

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

100TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

WEDNESDAY, JULY 25, 2007

1:23 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.
 Representative Hannig in the chair.
 Representative Hannig asked for leave to use the Quorum Roll Call from the First Special Session to convene the One Hundredth Legislative Day Regular Session.
 Leave was granted.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 25, 2007, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
 Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1517.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Electric Utility Oversight: HOUSE AMENDMENT No. 5 to SENATE BILL 1592.

The committee roll call vote on the foregoing Legislative Measures is as follows:
 3, Yeas; 1, Nay; 0, Answering Present.

Y Currie(D), Chairperson	A Black(R), Republican Spokesperson
Y Hannig(D)	N Hassert(R)
Y Turner(D)	

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for SENATE BILL 1592, as amended.

JUDICIAL NOTE SUPPLIED

A Judicial Note has been supplied for SENATE BILL 1592, as amended.

PENSION NOTE SUPPLIED

A Pension Note has been supplied for SENATE BILL 1592, as amended.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative May was removed as principal sponsor, and Representative Bellock became the new principal sponsor of HOUSE RESOLUTION 620.

With the consent of the affected members, Representative McCarthy was removed as principal sponsor, and Representative Miller became the new principal sponsor of SENATE JOINT RESOLUTION 57.

With the consent of the affected members, Representative McCarthy was removed as principal sponsor, and Representative Miller became the new principal sponsor of SENATE JOINT RESOLUTION 59.

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 620

Offered by Representative May:

WHEREAS, The British Petroleum oil refinery in Whiting, Indiana is planning an expansion that would increase the refinery's discharges into Lake Michigan significantly, including 54% more ammonia (for a total discharge of 1,584 pounds of ammonia per day) and 35% more sludge (for a total discharge of 4,925 pounds of sludge per day) on a daily basis, running contrary to years of efforts to clean up the Great Lakes; and

WHEREAS, Ammonia promotes algae blooms that can kill fish in the Lake and the sludge that will be discharged into the Lake by British Petroleum is full of concentrated heavy metals; and

WHEREAS, The increased discharge into the Lake runs counter to a provision of the federal Clean Water Act that prohibits any downgrade in water quality near a pollution source, such as the British Petroleum refinery; and

WHEREAS, Indiana State regulators are allowing British Petroleum to install equipment that mixes its toxic waste with clean lake water about 200 feet offshore, and actively diluting pollution in Lake Michigan in this way is banned under Indiana law; and

WHEREAS, The Indiana Department of Environmental Management granted British Petroleum the first-ever exemption to allow the pollution "mixing zone" in Lake Michigan; and

WHEREAS, Environmental regulators remain unsure about the ecological effects of the relatively new refining process that British Petroleum plans to use and the increased discharge into Lake Michigan; and

WHEREAS, The United States Environmental Protection Agency has not objected to the State of Indiana's decision to allow the increased discharge by British Petroleum; and

WHEREAS, States rely on the federal government to enforce interstate water quality, the federal Clean Water Act has assisted states in cleaning up polluted waters and protecting unpolluted waters, and states need new tools in addition to the existing Clean Water Act to help protect ground and surface waters from out-of-state pollution sources; and

WHEREAS, The federal Clean Air Act requires states to take certain actions when permitting new sources of air pollution that may increase pollution in nearby states and provides remedies for states to address air pollution coming from out-of-state sources; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly urge the United States Environmental Protection Agency to follow a strict interpretation of the federal Clean Water Act to minimize any additional pollution into Lake Michigan; and be it further

RESOLVED, That we urge the United States Environmental Protection Agency to prohibit the Whiting, Indiana British Petroleum refinery from increasing the refinery's current discharges of ammonia and sludge into Lake Michigan until the ecological and environmental impact of the increased discharges is fully understood by federal and state environmental regulators; and be it further

RESOLVED, That we urge the Illinois delegation to the United States Congress to take legislative action against any planned increase in the discharge of pollution into Lake Michigan that is contrary to the federal Clean Water Act and threatens the health of the environment of this State; and be it further

RESOLVED, That we urge the United States Congress to enact Clean Water Act legislation requiring states to take certain actions when permitting new sources of water pollution that may increase pollution in nearby states and providing remedies for states to address water pollution coming from out-of-state sources; and be it further

