

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

70TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

WEDNESDAY, JULY 15, 2009

1:41 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
70th Legislative Day**

Action	Page(s)
Adjournment	15
Adjournment Resolution	15
Agreed Resolutions	12
Change of Sponsorship.....	9
Introduction and First Reading – HB 4597-4602	19
Legislative Measures Approved for Floor Consideration.....	18
Legislative Measures Assigned to Committee	8
Letter of Transmittal.....	5
Messages from the Governor	6
Messages From The Senate.....	9
Motions Submitted	9
Perfunctory Adjournment.....	19
Perfunctory Session.....	18
Quorum Roll Call.....	4
Recess.....	15
Report From Standing Committees	8, 18
Reports	4
Resolutions.....	10
Senate Resolution.....	19
Temporary Committee Assignments.....	8, 18
Temporary Committee Assignments for Committees not Reporting.....	8

Bill Number	Legislative Action	Page(s)
HB 2145	Message from the Governor.....	7
HB 4592	Motion Submitted	9
HJR 0069	Adoption	15
HR 0541	Resolution	12
HR 0541	Adoption	15
HR 0543	Resolution	12
HR 0543	Adoption	15
HR 0544	Resolution	12
HR 0544	Adoption	15
HR 0545	Resolution	12
HR 0545	Adoption	15
HR 0546	Resolution	12
HR 0546	Adoption	15
HR 0547	Resolution	10
HR 0548	Resolution	10
HR 0549	Resolution	12
HR 0549	Adoption	15
HR 0550	Resolution	12
HR 0550	Adoption	15
HR 0551	Resolution	11
HR 0552	Resolution	12
HR 0552	Adoption	15
HR 0553	Resolution	13
HR 0553	Adoption	15
HR 0559	Resolution	13
HR 0559	Adoption	15

SB 0291	Committee Report.....	18
SB 0291	Committee Report – Floor Amendment/s.....	9
SB 0291	Second Reading – Amendment/s.....	13
SB 0291	Third Reading.....	15
SB 1265	Committee Report.....	18
SB 1292	Committee Report.....	18
SB 1846	Committee Report – Floor Amendment/s.....	18
SB 1912	Committee Report.....	18
SJR 0062	Referred to Rules.....	19

The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Reverend Gregory LeBlanc, who is with Sacred Heart Church in Pratt, Kansas.

Representative Beaubien 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:

115 present. (ROLL CALL 1)

By unanimous consent, Representatives Froehlich, Myers and Pritchard were excused from attendance.

At the hour of 5:13 o'clock p.m., by unanimous consent, Representative Hamos was excused from attendance for the remainder of the day.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Illinois Workforce Development Annual Report, 2008, submitted by Department of Commerce and Economic Opportunity on July 9, 2009.

Financial Audit of ROE 35, submitted by Office of the Auditor General on July 9, 2009.

Financial Audit of ROE 24, submitted by Office of the Auditor General on July 9, 2009

Financial Audit of ROE 17, submitted by Office of the Auditor General on July 9, 2009.

Financial Audit of the Department of Healthcare and Family Services Community College Health Insurance Security Fund, submitted by Office of the Auditor General on July 9, 2009

Financial Audit of the Department of Healthcare and Family Services Local Government Health Insurance Reserve Fund, submitted by Office of the Auditor General on July 9, 2009

Financial Audit of the Department of Healthcare and Family Services Teacher Health Insurance Reserve Fund, submitted by Office of the Auditor General on July 9, 2009.

Compliance Examination of the Department of State Police, submitted by Office of the Auditor General on July 9, 2009.

Compliance Examination of the Office of the State Fire Marshal, submitted by Office of the Auditor General on July 9, 2009.

Third Party Review of the Department of Central Management Services Bureau of Communications and Computer Services, submitted by Office of the Auditor General on July 9, 2009.

Management Audit of the One Million Dollar Grant to Loop Lab School, submitted by Office of the Auditor General on July 9, 2009.

Compliance Examination of the Department of Revenue, submitted by Office of the Auditor General on July 9, 2009.

Financial Audit of the Department of Revenue, submitted by Office of the Auditor General on July 9, 2009.

