STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

8TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

THURSDAY, FEBRUARY 5, 2009

9:33 O'CLOCK A.M.

HOUSE OF REPRESENTATIVES

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The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Sacia 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)

LETTER OF TRANSMITTAL

February 5, 2009

Mark Mahoney Clerk of the House HOUSE OF REPRESENTATIVES 402 Capitol Building Springfield, IL 62706

Dear Mr. Clerk:

Attached is a document with the majority appointments to House Committees for the 96th General Assembly.

The document notes the number of majority and minority appointments for each House Committee and Special Committee for this General Assembly.

These appointments are effective immediately.

With kindest personal regards, I remain.

Sincerely yours, s/Michael J. Madigan Speaker of the House

COMMITTEE APPOINTMENTS

ACCESSS TO FEDERAL FUNDING (5/4) - Watson, Chairperson; McGuire, Ford, Jehán Gordon and Walker.

AGING (11/8) – Washington, Chairperson; Beiser, Vice-Chairperson; Mell, McAsey, Farnham, Harris, D'Amico, Jefferson, Franks, Lyons and McGuire.

AGRICULTURE & CONSERVATION (7/6) – Phelps, Chairperson; Verschoore, Vice-Chairperson; Dugan, Flider, Hamos, Reitz and Flowers.

APPRORPIATIONS – ELEMENTARY & SECONDARY EDUCATION (11/8) – Chapa LaVia, Chairperson; Will Davis, Vice-Chairperson, Acevedo, Smith, Soto, Hernandez, Riley, Jackson, Jehán Gordon, McAsey and Burns.

APPROPRIATIONS – **GENERAL SERVICES (5/4)** – Joyce, Chairperson; Riley, Vice-Chairperson; Brosnahan, Mautino and Monique Davis.

APPROPRIATIONS – **HIGHER EDUCATION** (13/10) – Soto, Chairperson; Joyce, Vice-Chairperson; Beiser, Nekritz, Jakobsson, Will Davis, Yarbrough, Miller, Brosnahan, Scully, Monique Davis, Flowers and Dunkin.

APPROPRIATIONS – **HUMAN SERVICES** (11/8) – Feigenholtz, Chairperson; Osterman, Vice-Chairperson; Graham, Ryg, Washington, Hernandez, Jackson, Farnham, Jehán Gordon, Walker and Mell.

APPROPRIATIONS – **PUBLIC SAFETY (9/7)** – Yarbrough, Chairperson; Washington, Vice-Chairperson; Zaleweski, Harris, Rita, Graham, Colvin, Soto and Howard.

BIO-TECHNOLOGY (3/2) – Berrios, Chairperson; Mendoza, Vice-Chairperson and Franks.

BUSINESS & OCCUPATIONAL LICENSES (9/7) – Rita, Chairperson; Fritchey, Vice-Chairperson; Burke, Holbrook, Acevedo, Scully, Miller, Beiser and Arroyo.

CITIES & VILLAGES (5/4) – Froehlich, Chairperson; Dugan, Vice-Chairperson; Yarbrough, Riley and Walker.

COMPUTER TECHNOLOGY (6/4) – Careen Gordon, Chairperson; Hamos, Vice-Chairperson; Yarbrough, Rita, Smith and Howard.

CONSUMER PROTECTION (8/6) – Colvin, Chairperson; Jackson, Vice-Chairperson; Farnham, Hernandez, Crespo, Rita, Graham and Jefferson.

COUNTIES & TOWNSHIPS (5/4) – Verschoore, Chairperson; Zalewski, Vice-Chairperson; Riley, Rita and Reitz.

DISABILITY SERVICES (4/3) – Ryg, Chairperson; Golar, Vice-Chairperson; Crespo and Hernandez.

ELECTIONS & CAMPAIGN REFORM (5/4) – Nekritz, Chairperson; D'Amico, Vice-Chairperson; Mell, Jakobsson and Boland.

ELECTRIC GENERATION & COMMERCE (7/5) – Flider, Chairperson; Reitz, Vice-Chairperson, Hannig, Holbrook, Verschoore, Crespo and Phelps.

ELECTRIC UTILITY OVERSIGHT (4/3) – Scully, Chairperson; Graham, Vice-Chairperson; May and Chapa LaVia.

ELEMENTARY & SECONDARY EDUCATION (11/9) – Smith, Chairperson; Crespo, Vice-Chairperson; Golar, Dugan, Flider, Froehlich, Colvin, Yarbrough, Miller, Osterman and Monique Davis.

ENVIRONMENT & ENERGY (12/9) – Holbrook, Chairperson; Nekritz, Vice-Chairperson; Beiser, Bradley, Verschoore, Flider, Phelps, May, Hamos, Reitz, Scully and Smith.

