

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**156TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**MONDAY, NOVEMBER 26, 2012**

**12:33 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
156th 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:

State of Illinois Qualified Energy Conservation Bonds Allocations as of June 14, 2012, submitted by the Illinois Finance Authority on November 15, 2012.

State of Illinois Governor's Office of Budget Management and Budget Compliance for the Two Years Ended Jun 30, 2011, submitted by, the Office of the Auditor General on November 15, 2012.

Joint Committee on Administrative Rules Compliance Examination For the Two Years Ended June 30, 2012, submitted by the State of Illinois Office of the Auditor General on November 15, 2012.

TRS Proposed Funding Certification June 30, 2012 Actuarial Valuation Results , FY 2014 State Contribution (Two Amounts) & FY 2014 Total Normal Cost Rate, submitted by Teachers' Retirement System of the State of Illinois on November 15, 2012.

Annual Report Illinois Health and Hazardous Substance Registry July 2011 through 2012, submitted by the State of Illinois Department of Public Health on November 16, 2012.

Report on Emerging Money Managers (Public Act 96-0006), submitted by the Illinois State Board of Investment on November 16, 2012.

### LETTERS OF TRANSMITTAL

November 26, 2012

Tim Mapes  
Chief Clerk of the House  
300 State House  
Springfield, IL 62706

Dear Clerk Mapes:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session on Monday, November 26, 2012.**

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan  
Speaker of the House

November 26, 2012

Timothy D. Mapes  
Chief Clerk of the House  
300 State House

[November 26, 2012]

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Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Action Deadline to January 8, 2013 for the following House Bills and Senate Bills:

**House Bills: 30, 5555, 5900, 6193, 6231, 6237.**

**Senate Bills: 1531, 1543, 2961, 3297, 3341, 3438, 3681.**

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan  
Speaker of the House

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

Land Conveyance Appraisal Notes have been supplied for HOUSE BILLS 6243 and 6252.

#### **JUDICIAL NOTES SUPPLIED**

Judicial Notes have been supplied for HOUSE BILLS 6243 and 6252.

#### **PENSION NOTE SUPPLIED**

A Pension Note has been supplied for HOUSE BILL 6243.

#### **CORRECTIONAL NOTES SUPPLIED**

Correctional Notes have been supplied for HOUSE BILLS 6243 and 6252.

#### **STATE DEBT IMPACT NOTES SUPPLIED**

State Debt Impact Notes have been supplied for HOUSE BILLS 6240, 6243 and 6252.

#### **HOME RULE NOTES SUPPLIED**

Home Rule Notes have been supplied for HOUSE BILLS 6243 and 6252.

#### **STATE MANDATES FISCAL NOTES SUPPLIED**

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 6243 and 6252.

#### **REQUEST FOR FISCAL NOTE**

Representative Thapedi requested that a Fiscal Note be supplied for HOUSE BILL 6252.

**REQUEST FOR STATE MANDATES FISCAL NOTE**

Representative Thapedi requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 6252.

**REQUEST FOR BALANCED BUDGET NOTE**

Representative Thapedi requested that a Balanced Budget Note be supplied for HOUSE BILL 6252.

**REQUEST FOR CORRECTIONAL NOTE**

Representative Thapedi requested that a Correctional Note be supplied for HOUSE BILL 6252.

**REQUEST FOR HOME RULE NOTE**

Representative Thapedi requested that a Home Rule Note be supplied for HOUSE BILL 6252.

**REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE**

Representative Thapedi requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 6252.

**REQUEST FOR JUDICIAL NOTE**

Representative Thapedi requested that a Judicial Note be supplied for HOUSE BILL 6252.

**REQUEST FOR LAND CONVEYANCE APPRAISAL NOTE**

Representative Thapedi requested that a Land Conveyance Appraisal Note be supplied for HOUSE BILL 6252.

**REQUEST FOR PENSION NOTE**

Representative Thapedi requested that a Pension Note be supplied for HOUSE BILL 6252.

**REQUEST FOR STATE DEBT IMPACT NOTE**

Representative Thapedi requested that a State Debt Impact Note be supplied for HOUSE BILL 6252.

**CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Dugan was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 3245.

With the consent of the affected members, Representative Chapa LaVia was removed as principal sponsor, and Representative Zalewski became the new principal sponsor of SENATE BILL 3583.

With the consent of the affected members, Representative Kelly Burke was removed as principal sponsor, and Representative Zalewski became the new principal sponsor of SENATE BILL 3438.

With the consent of the affected members, Representative Cavaletto was removed as principal sponsor, and Representative Moffitt became the new principal sponsor of SENATE BILL 1543.

## HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

### HOUSE RESOLUTION 1234

Offered by Representative Mussman:

WHEREAS, There are an estimated 3,500 people with dwarfism residing in the State of Illinois, averaging one per every 10,000 births, over 30,000 people in the United States, and over 650,000 in the world; and

WHEREAS, There are over 200 distinct types of dwarfism or skeletal dysplasia; the most common type of dwarfism, achondroplasia, restricts the growth of the arms and legs; and

WHEREAS, Over 80% of people with dwarfism have average-height parents, siblings, and children; and

WHEREAS, It is very rare to have any type of mental impairment associated with dwarfism; and

WHEREAS, People with dwarfism contribute to the strength of the economy in Illinois by being productive members of the workforce, representing all careers and professions; and

WHEREAS, People with dwarfism are able to function as well in society as average-height people and are perfectly capable of riding bikes, playing sports, driving cars, traveling, and having fulfilling careers and families - all with simple and reasonable accommodations; and

WHEREAS, The preferred terminology for someone with dwarfism is "short stature", "having dwarfism", "little person", or "dwarf"; and

WHEREAS, The term "midget" is antiquated and is considered offensive to most people with dwarfism; and

WHEREAS, The Little People of America (LPA) is the nation's oldest and largest organization for people with dwarfism; the organization is celebrating its 55th anniversary year in 2012 and is headquartered in Tustin, California; and

WHEREAS, LPA was founded by the late actor Billy Barty, who during his over 70-year career appeared in more than 100 films and television shows, and was a long time resident of Burbank, California; and

WHEREAS, LPA is dedicated to improving the quality of life for people with dwarfism throughout their lives, while celebrating with great pride their contribution to social diversity; and

WHEREAS, LPA provides support on numerous issues, including parenting, adoption assistance, educational scholarships, medical knowledge and access to specialists in dwarfism, peer support, community outreach, and issues advocacy; and

WHEREAS, The need and support that LPA provides to people with dwarfism is demonstrated by LPA's rapid growth from 20 members in 1957 to more than 6,500 members in 2012; and

WHEREAS, LPA is the only dwarfism support organization that represents all 200 forms of dwarfism and welcomes family members and people with dwarfism alike; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the month of October of 2012 as "Dwarfism Awareness Month" in the State of Illinois in order to raise public awareness about people with dwarfism and the contributions of Little People of America and in recognition of the organization's 55 years of service to the State of Illinois and the world at large; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Little People of America as a symbol of our respect and esteem.

## HOUSE JOINT RESOLUTION 101

Offered by Representative Osmond:

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our country and, in doing so, have gone above and beyond the call of duty to take part in truly heroic tasks; and

WHEREAS, Of the millions of men and women who have served this country with the Army, Navy, Air Force, Marines, or Coast Guard, only 3,468 have ever been awarded the highest military decoration awarded by the United States government, the Medal of Honor; and

WHEREAS, The Medal of Honor is awarded for conspicuous gallantry and intrepidity at the risk of one's life above and beyond the call of duty while engaged in an action against any enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; and

WHEREAS, It is a true honor for an individual to be awarded the Medal of Honor and serves to distinguish those individuals as true American heroes; and

WHEREAS, Allen J. Lynch was born on October 28, 1945, in Chicago; he grew up in the Lake Eliza area of Indiana, where he attended Union Center Elementary School and Wheeler Junior High School; and

WHEREAS, After graduating from high school, Allen Lynch joined the United States Army in 1964; he was later sent to Vietnam in the fall of 1966 and was assigned to the 12th Cavalry; he served as a rifleman for several months before becoming his platoon's radiotelephone operator; and

WHEREAS, On December 15, 1967, Allen Lynch was serving as a specialist four in Company D, 1st Battalion (Airmobile), 12th Cavalry Regiment of the 1st Cavalry Division (Airmobile); during a firefight near the Binh Dinh Province of Vietnam, he saw 3 wounded soldiers out in the open who were under intense enemy fire; he quickly dropped his radio and went to help the soldiers; under intense fire, he carried the wounded soldiers to safety and single-handedly defended them against the advancing enemy force for several hours; and

WHEREAS, Following this courageous action, Allen Lynch was subsequently promoted to the rank of sergeant and awarded the Medal of Honor for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty; and

WHEREAS, Allen Lynch's quick thinking and disregard for his own safety were vital in saving those lives, but his fight on behalf of his fellow soldiers did not end on the battlefield; after the war, he settled in Gurnee and worked for the Department of Veterans Affairs, where he advocated for increased benefits for disabled veterans; he later served as chief of the Illinois Attorney General's Veterans Rights Bureau until his retirement in 2005; and

WHEREAS, Allen Lynch continues his dedication to our nation as a volunteer with the Vietnam Veterans of America organization; he serves as the liaison for the Congressional Medal of Honor Society and frequently gives speeches at military-related events; he also performs ministry work with the Lake County Jail; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the Grand Avenue Overpass over Interstate 94 in Gurnee as the "Allen J. Lynch Congressional Medal of Honor Overpass"; and be it further

RESOLVED, That upon completion of any unfinished sections of highway, 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; and be it further

RESOLVED, That suitable copies of this resolution be presented to Allen J. Lynch, his family, the Village of Gurnee, the Lake County Board, the Lake County Veterans Assistance Commission, the Secretary of the Illinois Department of Transportation, and the Illinois State Toll Highway Authority.

