

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

98th Legislative Day

February 15, 2002

Speaker Hartke: "The House shall come to order. The House shall come to order. Members will please be in their chairs. We'll be led in prayer by Pastor Lee Crawford, the Assistant Pastor to the Victory Temple Church in Springfield. Guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance. Pastor Crawford."

Pastor Crawford: "Let us pray. Most gracious and eternal God we humbly and thankfully bless You. I pray that You would stretch out Your hand and bless this Your people. I pray Father that You would give power to the faint and to those that have no might. I pray that You would increase their strength. And for those who wait upon You, I pray that You would mount them up with wings of an eagle, allow them to walk and not faint, allow them to run and not yet be weary. This I ask You in Your Son's name. Amen."

Speaker Hartke: "We shall be led in the Pledge today by Representative Miller."

Miller - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hartke: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Bugielski is excused today."

Speaker Hartke: "Representative Bost."

Bost: "Yes, Mr. Speaker. Thank you. And let the record reflect that Representative Berns, Durkin, and Leitch are excused today."

Speaker Hartke: "Mr. Clerk, take the record. 113 Members responding to the quorum call. There is a quorum present."

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

98th Legislative Day

February 15, 2002

Committee Reports. Mr. Clerk, what is the status of House Bill 3776, Representative Kenner?"

Clerk Rossi: "House Bill 3776 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading, at the request of the Sponsor, for the purposes of an Amendment. On page 2 of the Calendar, on Second Reading appears House Bill 86. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 86 has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments have been approved for consideration."

Speaker Hartke: "Third Reading. House Bill 582, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 582 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 661, Representative McGuire. Would you like to move that Bill to Third Reading? Mr. Clerk, read the Bill. Mr. McGuire, has there been an Amendment filed to that legislation?"

Clerk Rossi: "House Bill 661 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

Speaker Hartke: "Representative McGuire on Amendment #2."

McGuire: "Mr. Speaker, this Amendment must be from last year, I'm not quite sure. I don't recall putting an Amendment on here recently."

Speaker Hartke: "You want to take it out of the record for

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

98th Legislative Day

February 15, 2002

today?"

McGuire: "Yes, please do that."

Speaker Hartke: "Take that Bill out of the record. House Bill 3632, Representative Scully. Out of the record. House Bill 3641, Representative Curry, Julie Curry. Out of the record. House Bill 3642, Representative Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3642, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 3673, Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3673, a Bill for an Act in relation to schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3703, Representative O'Brien. Mary Kay O'Brien. Out of the record. House Bill 3712, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3712, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3729, Representative Osterman. Out of the record. House Bill 3794, Representative Osterman. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3794, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3797, Representative Poe. Representative Poe. Representative Poe in the chamber? Out of the record. House Bill 3810, Representative Osterman. Mr. Clerk, read the Bill."

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

98th Legislative Day

February 15, 2002

Clerk Rossi: "House Bill 3810, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 3933, Representative Flowers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3933, a Bill for an Act concerning insurance coverage. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 3 of the Calendar appears House Bill 3983. Representative Forby. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3983, a Bill for an Act concerning hospitals. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4037, Representative Fowler. Representative Fowler. Out of the record. House Bill 4107, Representative Coulson. Out of the record. Mr. Clerk for an announcement."

Clerk Rossi: "The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Hartke: "Back on the Calendar of Second Reading on page 3 appears House Bill 31... or excuse me 4130, Representative Boland. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4130, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4159, Representative

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

98th Legislative Day

February 15, 2002

Schoenberg. Out of the record. House Bill 4218, Representative Garrett. Susan Garrett. Out of the record. Well, let's go back to House Bill 4139 (sic-4159), Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4159, a Bill for an Act in relation to the investment of public funds. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4229, Representative Bassi. Out of the record. House Bill 4292, Representative O'Brien. 4292. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4292, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4311, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4311, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4331, Representative Zickus. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4331, a Bill for an Act in regard to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Let's go back to House Bill 4329 (sic-House Bill 4229), Representative Bassi. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4229, a Bill for an Act in regard to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4365, Representative O'Brien. Mr. Clerk, read the Bill."

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

98th Legislative Day

February 15, 2002

Clerk Rossi: "House Bill 4365, a Bill for an Act in relation to highways. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. See Representative Garrett on 4218. Representative Garrett. Mr. Clerk, read... out of the record. House Bill 4438, Berns. Representative Black, would you care to move that Bill for Representative Berns? Mr. Clerk, read the Bill. I'm sorry, that should be 4438, Berns-Black."

Clerk Rossi: "House Bill 4438, a Bill for an Act in relation to agriculture. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4448, Representative Myers. Out of the record. On page 4 of the Calendar, on House Bills-Second Reading appears House Bill 4898. Representative Delgado. Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4898, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4933, Representative Hoffman. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4933, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4948, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4948, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee

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

98th Legislative Day

February 15, 2002

Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4974, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4974, a Bill for an Act concerning motor vehicle decals. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 4989. Representative Krause. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4989, a Bill for an Act relating to insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Agreed Resolutions."

Clerk Rossi: "House Resolution 665, offered by Representative Schoenberg; House Resolution 667, offered by Representative Osmond; House Resolution 671, offered by Representative Barbara Currie; House Resolution 672, offered by Representative Brosnahan; House Resolution 673, offered by Representative Slone; House Resolution 674, offered by Representative Bellock; House Resolution 675, offered by Representative Capparelli; House Resolution 676, offered by Representative Capparelli; House Resolution 683, offered by Representative Morrow; and House Resolution 685, offered by Representative Ryan."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, what is the status of House Joint Resolution 62? Currie."

