

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**3RD LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**TUESDAY, JANUARY 18, 2011**

**3:33 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
3rd Legislative Day**

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

**LETTER OF TRANSMITTAL**

January 18, 2011

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, **January 18, 2011**.

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

Representative Rose introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 4**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH 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 Sections 4, 5, and 6 of Article IV and Section 2 of Article V of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 4. ELECTION

(a) Members of the General Assembly shall be elected at the general election in even-numbered years.

(b) The proclamation of results of each election of members of the General Assembly must take place as soon as practical after the general election, but in no case later than seven days prior to the date the General Assembly first convenes under subsection (b) of Section 6 of this Article.

(Source: Illinois Constitution.)

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the first day of December (excluding Saturday and Sunday) the second Wednesday of January.

The General Assembly shall be a continuous body during the term for which members of the House of Representatives are elected.

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine.

(d) Notwithstanding any other provision of this Section, the General Assembly may not be in session in any general election year from the date of the general election until the first day of December (excluding Saturday and Sunday), except to respond to an act of God, act of terrorism, or other imminent threat to the safety or security of the people of the State or the United States of America.

(Source: Illinois Constitution.)

SECTION 6. ORGANIZATION

(a) A majority of the members elected to each house constitutes a quorum.

(b) ~~On the first day of December (excluding Saturday and Sunday) following a general election the January session of the General Assembly in odd-numbered years,~~ the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

(Source: Illinois Constitution.)

ARTICLE V  
THE EXECUTIVE

SECTION 2. TERMS

~~(a) The Attorney General, the Secretary of State, the Comptroller, and the Treasurer These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and, except in the case of the Lieutenant Governor, until their successors are qualified. The Governor shall hold office for four years beginning on first day of December (excluding Saturday and Sunday) after his or her election and until his or her successor is qualified. The Lieutenant Governor shall hold office for four years beginning on the first day of December (excluding Saturday and Sunday) after his or her election.~~

All of the elected officers of the executive branch They shall be elected at the general election in 1978 and every four years thereafter.

(b) The proclamation of results of each election of the Governor and Lieutenant Governor must take place as soon as practical after the general election, but in no case later than seven days prior to the date the General Assembly first convenes under subsection (b) of Section 6 of Article IV.

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

Representative Madigan introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 5**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH 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 XIII of the Illinois Constitution by adding Section 5.1 as follows:

ARTICLE XIII  
GENERAL PROVISIONS

SECTION 5.1. PENSION BENEFIT INCREASES

(a) A bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. However, if the Governor vetoes a bill so passed by returning it with his objections to the house in which it originated, then that bill shall not become law unless, upon its return, it is passed by a record vote of two-thirds of the members elected to each house of the General Assembly. Likewise, if the Governor returns a bill so passed with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly. The provisions of this subsection (a) apply notwithstanding Article IV.

(b) An ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof.

(c) For the purposes of this Section, a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit.

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

**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 0113. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0114. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0115. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0116. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0117. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0118. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0119. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0120. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0121. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

HOUSE BILL 0122. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.

- HOUSE BILL 0123. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0124. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0125. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0126. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0127. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0128. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0129. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0130. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0131. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0132. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0133. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0134. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0135. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0136. Introduced by Representatives Madigan - Currie, AN ACT making appropriations.
- HOUSE BILL 0137. Introduced by Representative Ford, AN ACT concerning education.
- HOUSE BILL 0138. Introduced by Representative Ford, AN ACT concerning education.
- HOUSE BILL 0139. Introduced by Representative Ford, AN ACT concerning education.
- HOUSE BILL 0140. Introduced by Representative Ford, AN ACT concerning education.
- HOUSE BILL 0141. Introduced by Representative Reitz, AN ACT concerning civil law.
- HOUSE BILL 0142. Introduced by Representative Reitz, AN ACT concerning safety.
- HOUSE BILL 0143. Introduced by Representative Reitz, AN ACT concerning criminal law.
- HOUSE BILL 0144. Introduced by Representative Franks, AN ACT concerning public employee benefits.
- HOUSE BILL 0145. Introduced by Representative Franks, AN ACT concerning public employee benefits.
- HOUSE BILL 0146. Introduced by Representative Franks, AN ACT concerning public employee benefits.
- HOUSE BILL 0147. Introduced by Representative Dugan, AN ACT concerning transportation.
- HOUSE BILL 0148. Introduced by Representative Phelps, AN ACT concerning firearms.
- HOUSE BILL 0149. Introduced by Representatives Cross - Winters - Senger - Pihos and Nybo, AN ACT concerning public employee benefits.
- HOUSE BILL 0150. Introduced by Representative Pihos, AN ACT concerning the licensure of nurses.