ENVIRONMENTAL HEALTH (8/6) – May, Chairperson; McCarthy, Vice-Chairperson; Hamos, Yarbrough, Jakobsson, Nekritz, Rita and Froehlich.

EXECUTIVE (7/4) – Burke, Chairperson; Lyons, Vice-Chairperson; Acevedo, Arroyo, Berrios, Rita and Turner.

FINANCIAL INSTITUTIONS (15/11) – Brosnahan, Chairperson; Monique Davis, Vice-Chairperson; Burke, Holbrook, Smith, Lyons, Fritchey, Acevedo, McCarthy, Reitz, Hamos, Osterman, Soto, Joyce and Dunkin.

HEALTH CARE AVAILABILITY & ACCESSIBILITY (6/4) – Flowers, Chairperson; May, Vice-Chairperson; Golar, Harris, Burns and Zalewski.

HEALTH CARE LICENSES (7/5) – Reitz, Chairperson; Phelps, Vice-Chairperson; McCarthy, Miller, Verschoore, Harris and Jackson.

HEALTH & HEALTHCARE DISPARITIES (7/5) – Will Davis, Chairperson; Rita, Vice-Chairperson; Burns, Jehán Gordon, Hernandez, Boland and Flowers.

HIGHER EDUCATION (4/3) – Boland, Chairperson; Jakobsson, Vice-Chairperson; McCarthy and Flowers.

HOMELAND SECURITY & EMERGENCY PREPAREDNESS (4/3) – Dugan, Chairperson; Harris, Vice-Chairperson and Smith.

HUMAN SERVICES (4/3) – Jakobsson, Chairperson; Howard, Vice-Chairperson; Flowers and Collins.

INFRASTRUCTURE (7/5) – Arroyo, Chairperson; Berrios, Vice-Chairperson; Jehán Gordon, Burns, Riley, Chapa LaVia and Thapedi.

INSURANCE (13/10) – Monique Davis, Chairperson; Yarbrough, Vice-Chairperson; Mell, Ford, Harris, Careen Gordon, Berrios, Colvin, Dunkin, Fritchey, Feigenholtz, Mautino and Lang.

INTERNATIONAL TRADE & COMMERCE (6/5) – Mendoza, Chairperson; Franks, Vice-Chairperson, Berrios, Will Davis, Walker and Dunkin.

JUDICIARY I (10/7) – Fritchey, Chairperson; Bradley, Vice-Chairperson; Lang, Brosnahan, Hamos, Nekritz, Careen Gordon, Zalewski, Thapedi and Hoffman.

JUDICIARY II (4/3) – Howard, Chairperson; Collins, Vice-Chairperson; Golar and McAsey.

LABOR (15/10) – Osterman, Chairperson; Soto, Vice-Chairperson; Howard, Mendoza, Jefferson, Colvin, Chapa LaVia, Will Davis, Graham, Phelps, Washington, Careen Gordon, D'Amico, Hernandez and Hoffman.

MASS TRANSIT (15/10) – Hamos, Chairperson; Arroyo, Vice-Chairperson; Mell, Riley, Crespo, Washington, Ryg, Rita, Berrios, Miller, Soto, May, Osterman, Fritchey and Feigenholtz.

MEDICAID REFORM, FAMILY & CHILDREN SERVICES (6/4) – Bellock, Chairperson; Hernandez, Vice-Chairperson; Golar, Dugan, Nekritz and Flowers.

PERSONNEL & PENSIONS (6/4) – McCarthy, Chairperson; Colvin, Vice-Chairperson; Graham, Acevedo, Brosnahan and Burke.

PUBLIC POLICY & ACCOUNTABILITY FOR EDUCATION (5/4) – Golar, Chairperson; Ryg, Vice-Chairperson; Jakobsson, Yarbrough and May.

PUBLIC UTILITIES (8/6) – Collins, Chairperson; Holbrook, Vice-Chairperson; Franks, Mendoza, Jefferson, Arroyo, Crespo and Thapedi.

RENEWABLE ENERGY (4/3) – Graham, Chairperson; Flider, Vice-Chairperson; May and Holbrook.

REVENUE & FINANCE (8/5) – Bradley, Chairperson; Mautino, Vice-Chairperson; Currie, Turner, Careen Gordon, Chapa LaVia, Ford and Zalewski.

STATE GOVERNMENT ADMINISTRATION (10/7) – Franks, Chairperson; Dugan, Vice-Chairperson; McAsey, Farnham, Burns, Crespo, Froehlich, Collins, Boland and Monique Davis.

