#### **STATE OF ILLINOIS**



### **HOUSE JOURNAL**

HOUSE OF REPRESENTATIVES

NINETY-SEVENTH GENERAL ASSEMBLY

146TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, MAY 29, 2012

12:07 O'CLOCK P.M.

#### HOUSE OF REPRESENTATIVES Daily Journal Index 146th 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). For inquiries regarding this, please contact the House Clerk's office.

#### 146TH LEGISLATIVE DAY

#### **Perfunctory Session**

#### **TUESDAY, MAY 29, 2012**

At the hour of 8:03 o'clock a.m., the House convened perfunctory session.

#### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Osmond replaced Representative Schmitz in the Committee on Rules on May 29, 2012.

#### REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 29, 2012, 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 SENATE BILL 3802.

That the Motion be reported "recommends be adopted" and placed on the House Calendar:

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4636.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 5359.

Motion to concur with Senate Amendment No. 2 to HOUSE BILL 5650.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 5653.

#### LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Insurance: HOUSE RESOLUTION 1107.

Judiciary I - Civil Law: Motion to Concur with SENATE AMENDMENTS numbered 1, 2 and 3 to HOUSE BILL 3801.

Judiciary II - Criminal Law: HOUSE JOINT RESOLUTION 90; Motion to Concur with SENATE AMENDMENT No. 1 to HOUSE BILL 5771.

Personnel and Pensions: HOUSE AMENDMENT No. 3 to SENATE BILL 1673.

Revenue & Finance: Motion to Concur with SENATE AMENDMENTS numbered 2 and 3 to HOUSE BILL 1645.

State Government Administration: Motion to Concur with SENATE AMENDMENT No. 1 to HOUSE BILL 4692.

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

Y Currie(D), Chairperson Y Osmond(R) (replacing Schmitz)

Y Lang(D) A Leitch(R)

Y Mautino(D)

At the hour of 8:03 o'clock a.m., the House Perfunctory Session adjourned.

The House met pursuant to adjournment.

Representative Lyons in the chair.

Prayer by Pastor Troy O'Quin, who is with River Oaks Community Church in South Holland, Illinois. Representative Schmitz 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: 117 present. (ROLL CALL 1)

By unanimous consent, Representative Feigenholtz was excused from attendance.

#### REPORTS

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

Letter regarding fee for Mercury-Added Switches, submitted by Illinois Environmental Protection Agency on May 22, 2012.

#### LETTERS OF TRANSMITTAL

May 29, 2012

Timothy D. Mapes Chief Clerk of the House 300 State House Springfield, IL 62706

Dear Clerk Mapes:

Please be advised that I am extending the Final Action Deadline to May 31, 2012 for the following Bills:

House Bills: 4193, 4251, 5457, 6153.

Senate Bills: 38, 179, 402, 410, 549, 551, 636, 678, 953, 1227, 1566, 1567, 1577, 1746, 1853, 1927, 2503, 2530, 2621, 2896, 2958, 2971, 2979, 3101, 3148, 3151, 3168, 3237, 3245, 3280, 3282, 3358, 3389, 3397, 3402, 3410, 3438, 3479, 3489, 3514, 3522, 3584, 3592, 3616, 3676, 3695, 3766, 3802, 3811.

With kindest personal regards, I remain.

Sincerely yours,

s/Michael J. Madigan Speaker of the House

June 13, 2012

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

Dear Mr. Clerk:

In the matter of H.B. 3881, my intentions would have been to vote "no" on the Motion to concur on Senate Amendment 1.

Please let the record show that I am a "no" on H.B. 3881.

Thank you for your prompt attention to this matter.

Sincerely,

s/Paul Evans State Representative 102nd District

#### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Dugan replaced Representative Zalewski in the Committee on Health Care Licenses on May 29, 2012.

Representative Acevedo replaced Representative Yarbrough in the Committee on Environmental Health on May 29, 2012.

Representative Beiser replaced Representative Cassidy in the Committee on Environmental Health on May 29, 2012.

Representative Greg Harris replaced Representative Nekritz in the Committee on Environmental Health on May 29, 2012.

Representative David Harris replaced Representative Rose in the Committee on Environmental Health on May 29, 2012.

Representative Cassidy replaced Representative Williams in the Committee on Judiciary I - Civil Law on May 29, 2012.

#### REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 29, 2012, (A) reported the same back with the following recommendations:

#### LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Appropriations-General Services: HOUSE AMENDMENT No. 1 to SENATE BILL 2378 and HOUSE AMENDMENT No. 2 to SENATE BILL 2409.

Appropriations-Human Services: HOUSE AMENDMENT No. 2 to SENATE BILL 2454. Appropriations-Public Safety: HOUSE AMENDMENT No. 2 to SENATE BILL 2474.

The committee roll call vote on the foregoing Legislative Measures is as follows: 3, Yeas; 2, Nays; 0, Answering Present.

Y Currie(D), Chairperson

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

Y Lang(D)

Y Mautino(D)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 29, 2012, (B) 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. 4 to SENATE BILL 3722.

#### LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 3280.

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

3, Yeas; 1, Nay; 0, Answering Present.

Y Currie(D), Chairperson A Schmitz(R), Republican Spokesperson

Y Lang(D) N Leitch(R)

Y Mautino(D)

#### REPORTS FROM STANDING COMMITTEES

Representative Zalewski, Chairperson, from the Committee on Health Care Licenses to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 5104.

Motion to concur with Senate Amendment No. 2 to HOUSE BILL 5142.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 5104 is as follows:

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

Y Dugan(D) (replacing Zalewski) Y Verschoore(D), Vice-Chairperson

Y Saviano(R), Republican Spokesperson
A Evans, Marcus(D)
Y McAuliffe(R)
Y McAuliffe(R)
Y Burke, Kelly(D)
Y Kosel(R)
A Mulligan(R)

A Phelps(D)

The committee roll call vote on Motion to Concur with Senate Amendment No. 2 to House Bill 5142 is as follows:

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

Y Dugan(D) (replacing Zalewski) Y Verschoore(D), Vice-Chairperson

Y Saviano(R), Republican Spokesperson
A Evans, Marcus(D)
Y McAuliffe(R)
Y Burke, Kelly(D)
Y Kosel(R)
Y Mulligan(R)

A Phelps(D)

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendment No. 2 to HOUSE BILL 1261.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 3881. Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4526.

The committee roll call vote on Motion to Concur with Senate Amendment No. 2 to House Bill 1261 and Motion to concur with Senate Amendment No. 1 to HOUSE BILL 4526 is as follows:

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

A May(D), Chairperson
A Winters(R), Republican Spokesperson
Y Sente(D), Vice-Chairperson
Y Beiser(D) (replacing Cassidy)

Y Evans, Marcus(D)
Y Flowers(D)
Y Gabel(D)
Y Evans, Paul(R)
Y Fortner(R)
Y Jakobsson(D)

Y Mussman(D)
Y Pritchard(R)
Y Harris, G.(D) (replacing Nekritz)
Y Harris, D.(R) (replacing Rose)

 $\begin{array}{cccc} Y & Roth(R) & A & Tracy(R) \\ Y & Tryon(R) & Y & Williams(D) \end{array}$ 

Y Acevedo(D) (replacing Yarbrough)

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 3881 is as follows:

11, Yeas; 7, Nays; 0, Answering Present.

Y May(D), Chairperson
N Winters(R), Republican Spokesperson
Y Sente(D), Vice-Chairperson
Y Beiser(D) (replacing Cassidy)

N Evans, Marcus(D)
Y Flowers(D)
Y Gabel(D)
Y Evans, Paul(R)
N Fortner(R)
Y Jakobsson(D)

Y Mussman(D)

N Pritchard(R)

N Roth(R)

Y Harris, G.(D) (replacing Nekritz)

N Harris, D.(R) (replacing Rose)

A Tracv(R)

 $\begin{array}{ccc} N \ Roth(R) & A \ Tracy(R) \\ N \ Tryon(R) & Y \ Williams(D) \end{array}$ 

Y Acevedo(D) (replacing Yarbrough)

Representative Nekritz, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted": Amendment No. 3 to SENATE BILL 1673.

The committee roll call vote on Amendment No. 3 to Senate Bill 1673 is as follows:

6, Yeas; 3, Nays; 0, Answering Present.

Y Nekritz(D), Chairperson Y Burke, Daniel(D), Vice-Chairperson

 $\begin{array}{lll} N \ \ Poe(R), Republican \ Spokesperson & Y \ \ Biss(D) \\ Y \ \ May(D) & Y \ \ Madigan(D) \\ N \ \ Morrison(R) & N \ \ Senger(R) \end{array}$ 

Y Winters(R)

Representative Nekritz, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 3801. Motion to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 3825.

