

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**30TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**MONDAY, MARCH 28, 2011**

**3:01 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
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30th Legislative Day**

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**NOTE:** Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website ([www.ilga.gov](http://www.ilga.gov)). For inquiries regarding this, please contact the House Clerk's office.

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

## REPORTS

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

Fiscal Year 2012 Liabilities of the State Employees' Group Health Insurance Program Report, submitted by Commission on Government Forecasting and Accountability on March 16, 2011.

Breach of Security, submitted by Southern Illinois University - Carbondale on March 17, 2011.

Fiscal Year 2012 GAAP (Generally Accepted Accounting Principles) Report, submitted by Commission on Government Forecasting and Accountability on March 17, 2011.

2010 Annual Report, submitted by Illinois Pollution Control Board on March 18, 2011.

Illinois Medical District Commission Financial Audit and Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 18, 2011.

Capital Development Board Financial Audit For the Year Ended June 30, 2010 and Compliance Examination For the Two Years Ended June 30, 2010, submitted by Office of the Auditor General on March 18, 2011.

Franklin/Williamson Counties Regional Office of Education No. 21 Financial Audit For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 18, 2011.

St. Clair County Regional Office of Education #50 Financial Audit For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 18, 2011.

Response to Public Act 87-552 - A Plan to Reduce the Need for Day Care of Employee's Children Outside the Home, submitted by Department of Juvenile Justice on March 21, 2011.

Response to Public Act 87-552 - A Plan to Reduce the Need for Day Care of Employee's Children Outside the Home, submitted by Office of the Illinois State Fire Marshal on March 22, 2011.

House Resolution 201 Work Group Final Legislative Report, submitted by Department of Human Services on March 22, 2011.

Office of the State's Attorneys Appellate Prosecutor Compliance Examination For the Two Years Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

Governors State University Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

Governors State University Financial Audit For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

Western Illinois University Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

Clay/Crawford/Jasper/Lawrence/Richland Counties Regional Office of Education #12 Financial Audit For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

Edwards, Hardin, Gallatin, Pope, Saline, Wabash, Wayne, and White Counties Regional Office of Education #20 Financial Audit For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 23, 2011.

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Teachers' Retirement System Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 24, 2011.

Illinois State Board of Investment Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 24, 2011.

Illinois Power Agency Financial Audit For the Year Ended June 30, 2009 and For the Year Ended June 30, 2010; Compliance Examination For the Year Ended June 30, 2010, submitted by Office of the Auditor General on March 24, 2011.

Fiscal Year 2012 Economic Forecast and Revenue Estimate and Fiscal Year 2011 Revenue Update, submitted by Commission on Government Forecasting and Accountability on March 25, 2011.

Updated 2010 Annual Report, submitted by Illinois Tollway on March 25, 2011.

### LETTERS OF TRANSMITTAL

March 23, 2011

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

Dear Mr. Clerk:

Please be advised that I am making the following committee changes:

**Consumer Protection**

**Remove** Representative Adam Brown and **replace** with Representative Jim Watson

Please feel free to contact my office if you have any questions.

Sincerely,

s/Tom Cross  
House Republican Leader

March 28, 2011

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

Dear Clerk Mahoney:

Please be advised that I am extending the Committee Deadline to April 15, 2011 for the following House Bills:

**House Bills: 1697 and 3296.**

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

March 28, 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 Monday, **March 28, 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

March 18, 2011

Honorable Jesse White  
Secretary of State  
State of Illinois  
111 E. Monroe Street  
Springfield, IL 62756

RE: Vacancy in the Office of Representative in the General Assembly  
For the 10th Representative District.

Dear Secretary White:

Please be advised that the Democratic Representative Committee for the 10th Representative District met on March 18, 2011, and declared the existence of a vacancy in the office of Representative in the General Assembly from the 10th Representative District due to the March 16, 2011 resignation of Annazette Collins.