Financial Audit and Compliance Examination of the Department of Healthcare and Family Services, submitted by Office of the Auditor General on July 9, 2009.

Quarterly Report, January through March (Revised), submitted by Office of the Legislative Inspector General on July 10, 2009.

Quarterly Report, April through June, submitted by Office of the Legislative Inspector General on July 10, 2009.

Alzheimer's Disease and Other Related Dementia State Plan, submitted by Department of Public Health on July 10, 2009.

Illinois Early Learning Council Report, FY 2009, submitted by The Illinois Learning Council on July 10, 2009.

State Agency Review and Initial Recommendations Report of the Illinois Suicide Prevention Alliance, submitted by Department of Public Health on July 12, 2009.

Suicide Prevention Report, 2008, submitted by Department of Public Health on July 12, 2009.

Resolution 2009-1516 endorsing concealed carry, submitted by the Village of Bartonville and the Bartonville Police Department on July 14, 2009.

LETTERS OF TRANSMITTAL

July 15, 2009

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 be in **Regular Session** on Wednesday, **July 15, 2009**.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

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

July 8, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Pursuant to Public Act 95-995, please appoint the following members to the **Commission to Study Disproportionate Justice Impact**:

Representative Dennis Reboletti

[July 15, 2009]

6

Representative Chapin Rose

This appointment is effective immediately. If you have any questions regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross
House Republican Leader

July 14, 2009

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

Dear Clerk Mahoney:

Please be advised that I am extending the Committee/Final Action Deadline to November 30, 2009 for the following Senate Bills:

Senate Bills: 291, 1265, 1292 and 1912.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.
With kindest personal regards, I remain.

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

MESSAGES FROM THE GOVERNOR

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE – Secretary of State

July 14, 2009

To the Honorable Speaker of the House:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bill from the 96th General Assembly as vetoed by the Governor together with his objections.

House Bill

2145

Respectfully,
s/Jesse White
Secretary of State

July 7, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly:

In accordance with Article IV, Section 9 (b) of the Illinois Constitution, I return to the House of Representatives House Bill 2145, with this statement of my objections, vetoed in its entirety.

As I stated last week in vetoing Senate Bill 1197, balancing our State's budget will require making tough choices. This legislation I am vetoing today does not make significant cuts in spending, and, as a result, fails to solve Illinois' budget crisis. It does not require the shared sacrifices necessary to achieving a balanced budget that is decent and humane. This spirit of shared sacrifice is especially needed during a time of economic hardship. I am therefore vetoing House Bill 2145 in its entirety because I believe that it is part of a flawed overall approach to budget-making.

House Bill 2145 violates the requirement of Article IV, Section 8(d) of the Illinois Constitution that "appropriation bills shall be limited to the subject of appropriations." ILL. CONST., Article IV, Section 8(d). Appropriations bills cannot contain provisions which purport to change the existing substantive law. *Benjamin v. Devon Bank*, 68 Ill. 2d 142, 148 (1977). Nor may an appropriation bill restrict the use of funds not previously appropriated. *People ex. rel. Kirk v. Lindberg*, 59 Ill. 2d 38, 41-42 (1974). Thus, appropriations bills may not include substantive provisions. *Valstad v. Cipriano*, 357 Ill. App. 3d 905, 920 (2005). Accordingly, appropriation bills may only allocate money for specific purposes. *Bd. of Trustees of Comm. Coll. Dist. No. 508 v. Burris*, 118 Ill. 2d 465, 477-78 (1987).

House Bill 2145 goes beyond setting apart certain amounts of money for specific purposes by attempting to restrict the use of funds not previously appropriated. Specifically, this bill purports to prohibit the expenditure of appropriated funds for "professional and artistic services." Provisions banning the use of funds on professional and artistic services appear throughout the legislation. These provisions clearly attempt to restrict the use of funds not previously appropriated, and, therefore run afoul of Article IV, Section 8(d) as interpreted by the Illinois Supreme Court in *Kirk*. See *Kirk*, 59 Ill. 2d at 41-42.