The committee roll call vote on Motion to Concur with Senate Amendments numbered 1, 2 and 3 to House Bill 3801 is as follows:

9, Yeas; 1, Nay; 0, Answering Present.

A Nekritz(D), Chairperson Y Bradley(D), Vice-Chairperson

Y Tracy(R), Republican Spokesperson Y Connelly(R)
Y Kay(R) N Lang(D)
Y Mathias(R) Y Thapedi(D)

Y Turner(D) Y Cassidy(D) (replacing Williams)

Y Zalewski(D)

The committee roll call vote on Motion to Concur with Senate Amendments numbered 1 and 2 to House Bill 3825 is as follows:

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

A Nekritz(D), Chairperson Y Bradley(D), Vice-Chairperson

 $\begin{array}{ccccc} Y & Tracy(R), Republican Spokesperson & Y & Connelly(R) \\ Y & Kay(R) & Y & Lang(D) \\ Y & Mathias(R) & Y & Thapedi(D) \end{array}$ 

Y Turner(D) Y Cassidy(D) (replacing Williams)

Y Zalewski(D)

#### MOTIONS SUBMITTED

Representative Reboletti submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of House Amendment No. 4 to SENATE BILL 1673 and advance to the appropriate order of business.

Representative Turner submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

#### **MOTION**

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 3091.

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

#### MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 3091.

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

#### **MOTION**

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 3611.

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

#### **MOTION**

I move to concur with Senate Amendments numbered 1, 2 and 4 to HOUSE BILL 1605.

Representative Zalewski 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 5547.

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

#### **MOTION**

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4996.

Representative Sullivan 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 4819.

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

#### **MOTION**

I move to concur with Senate Amendments numbered 2 and 3 to HOUSE BILL 5914.

#### REQUEST FOR FISCAL NOTES

Representative Bost requested that a Fiscal Note be supplied for SENATE BILL 3722, as amended.

Representative Lilly requested that a Fiscal Note be supplied for SENATE BILL 2643, as amended.

#### REQUEST FOR STATE MANDATES FISCAL NOTES

Representative Bost requested that a State Mandates Fiscal Note be supplied for SENATE BILL 3722, as amended.

Representative Lilly requested that a State Mandates Fiscal Note be supplied for SENATE BILL 2643, as amended.

#### REQUEST FOR HOME RULE NOTES

Representative Bost requested that a Home Rule Note be supplied for SENATE BILL 3722, as amended.

Representative Lilly requested that a Home Rule Note be supplied for SENATE BILL 2643, as amended.

#### REQUEST FOR JUDICIAL NOTES

Representative Bost requested that a Judicial Note be supplied for SENATE BILL 3722, as amended.

Representative Lilly requested that a Judicial Note be supplied for SENATE BILL 2643, as amended.

#### JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for SENATE BILLS 1853, as amended, 3722, as amended and 3766, as amended.

#### FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for SENATE BILLS 3722, as amended and 3766, as amended.

#### CORRECTIONAL NOTE SUPPLIED

A Correctional Note has been supplied for SENATE BILL 1853, as amended.

#### LAND CONVEYANCE APPRAISAL NOTES SUPPLIED

Land Conveyance Appraisal Notes have been supplied for SENATE BILLS 3722, as amended and 3766, as amended.

#### PENSION NOTES SUPPLIED

Pension Notes have been supplied for SENATE BILLS 3722, as amended and 3766, as amended.

#### STATE DEBT IMPACT NOTES SUPPLIED

State Debt Impact Notes have been supplied for SENATE BILLS 3722, as amended and 3766, as amended.

#### MESSAGES FROM THE SENATE

A message from the Senate by

Mr. Anderson, Secretary:

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

**HOUSE BILL 1981** 

A bill for AN ACT concerning local government.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 4 to HOUSE BILL NO. 1981

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendment No. 4 to HOUSE BILL 1981 was placed on the Calendar on the order of Concurrence.

