

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

5th Legislative Day

February 5, 2001

Clerk Rossi: "The designated hour having arrived, the House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 506, offered by Representative Dart, a Bill for an Act in relation to minors. House Bill 507, offered by Representative Murphy, a Bill for an Act concerning elections. House Bill 508, offered by Representative Hartke, a Bill for an Act in relation to vehicles. House Bill 509, offered by Representative Biggins, a Bill for an Act concerning taxation. House Bill 510, offered by Representative John Turner, a Bill for an Act concerning attorneys. House Bill 511, offered by Representative John Turner, a Bill for an Act concerning mineral leases. House Bill 512, offered by Representative John Turner, a Bill for an Act concerning mineral rights. House Bill 513, offered by Representative Smith, a Bill for an Act to amend the Illinois Pension Code. House Bill 514, offered by Representative Smith, a Bill for an Act in relation to public employee pensions. House Bill 515, offered by Representative Smith, a Bill for an Act in relation to schools. House Bill 516, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 517, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 518, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 519, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 520, offered by Representative Art Turner, a Bill for an Act concerning taxes. House Bill 521, offered by Representative May, a Bill for an Act concerning health coverage under state employee programs. House Bill 522, offered by

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Representative May, a Bill for an Act in relation to the disclosure of personal information. House Bill 523, offered by Representative Leitch, a Bill for an Act in relation to gambling. House Bill 524, offered by Representative Mautino, a Bill for an Act to create the Agriculture Producer Protection Act. House Bill 525, offered by Representative Fowler, a Bill for an Act concerning Illinois Correctional Employee Memorial license plates. House Bill 526, offered by Representative Mautino, a Bill for an Act in relation to wildlife. House Bill 527, offered by Representative Mautino, a Bill for an Act in relation to elections. House Bill 528, offered by Representative Mautino, a Bill for an Act in relation to agriculture. House Bill 529, offered by Representative Mautino, a Bill for an Act in relation to agriculture. House Bill 530, offered by Representative Mautino, a Bill for an Act in relation to gambling. House Bill 531, offered by Representative Art Turner, a Bill for an Act concerning taxes. House Bill 532, offered by Representative Art Turner, a Bill for an Act concerning taxation. House Bill 533, offered by Representative Hoffman, a Bill for an Act concerning public employees. House Bill 534, offered by Representative Granberg, a Bill for an Act in relation to motor vehicle fuel sales. House Bill 535, offered by Representative Hoffman, a Bill for an Act in relation to education. House Bill 536, offered by Representative Crotty, a Bill for an Act in relation to education. House Bill 537, offered by Representative Hartke, a Bill for an Act concerning vehicles. House Bill 538, offered by Representative Novak, a Bill for an Act in relation to taxation. House Bill 539, offered by Representative Novak, a Bill for an Act concerning taxation. House Bill 540,

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offered by Representative Novak, a Bill for an Act in relation to taxation. House Bill 541, offered by Representative Reitz, a Bill for an Act concerning parental notice of abortion. House Bill 542, offered by Representative Dale Righter, a Bill for an Act to amend the Firearm Owners Identification Card Act. House Bill 543, offered by Representative Dale Righter, a Bill for an Act concerning tort immunity. House Bill 544, offered by Representative Righter, a Bill for an Act concerning recreation funding. House Bill 545, offered by Representative Daniels, a Bill for an Act in relation to criminal law. House Bill 546, offered by Representative Bill Mitchell, a Bill for an Act in relation to criminal law. House Bill 547, offered by Representative Durkin, a Bill for an Act in relation to criminal law. House Bill 548, offered by Representative Flowers, a Bill for an Act in relation to children. House Bill 549, offered by Representative Reitz, a Bill for an Act concerning counties. House Bill 550, offered by Representative Reitz, a Bill for an Act regarding vehicles. House Bill 551, offered by Representative Black, a Bill for an Act making appropriations. House Bill 552, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 553, offered by Representative Franks, a Bill for an Act concerning land. House Bill 554, offered by Representative Franks, a Bill for an Act in relation to the development and management of the groundwater resources of the State of Illinois. House Bill 555, offered by Representative Curry, a Bill for an Act in relation to elections. House Bill 556, offered by Representative Curry, a Bill for an Act in relation to elections. House Bill 557, offered by Representative Mautino, a Bill for an Act in