RESOLVED, That we urge the United States Environmental Protection Agency to strengthen federal regulations to require each state that permits a new source of water pollution to provide written notice to all nearby states whose water quality may be degraded by the new source at least 60 days before the new source begins discharging pollution; and be it further

RESOLVED, That we encourage the federal government to take action to give one state the right to bring an action in federal court against another state that is causing or contributing to water pollution that exceeds water quality standards or otherwise adversely impacts the drinking water or recreational uses of water in the first state; and be it further

RESOLVED, That we urge the United States Environmental Protection Agency to increase enforcement of existing clean water laws to protect state waters from out-of-state pollution sources, especially the Clean Water Act provision that prohibits any decline in water quality even if limits on pollution discharges are met; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the administrator of the United States Environmental Protection Agency, Stephen L. Johnson, and to the Great Lakes National Program Manager for the United States Environmental Protection Agency, Mary A. Gade, to each member of the Illinois, Indiana, Michigan, and Wisconsin delegations to the United States Congress, and to the governors and state legislative leaders of Indiana, Michigan, and Wisconsin.

HOUSE RESOLUTION 622

Offered by Representative Ford:

WHEREAS, Legislation has been introduced in previous years to provide free mailing privileges for letters and packages to American troops overseas; two bills have been introduced into the 109th Congress - H.R. 923 and H.R. 2874 (H.R. 2874 supersedes H.R. 887, a very similar bill introduced by former Representative Harold Ford on February 17, 2005); and

WHEREAS, H.R. 923, the Mailing Support to Troops Act of 2005 (introduced on February 17, 2005 by Representative Fossella, with 71 current cosponsors), in its original form would allow family members of service personnel to mail letters and packages free of charge to active members of the military serving in Afghanistan or Iraq and to servicemen and women hospitalized as a result of disease or injury suffered in Afghanistan or Iraq; mailers would need only to write on the envelope or box, "Free Matter for Member of the Armed Forces of the United States", or words to that effect specified by the Postal Service (USPS); mail matter that contains any advertising would specifically be excluded; H.R. 923 would authorize appropriations to reimburse USPS for its extra expenses in transporting such mail; H.R. 923 was referred to the Committee on Government Reform; and

WHEREAS, H.R. 2874, the Supply Our Soldiers Act of 2005, was introduced by Representative Ford on June 14, 2005, and had 31 cosponsors; it would attempt to make it easier for families and charities to ship letters and packages to soldiers serving in combat zones; soldiers mobilizing for overseas duty would be given an allotment of special stamps (equivalent in value to \$150 per calendar quarter) that they can send to their loved ones, or to selected charities, to allow them to send letters and packages without further postage to the service members; there would be a 10-pound limit on packages sent to individuals; the Postal Service would be reimbursed by the Defense Department for providing this service, and Section 3 of the bill would authorize appropriations to the Defense Department for this purpose and for any other expenses it incurs; by putting individual service men and women into the authorization chain for the mail they receive, this bill would avoid the problem of subsidizing unsolicited mail to the troops; additionally, by capping the allotment per service member, it would mitigate potential stress on the military postal system; H.R. 2874 was referred to the Committees on Armed Services and Government Reform; and

WHEREAS, On September 29, 2005, the House Committee on Government Reform marked up H.R. 923, and in doing so, accepted an amendment in the nature of a substitute that adopted the core concept, as well as the title, of H.R. 2874; as amended and ordered to be reported by voice vote of the Committee, H.R. 923 requires the Department of Defense, in consultation with the Postal Service, to establish a one-year program under which qualified members of the armed services would receive a monthly voucher that can be redeemed, by their families or friends, to pay the postal expenses of sending one letter or parcel (weighing up to 15 pounds) to the service member; the Department of Defense would reimburse the Postal Service for the postal benefits provided by the vouchers; Committee Chairman Tom Davis said that the substitute language had the approval of Representative Fossella, the Committee on Armed Services, and the Postal Service; the Congressional Budget Office estimated that nearly all of the about 145,000 American service personnel who would be eligible for the postage benefit would take advantage of it, and assigned it a budget cost of \$30 million over fiscal years 2006 and 2007; and