TRANSPORTATION, REGULATION, ROADS & BRIDGES (12/9) – Beiser, Chairperson; Miller, Vice-Chairperson; Dugan, Bradley, Graham, D'Amico, Soto, Lyons, Howard, Holbrook, McGuire and Hoffman.

VEHICLES & SAFETY (4/3) – D'Amico, Chairperson; Joyce, Vice-Chairperson; Ryg and Beiser.

VETERANS AFFAIRS (14/10) – McAuliffe, Chairperson; Chapa LaVia, Vice-Chairperson; Walker, McAsey, Jehán Gordon, Farnham, Dugan, Verschoore, Flider, Phelps, Nekritz, Joyce, Franks and Lyons.

YOUTH & FAMILY (4/3) – Harris, Chairperson; Ford, Vice-Chairperson; Burns and Riley.

RULES (3/2) – Currie, Chairperson; Turner and Hannig.

SPECIAL COMMITTEES:

ADOPTION REFORM (3/2) – Feigenholtz, Chairperson; Chapa LaVia and Jakobsson.

FIRE PROTECTION (4/3) – Moffitt, Chairperson; Chapa LaVia, Smith and Burke.

JUVENILE JUSTICE REFORM (5/4) – Collins, Chairperson; Dunkin, Vice-Chairperson; Jefferson, Monique Davis and Ford.

PRISON REFORM (4/3) – Washington, Chairperson; Howard, Froehlich and Turner.

RAILROAD INDUSTRY (13/9) – Nekritz, Chairperson; Froehlich, Vice-Chairperson; Will Davis, Joyce, Yarbrough, Mendoza, Hamos, Reitz, Howard, Holbrook, McGuire, Monique Davis and Hoffman.

TOLLWAY OVERSIGHT (5/4) – Rita, Chairperson; Will Davis, Vice-Chairperson; Nekritz, Riley and Mautino.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Biggins replaced Representative Black in the Committee on Rules on February 5, 2009.

Representative Bost replaced Representative Cross in the Committee on Rules on February 5, 2009.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 5, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 1.

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

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

Y Currie(D), Chairperson

Y Biggins(R) (replacing Black)

Y Bost(R) (replacing Cross)

Y Hannig(D)

Y Turner(D)

MOTION SUBMITTED

Representative Burke 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 484.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, 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. 1

WHEREAS, Illinois State government faces an integrity crisis that is as grave as the financial crisis that confronts our nation; and

WHEREAS, The integrity crisis was precipitated by former Governor Rod Blagojevich, who, in January 2009 by virtue of the authority vested in the General Assembly by the Illinois Constitution, was impeached by the House and removed from office by the Senate following his conviction in a Senate trial presided over by the Chief Justice of the Supreme Court of Illinois; the seriousness and public alarm regarding Blagojevich's misdeeds and abuse of power were amplified further by the fact that he was preceded in office by Governor George Ryan, who was convicted and imprisoned for wrongdoing during his time as an elected official; and

WHEREAS, Governor Blagojevich, throughout his tenure as Governor, repeatedly stymied and obstructed bipartisan efforts to pass legislation strengthening the State's ethics laws and increasing government transparency; among the waylaid measures were those reforming the State pension systems and Procurement Code, strengthening revolving door prohibitions, and expanding government whistleblower protections; and

WHEREAS, The legitimacy of democratic government is dependent entirely upon the public's expectation that elected officials will remain mindful of the sacred trust that has been placed in them and act exclusively in the best interests of their fellow citizens, free from any considerations of use of their offices for personal advantage or gain; and

WHEREAS, It is imperative that lawmakers move swiftly to put this dark period in our State's history behind us and take all necessary steps to ensure that it is never repeated; to do so will require legislators to immediately begin a review of current State statutes, take public testimony, and determine what additional measures should be enacted to reform Illinois government and ensure that citizens receive the honest services to which they are rightfully due from their public servants; and

WHEREAS, We commend Governor Patrick Quinn's decision to create the Illinois Reform Commission, the purpose of which is to undertake a focused evaluation of both existing Illinois law and the operational practices of the State of Illinois from the perspective of ethics in government, proposing, as the Commission deems appropriate, amendments to existing law; and

WHEREAS, Lawmakers stand ready to work with Governor Quinn, reform advocates, and the citizens of Illinois to restore integrity to State government; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Joint Committee on Government Reform; and be it further

RESOLVED, That the Joint Committee shall consist of 16 members, 4 of whom shall be appointed by the President of the Senate, 4 of whom shall be appointed by the Speaker of the House of Representatives, 2 of whom shall be appointed by the Minority Leader of the Senate, and 2 of whom shall be appointed by the Minority Leader of the House of Representatives; the President of the Senate and Speaker of the House shall serve as co-chairs of the committee; the Minority Leader of the Senate and Minority Leader of the

House, if they so choose, may serve as co-vice chairs; and be it further

RESOLVED, That the Joint Committee shall meet at the call of the Speaker and President; and be it further

RESOLVED, That suitable copies of this resolution be presented to all Illinois Constitutional Officers, Illinois Supreme Court Justices, and members of Governor Patrick Quinn's Illinois Reform Commission.