Currie: "Thank you, Speaker. I move adoption of House Joint Resolution 62. This is the Resolution that we need to pass

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

98th Legislative Day

February 15, 2002

in order to let the Governor present his budget to us next Wednesday."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 62?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. May I have your attention, please. We're going to be adjourning shortly, but the Speaker would like to remind you that when we return here next Wednesday, we are going to convene the Session at 11:30 to prepare for the arrival of our good friends, the Senators, and the Governor. So, be reminded at 11:30 in your chairs ready to do the business of the state. Representative Lang now moves that the House stand adjourned until the hour of 11:30 a.m. on February 20th, Wednesday, for the budget address and allowing perfunctory time for the Clerk. And the House now stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Committee Reports. Representative McCarthy, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass' House Bills 4409, 4465. Representative Reitz, Chairperson from the Committee on Cities & Villages, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4988; 'do pass as amended Short Debate' House Bills 3697, 4050. Representative Brosnahan, Chairperson from the Committee on The Disabled Community, to which the following measure/s was/were

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

98th Legislative Day

February 15, 2002

referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4234, 4235; 'do pass as amended Short Debate' House Bills 3695, 4369. Representative McGuire, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on February 15, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4034, 4249, 4398, 4965. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3960, 4101, 4209, 4212, 4466, 4899; 'do pass as amended Standard Debate' House Bill 3744. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3637, 4220; 'do pass as amended Short Debate' House Bill 4471. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4333, 4344, 4351; 'do pass as amended Short Debate' House Bill 4464, 4912. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4149, 4170, 4944, 4961. Representative Dart,

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

98th Legislative Day

February 15, 2002

Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4014, 4091, 4367, 4900, 4947; 'do pass as amended Short Debate' House Bills 3772, 4354, 4371. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 4457. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bills 4003, 4118; 'do pass Short Debate' House Bills 3993, 4166, 4916. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4257, 4415, 4420, 4450, 4885, 4938; 'do pass as amended Short Debate' House Bills 3714, 4411, 4924. Representative McGuire, Chairperson from the Committee on Tourism, to which the following measure/s was/were referred, action taken on February 14, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3975, 4066. Representative Fowler, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on February 15, 2002, reported the same back with the following recommendation/s:

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

98th Legislative Day

February 15, 2002

'do pass Short Debate' House Bills 4287, 4335, 4339, 4990;  
'do pass as amended Short Debate' House Bills 3773, 4338,  
4978. Representative McAuliffe, Chairperson from the  
Committee on Veterans' Affairs, to which the following  
measure/s was/were referred, action taken on February 15,  
2002, reported the same back with the following  
recommendation/s: 'do pass Short Debate' House Bill 4454.  
Representative Schoenberg, Chairperson from the Committee  
on State Procurement, to which the following measure/s  
was/were referred, action taken on February 15, 2002,  
reported the same back with the following recommendation/s:  
'do pass Short Debate' House Bill 4971. Representative  
O'Brien, Chairperson from the Committee on Judiciary  
II-Criminal Law, to which the following measure/s was/were  
referred, action taken on February 15, 2002, reported the  
same back with the following recommendation/s: 'do pass  
Short Debate' House Bills 3688, 4038, 4081, 4095, 4098,  
4123, 4167, 4194, 4200, 4266, 4321, 4330, 4439, 4472, 4473,  
4936; 'do pass Standard Debate' House Bill 4211. 'do pass  
as amended Short Debate' House Bills 4087, 4115, 4116,  
4129. Introduction and First Reading of House Bills. House  
Bill 6053, offered by Representative Klingler, a Bill for  
an Act in relation to public employee benefits. First  
Reading of this House Bill."

Clerk Bolin: "First Reading of House Joint Resolution  
Constitutional Amendment #13, offered by Representative  
Hoeft.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT No. 13

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND

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

98th Legislative Day

February 15, 2002

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 amend Section 2 of Article X of the Constitution as  
follows:

ARTICLE X

EDUCATION

SECTION 2. STATE BOARD OF EDUCATION - STATE SUPERINTENDENT OF  
EDUCATION

(a) There is created a State Board of Education to be elected  
or selected on a regional basis. The number of members, their  
qualifications, terms of office and manner of election or  
selection shall be provided by law. The Board shall advise the  
State Superintendent of Education concerning, goals, policies,  
planning and evaluating education programs, and financing. The  
Board shall have such other duties and powers as provided by law.

(b) A State Superintendent of Education shall be nominated at  
a general primary election and elected by the electors of the  
State at the general election every 4 years, beginning in 2006.  
The State Superintendent of Education shall hold office for 4  
years beginning on the second Monday of January after his or her  
election. To be eligible to hold the office of State  
Superintendent of Education a person must be a United States  
citizen, at least 25 years old, and a resident of the State for 10  
years preceding his or her election.

The names of the candidates for State Superintendent of  
Education shall be printed on the ballot directly below the names  
of the candidates for Secretary of State.

Any vacancy in the office of State Superintendent of Education

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

98th Legislative Day

February 15, 2002

shall be filled in the manner provided in Section 7 of Article V.

The State Superintendent of Education shall be the chief educational officer of the State. The State Superintendent of Education shall establish goals, determine policies, provide for planning and evaluating education programs, and recommend financing. The State Superintendent of Education shall have such other duties and powers as provided by law.

SCHEDULE

A State Superintendent of Education shall be elected in 2006 and thereafter. When the State Superintendent of Education initially elected under Section 2 of Article X of the Illinois Constitution takes office, the term of office of the chief state educational officer appointed by the State Board of Education shall expire. This Constitutional Amendment otherwise takes effect when the State Superintendent of Education initially elected under Section 2 of Article X of the Illinois Constitution takes office. First Reading of this Constitutional Amendment. The House Perfunctory Session now stands adjourned."