A message from the Senate by Mr. Anderson, Secretary:

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

#### **HOUSE BILL 3611**

A bill for AN ACT concerning State government.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 3611

Senate Amendment No. 2 to HOUSE BILL NO. 3611

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 3611 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

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

#### **HOUSE BILL 4674**

A bill for AN ACT concerning regulation.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4674

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4674 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

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

#### **HOUSE BILL 4819**

A bill for AN ACT concerning wildlife.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4819

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4819 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

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

HOUSE BILL 4940

A bill for AN ACT concerning revenue.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4940

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4940 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

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

**HOUSE BILL 4996** 

A bill for AN ACT concerning public employee benefits.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4996

Senate Amendment No. 2 to HOUSE BILL NO. 4996

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4996 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 4966

A bill for AN ACT concerning children.

HOUSE BILL NO. 4982

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4991

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5101

A bill for AN ACT concerning transportation.

Passed by the Senate, May 28, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, Secretary:

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

HOUSE BILL NO. 5632

A bill for AN ACT concerning employment.

Passed by the Senate, May 28, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, Secretary:

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

#### **HOUSE BILL 5914**

A bill for AN ACT concerning higher education.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 5914

Senate Amendment No. 3 to HOUSE BILL NO. 5914

Passed the Senate, as amended, May 28, 2012.

Tim Anderson, Secretary of the Senate

The foregoing message from the Senate reporting Senate Amendments numbered 2 and 3 to HOUSE BILL 5914 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

#### SENATE JOINT RESOLUTION NO. 72

WHEREAS, On February 29, 2012, Midwest Generation announced that it would retire its two Chicago power plants as the result of an agreement with the City of Chicago and Mayor Rahm Emanuel, which was reached in consultation with community groups and aldermen; and

WHEREAS, Residents in communities neighboring these facilities, including Pilsen and Little Village, joined with a broad and diverse coalition of community, labor, health, faith, youth, and environmental organizations to form the Chicago Clean Power Coalition to advocate for the eventual retirement of these facilities as a part of a national transition to new energy sources; and

WHEREAS, The Clean Power Coalition partners include the following organizations: 8th Day Center for Justice, 49th Ward Green Corps, Action Now, Aerotecture International Inc., American Renewable Energy & Power, LLC, American Medical Student Association-UIC, Blacks in Green, Bridgeport Alliance, Buddhist Peace Fellowship, CAPOW! Citizens Act to Protect Our Water, Chicago Youth Climate Coalition, Citizen Action/Illinois, Citizens Against Ruining the Environment, Citizens Committee for a Clean Blue Island, Collective Consciousness Movement, Consolidated Printing, David Weiner & Associates, Design Makes Change, Doctors Council SEIU, Eco-Justice Collaborative, Energy Action Coalition, Environment Illinois, Environmental Law & Policy Center, Faith in Place, Gaia Movement USA, Green Guy Solutions, Green Sanctuary Group, Beverly Unitarian Church, Greenpeace, Growing Station Community Garden, KenJiva Energy Systems, Illinois Solar Energy Association, Illinois Student Environmental Coalition, Little Village Environmental Justice Organization, Loyola University's Student Environmental Alliance, Natural Resources Defense Council, Nuclear Energy Information Service, Oikos: The Religion and Environment Initiative, Peace Productions, Physicians for Social Responsibility, Pilsen Alliance, Pilsen Environmental Rights & Reform Organization, Progressive Democrats of America, Protestants for the Common Good, Rainforest Action Network Chicago, Ravenswood Community Council, Resource Center, Respiratory Health Association of Metropolitan Chicago, Sierra Club, Southeast Environmental Task Force, Southsiders Organized for Unity and Liberation, SolAir Works, Inc., SAIC Student Environmental Activism Group, Students for a Just and Stable Future at the University of Chicago, Team 15 United, Topless America, Union of Concerned Scientists, Community Action Program at the UIC College of Medicine, Urban Sustain, Wellington Avenue UCC, and Windy City Green Power; and

WHEREAS, The timing of the decision to retire these facilities, and the schedule for the retirement of these facilities, was the result of a process initiated by Mayor Emanuel; and

WHEREAS, Midwest Generation and the City of Chicago have entered into an agreement finding that the timetable for the retirement of these facilities achieves the objectives of the proposed Chicago Clean Power Ordinance; and

WHEREAS, The closure of these facilities will help the City of Chicago and the State of Illinois achieve their clean air goals; and

WHEREAS, The process undertaken by Midwest Generation and the City of Chicago included community, public health, and environmental groups, which agreed not to pursue certain pending litigation against Midwest Generation; and