Second, House Bill 2145 purports to modify existing statute by prohibiting the transfer of funds between line items. This provision flatly contradicts Section 13.2 of the State Finance Act, 30 ILCS 5/13.2, a statute that specifically authorizes such transfers. In *Benjamin v. Devon Bank*, our Supreme Court held that including language in an appropriation bill that modifies existing statute violates Article IV, Section 8(d). *Benjamin*, 68 Ill. 2d at 148.

Therefore, in accordance with the oath of office in which I swore to support the Constitution of Illinois, required by Article XIII, Section 3 of the Constitution; the Governor's supreme executive authority established by Article V, Section 8 of the Constitution; my duty to faithfully execute the laws as set forth in Article V, Section 8 of the Constitution; and my authority to act upon legislation pursuant to Article IV, Section 9, I hereby expressly disapprove all provisions of House Bill 2145 that contain or relate to subjects other than appropriations.

I am hopeful that through collaboration and cooperation, we can reach a mutually agreeable resolution of our budgetary challenges. My goal remains a fair and comprehensive state budget that serves the fundamental needs of the people of Illinois.

Sincerely,
s/PAT QUINN
Governor

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Reboletti replaced Representative Black in the Committee on Rules on July 8, 2009.

Representative Lyons replaced Representative Lang in the Committee on Rules on July 8, 2009.

Representative Acevedo replaced Representative Currie in the Committee on Rules on July 8, 2009.

**TEMPORARY COMMITTEE ASSIGNMENTS
FOR COMMITTEES NOT REPORTING**

Representative Chapa LaVia replaced Representative Froehlich in the Committee on Elementary & Secondary Education on July 14, 2009.

Representative Nekritz replaced Representative Flider in the Committee on Elementary & Secondary Education on July 14, 2009.

Representative Farnham replaced Representative Osterman in the Committee on Elementary & Secondary Education on July 14, 2009.

REPORTS FROM THE COMMITTEE ON RULES

Representative Acevedo, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 8, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Elementary & Secondary Education: HOUSE BILL 4588.

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

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

Y Acevedo(D) (replacing Currie)
Y Lyons(D) (replacing Lang)
Y Turner(D)

Y Reboletti(R) (replacing Black)
A Schmitz(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 15, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to SENATE BILL 291.

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 Lang(D)
A Turner(D)

Y Black(R), Republican Spokesperson
Y Schmitz(R)

REPORT FROM STANDING COMMITTEES

Representative Bradley, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on July 15, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to SENATE BILL 291.

The committee roll call vote on Amendment No. 1 to Senate Bill 291 is as follows:

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

A Fritchey(D), Chairperson	Y Bradley(D), Vice-Chairperson
A Rose(R), Republican Spokesperson	Y Brosnahan(D)
Y Coladipietro(R)	Y Connelly(R)
A Gordon, Careen(D)	A Hamos(D)
A Hoffman(D)	Y Lang(D)
Y Mathias(R)	Y Nekritz(D)
Y Osmond(R)	Y Thapedi(D)
A Tracy(R)	Y Wait(R)
Y Zalewski(D)	

MOTIONS SUBMITTED

Representative Feigenholtz 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 4592.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 291

A bill for AN ACT concerning civil law.

House Amendment No. 1 to SENATE BILL NO. 291.

Action taken by the Senate, July 15, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 69

Concurred in the Senate, July 15, 2009.

Jillayne Rock, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 291.

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 1265.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 547

Offered by Representative Cross:

WHEREAS, 50,000,000 individuals in the United States have experienced tinnitus, the perception of noises or ringing in the ears and head when no external sound source is present; and

WHEREAS, 12,000,000 individuals in the United States experience tinnitus to an incessant and debilitating degree, such that the sounds in their ears and heads never abate, forcing them to seek assistance from a health care professional; and

WHEREAS, Tinnitus is frequently caused by exposure to loud noises in the workplace, where an estimated 30,000,000 individuals in the United States are exposed to injurious levels of noise each day, and where noise-induced hearing loss is the most common occupational injury; and

WHEREAS, Tinnitus is also caused by exposure to loud noises in recreational settings such as loud music, real or toy firearms, fireworks, and loud engines, where levels of sound can reach traumatic levels, and where individuals frequently are not aware that temporary ringing in the ears can become permanent after continued exposure to loud levels of sound; and