Adopted by the Senate, February 4, 2009.

Deborah Shipley, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Ford became the new principal sponsor of HOUSE BILL 90.

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 47

Offered by Representative Beiser:

WHEREAS, The federal Social Security Act includes two provisions, the Government Pension Offset and the Windfall Elimination Provision, that reduce the Social Security benefits payable to persons who are entitled to benefits under the public retirement systems of the State under certain conditions; and

WHEREAS, These provisions penalize individuals who dedicate the majority of their productive years to public service to the State of Illinois, including educators, police officers, and firefighters; and

WHEREAS, These provisions take away benefits that public employees or their spouses have earned by paying into the Social Security system; and

WHEREAS, These provisions often leave public employees facing poverty in their retirement; and

WHEREAS, The State of Illinois is benefited by the recruitment of the best and most able individuals for public employment, but is hindered from doing so because of the offset penalties; and

WHEREAS, These provisions discourage individuals from moving from private sector employment into positions of public employment; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage and support action by the Congress of the United States to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, or reduce the effects thereof; and be it further

RESOLVED, That copies of this resolution be sent to President Barack Obama and to each member of the Illinois congressional delegation.

HOUSE RESOLUTION 50

Offered by Representative Miller:

WHEREAS, Illinois has a reputation as an economic powerhouse, demonstrated by globally recognized businesses producing cutting edge technologies and high-value services, a gross state product of more than \$600 billion in 2007, and the fifth largest state economy in the nation; and

WHEREAS, Jobs that require more than a high school education but less than a 4-year degree ("middle-skill jobs") currently make up the largest segment of jobs in this State's economy and will continue to do so for years to come; and

WHEREAS, More than half of Illinois jobs in 2006 were middle-skill jobs, representing more than 3 million workers; and

WHEREAS, The portion of jobs that are middle-skill jobs in this State is greater than the portion in the nation as a whole; and

WHEREAS, The demand for middle-skill workers in Illinois is expected to increase between 2004 and 2014, to about one million middle-skill job openings; and

WHEREAS, Middle-skill jobs will be the majority of jobs needed to build this State's and the nation's green economy; and

WHEREAS, Middle-skill workers include those that work in occupations critical to our communities' safety and infrastructure, including police officers, fire fighters, nurses, therapists and other medical technicians, air traffic controllers, electricians, and mechanics; and

WHEREAS, Middle-skill jobs are local, hands-on jobs and are unlikely to be outsourced to other countries; and

WHEREAS, In Illinois, 51% of all jobs are classified as middle-skill, but only 43% of Illinois workers likely have the education and training required to fill these positions; and

WHEREAS, The National Commission on Adult Literacy's most recent report revealed that more than 350,000 Illinoisans between the ages of 18 and 64 lacked a high school credential; and

WHEREAS, These trends will worsen in Illinois over the next 15 years as the proportion of low-skill workers in this State's workforce is likely to increase at the same time that the percentage of middle-skill workers is projected to decline; and

WHEREAS, At the same time there is a decline in educational attainment in the workforce, there has been a steady and steep decline in federal funding for workforce education and training programs, including funding that supports adults to get associate degrees, vocational certificates, and apprenticeships and that are offered in both community-based training organizations and community colleges; and

WHEREAS, Two-thirds of the people who will be in this State's workforce in the year 2020 were already working adults in 2005, which means that most of the workforce of 2020 will be people already beyond grade K through 12 education; and

WHEREAS, We need to prepare adults currently in the workforce, who could benefit significantly from new investments in education and training, to be part of the solution to the middle-skill gap facing our State today and in the years ahead; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that this State must guarantee up to 2 years of post-secondary education or training for all Illinoisans; and be it further

RESOLVED, That this educational goal must be the core of our State's economic development, workforce development, and post-secondary education strategies; and be it further

RESOLVED, That if our economic development, workforce development, and post-secondary education policies are built from this shared goal to individuals, families and communities across our State will experience greater prosperity.