WHEREAS, Once operations at these facilities cease, Midwest Generation will maintain the facilities in a safe and prudent manner as redevelopment opportunities and funding are explored; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we recognize Mayor Rahm Emanuel, the community residents and organizations of Pilsen and Little Village in Chicago, the Chicago Clean Power Coalition, and Midwest Generation for their work and leadership in reaching the agreed resolution to retire coal-fired power plants at the Fisk and Crawford stations in accordance with the goals and objectives of the proposed Chicago Clean Power Ordinance; and be it further

RESOLVED, That we support the ongoing efforts to determine clean, new uses for these facilities and to transition these facilities to uses that improve the quality of life in these communities; and be it further

RESOLVED, That we acknowledge that thousands of hard-working and dedicated men and women have worked at these facilities since the early 1900s, producing the electricity that was essential to build the City of Chicago; and be it further

RESOLVED, That we urge the Governor and the agencies of the State of Illinois to support efforts to retire these facilities and to transition these facilities into uses that improve the quality of life in the communities in which they are located; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Governor, Mayor Rahm Emanuel, Midwest Generation, the Little Village Environmental Justice Organization, the Pilsen Alliance, the Pilsen Environmental Rights and Reform Organization, and the members of the Chicago Clean Power Coalition.

Adopted by the Senate, May 28, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, 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. 278

A bill for AN ACT concerning State government.

House Amendment No. 2 to SENATE BILL NO. 278.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, 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 amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1691

A bill for AN ACT concerning business.

House Amendment No. 1 to SENATE BILL NO. 1691.

House Amendment No. 2 to SENATE BILL NO. 1691.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

Mr. Anderson, 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. 2545

A bill for AN ACT concerning business.

House Amendment No. 2 to SENATE BILL NO. 2545.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, 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. 409

A bill for AN ACT concerning revenue.

House Amendment No. 3 to SENATE BILL NO. 409.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, 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. 758

A bill for AN ACT concerning liquor.

House Amendment No. 1 to SENATE BILL NO. 758.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

A message from the Senate by

Mr. Anderson, 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 amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1286

A bill for AN ACT concerning revenue.

House Amendment No. 1 to SENATE BILL NO. 1286.

House Amendment No. 7 to SENATE BILL NO. 1286.

Action taken by the Senate, May 29, 2012.

Tim Anderson, Secretary of the Senate

#### CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Nekritz was removed as principal sponsor, and Representative Yarbrough became the new principal sponsor of SENATE BILL 3522.

#### AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

#### **HOUSE RESOLUTION 1118**

Offered by Representative Krezwick:

Mourns the death of Police Chief Michael O'Connell of Tinley Park.

#### **HOUSE RESOLUTION 1119**

Offered by Representative Lyons:

Congratulates Dr. Bob Blackwood on his retirement from the Cook County College Teachers Union.

#### **HOUSE RESOLUTION 1120**

Offered by Representative Lilly:

Mourns the death of Iola McGowan of Chicago.

#### **HOUSE RESOLUTION 1121**

Offered by Representative Cavaletto:

Mourns the death of Raymond L. Schaeffer of Carlyle.

#### **RECESS**

At the hour of 12:29 o'clock p.m., Representative Lyons moved that the House do now take a recess until the hour of 2:00 o'clock p.m..

The motion prevailed.

At the hour of 2:12 o'clock p.m., the House resumed its session.

Representative Lyons in the Chair.

#### SENATE BILLS ON THIRD READING

The following bills 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 Howard, SENATE BILL 1338 was taken up and read by title a third time

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 2)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

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

On motion of Representative Hernandez, SENATE BILL 3458 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 83, Yeas; 34, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

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

#### **ACTION ON MOTIONS**

Pursuant to Rule 18(g), Representative Reboletti moved for unanimous consent to discharge the Committee on Rules from further consideration of Amendment No. 4 to SENATE BILL 1673 and requested a record vote on the motion.

Representative Currie was recognized and announced her opposition to the motion.

The Chair ruled that a record vote was not necessary because the motion was already lost due to the denial of unanimous consent.

Representative Reboletti moved to appeal from the ruling of the Chair regarding the request for a record vote on the Motion to Discharge.

The Chair ruled that the Motion was out of order.

