

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

93RD LEGISLATIVE DAY

REGULAR SESSION

THURSDAY, FEBRUARY 4, 2010

12:06 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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93rd Legislative Day**

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The House met pursuant to adjournment.

Representative Mautino in the chair.

Prayer by Reverend Vivian Clarington, who is with St. Peter's AME in Decatur, IL.

Representative Farnham 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:

103 present. (ROLL CALL 1)

By unanimous consent, Representatives Acevedo, Berrios, Brosnahan, Burke, Burns, Dugan, Golar, Graham, Joyce, Mulligan, Osterman, Soto and Yarbrough were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Burns, should be recorded as present at the hour of 12:20 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Verschoore replaced Representative Joyce in the Committee on Vehicles & Safety on February 4, 2010.

Representative Reis replaced Representative Bill Mitchell in the Committee on Business & Occupational Licenses on February 4, 2010.

Representative Franks replaced Representative Acevedo in the Committee on Business & Occupational Licenses on February 4, 2010.

Representative Nekritz replaced Representative Arroyo in the Committee on Business & Occupational Licenses on February 4, 2010.

Representative Ford replaced Representative Crespo in the Committee on Cities & Villages on February 4, 2010.

Representative Jakobsson replaced Representative Sente in the Committee on Cities & Villages on February 4, 2010.

Representative Lyons replaced Representative Graham in the Committee on Consumer Protection on February 4, 2010.

Representative Feigenholtz replaced Representative Hernandez in the Committee on Consumer Protection on February 4, 2010.

Representative Durkin replaced Representative Bill Mitchell in the Committee on Insurance on February 4, 2010.

Representative Jakobsson replaced Representative Berrios in the Committee on Insurance on February 4, 2010.

Representative Walker replaced Representative Colvin in the Committee on Insurance on February 4, 2010.

Representative Froehlich replaced Representative Dunkin in the Committee on Insurance on February 4, 2010.

REPORTS FROM STANDING COMMITTEES

Representative D'Amico, Chairperson, from the Committee on Vehicles & Safety to which the following were referred, action taken on February 4, 2010, 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: HOUSE BILL 4673.

The committee roll call vote on House Bill 4673 is as follows:

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

- | | |
|-------------------------------------|----------------------------------|
| Y D'Amico(D), Chairperson | Y Verschoore(D)(replacing Joyce) |
| Y Tracy(R), Republican Spokesperson | Y Beiser(D) |
| A Hatcher(R) | Y Reboletti(R) |
| Y Jakobsson(D) | |

Representative Rita, Chairperson, from the Committee on Business & Occupational Licenses to which the following were referred, action taken on February 4, 2010, 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: HOUSE BILL 4854.

The committee roll call vote on House Bill 4854 is as follows:

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

- | | |
|---------------------------------------|-----------------------------------|
| Y Rita(D), Chairperson | A Fritchey(D), Vice-Chairperson |
| Y Coulson(R), Republican Spokesperson | Y Franks(D) (replacing Acevedo) |
| Y Nekritz(D)(replacing Arroyo) | A Beiser(D) |
| A Burke(D) | Y Coladipietro(R) |
| Y Connelly(R) | Y DeLuca(D) |
| Y Holbrook(D) | Y McAuliffe(R) |
| A Miller(D) | Y Reis(R) (replacing Mitchell, B) |
| A Mulligan(R) | A Saviano(R) |

Representative Froehlich, Chairperson, from the Committee on Cities & Villages to which the following were referred, action taken on February 4, 2010, 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 2190.

The committee roll call vote on Senate Bill 2190 is as follows:

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

- | | |
|---------------------------------------|----------------------------------|
| Y Froehlich(D), Chairperson | Y Riley(D), Vice-Chairperson |
| Y Mathias(R), Republican Spokesperson | Y Ford(D) (replacing Crespo) |
| Y Fortner(R) | Y Jakobsson(D) (replacing Sente) |
| Y Stephens(R) | N Walker(D) |
| Y Wait(R) | A Yarbrough(D) |

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on February 4, 2010, 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: HOUSE BILLS 4698 and 4722.

The committee roll call vote on House Bills 4698 and 4722 is as follows:

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

Y Colvin(D), Chairperson	Y Jackson(D), Vice-Chairperson
Y Sullivan(R), Republican Spokesperson	A Beaubien(R)
Y Bost(R)	Y Crespo(D)
Y Farnham(D)	Y Lyons(D) (replacing Graham)
Y Feigenholtz(D) (replacing Hernandez)	Y Jefferson(D)
Y Pihos(R)	Y Ramey(R)
A Rita(D)	Y Tracy(R)

REQUEST FOR FISCAL NOTE

Representative Walker requested that a Fiscal Note be supplied for HOUSE BILL 4861.