HOUSE RESOLUTION 51

Offered by Representative Mulligan:

WHEREAS, The Federal Unemployment Tax Act (FUTA) was enacted over 60 years ago to guarantee financing for a national employment security system, to be operated on the basis of a partnership between the federal government and the separate states; and

WHEREAS, A "temporary surtax" of 0.2%, enacted under FUTA in 1976, is still being collected today; and

WHEREAS, Over the past several years, FUTA unemployment taxes have burdened job creation and employment, and the ability of states to fund essential unemployment insurance and employment services has suffered; and

WHEREAS, States should be better equipped to provide local services to their unemployed citizens; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Congress and President to enact employment security financing reform that includes repealing the FUTA surtax, increasing state flexibility, and eliminating inefficiencies in FUTA tax collection while maintaining the trust funds on the unified budget; and be it further

RESOLVED, That copies of this resolution be presented to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and all members of the Illinois congressional delegation.

HOUSE RESOLUTION 53

Offered by Representative Jefferson:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we direct the Auditor General to conduct the number and types of audits of State agencies identified by the Auditor General as necessary to assess the damages, financial and otherwise, caused to the State by the administration of former Governor Rod Blagojevich and to report the results of those audits to this House as expeditiously as possible.

HOUSE JOINT RESOLUTION 6

Offered by Representative Nekritz:

WHEREAS, Physical activity advances the social and physical development of children; and

WHEREAS, Children are expected to engage in moderate to vigorous physical activity at least 60 minutes a day; and

WHEREAS, More than 14% of school-age children in Illinois are overweight; and

WHEREAS, Obesity rates vary widely based on environmental conditions and location; and

WHEREAS, Environment and policy changes can increase physical activity and decrease obesity rates; and

WHEREAS, Obesity and lack of physical activity are risk factors for cardiovascular disease, diabetes, hypertension and certain cancers; and

WHEREAS, In 1969, the number of children in the U.S. who walked or biked to school was 42% and in 2001, the number of children who walked or biked to school was 16%; and

WHEREAS, In FY 1999, 113,271 elementary students were transported less than 1.5 miles to/from home to school; and

WHEREAS, In FY 2009, 159,591 elementary students were transported less than 1.5 miles to/from home to school; and

WHEREAS, That translates to a 41% increase in the number of students transported less than 1.5 miles to/from home to school in one decade; and

WHEREAS, The number of students transported at least 1.5 miles to/from home to school increased only 8% in the same time period; and

WHEREAS, The average cost to transport a single child to and from school for one school year is more than \$440; and

WHEREAS, More than 1.1 million elementary and high school students are transported each day by bus to and from public schools in Illinois; and

WHEREAS, More than \$850 million is spent annually on school transportation programs in Illinois; and WHEREAS, School transportation costs have increased more than 300 percent in the last 15 years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the School Transportation Task Force, to be appointed as follows:

- (1) 2 members appointed by the Speaker of the House of Representatives; and
- (2) 2 members appointed by the Minority Leader of the House of Representatives; and
- (3) 2 members appointed by the President of the Senate; and
- (4) 2 members appointed by the Minority Leader of the Senate; and
- (5) One member appointed by the State Superintendent of Education; and
- (6) One member appointed by the Secretary of the Department of Transportation; and
- (7) Two members representing non-profit community based transportation organizations appointed by the Governor; and be it further

RESOLVED, That all appointments shall be made no later than 45 days following adoption of this

resolution; and be it further

RESOLVED, That the Task Force shall study the possibility of enacting legislation making changes to current transportation programs offered by the Illinois State Board of Education; and be it further

RESOLVED, That the Task Force shall choose its chair and other officers and meet at the call of the chair; and be it further

RESOLVED, That the members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Illinois State Board of Education shall provide administrative and financial support to the Task Force; and be it further

RESOLVED, That the Task Force shall report its findings and recommendations to the Governor and General Assembly on or before December 31, 2010; and be it further

RESOLVED, That a copy of this resolution be presented to the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, the Minority Leader of the Senate, the Governor, the Secretary of the Department of Transportation, and the State Superintendent of Education.

HOUSE JOINT RESOLUTION 7

Offered by Representative Stephens:

WHEREAS, The members of the Illinois General Assembly have a high concern for the safety of those using Illinois roadways, highways, and bridges; and

WHEREAS, In recent years bridge safety has made headlines across the nation regarding several areas of concern, including structure, design, and traffic volume; and

WHEREAS, Illinois has seen too many fatal accidents on its bridges and bridges of neighboring states, especially bridges crossing the Mississippi River; specifically, there have been fatal accidents on the Martin Luther King Bridge connection between Illinois and Missouri that crosses the Mississippi River from East St. Louis, and the William McKinley Bridge that also connects Illinois to its neighboring state of Missouri, crossing the Mississippi River from Venice to St. Louis; and

WHEREAS, One problem with these two named bridges is that they are both narrower than the width recommended by modern professional standards; the Martin Luther King bridge is 40 feet wide and the William McKinley Bridge is 55 feet wide; and

