamation Act. At this point, I am not convinced that a person serving in this position should be not benefit from these protections.

For this reason, I hereby veto and return Senate Bill 288.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 2, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 326, entitled "AN ACT concerning criminal law." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 326 contains identical language as Public Act 94-0128, which I signed into law on July 7, 2005.

For this reason, I hereby veto and return Senate Bill 326.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 4, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

[October 19, 2005]

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 471, entitled "AN ACT concerning criminal law." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 471 contains identical language as Public Act 94-0134, which I signed into law on July 7, 2005.

For this reason, I hereby veto and return Senate Bill 471.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 2, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 769, entitled "AN ACT concerning alternate fuels." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 769 contains identical language as Public Act 94-0062, which I signed into law on June 20, 2005.

For this reason, I hereby veto and return Senate Bill 769.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 18, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 847, entitled "AN ACT concerning local government." Senate Bill 847 provides a mechanism for a municipality or township to disconnect with a public library district. However, the ramifications of the disconnection will result in additional tax liability for the disconnecting municipality and the existing public library district. After the disconnection, the revenue base of the existing public library district will be significantly reduced; expenses will not be similarly abated. If the existing public library district is below its property tax rate cap then the district's board could unilaterally raise taxes without an additional referendum.

Senate Bill 847 also requires specific language to be used in the disconnection referendum. Namely, the disconnection referendum simply asks if the voters wish to disconnect which implies a reduction in Government expenses. The disconnection referendum fails to inform voters that, if the disconnection referendum passes, the municipality will be required to create a new public library district supported by a smaller tax base than supported the existing library district and also pay their portion of the bond payments due to the existing library district. If the municipality is a home rule municipality then it could unilaterally establish a tax rate for the new public library district, again without another referendum.

For these reasons, I hereby veto and return Senate Bill 847.

Sincerely,

[October 19, 2005]

ROD R. BLAGOJEVICH
Governor

August 12, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 1294, entitled "AN ACT concerning revenue." Senate Bill 1294 allows certain building owners to petition for the creation of a Special Service Area in order to levy additional taxes. While Senate Bill 1294 requires all the building owners to agree before the Special Service Area is created, the increased taxes will most likely result in increased costs for the tenants of these buildings. Therefore, I will not consent to this change of the Property Tax Code.

For this reason, I hereby veto and return Senate Bill 1294.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 10, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 1665, entitled "AN ACT concerning aging." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 1665 contains identical language as Public Act 94-0336, which I signed into law on July 26, 2005.

For this reason, I hereby veto and return Senate Bill 1665.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 19, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 1915, entitled "AN ACT concerning condominiums." Senate Bill 1915 limits the amount a condominium association can charge for late payments on monthly assessments. Condominium Associations are run by the owners themselves and ought to be given the freedom to determine the amount of late fees to be assessed. The Association is uniquely qualified to determine the economic impact of late payments and the incentive value of these penalties; in this case, one size does not fit all.

[October 19, 2005]

For this reason, I hereby veto and return Senate Bill 1915.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 10, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 1986, entitled "AN ACT concerning public aid." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 1986 contains identical language as Public Act 94-0267, which I signed into law on July 19, 2005.

For this reason, I hereby veto and return Senate Bill 1986.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 12, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2087, entitled "AN ACT concerning State Government." Senate Bill 2087 allows the Addison Creek Restoration Commission to accept loans, incur debt, and issue and sell bonds. It also creates a taxing mechanism to pay for such debt. While I generally support the Commission's endeavors, I am not convinced that granting new taxing authority for these purposes is currently necessary.

For this reason, I hereby veto and return Senate Bill 2087.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 1, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2104, entitled "AN ACT concerning criminal law." Senate Bill 2104 would prohibit all home rule units of government from passing additional restrictions, beyond current state law, for transporting firearms. In addition, it renders void those restrictions that some communities already

[October 19, 2005]

enjoy. Local communities should be allowed to decide how they want firearms transported in their neighborhoods.

For this reason, I hereby veto and return Senate Bill 2104.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 22, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2116, entitled "AN ACT concerning State government." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 2116 contains identical language as Public Act 94-0139, which I signed into law on July 7, 2005.

For this reason, I hereby veto and return Senate Bill 2116.

