

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SIXTH GENERAL ASSEMBLY**

**157TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**TUESDAY, DECEMBER 28, 2010**

**10:00 O'CLOCK A.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
157th Legislative Day**

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

### RESIGNATION

December 27, 2010

Bryan A. Schneider  
Chairman  
Illinois State Board of Elections  
S. Spring St.  
Springfield, IL 62704

Hon. Jesse White  
Secretary of State  
213 State House  
Springfield, IL 62706

Hon. Mark Mahoney  
Clerk of the House  
Ill. House of Representatives 1020  
402 State House  
Springfield, IL 62706

#### **RE: Resignation as Representative in the General Assembly**

Dear Sirs:

This letter will serve to inform you that as of 11:59 p.m. on December 28, 2010, I hereby resign from the office of Representative in the General Assembly for the 11th Representative District.

It has truly been my honor and privilege to serve my constituents as well as the people of the State of Illinois.

Sincerely,  
s/John Fritchey  
Hon. John A. Fritchey  
State Representative – 11th District

### REPORTS

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

Risks, Assets, and Needs Assessment Task Force Update, submitted by Grace Hong Duffin, Chair on December 20, 2010.

Clean Technology Task Force for Commercial Clothes Cleaning pursuant to House Resolution 1174, submitted by Illinois Environmental Protection Agency on December 21, 2010.

Report on the Number of Transitional Housing Facilities for Sex Offenders Licensed by the Department of Corrections, submitted by Department of Corrections on December 22, 2010.

Illinois Correctional Industries Annual Fiscal Report 2010, submitted by Department of Corrections on December 22, 2010.

Music Entertainment Pyrotechnics Task Force Recommendations and Findings - December 2010, submitted by Larry Matkaitis, Illinois State Fire Marshal on December 27, 2010.

Annual Gang Report to the General Assembly - Fiscal Year 2010, submitted by Illinois Department of Corrections on December 27, 2010.

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**LETTERS OF TRANSMITTAL**

December 22, 2010

Mr. Mark Mahoney  
Chief Clerk of the House  
402 Statehouse  
Springfield, IL. 62706

Dear Mr. Clerk:

Please be advised that I have appointed Representative Tim Schmitz to serve on the following committee for the remainder of the 96th General Assembly. Representative Schmitz is replacing former Representative Rich Myers.

**Elections & Campaign Reform**

This appointment is effective immediately. Please feel free to contact my office if you have any questions.

Sincerely,  
s/ Tom Cross  
House Republican Leader

December 22, 2010

Mr. Mark Mahoney  
Chief Clerk of the House  
402 Statehouse  
Springfield, IL. 62706

Dear Mr. Clerk:

Please be advised that I have appointed Representative Norine Hammond to serve on the following committees for the remainder of the 96th General Assembly. Representative Hammond is replacing former Representative Rich Myers on these committees.

**Agriculture & Conservation  
Higher Education  
State Government Administration  
Appropriations-Higher Education  
Renewable Energy**

This appointment is effective immediately. Please feel free to contact Scott Reimers at 782-9602 if you have any questions.

Sincerely,  
s/ Tom Cross  
House Republican Leader

December 23, 2010

Mr. Mark Mahoney  
Chief Clerk of the House

402 Statehouse  
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised that I have appointed Representative Chad Hays to serve on the following committees for the remainder of the 96th General Assembly. Representative Hays is replacing Representative Bill Black on these committees.

Appropriations-Higher Education  
Financial Institutions  
Railroad Industry  
Transportation, Regulation, Roads

This appointment is effective immediately. Please feel free to contact Scott Reimers at 782-9602 if you have any questions.

Sincerely,  
s/ Tom Cross  
House Republican Leader

December 28, 2010

Mark Mahoney  
Chief Clerk of the House  
420 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 **Perfunctory Session** on Tuesday, **December 28, 2010**.

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

December 28, 2010

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

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to January 11, 2011 for the following House Joint Resolution Constitutional Amendment and Senate Bills:

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**House Joint Resolution Constitutional Amendment: 61.**

**Senate Bills: 737, 902, 1014, 1383, 2983, 3336 and 3461.**

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

#### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Lyons replaced Representative Lang in the Committee on Rules on December 28, 2010.

Representative Mell replaced Representative Hannig in the Committee on Rules on December 28, 2010.

#### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on December 28, 2010, reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Aging: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 6063.

Agriculture & Conservation: SENATE BILL 902.

Executive: SENATE BILLS 737, 1014, 1383, 2983, 3336 and 3461.

Health Care Licenses: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 1720.

State Government Administration: HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 61.

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 Lyons(D)(replacing Lang)

Y Mell(D)(replacing Hannig)  
A Schmitz(R)

#### **MOTIONS SUBMITTED**

Representative Harris submitted the following written motion, which was referred to the Committee on Rules:

##### **MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1720.

Representative Reitz submitted the following written motion, which was referred to the Committee on Rules:

##### **MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 6063.

**HOME RULE NOTE SUPPLIED**

A Home Rule Note has been supplied for HOUSE BILL 1760, as amended.

**HOUSE JOINT RESOLUTIONS  
CONSTITUTIONAL AMENDMENTS  
FIRST READING**

Representative Farnham introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 61**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH 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 add Section 2.1 to Article VIII of the Illinois Constitution as follows:

ARTICLE VIII  
FINANCE

SECTION 2.1. LIMITATIONS ON APPROPRIATIONS AND TRANSFERS

(a) For the fiscal year ending in 2014 and each fiscal year thereafter, aggregate appropriations and transfers from the general funds are limited as provided in this Section. "General funds" include the General Revenue Fund, the Common School Fund, the General Revenue Common School Special Account Fund, and the Education Assistance Fund and any other funds designated by the General Assembly by law making specific reference to this Section. "Appropriations and transfers" do not include (i) reappropriations from a previous fiscal year, (ii) those made for debt service payments, (iii) those made to pay pension obligations, and (iv) those made to a budget stabilization fund.

(b) Aggregate fiscal year appropriations and transfers from the general funds may not exceed the limitation amount. The limitation amount is the aggregate amount of appropriations and transfers from the general funds in the previous fiscal year, as adjusted. The adjustment is the average annual percentage change in the average per capita personal income for Illinois for the five most recent calendar years for which data is available, as defined and reported by the United States Department of Commerce, or its successor.

(c) The Governor may declare a fiscal emergency by filing a declaration with the Secretary of State and copies with the Senate and House of Representatives. The declaration must be limited to only one State fiscal year, set forth compelling reasons for declaring a fiscal emergency, and request that the limitation amount for that fiscal year be increased by a specific dollar amount. If the Comptroller and Treasurer advise the General Assembly that they concur in the Governor's declaration, then by a record vote of three-fifths of the members elected in each house, the General Assembly by law may authorize increased appropriations and transfers in a specific dollar amount that is no more than the increased amount requested by the Governor in the declaration.

(d) If the general funds revenues for a fiscal year exceed the limitation amount for that fiscal year, then those excess revenues must be deposited into one or more budget stabilization funds. A budget stabilization fund must be designated by law making specific reference to this Section or, in the absence of law, by the Comptroller. If the aggregate unexpended and unobligated amount in the budget stabilization funds at the end of a fiscal year exceeds an amount equal to ten percent of the limitation amount for that fiscal year, then that excess shall be refunded in a manner and in amounts determined by the General Assembly by law.

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 61 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

At the hour of 10:03 o'clock a.m., the House Perfunctory Session adjourned.