- HOUSE BILL 0151. Introduced by Representative Davis, William, AN ACT concerning government.
- HOUSE BILL 0152. Introduced by Representative Davis, Monique, AN ACT concerning education.
- HOUSE BILL 0153. Introduced by Representative Hays, AN ACT concerning State government.
- HOUSE BILL 0154. Introduced by Representative Osmond, AN ACT concerning safety.
- HOUSE BILL 0155. Introduced by Representative Osmond, AN ACT concerning government.
- HOUSE BILL 0156. Introduced by Representative Osmond, AN ACT concerning local government.
- HOUSE BILL 0157. Introduced by Representative Osmond, AN ACT concerning regulation.
- HOUSE BILL 0158. Introduced by Representative Osmond, AN ACT concerning human rights.
- HOUSE BILL 0159. Introduced by Representative Davis, Monique, AN ACT concerning regulation.
- HOUSE BILL 0160. Introduced by Representative Rose, AN ACT concerning criminal law.
- HOUSE BILL 0161. Introduced by Representative Rose, AN ACT concerning public aid.
- HOUSE BILL 0162. Introduced by Representative Rose, AN ACT concerning public aid.
- HOUSE BILL 0163. Introduced by Representative Rose, AN ACT concerning public aid.
- HOUSE BILL 0164. Introduced by Representative Rose, AN ACT concerning transportation.
- HOUSE BILL 0165. Introduced by Representative Winters, AN ACT concerning employment.
- HOUSE BILL 0166. Introduced by Representative Winters, AN ACT concerning education.
- HOUSE BILL 0167. Introduced by Representative Winters, AN ACT concerning criminal law.
- HOUSE BILL 0168. Introduced by Representative Winters, AN ACT concerning transportation.
- HOUSE BILL 0169. Introduced by Representative Winters, AN ACT concerning liquor.
- HOUSE BILL 0170. Introduced by Representative Dugan, AN ACT concerning revenue.
- HOUSE BILL 0171. Introduced by Representative Thapedi, AN ACT concerning public health.
- HOUSE BILL 0172. Introduced by Representative Thapedi, AN ACT concerning revenue.
- HOUSE BILL 0173. Introduced by Representative Tryon, AN ACT concerning transportation.
- HOUSE BILL 0174. Introduced by Representative Flowers, AN ACT concerning civil law.
- HOUSE BILL 0175. Introduced by Representatives Connelly - Stephens - Reis - Kay - Bost, Rosenthal, Watson, Hammond, Hatcher, Mathias, Leitch, Sosnowski, Sullivan, Senger, Cole, Sommer and Morthland, AN ACT concerning revenue.
- HOUSE BILL 0176. Introduced by Representative Lyons, AN ACT concerning corrections.
- HOUSE BILL 0177. Introduced by Representative Lyons, AN ACT concerning local government.
- HOUSE BILL 0178. Introduced by Representative Yarbrough, AN ACT concerning human rights.

- HOUSE BILL 0179. Introduced by Representative Reitz, AN ACT concerning libraries.
- HOUSE BILL 0180. Introduced by Representative Hatcher, AN ACT concerning criminal law.
- HOUSE BILL 0181. Introduced by Representative Osmond, AN ACT concerning State government.
- HOUSE BILL 0182. Introduced by Representative Saviano, AN ACT concerning government.
- HOUSE BILL 0183. Introduced by Representative Saviano, AN ACT concerning local government.
- HOUSE BILL 0184. Introduced by Representative Saviano, AN ACT concerning State government.
- HOUSE BILL 0185. Introduced by Representative Moffitt, AN ACT concerning revenue.
- HOUSE BILL 0186. Introduced by Representative Durkin, AN ACT concerning courts.
- HOUSE BILL 0187. Introduced by Representative Pritchard, AN ACT concerning sex offenders.
- HOUSE BILL 0188. Introduced by Representative Mitchell, Jerry, AN ACT concerning transportation.
- HOUSE BILL 0189. Introduced by Representative Eddy, AN ACT concerning education.
- HOUSE BILL 0190. Introduced by Representative Eddy, AN ACT concerning education.
- HOUSE BILL 0191. Introduced by Representative Eddy, AN ACT concerning local government.
- HOUSE BILL 0192. Introduced by Representative Eddy, AN ACT concerning civil law.
- HOUSE BILL 0193. Introduced by Representative McAuliffe, AN ACT concerning criminal law.
- HOUSE BILL 0194. Introduced by Representative McAuliffe, AN ACT concerning civil law.
- HOUSE BILL 0195. Introduced by Representative McAuliffe, AN ACT concerning local government.
- HOUSE BILL 0196. Introduced by Representative McAuliffe, AN ACT concerning criminal law.
- HOUSE BILL 0197. Introduced by Representative Cross, AN ACT concerning State government.
- HOUSE BILL 0198. Introduced by Representatives Cross - Durkin, AN ACT concerning revenue.
- HOUSE BILL 0199. Introduced by Representatives Cross - Schmitz, AN ACT concerning criminal law.
- HOUSE BILL 0200. Introduced by Representatives Cross - Schmitz, AN ACT concerning education.
- HOUSE BILL 0201. Introduced by Representatives Pihos - Nybo, AN ACT concerning education.
- HOUSE BILL 0202. Introduced by Representative Saviano, AN ACT concerning State government.
- HOUSE BILL 0203. Introduced by Representative Burns, AN ACT concerning criminal law.

At the hour of 3:49 o'clock p.m., the House Perfunctory Session adjourned.