Sincerely,

ROD R. BLAGOJEVICH
Governor

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – SECRETARY OF STATE
October 19, 2005

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills that are being returned by the Governor with specific recommendations for change.

SENATE BILLS

357
1509
1654

Respectfully,

JESSE WHITE
Secretary of State

August 22, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

[October 19, 2005]

Each project subject to the quick-take authority should have specific, limited and clearly defined boundaries. To ensure that the quick takes contemplated by this Act conform to these policy goals, they should be submitted for approval to the Department of Transportation. Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 357, entitled "AN ACT concerning quick-takes", with the following specific recommendations for change:

on page 1, line 13, after "Act", by inserting "subject to the written approval of the Illinois Secretary of Transportation based upon the overall economic development and fiscal plans and needs of the State of Illinois".

With these changes, Senate Bill 357 will have my approval. I respectfully request your concurrence.

Sincerely,

ROD R. BLAGOJEVICH
Governor

August 16, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1509, entitled "AN ACT concerning criminal law", with the following specific recommendations for change:

On page 1, line 18, after "jail", by inserting "solely"; and

On page 1, line 19, after "release", by inserting "and is not incarcerated in conjunction with new or pending criminal charges"; and

On page 1, line 20, after "shall", by inserting "subject to the notice provision below and subject to appropriation for this purpose"; and

On page 1, by replacing line 22 with "calculated by the Department"; and

One page 1, after line 26, by inserting the following:

"The Illinois Department of Corrections shall be responsible for payment of one-half of the costs of incarceration to the county in which the jail is located only if the Department fails to retrieve the person within 72 hours of receiving notice by the county that the person is being held. In the event the Department fails to retrieve the person within 72 hours of receiving notice, the Department shall be responsible for payment of one-half of the costs of incarceration from the time the county originally began to hold the person."

With these changes, Senate Bill 1509 will have my approval. I respectfully request your concurrence.

Sincerely,

ROD R. BLAGOJEVICH
Governor

[October 19, 2005]

August 16, 2005

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1654, entitled "AN ACT concerning finance", with the following specific recommendations for change:

On page 1, replace line 18 through 20 with the following, "interest penalty shall be payable at a rate equal, for any day, to the rate per annum (rounded upwards, if necessary, to the nearest 1/100 of 1%) as determined in the sole discretion (which determination shall be conclusive and binding, absent manifest error) of the Governor's Office of Management and Budget to be equal to the weighted average of the rates on overnight Federal funds transactions with member banks of the Federal Reserve System arranged by Federal funds brokers on such day, as published by the Federal Reserve Bank of New York on the business day next succeeding such day; provided that if such day is not a business day, the Federal Funds Rate for such day shall be such rate on such transactions on the next preceding business day as so published on the next succeeding business day. All payments of interest shall be calculated on the basis of actual number of days (including the first day but excluding the last day) elapsed after the end of this 60 day period until final payment is made but computed as if each calendar year consisted of 360 days."; and

On page 1, line 30, before "delaying" insert the word "unnecessarily"; and

On page 1, line 31, after "identified." insert the following:

"(A) An agency shall not be considered to be delaying the review of a bill or its submission to the Comptroller if the agency is undertaking appropriate procedures:

- (i) to ensure that the bill is a proper bill;
- (ii) to determine whether the funding source is federal or state funds;
- (iii) to determine whether sufficient appropriation authority exists; or
- (iv) to determine if sufficient funds exist within the funding source to pay the bill at that time or if revenues are anticipated soon.

(B) An agency shall not be considered to be delaying the review of a bill or its submission to the Comptroller if the agency is undertaking any other steps a prudent financial manager would take before approving a bill for payment."

With these changes, Senate Bill 1654 will have my approval. I respectfully request your concurrence.

Sincerely,

ROD R. BLAGOJEVICH
Governor

Pursuant to Senate Rule 9-1, the foregoing Senate Bills, which were returned by the Governor, were placed on the Senate Calendar for Tuesday, November 25, 2005.

MOTIONS IN WRITING

Senator Lightford submitted the following Motions in Writing:

MOTION

I move that Senate Bill 272 do pass, notwithstanding the veto of the Governor.