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You are hereby notified that the vacancy in office has been filled, in accordance with Section 25-6 of the Election Code (10 ILCS 5/25-6), by the appointment of Derrick Smith, who resides at 220 N. California, Chicago, Illinois Zip Code 60612 in the 10th Representative District of the State of Illinois and who is a member of the Democratic Party, as the Representative in the General Assembly from the 10th Representative District of the State of Illinois.

s/Jesse White  
Committeeman, Chair

s/Sharon Denise Dixon  
Committeeman, Secretary

Cc: Mark Mahoney, Clerk of the Illinois House of Representatives  
Mark Mossman, Director of Elections, Illinois State Board of Elections

**CERTIFICATE OF ORGANIZATION**

Democratic Representative Committee for the  
10th Representative District, State Of Illinois

This is to certify that, in accordance with Section 8-5 of the Illinois Election Code, the Democratic Representative Committee of the 10th Representative District of the State of Illinois met on the 18th day of March, 2011, in the city of Chicago, County of Cook, and within the 10th Representative District of the State of Illinois, and organized by electing the following officers:

Jesse White  
CHAIRMAN

350 W. Hill, Chicago, IL 60610  
ADDRESS

Sharon Denise Dixon  
SECRETARY

1630 S. Central Park Ave., Chicago, IL 60623  
ADDRESS

Signed: Jesse White  
CHAIRMAN

Attest: Sharon Denise Dixon  
SECRETARY

**RESOLUTION TO FILL VACANCY IN THE  
OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY**

**WHEREAS**, a vacancy currently exists in the office of Representative in the General Assembly from the 10th Representative District of the State of Illinois due to the March 16, 2011 resignation of Annazette Collins; and

**WHEREAS**, the Democratic Representative Committee of the 10th Representative District has declared the existence of a vacancy in the office of Representative in the General Assembly from the 10th

Representative District of the State of Illinois, and has voted to fill the vacancy in office as required by Section 25-6 of the Election Code 10 ILCS 5/25-6; and

**WHEREAS**, at a meeting of the Democratic Representative Committee of the 10th Representative District held on March 24, 2011, and that occurred within the 10th Representative District, Derrick Smith, who resides at 220 N. California , Chicago, Illinois Zip Code 60612 in the 10th Representative District of the State of Illinois, received a total number of votes equal to or greater than the votes required to fill the vacancy in the office of Representative in the General Assembly from the 10th Representative District of the State of Illinois; therefore

**BE IT RESOLVED**, on the 24th day of March, 2011, that the Democratic Representative Committee of the 10th Representative District of the State of Illinois hereby appoints Derrick Smith, who resides at 220 N. California, Chicago, Illinois Zip Code 60612 in the 10th Representative District of the State of Illinois and who is a member of the Democratic Party, as the Representative in the General Assembly from the 10th Representative District of the State of Illinois.

s/Jesse White  
Committeeman  
Chairperson

s/Sharon Denise Dixon  
Committeeman  
Secretary

s/Ed H. Smith  
Committeeman

s/John Fritchey  
Committeeman

s/Joseph Berrios  
Committeeman

s/Michele Smith  
Committeeman

State of Illinois            )  
  )  
County of Cook            )

s/Robert W. Fioretty  
s/Roberto Maldonado  
s/ Emma Mitts

Subscribed and Sworn to before me on this 24th day of March, 2011.

s/Jacqueline Dicianni  
Notary Public

**OATH OF OFFICE**

State of Illinois            )  
  )  
County of Cook            )

I, Derrick Smith, do solemnly swear and affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and I will faithfully discharge the duties of the office of Representative in the General Assembly for the 10th Representative District of the State of Illinois to the best of my ability.

Signed: s/Derrick Smith

Date: 3/24/11

Subscribed and Sworn to before me on this 24th day of March, 2011.

s/Jacqueline Dicianni

Judge or Notary Public

**TEMPORARY COMMITTEE ASSIGNMENTS  
FOR COMMITTEES NOT REPORTING**

Representative Ford replaced Representative Mayfield in the Committee on Appropriations-Human Services on March 21, 2011.

Representative Yarbrough replaced Representative Lilly in the Committee on Appropriations-Human Services on March 21, 2011.

Representative Mell replaced Representative Mussman in the Committee on Appropriations-Human Services on March 21, 2011.

Representative Greg Harris replaced Representative Farnham in the Committee on Appropriations-Human Services on March 21, 2011.

Representative Hernandez replaced Representative Howard in the Committee on Housing on March 21, 2011.

Representative Greg Harris replaced Representative Golar in the Committee on Housing on March 21, 2011.

