

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

230TH LEGISLATIVE DAY

REGULAR SESSION

TUESDAY, FEBRUARY 26, 2008

1:15 O'CLOCK P.M.

HOUSE OF REPRESENTATIVES
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230th Legislative Day

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The House met pursuant to adjournment.
 Speaker of the House Madigan in the chair.
 Prayer by Reverend Richard Wollard, Pastor of Meadowland Community Church in Johnsburg, IL.
 Representative Franks led the House in the Pledge of Allegiance.
 By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
 110 present. (ROLL CALL 1)

By unanimous consent, Representatives Richard Bradley, Burke, Feigenholtz, Lyons, Molaro, Washington and Watson were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Osterman, should be recorded as present at the hour of 2:25 o'clock p.m.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 25, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bill be reported "be approved for consideration" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3653.

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

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

Y Currie(D), Chairperson
 Y Hannig(D)
 Y Turner(D)

A Black(R), Republican Spokesperson
 Y Hassert(R)

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 26, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: HOUSE BILLS 4251, 5165, 5506, 5775, 5776 and 5940.
 Approp-Elementary & Secondary Education: HOUSE BILLS 5013 and 5956.
 Appropriations-Human Services: HOUSE BILLS 5306 and 5570.
 Appropriations-Public Safety: HOUSE BILL 4921.
 Computer Technology: HOUSE BILL 5000.
 Consumer Protection: HOUSE BILLS 5177, 5314, 5363, 5745, 5750 and 5789.
 Disability Services: HOUSE BILL 4822.
 Drivers Education & Safety: HOUSE BILLS 4387 and 4985.
 Elementary & Secondary Education: HOUSE BILLS 4771, 4851, 5338, 5669, 5717, HOUSE RESOLUTION 994 and HOUSE JOINT RESOLUTION 99.
 Environment & Energy: HOUSE BILLS 4171, 4231 and 4367.
 Environmental Health: HOUSE BILL 5721.
 Executive: HOUSE BILLS 796, 5227, 5228, 5581, 5582, 5584, 5587 and 5768.
 Health Care Availability and Access: HOUSE BILLS 4943, 5372 and HOUSE RESOLUTION 1001.
 Higher Education: HOUSE BILLS 4625, 4890 and 5696.

Housing and Urban Development: HOUSE BILLS 4955, 5170 and 5728.
 Human Services: HOUSE BILLS 4401, 5231, 5259, 5297, 5359, 5790, 5927, 5950, 5983 and HOUSE RESOLUTION 986.
 Insurance: HOUSE BILLS 4409, 5595, 5731 and 5954.
 International Trade & Commerce: HOUSE BILLS 4465, 5585 and 5906.
 Judiciary I - Civil Law: HOUSE BILLS 4101, 4507, 5037, 5160, 5293, 5373, 5659, 5697 and 5900.
 Judiciary II - Criminal Law: HOUSE BILLS 4305, 4306, 4466, 4477, 4626, 4629, 5179, 5229, 5230 and 5317.
 Labor: HOUSE BILLS 4278, 5141 and 5661.
 Local Government: HOUSE BILLS 4774, 4936 and 5022.
 Mass Transit: HOUSE BILL 4615.
 Personnel and Pensions: HOUSE BILLS 4469 and 4884.
 Public Utilities: HOUSE BILL 5664.
 Registration and Regulation: HOUSE AMENDMENT No. 2 to HOUSE BILL 1479.
 Revenue: HOUSE BILLS 4108, 4256, 4279, 4280, 4462, 4636, 4682, 4759, 4760, 4761, 4823, 4882, 4883, 5172, 5593, 5948 and 5952.
 State Government Administration: HOUSE BILLS 4127, 4416, 4716, 4726, 4866, 4981, 5312, 5546, 5586, 5596, 5597, 5607, 5655, 5891, 5930, 5946 and HOUSE RESOLUTION 1026.
 Telecommunications: HOUSE BILL 5117.
 Tollway Oversight: HOUSE BILL 5784.
 Tourism & Conventions: HOUSE BILL 4464.
 Veterans Affairs: HOUSE BILL 5904.
 Fire Protection: HOUSE BILL 4674.
 Juvenile Justice Reform: HOUSE BILL 5326.

LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:

HOUSE BILL 758 was recalled from the Committee on Executive and reassigned to the Committee on Rules.

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

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

Y Currie(D), Chairperson
 Y Hannig(D)
 Y Turner(D)

A Black(R), Republican Spokesperson
 A Hassert(R)

MOTIONS SUBMITTED

Representative Black submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 4118.

Representative Froehlich submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 5185.

Representative Froehlich submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 203.

STATE MANDATES FISCAL NOTE REQUEST WITHDRAWN

Representative Boland withdrew his request for a State Mandates Fiscal Note on SENATE BILL 488.

BALANCED BUDGET NOTE REQUEST WITHDRAWN

Representative Boland withdrew his request for a Balanced Budget Note on SENATE BILL 488.