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relation to criminal law. House Bill 558, offered by Representative Mautino, a Bill for an Act making appropriations. House Bill 559, offered by Representative Mautino, a Bill for an Act making appropriations. House Bill 560, offered by Representative Mautino, a Bill for an Act making appropriations. House Bill 561, offered by Representative Mautino, a Bill for an Act making appropriations. House Bill 562, offered by Representative Hassert, A Bill for an Act in relation to environmental matters. House Bill 563, offered by Representative Hassert, a Bill for an Act in relation to environmental safety. House Bill 564, offered by Representative Hassert, a Bill for an Act in relation to environmental safety. House Bill 565, offered by Representative Hassert, a Bill for an Act in relation to environmental safety. House Bill 566, offered by Representative Hassert, a Bill for an Act in relation to environmental matters. House Bill 567, offered by Representative Hassert, a Bill for an Act in relation to environmental matters. House Bill 568, offered by Representative Hassert, a Bill for an Act in relation to environmental matters. House Bill 569, offered by Representative Poe, a Bill for an Act in relation to public employee benefits. House Bill 570, offered by Representative Franks, a Bill for an Act regarding telemarketing. House Bill 571, offered by Representative Black, a Bill for an Act in relation to public health. House Bill 572, offered by Representative Kosel, a Bill for an Act concerning the regulation of professions. House Bill 573, offered by Representative Currie, a Bill for an Act in relation to contracts. House Bill 574, offered by Representative Hartke, a Bill for an Act in relation to drycleaners. House Bill 575, offered by Representative

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Hartke, a Bill for an Act concerning motor vehicles. House Bill 576, offered by Representative Art Turner, a Bill for an Act to abolish the death penalty. House Bill 577, offered by Representative Mary Flowers, a Bill for an Act concerning midwives. House Bill 578, offered by Representative Andrea Moore, a Bill for an Act in relation to environmental safety. Introduction and First Reading of these House Bills.

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of House Bills. House Bill 577, offered by Representative Flowers, a Bill for an Act concerning midwives. House Bill 578, offered by Representative Moore, a Bill for an Act in relation to environmental safety. House Bill 579, offered by Representative O'Connor, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 580, offered by Representative O'Connor, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 581, offered by Representative Ryan, a Bill for an Act in relation to gambling. House Bill 582, offered by Representative Lang, a Bill for an Act to amend the Higher Education Student Assistance Act. House Bill 583, offered by Representative Lang, a Bill for an Act concerning higher education scholarships. House Bill 584, offered by Representative Lang, a Bill for an Act concerning insurance. House Bill 585, offered by Representative Lang, a Bill for an Act concerning government contracts with state appointees. House Bill 586, offered by Representative Lang, a Bill for an Act requiring disclosure by state appointees. House Bill 587, offered by Representative Lang, a Bill for an Act concerning elections. House Bill 588, offered by Representative Lang, a Bill for an Act in relation to bingo games. House Bill 589, offered by Representative Lang, a

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Bill for an Act to amend the Procurement Code. House Bill 590, offered by Representative Lang, a Bill for an Act creating the Internet Voting Commission. House Bill 591, offered by Representative Lang, a Bill for an Act to amend the Elder Abuse and Neglect Act concerning extending protection of elders against abuse, neglect, and financial exploitation. House Bill 592, offered by Representative Lang, a Bill for an Act to amend the Code of Criminal Procedure of 1963. House Bill 593, offered by Representative Lang, a Bill for an Act to amend the Probate Act of 1975. House Bill 594, offered by Representative Lang, a Bill for an Act concerning registration of persons convicted of certain offenses against the elderly. House Bill 595, offered by Representative Lang, a Bill for an Act making an appropriation to the Department of Human Services. House Bill 596, offered by Representative Lang, a Bill for an Act in relation to elderly persons and persons with disabilities. House Bill 597, offered by Representative Black, a Bill for an Act concerning land claims. House Bill 598, offered by Representative Dart, a Bill for an Act concerning driving violations. House Bill 599, offered by Representative Dart, a Bill for an Act concerning cruelty to animals. House Bill 600, offered by Representative Hassert, a Bill for an Act in relation to real property. House Bill 601, offered by Representative Hassert, a Bill for an Act in relation to property. House Bill 602, offered by Representative Slone, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 603, offered by Representative Slone, a Bill for an Act in relation to clean air. House Bill 604, offered by Representative Slone, a Bill for an Act relating to facility planning areas. House Bill 605, offered by