WHEREAS, The four lanes at both the Martin Luther King Bridge and the William McKinley Bridge cause cars driving in the center lanes to pass each other head-on at distances as close as 18 inches apart; and

WHEREAS, Twelve people have tragically lost their lives in crossover accidents in 10 years on the Martin Luther King Bridge, and six people have been killed in crossover accidents on the McKinley Bridge; and

WHEREAS, The Illinois Department of Transportation has acknowledged that it is not currently investigating ways to prevent crossover accidents because it believes the bridges are too narrow for crossover barriers; and

WHEREAS, Innovation has made breakthroughs in creating systems, such as narrow cable barriers or moveable barriers, that have shown to be effective in preventing crossover accidents; and protective barriers are becoming common on Mississippi River bridges; the design for the proposed new Mississippi River bridge calls for a concrete barrier, and the Golden Gate Bridge, in San Francisco Bay, California, is scheduled to install a new moveable barrier; and yet neither the Martin Luther King Bridge nor the William McKinley Bridge currently have any barrier or protection between the passing lanes; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Illinois Department of Transportation study the issue of crossover barriers of all kinds for the Martin Luther King Bridge and William McKinley Bridge and make a report of its findings to the 96th General Assembly no later than six months after the adoption of this resolution; and be it further

RESOLVED, That copies of the Department's report be sent to the Illinois Secretary of State and the Secretary of the Missouri Department of Transportation; and be it further

RESOLVED, That a copy of this resolution be sent to the Illinois Secretary of Transportation.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 46

Offered by Representative Flowers: Mourns the death of Larry Hawkins.

HOUSE RESOLUTION 48

Offered by Representative Bellock:

Congratulates Art Donner on being named the Darien Citizen of the Year.

HOUSE RESOLUTION 49

Offered by Representative Bellock:

Honors the Girsch family of Hinsdale on their involvement with the LINK Unlimited program.

HOUSE RESOLUTION 52

Offered by Representative Reboletti: Mourns the death of Ron Putzell of Itasca.

HOUSE RESOLUTION 54

Offered by Representative Fortner:

Congratulates the student team from West Chicago Community High School for receiving first place in the Stock Market Game (SMG) program fall 2008 session.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 9:31 o'clock a.m.

HOUSE BILL ON SECOND READING

HOUSE BILL 308. Having been read by title a second time on February 4, 2009, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Executive, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 308 by replacing everything after the enacting clause with the following:

"Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-5 as follows:

(15 ILCS 20/50-5) (was 15 ILCS 20/38)

Sec. 50-5. Governor to submit State budget. The Governor shall, as soon as possible and not later than the third first Wednesday in March in 2009 2007 (March 18 7, 2009 2007) and the third Wednesday in February of each year beginning in 2010 2008, except as otherwise provided in this Section, submit a State

budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation. In 2004 only, the Governor shall submit the capital development section of the State budget not later than the fourth Tuesday of March (March 23, 2004). The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to the various functions and activities for which the respective department, office or institution of the State government (including the elective officers in the executive department and including the University of Illinois and the judicial department) is responsible. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13 of the State Finance Act.

The Governor shall not propose expenditures and the General Assembly shall not enact appropriations that exceed the resources estimated to be available, as provided in this Section.

For the purposes of Article VIII, Section 2 of the 1970 Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

- (1) General Revenue Fund.
- (2) Common School Fund.
- (3) Educational Assistance Fund.
- (4) Road Fund.
- (5) Motor Fuel Tax Fund.
- (6) Agricultural Premium Fund.

These funds shall be known as the "budgeted funds". The revenue estimates used in the State budget for the budgeted funds shall include the estimated beginning fund balance, plus revenues estimated to be received during the budgeted year, plus the estimated receipts due the State as of June 30 of the budgeted year that are expected to be collected during the lapse period following the budgeted year, minus the receipts collected during the first 2 months of the budgeted year that became due to the State in the year before the budgeted year. Revenues shall also include estimated federal reimbursements associated with the recognition of Section 25 of the State Finance Act liabilities. For any budgeted fund for which current year revenues are anticipated to exceed expenditures, the surplus shall be considered to be a resource available for expenditure in the budgeted fiscal year.

Expenditure estimates for the budgeted funds included in the State budget shall include the costs to be incurred by the State for the budgeted year, to be paid in the next fiscal year, excluding costs paid in the budgeted year which were carried over from the prior year, where the payment is authorized by Section 25 of the State Finance Act. For any budgeted fund for which expenditures are expected to exceed revenues in the current fiscal year, the deficit shall be considered as a use of funds in the budgeted fiscal year.

Revenues and expenditures shall also include transfers between funds that are based on revenues received or costs incurred during the budget year.