**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 6248. Introduced by Representative Flowers, AN ACT concerning State government.

HOUSE BILL 6249. Introduced by Representative Rita, AN ACT concerning regulation.

HOUSE BILL 6250. Introduced by Representative Kay, AN ACT concerning education.

HOUSE BILL 6251. Introduced by Representative Chapa LaVia, AN ACT concerning State government.

HOUSE BILL 6252. Introduced by Representative Thapedi, AN ACT concerning public employee benefits.

At the hour of 12:34 o'clock p.m., the House Perfunctory Session adjourned.

At the hour of 5:20 o'clock p.m., the House reconvened perfunctory session.

#### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Osmond replaced Representative Leitch in the Committee on Rules on November 26, 2012.

Representative Rose replaced Representative Schmitz in the Committee on Rules on November 26, 2012.

Representative Osmond replaced Representative Leitch in the Committee on Rules (A) on November 26, 2012.

Representative Nekritz replaced Representative Mautino in the Committee on Rules (B) on November 26, 2012.

Representative Nekritz replaced Representative Mautino in the Committee on Revenue & Finance on November 26, 2012.

Representative Lang replaced Representative Zalewski in the Committee on Revenue & Finance on November 26, 2012.

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 26, 2012, 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: HOUSE BILL 5555; SENATE BILLS 1531 and 3438.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--Standard Debate: HOUSE BILL 30

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 5 to HOUSE BILL 30.

That the bill be reported "approved for consideration" and be placed on the order of Concurrence: HOUSE BILLS 5440 and 5825.



**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Business & Occupational Licenses: HOUSE AMENDMENT No. 2 to SENATE BILL 3237.

Elementary & Secondary Education: HOUSE BILL 6193; HOUSE AMENDMENTS numbered 3 and 4 to HOUSE BILL 603; Motion to concur with SENATE AMENDMENTS numbered 1 and 2 to HOUSE BILL 5825.

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 2915 and HOUSE AMENDMENT No. 1 to SENATE BILL 3430.

Health Care Availability and Accessibility: HOUSE RESOLUTION 1041.

Judiciary I - Civil Law: SENATE BILL 3341.

Revenue & Finance: HOUSE BILL 5900; SENATE BILLS 1543 and 3297; Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 5440.

State Government Administration: HOUSE BILLS 6231 and 6237; SENATE BILLS 2961 and 3681; HOUSE RESOLUTION 1234; HOUSE AMENDMENT No. 1 to SENATE BILL 551 and HOUSE AMENDMENT No. 1 to SENATE BILL 3498.

Transportation: Regulation, Roads & Bridges: HOUSE JOINT RESOLUTION 101.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
4, Yeas; 1, Nay; 0, Answering Present.

Y Currie(D), Chairperson  
Y Lang(D)  
Y Mautino(D)

N Rose(R) (replacing Schmitz)  
Y Osmond(R) (replacing Leitch)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 26, 2012 (A), reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: HOUSE AMENDMENT No. 1 to HOUSE BILL 6240; HOUSE AMENDMENT No. 1 to SENATE BILL 3233.

Revenue & Finance: HOUSE AMENDMENT No. 1 to SENATE BILL 3212 and HOUSE AMENDMENT No. 3 to SENATE BILL 3245.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson  
A Lang(D)  
Y Mautino(D)

A Schmitz(R), Republican Spokesperson  
Y Osmond(R) (replacing Leitch)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 26, 2012 (B), reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Elections & Campaign Reform: HOUSE AMENDMENT No. 1 to SENATE BILL 3338.

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 547 and HOUSE AMENDMENT No. 2 to SENATE BILL 3430.

Insurance: HOUSE AMENDMENT No. 3 to HOUSE BILL 5555.

Revenue & Finance: HOUSE AMENDMENT No. 2 to HOUSE JOINT RESOLUTION 45 and HOUSE AMENDMENT No. 1 to SENATE BILL 3297.

State Government Administration: HOUSE AMENDMENT No. 1 to SENATE BILL 2961.

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 Lang(D)  
Y Nekritz(D) (replacing Mautino)

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

### REPORT FROM STANDING COMMITTEES

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on November 26, 2012, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 3212.

The committee roll call vote on Senate Bill 3212 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

Y Bradley(D), Chairperson  
Y Harris, David(R), Republican Spokesperson  
Y Currie(D)  
Y Nekritz(D) (replacing Mautino)  
Y Lang(D) (replacing Zalewski)

Y Turner(D), Vice-Chairperson  
A Cole(R)  
Y Gaffney(R)  
A Sullivan(R)

At the hour of 5:21 o'clock p.m., the House Perfunctory Session adjourned.