CORRECTIONAL NOTE REQUEST WITHDRAWN

Representative Boland withdrew his request for a Correctional Note on SENATE BILL 488.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Franks was removed as principal sponsor, and Representative Stephens became the new principal sponsor of HOUSE JOINT RESOLUTION 107.

With the consent of the affected members, Representative Moffitt was removed as principal sponsor, and Representative Boland became the new principal sponsor of HOUSE BILL 4687.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 1026

Offered by Representative Cross:

WHEREAS, The mission of the YMCA is to build strong kids, strong families, and strong communities through programs that focus on developing a healthy mind, body, and spirit for all; and

WHEREAS, Our children's health is a concern for the whole community; because parents can be the best role models for their kids, and kids' health habits mirror those of their parents and other adult role models, YMCA Healthy Kids Day is a great time for communities to come together to learn more about healthier lifestyles; and

WHEREAS, Among children and teens ages 6 to 19 in the United States, 16 percent (over 9 million) are overweight according to the Centers for Disease Control 1999-2002 data, or triple what the proportion was in 1980, and 29 percent of low-income children between 2 and 5 years of age in Illinois are overweight or at risk of becoming overweight; and

WHEREAS, YMCAs throughout Illinois are dedicated to providing programs and services to over 384,000 youth between the ages of one and seventeen; and

WHEREAS, Community-based responses alleviate the growing epidemic of obesity and physical inactivity, particularly among young people; and

WHEREAS, YMCA Healthy Kids Day is a national event celebrating healthy living and helping kids and families embrace habits that can become a lifelong practice; and

WHEREAS, On April 12, 2008, YMCAs throughout the nation and the State of Illinois will sponsor YMCA Healthy Kids Day to help our youth become more healthy; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we join YMCAs in the State of Illinois, and throughout the nation in the fight against childhood obesity by recognizing April 12, 2008, as YMCA Healthy Kids Day; and be it further

RESOLVED, That suitable copies of this resolution be presented to participating YMCAs in Illinois.

HOUSE RESOLUTION 1027

Offered by Representative Bellock:

WHEREAS, The Great Lakes are a tremendous value to Illinois as an environmental and economic resource, both as the world's largest body of fresh water and as a crucial international shipping channel; and

WHEREAS, Aquatic invasive species have caused significant damage to native environments and industrial operations in the Great Lakes and around the world; and

WHEREAS, Current federal laws governing the introduction of aquatic invasive species into United States waters via ballast water of ocean-going ships and other sources are inadequate; and

WHEREAS, Because of the detrimental effects of imposing regional restrictions on an international shipping channel, there is a need for federal regulation; and

WHEREAS, There is currently no nationally accepted standard for ballast water quality nor any approved ballast treatment technologies available to ship operators; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the we have a great concern for the protection of our environmental and economic resources; and be it further

RESOLVED, That we urge the United States Congress to acknowledge the national urgency of this problem and move quickly to enact federal legislation to establish a strong ballast water regulatory program sufficient to prevent future introduction of aquatic invasive species into all United States waters; and be it further

RESOLVED, That we declare our support for the efforts of the United States Coast Guard and International Maritime Organization to put in place an international ballast water treatment and regulatory program; and be it further

RESOLVED, That we declare our support for the "Great Ships Initiative", a research and development project funded jointly by the Illinois International Port Authority and other Great Lakes ports, the U.S. Department of Transportation, the National Fish and Wildlife Foundation, and other federal agencies with the goal of accelerating the development and availability of ballast water treatment technology; and be it further

RESOLVED, That copies of this resolution be presented to the President of the United States, the Illinois Congressional delegation, federal agencies that regulate maritime transportation, and the Great Lakes Commission.

HOUSE JOINT RESOLUTION 107

Offered by Representative Franks:

WHEREAS, Illinois Route 173 is a major thoroughfare in the northern portion of the State of Illinois; and

WHEREAS, The designation of one of the United States Army's units is the 173rd Airborne Brigade; and

WHEREAS, Many of the men and women who have served in the 173rd Airborne Brigade have been the sons and daughters of the State of Illinois; and

WHEREAS, Specialist Jacob M. Lowell of New Lenox was the first Sky Soldier of the 173rd Airborne Brigade to have been killed in action in its current deployment; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that Illinois Route 173 be designated as the 173rd Airborne Brigade Highway in honor of the brave men and women of the United States Army 173rd Airborne Brigade; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the 173rd Airborne Brigade Highway; and be it further

RESOLVED, That, in recognition of the men and women of the 173rd Airborne Brigade, those available upon the end of the Brigade's current deployment be invited to the State of Illinois to attend this designation; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Secretary of the Illinois Department of Transportation.