WHEREAS, In many cases, simply wearing proper hearing protection would protect individuals from damaging their hearing; and

WHEREAS, Many individuals with tinnitus are told that the only solution to their condition is to learn to live with it, even though treatments for tinnitus are available that can help reduce the stress of the incessant ringing and increase the coping skills and quality of life for individuals who experience this condition; and

WHEREAS, We recognize that tinnitus affects men and women of all ages, including but not limited to, combat veterans, children utilizing personal music systems, ordinary citizens taking necessary medications, and workers exposed through occupational hazards; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage interested groups and affected persons to promote public awareness of tinnitus, the dangers of loud noise, and the importance of hearing protection for all individuals; and commit to continuing its support of innovative hearing health research, so that treatments for tinnitus can be refined and a cure for tinnitus can be discovered; and be it further

RESOLVED, That the month of May be designated as Tinnitus Awareness Month, in order to raise public awareness and to further its mission to silence tinnitus through education, advocacy, research, and support.

HOUSE RESOLUTION 548

Offered by Representative Bellock:

WHEREAS, In June of 2009, the United States Environmental Protection Agency cited BP for violating the Clean Air Act at its oil refinery in Whiting, Indiana; the EPA alleges that the facility failed to manage benzene waste from 2003 through 2008 as required by national emission standards; and

WHEREAS, For the past 6 years, BP has reportedly exceeded federal limits on air pollution of benzene; in 2008, the company processed over 16 times the federal limit of benzene; and

WHEREAS, Health effects from benzene exposure can include dizziness, eye, nose and throat irritation, upset stomach and vomiting, irregular heartbeat, convulsions, and death; long-term exposure to benzene can cause anemia, excessive bleeding, and leukemia; and

WHEREAS, The EPA's citations add to other recent concerns of pollution at the Whiting facility; in October of 2008, the EPA cited BP for commencing construction at the facility without obtaining the necessary permits for air pollution; in July of 2007, Indiana state regulators approved a plan to allow the BP facility to release increased levels of water pollution into Lake Michigan; and

WHEREAS, Pollution at the Whiting refinery is significant to Illinois citizens because of the impact on water quality of Lake Michigan and air quality in northern Illinois; and

WHEREAS, BP officials have indicated that plans to modernize the plant, which was built in 1889, could help reduce pollution levels; the company's current modernization project includes \$1.4 billion in environmental improvements; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Environmental Protection Agency to continue to monitor the BP refinery in Whiting, Indiana and its effects on neighboring states; and be it further

RESOLVED, That we urge BP to take all possible steps to modernize the Whiting, Indiana refinery in order to reduce air and water pollution; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Administrator of the United States Environmental Protection Agency and the BP Board of Directors.

HOUSE RESOLUTION 551

Offered by Representative Ford:

WHEREAS, At this time, the United States is continuing to experience one of the worst economic downturns in its history; and

WHEREAS, The Department of Labor recently reported that the unemployment rate in June rose to a level of 9.5%; and

WHEREAS, Approximately 3.5 million jobs have been lost in the United States since the beginning of the year; and

WHEREAS, State governments furnish assistance to the unemployed and also provide direct and indirect services to the neediest people in our communities, including the elderly, the disabled, and the very young; and

WHEREAS, Although the American Recovery and Reinvestment Act of 2009 is providing funds to state governments as part of the economic stimulus package designed to spur our nation's economic recovery, the budget deficits of many states have grown significantly, even with the original infusion of federal funds, as shown by the current budget gaps of \$26.3 billion in California and approximately \$9.2 billion in Illinois; and

WHEREAS, Each state with a revenue shortfall faces difficult decisions involving raising taxes and fees on its citizens and businesses that are already adversely affected by the recession and unemployment; reducing financial assistance and grants to educational institutions, local governments, and social service agencies; and laying off significant numbers of employees from the state workforce; and

WHEREAS, The effect of a state, like Illinois, taking one or more of those difficult alternatives may be to worsen the effects of the recession in that state because of higher unemployment, increased state costs of health care for the uninsured, increased numbers of foreclosures, increased state expenditures for unemployment insurance, and lower state tax revenues due to reduced economic activity; and