#### 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 Dunkin, SENATE BILL 1967 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

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

#### RECALL

At the request of the principal sponsor, Representative Soto, SENATE BILL 1034 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

#### SENATE BILL ON SECOND READING

SENATE BILL 1034. Having been recalled on May 29, 2012, and held on the order of Second Reading, the same was again taken up.

Representative Soto offered Amendment No. 4 and moved its adoption.

The foregoing motion prevailed and the amendment was adopted.

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

### SENATE BILL ON THIRD READING CONSIDERATION POSTPONED

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).

SENATE BILL 3727. Having been read by title a third time on May 29, 2012, and further consideration postponed, the same was again taken up.

Representative Currie moved the passage of SENATE BILL 3727.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

69, Yeas; 47, Nays; 0, Answering Present. (ROLL CALL 5)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

#### AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1118, 1119, 1120 and 1121 were taken up for consideration. Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 3:40 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, May 30, 2012, at 10:00 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

May 29, 2012

0 YEAS	0 NAYS	117 PRESENT	
P Acevedo	P du Buclet	P Krezwick	P Riley
P Arroyo	P Dugan	P Lang	P Rita
P Barickman	P Dunkin	P Leitch	P Rose
P Beiser	P Durkin	P Lilly	P Rosenthal
P Bellock	P Evans, Mar	•	P Roth
P Berrios	P Evans, Pau		P Sacia
P Biss	P Farnham	P Mautino	P Saviano
P Bost	E Feigenholt:	z P May	P Schmitz
P Bradley	P Flowers	P Mayfield	P Senger
P Brady	P Ford	P McAsey	P Sente
P Brauer	P Fortner	P McAuliffe	P Smith
P Brown	P Franks	P Mell	P Sommer
P Burke, Daniel	P Gabel	P Mitchell, Bill	P Sosnowski
P Burke, Kelly	P Gaffney	P Mitchell, Jerry	P Soto
P Carli	P Golar	P Moffitt	P Sullivan
P Cassidy	P Gordon	P Morrison	P Thapedi
P Cavaletto	P Halbrook	P Morthland	P Tracy
P Chapa LaVia	P Hammond	P Mulligan	P Tryon
P Coladipietro	P Harris, Dav	vid P Mussman	P Turner
P Cole	P Harris, Gre	eg P Nekritz	P Unes
P Connelly	P Hatcher	P Nybo	P Verschoore
P Costello	P Hays	P Osmond	P Walsh
P Crespo	P Hernandez	P Penny	P Watson
P Cross	P Howard	P Phelps	P Williams
P Cunningham	P Jackson	P Pihos	P Winters
P Currie	P Jakobsson	P Poe	P Yarbrough
P D'Amico	P Jefferson	P Pritchard	P Zalewski
P Davis, Monique	P Jones	P Ramey	P Mr. Speaker
P Davis, William	P Kay	P Reboletti	
P DeLuca	P Kosel	P Reis	

E - Denotes Excused Absence

# STATE OF ILLINOIS NINETY-SEVENTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE BILL 1338 CD CORR-EARLY RELEASE-NOTICE THIRD READING PASSED

May 29, 2012

116 YEAS	0 NAYS	0 PRESENT	
Y Acevedo	Y du Buclet	Y Krezwick	Y Riley
Y Arroyo	Y Dugan	Y Lang	Y Rita
Y Barickman	Y Dunkin	Y Leitch	Y Rose
Y Beiser	Y Durkin	Y Lilly	Y Rosenthal
Y Bellock	Y Evans, Marcus	Y Lyons	Y Roth
Y Berrios	Y Evans, Paul	Y Mathias	Y Sacia
Y Biss	Y Farnham	Y Mautino	Y Saviano
Y Bost	E Feigenholtz	Y May	Y Schmitz
Y Bradley	Y Flowers	Y Mayfield	Y Senger
Y Brady	Y Ford	Y McAsey	Y Sente
Y Brauer	Y Fortner	Y McAuliffe	NV Smith
Y Brown	Y Franks	Y Mell	Y Sommer
Y Burke, Daniel	Y Gabel	Y Mitchell, Bill	Y Sosnowski
Y Burke, Kelly	Y Gaffney	Y Mitchell, Jerry	Y Soto
Y Carli	Y Golar	Y Moffitt	Y Sullivan
Y Cassidy	Y Gordon	Y Morrison	Y Thapedi
Y Cavaletto	Y Halbrook	Y Morthland	Y Tracy
Y Chapa LaVia	Y Hammond	Y Mulligan	Y Tryon
Y Coladipietro	Y Harris, David	Y Mussman	Y Turner
Y Cole	Y Harris, Greg	Y Nekritz	Y Unes
Y Connelly	Y Hatcher	Y Nybo	Y Verschoore
Y Costello	Y Hays	Y Osmond	Y Walsh
Y Crespo	Y Hernandez	Y Penny	Y Watson
Y Cross	Y Howard	Y Phelps	Y Williams
Y Cunningham	Y Jackson	Y Pihos	Y Winters
Y Currie	Y Jakobsson	Y Poe	Y Yarbrough
Y D'Amico	Y Jefferson	Y Pritchard	Y Zalewski
Y Davis, Monique	Y Jones	Y Ramey	Y Mr. Speaker
Y Davis, William	Y Kay	Y Reboletti	•
Y DeLuca	Y Kosel	Y Reis	