By March 15 of each year, the Commission on Government Forecasting and Accountability shall prepare revenue and fund transfer estimates in accordance with the requirements of this Section and report those estimates to the General Assembly and the Governor.

For all funds other than the budgeted funds, the proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget. Appropriation for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(Source: P.A. 93-1, eff. 2-6-03; 93-662, eff. 2-11-04; 93-1067, eff. 1-15-05; 94-1108, eff. 2-16-07.)

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

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.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. 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 Madigan, HOUSE BILL 308 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 2)

This bill, 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.

HOUSE BILL ON SECOND READING

Having been read by title a second time on February 4, 2009 and held, the following bill was taken up and advanced to the order of Third Reading: HOUSE BILL 398.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. 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 Madigan, HOUSE BILL 398 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 3)

This bill, 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.

RESOLUTIONS

Having been reported out of the Committee on Rules on February 5, 2009, SENATE JOINT RESOLUTION 1 was taken up for consideration.

Representative Madigan moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:

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

(ROLL CALL 4)

The motion prevailed and the Resolution was adopted.

Ordered that the Clerk inform the Senate.

AGREED RESOLUTIONS

HOUSE RESOLUTION 54 was taken up for consideration.

Representative Fortner moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

HOUSE RESOLUTIONS 46, 48, 49 and 52 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

ADJOURNMENT RESOLUTION MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, 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. 11

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, February 05, 2009, the Senate stands adjourned until Friday, February 06, 2009, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 10, 2009, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Friday, February 06, 2009, in perfunctory session; and when it adjourns on that day, it stands adjourned until Monday, February 09, 2009, at 2:00 o'clock p.m.

Adopted by the Senate, February 5, 2009.

Deborah Shipley, Secretary of the Senate

Representative Currie moved the adoption of the resolution.
The motion prevailed and SENATE JOINT RESOLUTION 11 was adopted.
Ordered that the Clerk inform the Senate.

SUSPEND POSTING REQUIREMENTS

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 26, 36, 78, 229 and 232 to be heard in Agriculture & Conservation committee. The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bill 15 to be heard in Appropriations – Elementary & Secondary Education committee . The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 14 and 159 to be heard in Cities & Villages committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 44, 181 and 339 to be heard in Consumer Protection committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 7, 85, 87, 267, 268 and 292 to be heard in Elections & Campaign Reform committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bill 341 to be heard in Financial Institutions committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 34, 38 and 297 to be heard in Fire Protection committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 9, 28, 29, 152, 213, 342 and House Resolution 6 to be heard in Health Care Availability & Access committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 64, 68, 149 and 226 to be heard in Health Care Licenses committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 244 and 274 to be heard in Insurance committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bill 45 to be heard in Prison Reform committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 270 and 353 to be heard in Transportation Regulation, Roads and Bridges committee.

The motion prevailed.

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to House Bills 43, 71, 72, 73, 156, 160, 166, 275 and 349 to be heard in Vehicle Safety committee. The motion prevailed.

At the hour of 10:56 o'clock a.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 SENATE JOINT RESOLUTION 11, the House stood adjourned until Monday, February 9, 2009, at 2:00 o'clock p.m.

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

February 05, 2009

0 YEAS	0 NAYS	117 PRESE	NT	
P Acevedo	P Davis, Mo	onique P	Joyce	P Reitz
P Arroyo	P Davis, W		Kosel	P Riley
P Bassi	P Dugan		Lang	P Rita
P Beaubien	P Dunkin		Leitch	P Rose
P Beiser	P Durkin		Lyons	P Ryg
P Bellock	P Eddy		Mathias	P Sacia
P Berrios	P Farnham	P	Mautino	P Saviano
P Biggins	A Feigenho	oltz P	May	P Schmitz
P Black	P Flider		McAsey	P Scully
P Boland	P Flowers	P	McAuliffe	P Senger
P Bost	P Ford	P	McCarthy	P Smith
P Bradley, John	P Fortner	P	McGuire	P Sommer
P Brady	P Franks	P	Mell	P Soto
P Brauer	P Fritchey	P	Mendoza	P Stephens
P Brosnahan	P Froehlich	P	Miller	P Sullivan
P Burke	P Golar	P	Mitchell, Bill	P Thapedi
P Burns	P Gordon, O	Careen P	Mitchell, Jerry	P Tracy
P Cavaletto	P Gordon, J	Jehan P	Moffitt	P Tryon
P Chapa LaVia	P Graham	P	Mulligan	P Turner
P Coladipietro	P Hamos	P	Myers	P Verschoore
P Cole	P Hannig	P	Nekritz	P Wait
P Collins	P Harris	P	Osmond	P Walker
P Colvin	P Hatcher	P	Osterman	P Washington
P Connelly	P Hernande	ez P	Phelps	P Watson
P Coulson	P Hoffman	P	Pihos	P Winters
P Crespo	P Holbrook	P	Poe	P Yarbrough
P Cross	P Howard	P	Pritchard	P Zalewski
P Cultra	P Jackson	P	Ramey	P Mr. Speaker
P Currie	P Jakobssor	n P	Reboletti	-
P D'Amico	P Jefferson	P	Reis	