WHEREAS, The federal government has the resources and the ability to assist states with budget deficits during this difficult time so that the rate of unemployment can be reduced, or at least not increased, and so that educational and social service programs can be continued at current levels; and

WHEREAS, The state budget deficits could be eliminated if Congress passed new legislation, with reasonable repayment requirements, to provide financial assistance to the states with budget deficits; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress to pass legislation that would provide financial assistance to those states with budget deficits in order that the length and depth of the recession will not be worsened due to the limited resources and difficult alternatives presently confronting many states; and be it further

RESOLVED, That suitable copies of this resolution be presented to President Barack Obama, the

Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, 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 541

Offered by Representative Black:

Congratulates Amie Burke on being the newly elected 2009-2010 Illinois Association FFA State President.

HOUSE RESOLUTION 543

Offered by Representative DeLuca:

Urges the citizens of the State of Illinois to honor the San Benedetto del Tronto, Marche, Italy - Chicago Heights Sister City affiliation and expresses our continued admiration and support for the affiliation.

HOUSE RESOLUTION 544

Offered by Representative Monique Davis:

Mourns the death of Michael Jackson.

HOUSE RESOLUTION 545

Offered by Representative Riley:

Congratulates the members of the Hillcrest Hawks boys track and field team on the occasion of their first place victory at the IHSA Class 2A Boys Track and Field State Meet.

HOUSE RESOLUTION 546

Offered by Representative Dunkin:

Commemorates the groundbreaking ceremony for the new Metra Rock Island District Lovana S. "Lou" Jones/Bronzeville Station, named in honor of the late Representative.

HOUSE RESOLUTION 549

Offered by Representative Black:

Congratulates Nanette Mellen on the occasion of her retirement.

HOUSE RESOLUTION 550

Offered by Representative McGuire:

Congratulates Captain Ken Kaupas of the Illinois State Police on his retirement.

HOUSE RESOLUTION 552

Offered by Representative Feigenholtz:
Mourns the death of Morris Tellerman.

HOUSE RESOLUTION 553

Offered by Representative Coladipietro:
Honors Kendall Ciesemier of Wheaton North High School for her efforts in beginning the Kids Caring 4 Kids organization.

HOUSE RESOLUTION 559

Offered by Representative Connelly:
Congratulates the members of the Naperville Municipal Band on the occasion of the organization's 150th anniversary.

SENATE BILLS ON SECOND READING

SENATE BILL 291. Having been read by title a second time on May 28, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Currie offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 291 by replacing everything after the enacting clause with the following:

"Section 5. The Notice By Publication Act is amended by changing Section 5 and by adding Section 11 as follows:

(715 ILCS 5/5) (from Ch. 100, par. 5)

Sec. 5. When any notice is required by law or contract to be published in a newspaper (unless otherwise expressly provided in the contract), it shall be intended to be in a secular newspaper of general circulation, published in the city, town or county, or some newspaper specially authorized by law to publish legal notices, in the city, town, or county. Unless otherwise expressly provided in the contract, the term "newspaper" means a newspaper

(a) which consists of not less than 4 pages of printed matter and contains at least 100 ~~430~~ square inches of printed matter per page; and

(b) which is printed through the use of one of the conventional and generally recognized printing processes such as letterpress, lithography or gravure; and

(c) which annually averages at least 25% news content per issue; or which annually averages at least 1,000 column inches of news content per issue, the term "news content" meaning for the purposes of this Act any printed matter other than advertising; and

(d) which publishes miscellaneous reading matter, legal or other announcements and notices, and news and information concerning current happenings and passing events of a political, social, religious, commercial, financial or legal nature, and advertisements or bulletins; and

(e) which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per year, for at least one year prior to the first publication of the notice; or which is a successor to a newspaper as herein defined with no interruption of publication of more than 30 days; or which is a merged or consolidated newspaper formed by the merger or consolidation of two or more newspapers, one of which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per year, for at least one year prior to the first publication of the notice. A newspaper shall be considered as continuously or regularly published although its publication has been suspended, where such suspension was caused by fire or an Act of God or by a labor dispute or by its owner, publisher, managing editor or other essential employee entering the active military service of the United States, if the newspaper was continuously or regularly published for at least one year prior to its suspension and if its publication is resumed at any time not later than 12 months after such fire or Act of God, or if its publication is resumed at any time within 12 months after the termination of the labor dispute,

or if its publication is resumed at any time within 12 months after the termination of the war in connection with which such persons entered such military service.