Date: October 19, 2005

s/Kimberly A. Lightford

[October 19, 2005]

Senator

MOTION

I move that Senate Bill 2087 do pass, notwithstanding the veto of the Governor.

Date: October 19, 2005

s/Kimberly A. Lightford
Senator

Senator Sandoval submitted the following Motion in Writing:

MOTION

I move that Senate Bill 288 do pass, notwithstanding the veto of the Governor.

Date: October 19, 2005

s/Martin A. Sandoval
Senator

Senator Link submitted the following Motion in Writing:

MOTION

I move that Senate Bill 847 do pass, notwithstanding the veto of the of the Governor.

Date: October 19, 2005

s/Terry Link
Senator

Senator Harmon submitted the following Motion in Writing:

MOTION

I move that Senate Bill 1294 do pass, notwithstanding the veto of the Governor.

Date: October 19, 2005

s/Don Harmon.
Senator

Senator Cullerton submitted the following Motion in Writing:

MOTION

I move that Senate Bill 1915 do pass, notwithstanding the veto of the Governor.

Date: October 19, 2005

s/John J. Cullerton
Senator

Senator Clayborne submitted the following Motion in Writing:

MOTION

I move that Senate Bill 357 do pass, notwithstanding the specific recommendations of the Governor.

Date: October 19, 2005

s/James F. Clayborne, Jr.
Senator

Senator Trotter submitted the following Motion in Writing:

MOTION

I move that Senate Bill 1509 do pass, notwithstanding the specific recommendations of the Governor.

Date: October 19, 2005

s/Donne Trotter
Senator

[October 19, 2005]

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

COMMUNICATIONS

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – Secretary of State

August 2, 2005

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Nathan Maddox for Appointment to the Executive Inspector General for the Office of Secretary of State.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

EXECUTIVE INSPECTOR GENERAL FOR THE OFFICE OF THE SECRETARY OF STATE.

To be Executive Inspector General for the Office of Secretary of State for a term ending December 31, 2007.

Nathan Maddox
(Salaried)

If you have any questions please contact Dale Swinford, Director of Legislative Affairs.

Sincerely,
s/Jesse White
Secretary of State

DANIEL W. HYNES
COMPTROLLER

October 11, 2005

To the Honorable Members
of the Senate
Ninety-Fourth General Assembly

Re: Human Resource Director Office of the Comptroller

Please be advised that I have appointed the following named person to the office enumerated below and respectfully ask concurrence in the confirmation of this appointment by your Honorable body.

Director of the Department of Human Resources for the Office of the Comptroller

Judith L. McAnarney
(Salaried)

Sincerely,
s/Daniel W. Hynes

[October 19, 2005]

Comptroller

DANIEL W. HYNES
COMPTROLLER

October 11, 2005

To the Honorable Members
of the Senate
Ninety-Fourth General Assembly

Re: Comptroller's Merit Commission

Please be advised that I have appointed the following named person to the Comptroller's Merit Commission for a term of six years ending January 2011 or until her successor has been appointed with the advice and consent of the Senate. I respectfully ask for concurrence in the confirmation of this appointment by your Honorable body.

To serve on the Comptroller's Merit Commission:

Jacquelyn E. Brown
Non-Salaried

Sincerely,
s/Daniel W. Hynes
Comptroller.

Under the rules, the foregoing Messages were referred to the Committee on Executive Appointments.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

October 19, 2005

Ms. Linda Hawker
Secretary of the Senate
403 State House
Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2005 as the Third Reading deadline for the following House Bills:

466, 481, 692, 708, 976, 1088, 1142, 1368, 1716, 1731, 2133,
2459, 2612, 2706, 2900, 2943, 3158, 3478, 3814, 3871, 4025.

Sincerely,
s/Emil Jones, Jr.
Senate President

[October 19, 2005]

cc: Senate Minority Leader Frank Watson

MESSAGES 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 676

A bill for AN ACT concerning revenue.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 676

House Amendment No. 2 to SENATE BILL NO. 676

Passed the House, as amended, May 31, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 676

AMENDMENT NO. 1. Amend Senate Bill 676 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 1-55 as follows:
(35 ILCS 200/1-55)

Sec. 1-55. 33 1/3%. One-third of ~~the~~ the fair cash value of property, as determined by the Department's sales ratio studies for the 3 most recent years preceding the assessment year, adjusted to take into account any changes in assessment levels implemented since the data for the studies were collected.

