

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

13TH LEGISLATIVE DAY

PERFUNCTORY SESSION

TUESDAY, FEBRUARY 20, 2007

3:00 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
13th Legislative Day**

Action	Page(s)
Adjournment	9
House Joint Resolutions Constitutional Amendments First Reading	8
Introduction and First Reading – HB 1277-1359	4
Legislative Measures Approved for Floor Consideration.....	4
Letter of Transmittal.....	3
Temporary Committee Assignments.....	3

Bill Number	Legislative Action	Page(s)
HJRCA 0017	Constitutional Amendment – First Reading.....	8

The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

LETTER OF TRANSMITTAL

February 20, 2007

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

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will have **Perfunctory time on Tuesday, February 20, 2007.**

With kindest personal regards, I remain

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

February 20, 2007

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

Dear Clerk Mahoney:

The following change to a 95th General Assembly House Committee is effective immediately.

The membership for the **Special Committee on Fire Protection** will consist of 4 Majority appointments and 3 Minority appointments.

Please add Representative Tom Holbrook as a member of this committee.

With kindest personal regards,I remain

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

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Beaubien replaced Representative Black in the Committee on Rules on January 20, 2007.

Representative Lang replaced Representative Turner in the Committee on Rules on January 20, 2007.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson of the Committee on Rules, action taken on February 20, 2007, reported the following legislative measures and/or joint action motions have been assigned as follows.

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

- Appropriations-General Services: HOUSE BILL 1240.
- Appropriations-Higher Education: HOUSE BILL 1267.
- Computer Technology: HOUSE BILL 1258.
- Consumer Protection: HOUSE BILLS 719, 825, 1264 and 1274.
- Elementary & Secondary Education: HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 16.
- Executive: HOUSE BILLS 1238, 1245, 1246, 1253, 1255, 1261, 1262, 1265, 1266, 1273 and 1276; HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 15.
- Human Services: HOUSE BILLS 1239, 1256 and 1257.
- Insurance: HOUSE BILL 1247.
- Judiciary I - Civil Law: HOUSE BILLS 1250 and 1268.
- Judiciary II - Criminal Law: HOUSE BILLS 1236 and 1244.
- Local Government: HOUSE BILLS 1251, 1252, 1259 and 1270.
- Registration and Regulation: HOUSE BILLS 1248, 1271 and 1275.
- Revenue: HOUSE BILLS 1237, 1242, 1249, 1260, 1263, 1269 and 1272.
- State Government Administration: HOUSE BILLS 1234, 1235, 1241, 1243 and 1254.
- Veterans Affairs: HOUSE BILLS 1232 and 1233.

LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:

- HOUSE BILL 359 was recalled from the Committee on Executive and reassigned to the Committee on Labor.
- HOUSE BILL 682 was recalled from the Committee on Executive and reassigned to the Committee on Higher Education.
- HOUSE BILL 778 was recalled from the Committee on Registration and Regulation and reassigned to the Committee on Executive.
- HOUSE BILLS 814 and 818 were recalled from the Committee on Electric Utility Oversight and reassigned to the Committee on Consumer Protection.
- HOUSE BILL 876 was recalled from the Committee on Executive and reassigned to the Committee on Local Government.
- HOUSE BILL 1119 was recalled from the Committee on Electric Utility Oversight and reassigned to the Committee on Consumer Protection.

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

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

- Y Currie (D), Chairperson
- A Hannig (D)
- Y Lang (D) (replacing Turner)
- Y Beaubien (R) (replacing Black)
- Y Hassert (R)

INTRODUCTION AND FIRST READING OF BILLS

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

HOUSE BILL 1277. Introduced by Representatives Feigenholtz - Saviano, AN ACT concerning regulation.

HOUSE BILL 1278. Introduced by Representative Chapa LaVia, AN ACT concerning finance.