# STATE OF ILLINOIS NINETY-SEVENTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE BILL 3458 CRIM ID&CD CORR-SEALING RECORD THIRD READING PASSED

May 29, 2012

83 YEAS	34 NAYS	0 PRESENT	
Y Acevedo Y Arroyo	Y du Buclet Y Dugan	Y Krezwick Y Lang	Y Riley Y Rita
N Barickman	Y Dunkin	Y Leitch	N Rose
N Beiser	Y Durkin	Y Lilly	N Rosenthal
Y Bellock	Y Evans, Marcus	Y Lyons	N Roth
Y Berrios	N Evans, Paul	N Mathias	Y Sacia
Y Biss	N Farnham	Y Mautino	Y Saviano
N Bost	E Feigenholtz	Y May	Y Schmitz
Y Bradley	Y Flowers	Y Mayfield	Y Senger
Y Brady	Y Ford	N McAsey	N Sente
Y Brauer	Y Fortner	Y McAuliffe	Y Smith
N Brown	N Franks	Y Mell	N Sommer
Y Burke, Daniel	Y Gabel	N Mitchell, Bill	Y Sosnowski
Y Burke, Kelly	Y Gaffney	Y Mitchell, Jerry	Y Soto
Y Carli	Y Golar	N Moffitt	Y Sullivan
Y Cassidy	N Gordon	N Morrison	Y Thapedi
N Cavaletto	N Halbrook	Y Morthland	Y Tracy
Y Chapa LaVia	N Hammond	Y Mulligan	Y Tryon
Y Coladipietro	Y Harris, David	N Mussman	Y Turner
N Cole	Y Harris, Greg	Y Nekritz	N Unes
Y Connelly	N Hatcher	Y Nybo	N Verschoore
N Costello	N Hays	Y Osmond	N Walsh
N Crespo	Y Hernandez	Y Penny	N Watson
Y Cross	Y Howard	N Phelps	Y Williams
Y Cunningham	Y Jackson	Y Pihos	Y Winters
Y Currie	Y Jakobsson	Y Poe	Y Yarbrough
Y D'Amico	Y Jefferson	Y Pritchard	Y Zalewski
Y Davis, Monique	Y Jones	Y Ramey	Y Mr. Speaker
Y Davis, William	N Kay	Y Reboletti	1
Y DeLuca	Y Kosel	N Reis	

# STATE OF ILLINOIS NINETY-SEVENTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE BILL 1967 COM COL-CONTRACT BID-GIFT THIRD READING PASSED

May 29, 2012

# STATE OF ILLINOIS NINETY-SEVENTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE BILL 3727 SWIM FACIL-DESIGNER-CONTRACTOR CONSIDERATION POSTPONED THIRD READING PASSED