HOUSE JOINT RESOLUTION 108

Offered by Representative Eddy:

WHEREAS, The members of the Illinois General Assembly wish to acknowledge the life of State Trooper Howard Cleff, who passed away on February 1, 2000; and

WHEREAS, Howard Cleff was born in 1914 in Birds, Illinois; he was hired by the Illinois State Police in 1941, where he attended the second class for motorcycle troopers at the Academy; he served for thirty-two years, receiving superior ratings every year; and

WHEREAS, He received the Sharp Shooter Award several times during his career, a commendation for apprehending a "ten most wanted" fugitive during the 1960s Cairo riots, and received a \$100 war bond for making the suggestion to paint white stripes on the shoulders of Illinois highways; and

WHEREAS, Howard Cleff retired from the Illinois State Police as a motorcycle trooper second class in September of 1973; and

WHEREAS, Howard Cleff, Badge number 212, is remembered as one of the best liked Illinois State Policemen; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we remember the life and career of Howard Cleff and designate that portion of Route 250 from the Wabash River to Lawrenceville as the Howard Cleff Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the designation of that portion of Route 250 from the Wabash River to Lawrenceville as the Howard Cleff Memorial Highway; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Howard Cleff and to the Secretary of the Illinois Department of Transportation.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1020

Offered by Representative Moffitt:

Congratulates the congregation of the Allen Chapel AME Church in Galesburg on the occasion of the church's 155th anniversary.

HOUSE RESOLUTION 1021

Offered by Representative Lyons:

Congratulates Richard Lockhart and Social Engineering Associates, Inc., on 50 years of providing effective governmental consulting services to numerous organizations in the State of Illinois.

HOUSE RESOLUTION 1022

Offered by Representative Bellock:

Congratulates Jim Tikalsky on the occasion of being named Darien's Citizen of the Year for 2008.

HOUSE RESOLUTION 1023

Offered by Representative Froehlich:

Congratulates the Schaumburg High School Saxon Marching Band on the occasion of its 1st place victories at the National Events Outback Bowl Music Festival.

HOUSE RESOLUTION 1024

Offered by Representative Mathias:

Congratulates Ralph Shepstone on the occasion of his retirement from the Chicago Executive Airport Board.

HOUSE RESOLUTION 1025

Offered by Representative Lyons:

Congratulates the staff of DZIENNIK ZWIAZKOWY on the occasion of the newspaper's 100th anniversary.

HOUSE RESOLUTION 1028

Offered by Representative Rita:

Mourns the death of United States Army Captain David Schultz II of Blue Island.

AGREED RESOLUTIONS

HOUSE RESOLUTION 1014 was taken up for consideration.
Representative Currie moved the adoption of the agreed resolution.
The motion prevailed and the agreed resolution was adopted.

HOUSE RESOLUTIONS 1020, 1022, 1023, 1024 and 1025 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the agreed resolutions were adopted.

ACTION ON MOTIONS

Representative Boland moved to table HOUSE BILL 4284.
The motion prevailed.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Yarbrough, HOUSE BILL 4459 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
80, Yeas; 28, Nays; 1, Answering Present.

(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Pritchard, HOUSE BILL 4522 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

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

(ROLL CALL 3)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

AGREED RESOLUTIONS

HOUSE RESOLUTION 1028 was taken up for consideration.

Representative Rita moved that all Members be added as cosponsors.

Representative Currie moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

HOUSE RESOLUTION 982 was taken up for consideration.

Representative Currie moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

At the hour of 2:23 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, February 27, 2008, at 12:00 o'clock noon.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

February 26, 2008

0 YEAS

0 NAYS

110 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
P Arroyo	P Dunkin	P Lang	P Reis
P Bassi	P Dunn	P Leitch	P Reitz
P Beaubien	P Durkin	P Lindner	P Riley
P Beiser	P Eddy	E Lyons	P Rita
P Bellock	E Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	P Schmitz
P Bost	P Franks	P McGuire	P Schock
P Bradley, John	P Fritchey	P Mendoza	P Scully
E Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar	P Miller	P Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham	P Mitchell, Jerry	P Stephens
E Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	E Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
P Cole	P Harris	P Munson	P Turner
P Collins	P Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
P Coulson	P Hoffman	P Osmond	E Washington
P Crespo	P Holbrook	P Osterman (ADDED)	E Watson
P Cross	P Howard	A Patterson (REMOVED)	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough
P Currie	P Jefferies	P Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
P Davis, William	P Kosel	P Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4459
 SDCEO-WORK THERAPY PROGRAMS
 THIRD READING
 PASSED

February 26, 2008

80 YEAS

28 NAYS

1 PRESENT

Y Acevedo	Y Dugan	Y Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
N Bassi	N Dunn	Y Leitch	Y Reitz
N Beaubien	Y Durkin	N Lindner	Y Riley
Y Beiser	Y Eddy	E Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
N Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	N Fortner	Y McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	N Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
N Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	N Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
E Burke	Y Granberg	Y Moffitt	N Sullivan
Y Chapa LaVia	Y Hamos	E Molaro	N Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	N Hassert	N Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	N Osmond	E Washington
Y Crespo	Y Holbrook	A Osterman	E Watson
N Cross	P Howard	A Patterson	N Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	N Kosel	N Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4522
COMMON SCH FUND-TRNSFRS-CLAIMS
THIRD READING
PASSED

February 26, 2008

109 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	E Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
E Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	E Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	E Washington
Y Crespo	Y Holbrook	A Osterman	E Watson
Y Cross	Y Howard	A Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	Y Kosel	Y Ramey	

E - Denotes Excused Absence