Representative Cunningham replaced Representative McAsey in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Thapedi replaced Representative Soto in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Williams replaced Representative Mussman in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Colvin replaced Representative Jackson in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Nekritz replaced Representative Burns in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Greg Harris replaced Representative Biss in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Golar replaced Representative Acevedo in the Committee on Appropriations-Elementary & Secondary Education on March 22, 2011.

Representative Gabel replaced Representative Kelly Burke in the Committee on Appropriations-General Services on March 23, 2011.

Representative Cunningham replaced Representative Burns in the Committee on Appropriations-General Services on March 23, 2011.

Representative Lyons replaced Representative Kelly Burke in the Committee on Appropriations-General Services on March 24, 2011.

Representative Colvin replaced Representative Monique Davis in the Committee on Appropriations-General Services on March 24, 2011.



Representative Greg Harris replaced Representative Burns in the Committee on Appropriations-General Services on March 24, 2011.

Representative Fortner replaced Representative Hatcher in the Committee on Appropriations-General Services on March 24, 2011.

Representative Osmond replaced Representative Schmitz in the Committee on Rules on March 28, 2011.

### **REPORTS FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 28, 2011, reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

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

Amendment No. 2 to HOUSE BILL 1216.  
 Amendment No. 1 to HOUSE BILL 1391.  
 Amendment No. 1 to HOUSE BILL 1503.  
 Amendment No. 2 to HOUSE BILL 1562.  
 Amendment No. 2 to HOUSE BILL 1571.  
 Amendment No. 2 to HOUSE BILL 1973.  
 Amendment No. 1 to HOUSE BILL 2938.  
 Amendment No. 2 to HOUSE BILL 2942.  
 Amendment No. 2 to HOUSE BILL 2956.  
 Amendment No. 1 to HOUSE BILL 3244.  
 Amendment No. 2 to HOUSE BILL 3255.  
 Amendment No. 1 to HOUSE BILL 3329.  
 Amendment No. 3 to HOUSE BILL 3342.  
 Amendment No. 2 to HOUSE BILL 3343.  
 Amendment No. 1 to HOUSE BILL 3375.  
 Amendment No. 3 to HOUSE BILL 3513.  
 Amendment No. 1 to HOUSE BILL 3591.

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

Agriculture & Conservation: SENATE BILL 154; HOUSE AMENDMENT No. 1 to HOUSE BILL 148 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2321.

Appropriations-Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 3639.

Appropriations-General Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 3697.

Appropriations-Higher Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 116.

Appropriations-Human Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 132.

Appropriations-Public Safety: HOUSE AMENDMENT No. 1 to HOUSE BILL 117.

Business & Occupational Licenses: HOUSE BILL 1697.

Cities & Villages: HOUSE AMENDMENT No. 3 to HOUSE BILL 1576, HOUSE AMENDMENT No. 2 to HOUSE BILL 3102 and HOUSE AMENDMENT No. 1 to HOUSE BILL 3414.

Counties & Townships: HOUSE AMENDMENT No. 1 to HOUSE BILL 2555, HOUSE AMENDMENT No. 1 to HOUSE BILL 2557 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2590.

Disability Services: HOUSE AMENDMENTS Numbered 2 and 3 to HOUSE BILL 585.

Elections & Campaign Reform: HOUSE AMENDMENT No. 2 to HOUSE BILL 3096.

Elementary & Secondary Education: HOUSE RESOLUTIONS 43 and 162; HOUSE JOINT RESOLUTION 7; HOUSE AMENDMENT No. 1 to HOUSE BILL 595.

Executive: SENATE BILLS 38 and 107; HOUSE RESOLUTION 174; HOUSE AMENDMENT No. 1 to HOUSE BILL 1349.

Health Care Availability and Accessibility: HOUSE AMENDMENT No. 2 to HOUSE BILL 223.

Health Care Licenses: HOUSE AMENDMENT No. 4 to HOUSE BILL 1494 and HOUSE AMENDMENT No. 2 to HOUSE BILL 3090.

Higher Education: HOUSE RESOLUTION 4.