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Representative Dart, a Bill for an Act in relation to state soil. House Bill 606, offered by Representative Granberg, a Bill for an Act in relation to taxes. First Reading of these House Bills.

First Reading of HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT #2, offered by Representative Lang.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 9 to Article XIII of the Illinois Constitution as follows:

ARTICLE XIII

GENERAL PROVISIONS

(ILCON Art. XIII, Sec. 9 new)

SECTION 9. INSURANCE COMMISSIONER

There is created the office of Insurance Commissioner. The Insurance Commissioner shall regulate the insurance industry in Illinois. The Insurance Commissioner shall have such other powers and duties as provided by law.

The Insurance Commissioner shall be elected by the electors of the state. The General Assembly shall provide by law for the qualifications, term of office, and manner of election of the Insurance Commissioner.

SCHEDULE

This Constitutional Amendment takes effect upon being declared

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adopted in accordance with Section 7 of the Illinois
Constitutional Amendment Act.

First Reading of this Constitutional Amendment.

First Reading of HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT #3, offered by Representative Lang.

WHEREAS, The Ninety-second Congress of the United States of
America, at its Second Session, in both houses, by a
constitutional majority of two-thirds, adopted the following
proposition to amend the Constitution of the United States of
America:

JOINT RESOLUTION

RESOLVED BY THE HOUSE OF REPRESENTATIVES AND SENATE OF THE
UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH
HOUSE CONCURRING THEREIN), That the following article is proposed
as an amendment to the Constitution of the United States, which
shall be valid to all intents and purposes as a part of the
Constitution when ratified by the legislatures of three-fourths of
the several States within seven years from the date of its
submission by the Congress:

ARTICLE _____

Section 1. Equality of rights under law shall not be denied or
abridged by the United States or any State on account of sex.

Section 2. The Congress shall have the power to enforce by
appropriate legislation the provisions of this article.

Section 3. This Amendment shall take effect two years after
the date of ratification; and

WHEREAS, A Joint Resolution is a resolution adopted by both
houses of the General Assembly and does not require the signature
of the Governor; a Joint Resolution is sufficient for Illinois'

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ratification of an amendment to the United States Constitution;
and

WHEREAS, The United States Congress has recently adopted the 27th Amendment to the Constitution of the United States, the so-called Madison Amendment, relating to Compensation of Members of Congress; this amendment was proposed 203 years earlier by our First Congress and only recently ratified by three-fourths of the States; the United States Archivist certified the 27th Amendment on May 18, 1992; and

WHEREAS, The founders of our nation, James Madison included, did not favor further restrictions to Article V of the Constitution of the United States, the amending procedure; the United States Constitution is harder to amend than any other constitution in history; and

WHEREAS, The restricting time limit for the Equal Rights Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 35 states; and

WHEREAS, Having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and

WHEREAS, The United States Supreme Court in Coleman v. Miller, 307 U.S. 433, at 456 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social, and economic factors affecting the nation, and to be aware of the importance to the nation of the proposed amendment; and

WHEREAS, If an amendment to the Constitution of the United

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States has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state legislatures, it is for Congress under the principles of Coleman v. Miller to determine the validity of the state ratifications occurring after a time limit in the resolving clause, but not in the amendment itself; and

WHEREAS, Constitutional equality for women and men continues to be timely in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the proposed amendment to the Constitution of the United States of America set forth in this resolution is ratified; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the Archivist of the United States, the Administrator of General Services of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and each member of the Illinois congressional delegation.

First Reading of this Constitutional Amendment."

Clerk Bolin: "There being no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in Regular Session on Tuesday, February 6th at 1:00 PM."