(Source: P.A. 86-1481; 87-877; 88-455)."

AMENDMENT NO. 2 TO SENATE BILL 676

AMENDMENT NO. 2. Amend Senate Bill 676, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters

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and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate

that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

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On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village or incorporated town.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may

be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area

during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of \$500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amending Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the

type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or

(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or

(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

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(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
 (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville,
 or

(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
 (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
 (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
 (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or

(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
~~(DD) (CC)~~ if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
~~(EE) (CC)~~ if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
~~(FF) (CC)~~ if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
~~(GG) (CC)~~ if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
~~(HH) (CC)~~ if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
~~(II) (CC)~~ if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
~~(JJ) (CC)~~ if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
~~(KK) (CC)~~ if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
~~(LL) (CC)~~ if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
~~(MM) (CC)~~ if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
~~(NN) (DD)~~ if the ordinance was adopted on September 21, 1998 by the City of Waukegan or -
~~(OO) (DD)~~ if the ordinance was adopted on February 2, 1998 by the Village of Woodhull.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of

such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in

the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment

plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

- (i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;
- (ii) the amount reimbursable shall be reduced by the value of any land donated

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to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961) ~~this amendatory Act of the 93rd General Assembly~~, a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields

leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a

population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and

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servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; revised 1-25-05.)"

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in

the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore

issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or ~~(DD) (CC)~~ if the ordinance was adopted on December 15, 1981 by the City of Champaign, or ~~(EE) (CC)~~ if the ordinance was adopted on December 15, 1986 by the City of Urbana, or ~~(FF) (CC)~~ if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or ~~(GG) (CC)~~ if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or ~~(HH) (CC)~~ if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or ~~(II) (CC)~~ if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or ~~(JJ) (CC)~~ if the ordinance was adopted on December 30, 1986 by the City of Effingham, or ~~(KK) (CC)~~ if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or ~~(LL) (CC)~~ if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or ~~(MM) (CC)~~ if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or ~~(NN) (DD)~~ if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or ~~(OO)~~ if the ordinance was adopted on February 2, 1998 by the Village of Woodhull and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

[October 19, 2005]

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; revised 1-25-05.)"

Under the rules, the foregoing Senate Bill No. 676, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2011

A bill for AN ACT concerning education.
Passed the House, May 31, 2005.

MARK MAHONEY, Clerk of the House

The foregoing House Bill No. 2011 was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1009, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its October 19, 2005 meeting, reported the following Senate Joint Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: Senate Joint Resolution No. 52.

State Government: Senate Joint Resolution No. 49.

Senator Viverito, Chairperson of the Committee on Rules, during its October 19, 2005 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Health & Human Services: House Bills Numbered 976 and 3478.

Judiciary: House Bills Numbered 692, 1088, 2459, 2612, 2900 and 2943.

Labor: House Bills Numbered 1368 and 2133.

Licensed Activities: House Bill No. 3158.

Revenue: House Bills Numbered 1142, 1731 and 2706.

State Government: House Bills Numbered 1716, 3871 and 4025.

Transportation: House Bill No. 3814.

[October 19, 2005]

Senator Viverito, Chairperson of the Committee on Rules, during its October 19, 2005 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committee of the Senate:

State Government: Senate Resolutions Numbered 253, 256, 258 and 264.

Senator Viverito, Chairperson of the Committee on Rules, during its October 19, 2005 meeting, reported the following House Joint Resolutions have been assigned to the indicated Standing Committee of the Senate:

State Government: House Joint Resolutions Numbered 31, 34, 37, 42, 43 and 54.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 466 and 708** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 466 and 708** were returned to the order of second reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 481 and 806** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 481 and 806** were returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bills Numbered 638, 700, 809, 852, 1268, 1283 and 1990** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 638, 700, 809, 852, 1268, 1283 and 1990** were returned to the order of third reading.

At the hour of 4:03 o'clock p.m., pursuant to Senate Joint Resolution No. 50, the Chair announced the Senate stand adjourned until Tuesday, October 25, 2005, at 12:00 o'clock noon.