May 29, 2012

69 YEAS	47 NAYS	0 PRESENT	
Y Acevedo	Y du Buclet	Y Krezwick	Y Riley
Y Arroyo	Y Dugan	Y Lang	Y Rita
N Barickman	Y Dunkin	NV Leitch	N Rose
N Beiser	N Durkin	Y Lilly	N Rosenthal
Y Bellock	Y Evans, Marcus	Y Lyons	N Roth
Y Berrios	N Evans, Paul	N Mathias	Y Sacia
Y Biss	N Farnham	Y Mautino	Y Saviano
N Bost	E Feigenholtz	Y May	N Schmitz
Y Bradley	Y Flowers	Y Mayfield	Y Senger
N Brady	Y Ford	N McAsey	N Sente
N Brauer	N Fortner	Y McAuliffe	Y Smith
N Brown	N Franks	N Mell	N Sommer
Y Burke, Daniel	Y Gabel	N Mitchell, Bill	N Sosnowski
Y Burke, Kelly	Y Gaffney	N Mitchell, Jerry	Y Soto
Y Carli	Y Golar	N Moffitt	Y Sullivan
Y Cassidy	N Gordon	N Morrison	Y Thapedi
N Cavaletto	N Halbrook	Y Morthland	Y Tracy
Y Chapa LaVia	Y Hammond	Y Mulligan	Y Tryon
N Coladipietro	Y Harris, David	N Mussman	Y Turner
N Cole	Y Harris, Greg	Y Nekritz	N Unes
N Connelly	Y Hatcher	Y Nybo	Y Verschoore
N Costello	N Hays	Y Osmond	N Walsh
N Crespo	Y Hernandez	Y Penny	N Watson
Y Cross	Y Howard	N Phelps	Y Williams
Y Cunningham	Y Jackson	N Pihos	Y Winters
Y Currie	Y Jakobsson	N Poe	Y Yarbrough
Y D'Amico	Y Jefferson	N Pritchard	Y Zalewski
Y Davis, Monique	Y Jones	N Ramey	Y Mr. Speaker
Y Davis, William	N Kay	Y Reboletti	
N DeLuca	N Kosel	N Reis	

#### 146TH LEGISLATIVE DAY

#### **Perfunctory Session**

#### **TUESDAY, MAY 29, 2012**

At the hour of 4:59 o'clock p.m., the House convened perfunctory session.

### TEMPORARY COMMITTEE ASSIGNMENTS FOR COMMITTEES NOT REPORTING

Representative Currie replaced Representative Feigenholtz in the Committee on Appropriations-Human Services on May 29, 2012.

#### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Jackson replaced Representative Currie in the Committee on Revenue & Finance on May 29, 2012.

#### REPORTS FROM STANDING COMMITTEES

Representative Daniel Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on May 29, 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 3280.

The committee roll call vote on Senate Bill 3280 is as follows:

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

Y Burke, Daniel(D), Chairperson Y Lyons(D), Vice-Chairperson

N Brady(R), Republican SpokespersonY Acevedo(D)Y Arroyo(D)Y Berrios(D)N Bost(R)Y Jackson(D)Y Rita(D)N Sullivan(R)

N Tryon(R)

Representative Howard, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE BILL 5771.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 5771 is as follows:

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

Y Howard(D), Chairperson N McAsey(D), Vice-Chairperson

Y Reboletti(R), Republican Spokesperson Y Carli(D)
Y Cunningham(D) Y Golar(D)
N Reis(R) Y Sacia(R)

Y Tracy(R)

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on May 29, 2012, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 3101.

That the Motion be reported "recommends be adopted" and placed on the House Calendar:

Motion to concur with Senate Amendments numbered 2 and 3 to HOUSE BILL 1645.

The committee roll call vote on Motion to Concur with Senate Amendments numbered 2 and 3 to House Bill 1645 is as follows:

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

Y Bradley(D), Chairperson Y Turner(D), Vice-Chairperson

Y Harris, David(R), Republican Spokesperson
Y Cole(R)
Y Jackson(D) (replacing Currie)
Y Mautino(D)
Y Gaffney(R)
Y Sullivan(R)

Y Zalewski(D)

The committee roll call vote on Senate Bill 3101 is as follows:

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

Y Bradley(D), Chairperson Y Turner(D), Vice-Chairperson

Y Harris, David(R), Republican Spokesperson
Y Cole(R)
Y Currie(D)
Y Mautino(D)
Y Gaffney(R)
Y Sullivan(R)

Y Zalewski(D)

#### 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 6177. Introduced by Representative May, AN ACT concerning government.

HOUSE BILL 6178. Introduced by Representative Jakobsson, AN ACT concerning public aid.

#### SENATE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: SENATE BILLS 3101 and 3280.

#### SENATE RESOLUTION

The following Senate Joint Resolution, received from the Senate, was read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTION 72.

At the hour of 5:00 o'clock p.m., the House Perfunctory Session adjourned.