(Source: Laws 1959, p. 1494.)

(715 ILCS 5/11 new)

Sec. 11. Applicability. Any notice published prior to the effective date of this amendatory Act of the 96th General Assembly and in compliance with the provisions of this amendatory Act shall be legal and valid for all purposes.

Section 10. The Newspaper Legal Notice Act is amended by changing Section 1 and by adding Section 3 as follows:

(715 ILCS 10/1) (from Ch. 100, par. 10)

Sec. 1.

Whenever it is required by law that any legal notice or publication shall be published in a newspaper in this State, it shall be held to mean a newspaper

(a) which consists of not less than 4 pages of printed matter and contains at least 100 ~~430~~ square inches of printed matter per page; and

(b) which is printed through the use of one of the conventional and generally recognized printing processes such as letterpress, lithography or gravure; and

(c) which annually averages at least 25% news content per issue; or which annually averages at least 1,000 column inches of news content per issue, the term "news content" meaning for the purposes of this Act any printed matter other than advertising; and

(d) which publishes miscellaneous reading matter, legal or other announcements and notices, and news and information concerning current happenings and passing events of a political, social, religious, commercial, financial or legal nature, and advertisements or bulletins; and

(e) which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per year, for at least one year prior to the first publication of the notice; or which is a successor to a newspaper as herein defined with no interruption of publication of more than 30 days; or which is a merged or consolidated newspaper formed by the merger or consolidation of two or more newspapers, one of which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per year for at least one year prior to the first publication of the notice. A newspaper shall be considered as continuously or regularly published although its publication has been suspended, where such suspension was caused by fire or an Act of God or by a labor dispute or by its owner, publisher, managing editor or other essential employee entering the active military service of the United States, if the newspaper was continuously or regularly published for at least one year prior to its suspension and if its publication is resumed at any time not later than 12 months after such fire or Act of God, or if its publication is resumed at any time within 12 months after the termination of the labor dispute, or if its publication is resumed at any time within 12 months after the termination of the war in connection with which such persons entered such military service.

(Source: Laws 1959, p. 1496.)

(715 ILCS 10/3 new)

Sec. 3. Applicability. Any notice published prior to the effective date of this amendatory Act of the 96th General Assembly and in compliance with the provisions of this amendatory Act shall be legal and valid for all purposes.

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

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. 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 Lang, SENATE BILL 291 was taken up and read by title a third time. A three-fifths vote is required.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 2)

This bill, as amended, having received the votes of three-fifths of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate thereof and ask their concurrence in the House amendment/s adopted thereto.

RECESS

At the hour of 1:52 o'clock p.m., Speaker of the House Madigan moved that the House do now take a recess until 3:00 o'clock p.m.

The motion prevailed.

At the hour of 5:13 o'clock p.m., the House resumed its session.

Speaker of the House Madigan in the Chair.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 541, 543, 544, 545, 546, 549, 550, 552, 553 and 559 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

ADJOURNMENT RESOLUTION HOUSE JOINT RESOLUTION 69

Representative Currie offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn, the House of Representatives stands adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President.

HOUSE JOINT RESOLUTION 69 was taken up for immediate consideration.

Representative Currie moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

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

RECESS

At the hour of 5:15 o'clock p.m., Speaker of the House Madigan moved that the House stand at ease until the call of the Chair.

At the hour of 7:57 o'clock p.m., the House resumed its session.

Representative Mautino in the Chair.

At the hour of 7:57 o'clock p.m., Representative Currie moved that the House do now adjourn.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 69, the House stood adjourned until the call of the Chair.