- HOUSE BILL 1279. Introduced by Representative Burke, AN ACT concerning regulation.
- HOUSE BILL 1280. Introduced by Representatives Joyce - Fritchey, AN ACT concerning revenue.
- HOUSE BILL 1281. Introduced by Representative Saviano, AN ACT concerning regulation.
- HOUSE BILL 1282. Introduced by Representative Saviano, AN ACT concerning regulation.
- HOUSE BILL 1283. Introduced by Representative Saviano, AN ACT concerning regulation.
- HOUSE BILL 1284. Introduced by Representative Saviano, AN ACT concerning regulation.
- HOUSE BILL 1285. Introduced by Representative Saviano, AN ACT concerning regulation.
- HOUSE BILL 1286. Introduced by Representative Harris, AN ACT concerning health.
- HOUSE BILL 1287. Introduced by Representative Davis, Monique, AN ACT concerning education.
- HOUSE BILL 1288. Introduced by Representative Holbrook, AN ACT concerning regulation.
- HOUSE BILL 1289. Introduced by Representative Pihos, AN ACT concerning criminal law.
- HOUSE BILL 1290. Introduced by Representative Turner, AN ACT concerning criminal law.
- HOUSE BILL 1291. Introduced by Representative Turner, AN ACT concerning criminal law.
- HOUSE BILL 1292. Introduced by Representative Holbrook, AN ACT concerning regulation.
- HOUSE BILL 1293. Introduced by Representative Howard, AN ACT concerning criminal law.
- HOUSE BILL 1294. Introduced by Representative Howard, AN ACT concerning criminal law.
- HOUSE BILL 1295. Introduced by Representative Granberg, AN ACT concerning finance.
- HOUSE BILL 1296. Introduced by Representative Rose, AN ACT concerning aging.
- HOUSE BILL 1297. Introduced by Representative Ford, AN ACT concerning public health.
- HOUSE BILL 1298. Introduced by Representative Verschoore, AN ACT concerning employment.
- HOUSE BILL 1299. Introduced by Representative Feigenholtz, AN ACT concerning transportation.
- HOUSE BILL 1300. Introduced by Representatives Hamos - Mautino, AN ACT concerning agriculture.
- HOUSE BILL 1301. Introduced by Representative Lyons, AN ACT concerning State government.
- HOUSE BILL 1302. Introduced by Representatives Saviano - Reboletti, AN ACT concerning transportation.
- HOUSE BILL 1303. Introduced by Representative Kosel, AN ACT concerning regulation.
- HOUSE BILL 1304. Introduced by Representative Bradley, John, AN ACT in relation to firearms.
- HOUSE BILL 1305. Introduced by Representative Bradley, John, AN ACT concerning criminal law.
- HOUSE BILL 1306. Introduced by Representative Bradley, John, AN ACT concerning revenue.

- HOUSE BILL 1307. Introduced by Representative Bradley, John, AN ACT concerning revenue.
- HOUSE BILL 1308. Introduced by Representative Bradley, John, AN ACT concerning property.
- HOUSE BILL 1309. Introduced by Representative McCarthy, AN ACT concerning public safety.
- HOUSE BILL 1310. Introduced by Representative Hoffman, AN ACT concerning public employee benefits.
- HOUSE BILL 1311. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 1312. Introduced by Representative Hoffman, AN ACT concerning State government.
- HOUSE BILL 1313. Introduced by Representative Hoffman, AN ACT concerning education.
- HOUSE BILL 1314. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 1315. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 1316. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 1317. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 1318. Introduced by Representative Hoffman, AN ACT concerning gaming.
- HOUSE BILL 1319. Introduced by Representative Molaro, AN ACT concerning insurance.
- HOUSE BILL 1320. Introduced by Representative Bost, AN ACT concerning firearms.
- HOUSE BILL 1321. Introduced by Representative Miller, AN ACT concerning finance.
- HOUSE BILL 1322. Introduced by Representative Flowers, AN ACT concerning children.
- HOUSE BILL 1323. Introduced by Representative Flowers, AN ACT concerning revenue.
- HOUSE BILL 1324. Introduced by Representative Flowers, AN ACT concerning insurance.
- HOUSE BILL 1325. Introduced by Representative Nekritz, AN ACT concerning government.
- HOUSE BILL 1326. Introduced by Representative Cultra, AN ACT concerning local government.
- HOUSE BILL 1327. Introduced by Representative Mathias, AN ACT concerning regulation.
- HOUSE BILL 1328. Introduced by Representative Golar, AN ACT concerning insurance.
- HOUSE BILL 1329. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 1330. Introduced by Representative Yarbrough, AN ACT concerning education.
- HOUSE BILL 1331. Introduced by Representative Hamos, AN ACT concerning public employee benefits.
- HOUSE BILL 1332. Introduced by Representative Ford, AN ACT concerning State employment.
- HOUSE BILL 1333. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1334. Introduced by Representative Flowers, AN ACT concerning education.