Human Services: HOUSE RESOLUTIONS 164, 180 and 183; HOUSE AMENDMENT No. 1 to HOUSE BILL 286, HOUSE AMENDMENT No. 5 to HOUSE BILL 1191, HOUSE AMENDMENT No. 2 to HOUSE BILL 1658, HOUSE AMENDMENT No. 1 to HOUSE BILL 2856 and HOUSE AMENDMENT No. 3 to HOUSE BILL 2982.

Insurance: HOUSE AMENDMENT No. 2 to HOUSE BILL 542, HOUSE AMENDMENT No. 2 to HOUSE BILL 3385 and HOUSE AMENDMENT No. 2 to HOUSE BILL 3443.

Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 1589, HOUSE AMENDMENT No. 3 to HOUSE BILL 1607, HOUSE AMENDMENT No. 3 to HOUSE BILL 1960, HOUSE AMENDMENT No. 1 to HOUSE BILL 2362 and HOUSE AMENDMENT No. 2 to HOUSE BILL 3294.

Judiciary II - Criminal Law: HOUSE RESOLUTION 175; HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 29; HOUSE AMENDMENT No. 3 to HOUSE BILL 2054 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2583.

Public Utilities: HOUSE BILL 3296.

State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 2313 and HOUSE AMENDMENT No. 2 to HOUSE BILL 2500.

Transportation: Regulation, Roads & Bridges: HOUSE JOINT RESOLUTION 1; HOUSE AMENDMENT No. 2 to HOUSE BILL 1593.

Transportation: Vehicles & Safety: HOUSE JOINT RESOLUTION 8; HOUSE AMENDMENT No. 3 to HOUSE BILL 1138 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2836.

Housing: HOUSE RESOLUTION 45; HOUSE AMENDMENT No. 1 to HOUSE BILL 760.

Tollway Oversight: HOUSE JOINT RESOLUTION 2.

**LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:**

HOUSE BILL 3414 was recalled from the Committee on Executive and reassigned to the Committee on Cities & Villages.

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)  
Y Mautino(D)

Y Osmond(R) (replacing Schmitz)  
A Leitch(R)

**MOTIONS  
SUBMITTED**

Representative Rose 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 3382.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 223, as amended and 1380.

**PENSION NOTE SUPPLIED**

A Pension Note has been supplied for HOUSE BILL 161, as amended.

#### **STATE DEBT IMPACT NOTE SUPPLIED**

A State Debt Impact Note has been supplied for HOUSE BILL 161, as amended.

#### **LAND CONVEYANCE APPRAISAL NOTES SUPPLIED**

Land Conveyance Appraisal Notes have been supplied for HOUSE BILLS 161 and 3156, as amended.

#### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Colvin became the new principal sponsor of HOUSE BILL 825.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Brauer became the new principal sponsor of HOUSE BILL 2583.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Cavaletto became the new principal sponsor of HOUSE BILL 2500.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Watson became the new principal sponsor of HOUSE BILL 237.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Schmitz became the new principal sponsor of HOUSE BILL 234.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Roth became the new principal sponsor of HOUSE BILL 2246.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Moffitt became the new principal sponsor of HOUSE BILL 2313.

With the consent of the affected members, Representative Eddy was removed as principal sponsor, and Representative Roth became the new principal sponsor of HOUSE BILL 3411.

With the consent of the affected members, Representative Reboletti was removed as principal sponsor, and Representative Roth became the new principal sponsor of HOUSE BILL 2046.

With the consent of the affected members, Representative Reboletti was removed as principal sponsor, and Representative Brown became the new principal sponsor of HOUSE BILL 3422.

With the consent of the affected members, Representative Reboletti was removed as principal sponsor, and Representative Kay became the new principal sponsor of HOUSE BILL 3417.

With the consent of the affected members, Representative Reboletti was removed as principal sponsor, and Representative Brown became the new principal sponsor of HOUSE BILL 2048.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Sommer became the new principal sponsor of HOUSE BILL 2267.

With the consent of the affected members, Representative Rose was removed as principal sponsor, and Representative Hays became the new principal sponsor of HOUSE BILL 1077.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Rose became the new principal sponsor of HOUSE BILL 2362.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Reboletti became the new principal sponsor of HOUSE BILL 2584.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Reis became the new principal sponsor of HOUSE BILL 2804.

At the hour of 3:02 o'clock p.m., the House Perfunctory Session adjourned.