E - Denotes Excused Absence

STATE OF ILLINOIS NINETY-SIXTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 308 STATE GOVERNMENT-TECH THIRD READING PASSED

February 05, 2009

117 YEAS	0 NAYS	0 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black Y Boland Y Bost Y Bradley, John Y Brady Y Brauer Y Brosnahan Y Burke Y Burns Y Cavaletto Y Chapa LaVia Y Cole Y Collins Y Colvin Y Connelly	Y Davis, Monique Y Davis, William Y Dugan Y Dunkin Y Durkin Y Eddy Y Farnham A Feigenholtz Y Flider Y Flowers Y Ford Y Fortner Y Franks Y Fritchey Y Froehlich Y Golar Y Gordon, Careen Y Gordon, Jehan Y Graham Y Hamos Y Hannig Y Harris Y Hatcher Y Hernandez	Y Joyce Y Kosel Y Lang Y Leitch Y Lyons Y Mathias Y Mautino Y May Y McAsey Y McAuliffe Y McCarthy Y McGuire Y Mell Y Mendoza Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Mulligan Y Myers Y Nekritz Y Osmond Y Osterman Y Phelps	Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano Y Schmitz Y Scully Y Senger Y Smith Y Sommer Y Soto Y Stephens Y Sullivan Y Thapedi Y Tracy Y Tryon Y Turner Y Verschoore Y Wait Y Walker Y Washington Y With
Y Colvin	Y Hatcher	Y Osterman	Y Washington
Y Coulson Y Crespo Y Cross Y Cultra Y Currie	Y Hoffman Y Holbrook Y Howard Y Jackson Y Jakobsson	Y Pihos Y Poe Y Pritchard Y Ramey Y Reboletti	Y Watson Y Winters Y Yarbrough Y Zalewski Y Mr. Speaker
Y D'Amico	Y Jefferson	Y Reis	

E - Denotes Excused Absence

NO. 3

STATE OF ILLINOIS NINETY-SIXTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 398 RULEMAKING CONDITIONS THIRD READING PASSED

February 05, 2009

E - Denotes Excused Absence

STATE OF ILLINOIS NINETY-SIXTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE JOINT RESOLUTION 1 GOVERNMENT REFORM COMMITTEE ADOPTED

February 05, 2009

117 YEAS	0 NAYS	0 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black Y Boland Y Bost Y Bradley, John Y Brady Y Brauer Y Brosnahan Y Burke Y Burns Y Cavaletto Y Chapa LaVia Y Cole Y Collins Y Connelly Y Coulson Y Crespo	Y Davis, Monique Y Davis, William Y Dugan Y Dunkin Y Durkin Y Eddy Y Farnham A Feigenholtz Y Flider Y Flowers Y Ford Y Fortner Y Franks Y Fritchey Y Froehlich Y Golar Y Gordon, Careen Y Gordon, Jehan Y Graham Y Hamos Y Hannig Y Harris Y Hatcher Y Hoffman Y Holbrook	Y Joyce Y Kosel Y Lang Y Leitch Y Lyons Y Mathias Y Mautino Y May Y McAsey Y McAuliffe Y McCarthy Y McGuire Y Mell Y Mendoza Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Mulligan Y Myers Y Nekritz Y Osmond Y Osterman Y Phelps Y Pihos Y Poe	Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano Y Schmitz Y Scully Y Senger Y Smith Y Sommer Y Soto Y Stephens Y Sullivan Y Thapedi Y Tracy Y Tryon Y Turner Y Verschoore Y Wait Y Walker Y Washington Y Watson Y Winters Y Yarbrough
Y Crespo Y Cross Y Cultra Y Currie Y D'Amico	Y Holbrook Y Howard Y Jackson Y Jakobsson Y Jefferson	Y Poe Y Pritchard Y Ramey Y Reboletti Y Reis	Y Yarbrough Y Zalewski Y Mr. Speaker

E - Denotes Excused Absence

8TH LEGISLATIVE DAY

Perfunctory Session

THURSDAY, FEBRUARY 5, 2009

At the hour of 8:37 o'clock a.m., the House convened perfunctory session.

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 1 (Madigan).

At the hour of 8:37 o'clock a.m., the House Perfunctory Session adjourned.