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

July 15, 2009

0 YEAS

0 NAYS

115 PRESENT

P Acevedo	P Davis, Monique	P Jefferson	P Reis
P Arroyo	P Davis, William	P Joyce	P Reitz
P Bassi	P DeLuca	P Kosel	P Riley
P Beaubien	P Dugan	P Lang	P Rita
P Beiser	P Dunkin	P Leitch	P Rose
P Bellock	P Durkin	P Lyons	P Ryg
P Berrios	P Eddy	P Mathias	P Sacia
P Biggins	P Farnham	P Mautino	P Saviano
P Black	P Feigenholtz	P May	P Schmitz
P Boland	P Flider	P McAsey	P Senger
P Bost	P Flowers	P McAuliffe	P Smith
P Bradley	P Ford	P McCarthy	P Sommer
P Brady	P Fortner	P McGuire	P Soto
P Brauer	P Franks	P Mell	P Stephens
P Brosnahan	P Fritchey	P Mendoza	P Sullivan
P Burke	E Froehlich	P Miller	P Thapedi
P Burns	P Golar	P Mitchell, Bill	P Tracy
P Cavaletto	P Gordon, Careen	P Mitchell, Jerry	P Tryon
P Chapa LaVia	P Gordon, Jehan	P Moffitt	P Turner
P Coladipietro	P Graham	P Mulligan	P Verschoore
P Cole	P Hamos	E Myers	P Wait
P Collins	P Hannig	P Nekritz	P Walker
P Colvin	P Harris	P Osmond	P Washington
P Connelly	P Hatcher	P Osterman	P Watson
P Coulson	P Hernandez	P Phelps	P Winters
P Crespo	P Hoffman	P Pihos	P Yarbrough
P Cross	P Holbrook	P Poe	P Zalewski
P Cultra	P Howard	E Pritchard	P Mr. Speaker
P Currie	P Jackson	P Ramey	
P D'Amico	P Jakobsson	P Reboletti	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 291
 CIVIL LAW-TECH
 THIRD READING
 PASSED
 THREE-FIFTHS VOTE REQUIRED

July 15, 2009

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	Y Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	Y Lyons	Y Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	Y Farnham	Y Mautino	Y Saviano
Y Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	Y Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	E Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	Y Mulligan	Y Verschoore
Y Cole	Y Hamos	E Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	Y Hatcher	Y Osterman	Y Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
Y Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	E Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

70TH LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, JULY 15, 2009

At the hour of 12:00 o'clock noon, the House convened perfunctory session.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Brady replaced Representative Black in the Committee on Rules on July 14, 2009.

Representative Miller replaced Representative Lang in the Committee on Rules on July 14, 2009.

Representative Durkin replaced Representative Schmitz in the Committee on Rules on July 14, 2009.

Representative Schmitz replaced Representative Brady in the Committee on Executive on July 14, 2009.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 14, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 291, 1265, 1292 and 1912.

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

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

Y Currie(D), Chairperson
Y Miller(D) (replacing Lang)
Y Turner(D)

Y Brady(R) (replacing Black)
Y Durkin(R) (replacing Schmitz)

REPORT FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on July 14, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to SENATE BILL 1846.

The committee roll call vote on Amendment No. 2 to Senate Bill 1846 is as follows:

8, Yeas; 2, Nays; 0, Answering Present.

Y Burke(D), Chairperson
N Schmitz(R) (replacing Brady)
Y Arroyo(D)
N Biggins(R)
Y Sullivan(R)
A Turner(D)

Y Lyons(D), Vice-Chairperson
Y Acevedo(D)
Y Berrios(D)
Y Rita(D)
Y Tryon(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 4597. Introduced by Representative Bost, AN ACT concerning revenue.

HOUSE BILL 4598. Introduced by Representatives Ford - Reboletti, AN ACT concerning criminal law.

HOUSE BILL 4599. Introduced by Representatives Gordon, Careen - Verschoore - Walker, AN ACT concerning revenue.

HOUSE BILL 4600. Introduced by Representative Tryon, AN ACT concerning local government.

HOUSE BILL 4601. Introduced by Representatives Eddy - Black - Stephens, AN ACT concerning government.

HOUSE BILL 4602. Introduced by Representative Black, AN ACT concerning revenue.

SENATE RESOLUTIONS

The following Senate Joint Resolution, received from the Senate, was read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTION 62 (Poe).

At the hour of 12:01 o'clock p.m., the House Perfunctory Session adjourned.