WHEREAS, The language of H.R. 923 was added by the House Armed Services Committee as Sections 575, 576 ("Funding"), and 577 ("Duration") to H.R. 5122, the Sonny Montgomery National Defense Authorization Act for Fiscal Year 2007; H.R. 5122 was passed by the House on May 11, 2006; on June 22, 2006, the Senate substituted its own defense authorization language for the House language and passed H.R. 5122; the Senate version does not contain the postal benefits authorized in the House bill, so whether

the language survives is now a matter to be decided by the conference committee; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Congress of the United States to pass legislation that would allow not-for-profit organizations and family members to mail without charge, twice per month, on the first and 15th day of each month, letters and packages to members of the U.S. Armed Services in combat zones; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 621

Offered by Representative Beiser:
Mourns the death of Marian Klein of Bethalto.

HOUSE RESOLUTION 623

Offered by Representative D'Amico:
Congratulates Dan Tully on being named the new principal of Notre Dame High School in Niles.

HOUSE RESOLUTION 624

Offered by Representative D'Amico:
Mourns the death of Cyril Miceli of Chicago.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 621, 623 and 624 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the agreed resolutions were adopted.

At the hour of 1:28 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, July 26, 2007, at 10:00 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

100TH LEGISLATIVE DAY**Perfunctory Session****WEDNESDAY, JULY 25, 2007**

At the hour of 7:55 o'clock p.m., the House convened perfunctory session.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative McGuire replaced Representative D'Amico in the Committee on Higher Education on July 25, 2007.

Representative Colvin replaced Representative Howard in the Committee on Higher Education on July 25, 2007.

Representative Nekritz replaced Representative May in the Committee on Electric Utility Oversight on July 25, 2007.

Representative Flider replaced Representative Patterson in the Committee on Electric Utility Oversight on July 25, 2007.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 25, 2007, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 63.

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE JOINT RESOLUTION 24.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Environmental Health: HOUSE RESOLUTIONS 602, 619 and 620.

Higher Education: HOUSE RESOLUTION 577.

Judiciary I - Civil Law: HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 25 and HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 26.

Judiciary II - Criminal Law: HOUSE RESOLUTION 153.

Revenue: HOUSE RESOLUTION 549.

State Government Administration: HOUSE RESOLUTIONS 535, 587 and SENATE JOINT RESOLUTION 40.

Telecommunications: HOUSE RESOLUTION 550.

Transportation and Motor Vehicles: HOUSE JOINT RESOLUTION 75.

Veterans Affairs: HOUSE RESOLUTION 622.

Juvenile Justice Reform: HOUSE RESOLUTION 568.

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

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

Y Currie(D), Chairperson

Y Black(R), Republican Spokesperson

Y Hannig(D)
Y Turner(D)

A Hassert(R)

REPORTS FROM STANDING COMMITTEES

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on July 25, 2007, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
SENATE JOINT RESOLUTION 2.

The committee roll call vote on Senate Joint Resolution 2 is as follows:

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

Y McCarthy(D), Chairperson	Y Jakobsson(D), Vice-Chairperson
A Bost(R), Republican Spokesperson	Y Beiser(D)
A Black(R)	A Brady(R)
Y Brosnahan(D)	Y McGuire(D) (replacing D'Amico)
A Eddy(R)	Y Flowers(D)
Y Colvin(D) (replacing Howard)	Y Miller(D)
A Myers(R)	A Pritchard(R)
A Tracy(R)	

Representative Scully, Chairperson, from the Committee on Electric Utility Oversight to which the following were referred, action taken on July 25, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 5 to SENATE BILL 1592.

The committee roll call vote on Amendment No. 5 to Senate Bill 1592 is as follows:
5, Yeas; 3, Nays; 1, Answering Present.

Y Scully(D), Chairperson	Y Verschoore(D), Vice-Chairperson
N Krause(R), Republican Spokesperson	P Durkin(R)
Y Granberg(D)	N Leitch(R)
Y Nekritz(D) (replacing May)	Y Flider(D) (replacing Patterson)
N Winters(R)	

At the hour of 8:00 o'clock p.m., the House Perfunctory Session adjourned.