- HOUSE BILL 1335. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1336. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1337. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1338. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1339. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1340. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1341. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1342. Introduced by Representative Flowers, AN ACT concerning education.
- HOUSE BILL 1343. Introduced by Representative Flowers, AN ACT concerning public utilities.
- HOUSE BILL 1344. Introduced by Representative Feigenholtz, AN ACT concerning State government.
- HOUSE BILL 1345. Introduced by Representative Graham, AN ACT concerning civil law.
- HOUSE BILL 1346. Introduced by Representative Cross, AN ACT concerning courts.
- HOUSE BILL 1347. Introduced by Representative Hannig, AN ACT concerning education.
- HOUSE BILL 1348. Introduced by Representative Hannig, AN ACT concerning education.
- HOUSE BILL 1349. Introduced by Representative Granberg, AN ACT concerning revenue.
- HOUSE BILL 1350. Introduced by Representative Dunkin, AN ACT concerning aging.
- HOUSE BILL 1351. Introduced by Representative Dunkin, AN ACT concerning State government.
- HOUSE BILL 1352. Introduced by Representative Dunkin, AN ACT concerning education.
- HOUSE BILL 1353. Introduced by Representative Dunkin, AN ACT concerning revenue.
- HOUSE BILL 1354. Introduced by Representative Black, AN ACT concerning energy.
- HOUSE BILL 1355. Introduced by Representative Brauer, AN ACT concerning State government.
- HOUSE BILL 1356. Introduced by Representative Brauer, AN ACT concerning education.
- HOUSE BILL 1357. Introduced by Representative Davis, Monique, AN ACT concerning business.
- HOUSE BILL 1358. Introduced by Representative Sullivan, AN ACT concerning revenue.
- HOUSE BILL 1359. Introduced by Representative Davis, Monique, AN ACT concerning employment.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENT
FIRST READING**

Representative Granberg introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 17**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VII of the Illinois Constitution by changing Section 6 as follows:

ARTICLE VII
LOCAL GOVERNMENT

SECTION 6. POWERS OF HOME RULE UNITS

(a) ~~Any A County which has a chief executive officer elected by the electors of the county and any municipality which has a population of more than 25,000 is a~~ home rule ~~unit~~ units. Other municipalities may elect by referendum to become home rule units. Except as limited by this Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.

(b) A home rule unit by referendum may elect not to be a home rule unit.

(c) ~~(Blank). If a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction.~~

(d) A home rule unit does not have the power (1) to incur debt payable from ad valorem property tax receipts maturing more than 40 years from the time it is incurred or (2) to define and provide for the punishment of a felony.

(e) A home rule unit shall have only the power that the General Assembly may provide by law (1) to punish by imprisonment for more than six months or (2) to license for revenue or impose taxes upon or measured by income or earnings or upon occupations.

(f) A home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law, ~~except that the form of government of Cook County shall be subject to the provisions of Section 3 of this Article.~~ A home rule municipality shall have the power to provide for its officers, their manner of selection and terms of office only as approved by referendum or as otherwise authorized by law. ~~A home rule county shall have the power to provide for its officers, their manner of selection and terms of office in the manner set forth in Section 4 of this Article.~~

(g) The General Assembly by a law approved by the vote of three-fifths of the members elected to each house may deny or limit the power to tax and any other power or function of a home rule unit not exercised or performed by the State other than a power or function specified in subsection (l) of this section.

(h) The General Assembly may provide specifically by law for the exclusive exercise by the State of any power or function of a home rule unit other than a taxing power or a power or function specified in subsection (l) of this Section.

(i) Home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive.

(j) The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by three-fifths of the members elected to each house the amount of debt, other than debt payable from ad valorem property tax receipts, which home rule municipalities may incur.

(k) The General Assembly may limit by law the amount and require referendum approval of debt to be incurred by home rule municipalities, payable from ad valorem property tax receipts, only in excess of the following percentages of the assessed value of its taxable property: (1) if its population is 500,000 or more, an aggregate of three percent; (2) if its population is more than 25,000 and less than 500,000, an aggregate of one percent; and (3) if its population is 25,000 or less, an aggregate of one-half percent. Indebtedness which is outstanding on the effective date of this Constitution or which is thereafter approved by referendum or assumed from another unit of local government shall not be included in the foregoing

percentage amounts.

(l) The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services.

(m) Powers and functions of home rule units shall be construed liberally.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 17 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

At the hour of 3:14 o'clock p.m. the House adjourned until Wednesday, February 21, 2007, at 1:00 o'clock p.m.