HOUSE RESOLUTION

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

HOUSE RESOLUTION 876

Offered by Representative Bellock:

WHEREAS, In the United States, approximately 12,000 women each year are diagnosed with cervical cancer; approximately 4,000 women each year die from cervical cancer in the U.S.; and

WHEREAS, Half of the women diagnosed with the disease are between 35 and 55 years of age; approximately 20% of diagnoses are made in women older than 65; and

WHEREAS, Cervical cancer rates vary, but occur more often in African-American women and Hispanic women than in non-Hispanic white women; and

WHEREAS, Cervical cancer is usually a slow-growing cancer that may not have symptoms; cervical cancer is primarily caused by the human papillomavirus (HPV), but can be detected by Papanicolaou test (Pap tests) or other early detection tests; and

WHEREAS, The Illinois Breast and Cervical Cancer Program provides access to screening and treatment options, including free pelvic exams and Pap tests for qualifying uninsured women; and

WHEREAS, Detecting cervical cancer in its earliest stages greatly improves survival rates; and

WHEREAS, Over 90% of women diagnosed with cervical cancer can survive when the cancer is localized and is caught in its early stages; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the month of January as Cervical Health Awareness Month in the State of Illinois and encourage the citizens of this State to recognize the importance of good cervical health and of detecting cervical cancer in its earliest stages; and be it further

RESOLVED, That we recognize the patients and survivors of cervical cancer for their tremendous courage and determination.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 875

Offered by Representative Reboletti:

Congratulates Timothy Bransky for winning the Bronze medal in bowling at the Illinois Special Olympics Competition, held in Peoria on December 5, 2009.

HOUSE RESOLUTION 877

Offered by Representative Bellock:
Congratulates Pam Lowry for receiving the 2009 National Child Support Association's Outstanding Manager of the Year Award.

**ADJOURNMENT RESOLUTION
HOUSE JOINT RESOLUTION 91**

Representative Currie offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, February 04, 2010, it stands adjourned until Friday, February 05, 2010, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 09, 2010, at 12:00 o'clock noon, or until the call of the Speaker.

Representative Currie moved the adoption of the resolution.
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 875 and 877 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the agreed resolutions were adopted.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2516. Having been read by title a second time on April 1, 2009, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Counties & Townships, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2516 on page 1, lines 9 and 10, by replacing "tax imposed within the county" with "tax imposed by the State within the county if the benefit of the tax is used solely within the county"; and on page 1, line 16, after "tax", by inserting "under this Section".

Representative Franks offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 2516, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1035.3 as follows:

(55 ILCS 5/5-1035.3 new)

Sec. 5-1035.3. Tax increase opt out.

(a) A county, by ordinance or resolution adopted by the county board or by referendum, may opt out of any tax increase imposed pursuant to Section 4.03 of the Regional Transportation Act, as amended by Public Act 95-708, and to be used by the county as provided in Section 4.03.3 of that Act. If a county opts out of a tax increase, then the tax increase shall no longer be imposed or collected in the county and the county shall no longer receive distributions or any other benefits derived from the imposition of the tax increase.

(b) The county board, by resolution, may provide for the submission to the electors the question of whether the county shall opt out of a tax increase. The board shall certify the resolution and proposition to

the proper election officials, who shall submit the question to the electors at the consolidated or general election next occurring and in accordance with the general election law. The proposition shall be in substantially the following form:

Shall the County of (insert name of county) opt out of (insert description of tax increase)?

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, then the county has opted out of the tax increase.

(c) A county may not opt out of any tax increase under this Section if the proceeds are pledged to make principal or interest payments on bonds or other long-term debt.

Section 99. Effective date. This Act takes effect upon becoming law."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3659. Having been read by title a second time on April 1, 2009, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 3762. Having been read by title a second time on April 1, 2009, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Walker, HOUSE BILL 3762 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

HOUSE BILL 4738. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Veterans' Affairs, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4738 on page 7, lines 20 and 21, by replacing "when that person was" with "and the defendant knew, or reasonably should have known, that the person was a veteran".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4776.

At the hour of 12:26 o'clock p.m., Representative Currie moved that the House do now adjourn, allowing perfunctory time for the Clerk.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 91, the House stood adjourned until Tuesday, February 9, 2010, at 12:00 o'clock noon.

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

February 04, 2010

0 YEAS

0 NAYS

104 PRESENT

E Acevedo	P Davis, Monique	P Jefferson	P Reis
P Arroyo	P Davis, William	E Joyce	P Reitz
P Bassi	P DeLuca	P Kosel	P Riley
P Beaubien	E Dugan	P Lang	P Rita
P Beiser	P Dunkin	P Leitch	P Rose
P Bellock	P Durkin	P Lyons	P Sacia
E Berrios	P Eddy	P Mathias	P Saviano
P Biggins	P Farnham	P Mautino	P Schmitz
P Black	P Feigenholtz	P May	P Senger
P Boland	P Flider	P McAsey	P Sente
P Bost	P Flowers	P McAuliffe	P Smith
P Bradley	P Ford	P McCarthy	P Sommer
P Brady	P Fortner	P McGuire	E Soto
P Brauer	P Franks	P Mell	P Stephens
E Brosnahan	P Fritchey	P Mendoza	P Sullivan
E Burke	P Froehlich	P Miller	P Thapedi
P Burns (ADDED)	E Golar	P Mitchell, Bill	P Tracy
P Cavaletto	P Gordon, Careen	P Mitchell, Jerry	P Tryon
P Chapa LaVia	P Gordon, Jehan	P Moffitt	P Turner
P Coladipietro	E Graham	E Mulligan	P Verschoore
P Cole	A Hamos	P Myers	P Wait
P Collins	P Hannig	P Nekritz	P Walker
P Colvin	P Harris	P Osmond	P Washington
P Connelly	P Hatcher	E Osterman	P Watson
P Coulson	P Hernandez	P Phelps	P Winters
P Crespo	P Hoffman	P Pihos	E Yarbrough
P Cross	P Holbrook	P Poe	P Zalewski
P Cultra	P Howard	P Pritchard	A Mr. Speaker
P Currie	P Jackson	P Ramey	
P D'Amico	P Jakobsson	P Reboletti	

E - Denotes Excused Absence