

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

22nd Legislative Day

March 7, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor David McHenry of the Cornerstone Church in Shelbyville. Pastor McHenry is the guest of Representative Bill Mitchell. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor McHenry: "Let us pray. Father, God, we thank You and praise You for this beautiful nation that we have the privilege to live in and be a part of. God, we ask for Your divine guidance and Your divine wisdom to be placed upon each one of us. We thank You, God, for the privilege to serve You and to serve our communities. We thank You, we praise You, we love You. In Your holy name, Amen."

Speaker Madigan: "We will be led in the Pledge of Allegiance by Representative Brady."

Brady: - 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 Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Ron Stephens is excused."

Speaker Madigan: "Mr. Clerk, take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, do you have a report from the Executive Committee? Do you have any other reports?"

Clerk Rossi: "Committee Reports. Representative Barbara Flynn

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Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 6, 2001, reported the same back with the following recommendation: 'to the floor for consideration' Floor Amendment #1 to House Bill 916. Introduction of Resolutions. House Resolution 113 is assigned to the Rules Committee. Representative Mike Smith, Chairperson from the Committee on Agriculture, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2528 and House Bill 2552; 'do pass as amended Short Debate' House Bill 599. Representative Crotty, Chairperson from the Committee on Children and Youth, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1734 and House Bill 1717 and House Bill 1929; 'be adopted' House Resolution 44. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 211 and House Bill 810, House Bill 2062, House Bill 2159, and House Bill 3016; 'do pass as amended Short Debate' House Bill 39; 'do pass as amended' House Bill 934. Representative Boland, Chairperson from the Committee on Elections and Campaign Reform, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 71, House Bill 1980, House Bill 2139, and House Bill 2149; 'do pass as amended Short Debate' House Bill 2162;

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'do pass Standard Debate' House Bill 1704 and House Bill 2155. Representative Bugielski, Chairperson from the Committee on Financial Institutions, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2249 and House Bill 2376; 'do pass as amended Short Debate' House Bill 3008. Representative Flowers, Chairperson from the Committee on Health Care Availability and Access, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1889, House Bill 2112, and House Bill 2276; 'do pass Standard Debate' House Bill 3052; 'do pass as amended Short Debate' House Bill 521, House Bill 898, and House Bill 1040. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1967 and House Bill 2554; 'do pass as amended Short Debate' House Bill 800, House Bill 2556, and House Bill 3004. Representative Shirley Jones, Chairperson from the Committee on Public Utilities, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2141. Representative Hoffman, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 123, House Bill 1904, House Bill 2161, House Bill

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2218, House Bill 2244, House Bill 2253, House Bill 2254, House Bill 2263, and House Bill 2534; 'do pass Standard Debate' House Bill 1968; 'recommend be adopted' House Joint Resolution #9. Representative Scott, Chairperson from the Committee on Urban Revitalization, to which the following measures were referred, action taken on Tuesday, March 6, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2052. The Rules Committee will meet immediately in the Speaker's Conference..."

Speaker Hartke: "Representative Hartke in the Chair. The Chair recognizes Representative Feigenholtz. For what reason do you seek recognition?"

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I'd like to invite all of the Members of the House to wish Representative Judy Erwin a happy birthday. Happy birthday, Judy. But who's counting? We've got some cookies for all of you to enjoy. Thank you."

Speaker Hartke: "Happy birthday, Representative. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Would it be in order to ask the Chair if I could take a Bill of mine on the Order of Third Reading and have you move it back to the Order of Second for purposes of Floor Amendment?"

Speaker Hartke: "We will do that in a few minutes. Bring me the Bill number and we'll get to that."

Black: "All right. It's House Bill 144, Mr. Speaker."

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Speaker Hartke: "The Chair recognizes the Gentleman from Franklin, Representative Forby. For what reason do you seek recognition?"

Forby: "Thank you, Mr. Chairman. I have a point of personal privilege."

Speaker Hartke: "State your point."

Forby: "I want to introduce Mrs. Nelson and Mrs. Pask, from Herrin High School, and the students are here today to visit. They're up in the auditorium. Would you please stand."

Speaker Hartke: "Welcome to your state capital. The Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would ask leave of the House to consider House Resolution 108."

Speaker Hartke: "Mr. Clerk, House Resolution 108. Would you like to read that Resolution."

Clerk Bolin: "House Resolution 108 offered by Representative Ryder."

HOUSE RESOLUTION 108

WHEREAS, The members of the Illinois House of Representatives are pleased to recognize milestone events in the history of high school sports in the State of Illinois; and

WHEREAS, The Lady Hawks of Carrollton High School captured the first IHSA Girls Class A State Championship on February 24, 2001;

WHEREAS, The Lady Hawks met the challenge by first defeating the Monmouth Zippers in the quarterfinals with a score of 63 to 37; they then went on to defeat the Stockton Blackhawks in the semifinal game by the score of 59 to 37; finally, they faced their archrivals from Teutopolis in the final game; in the end, the

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Shoes of Teutopolis were defeated by the final score of 49 to 35, sending the Lady Hawks home with their very first Class A Championship title; and

WHEREAS, The Class A State Championship capped off of what was an outstanding season for the Lady Hawks; in addition to the Class A State championship, the Lady Hawks won the Olney Thanksgiving Tournament, the Carrollton Invitational Tournament, the Beardstown Tournament, the Western Illinois Valley Conference Championship, and for the twelfth year in a row, the Regional Championship, the Sectional Championship, and the Super-Sectional Championship; and

WHEREAS, The Lady Hawks' team consists of Karen Brannan, Laura Moss, Kaci Graham, Justine Tucker, Kara Gillingham, Katie Nolan, Alicia DeShasier, Emily Pohlman, Dana Carter, Molly Reed, Lauren Steckel, Amber Shelton, and Nicole Meyer; their coach is Lori Blade, and the assistant coach is Donna Farley; the team ended the season with 34 wins and 1 loss; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Lady Hawks, the Carrollton High School Girls Varsity Basketball Team, on winning the State Class A Basketball Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the principal of Carrollton High School, Terry Dillard; the coach of the Carrollton Lady Hawks, Lori Blade; the assistant coach, Donna Farley; and to each member of the Lady Hawks championship team as an expression of our esteem."

Speaker Hartke: "The Chair recognizes Representative Ryder."

Ryder: "Thank you, Representative Hartke, Mr. Speaker. I am joined on the floor by the senior members of the team. I would ask the rest of the team to please stand. They're in

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the Speaker's gallery. We're also joined by Coach Blade and Assistant Coach Farley. And I have another Gentleman here who has escaped the Senate to come over to the side of goodness and truth in the House, Senator Demuzio is with me. This is a team of which we're very proud. This is the fourth time in six years that the Lady Hawks from Carrollton have participated in the state tournament, including a time two years ago when they went into the finals and lost in overtime to another fine team from Nokomis. All of these ladies, I am told, achieve honor roll status and several are on high honor roll status. They are all winners. They are led by winners. Assistant Coach Farley has also been part of a state championship team when she coached at a different school, and Coach Lori Blade has just finished her seventh year with a combined record of 199 victories and 24 losses. The folks in the 97th District, in the Carrollton community, are very proud to present to the Illinois General Assembly the Class A girl's basketball champions, the Lady Hawks from Carrollton. Please join me in recognizing them."

Speaker Hartke: "Congratulations, girls. You did a fantastic job."

Ryder: "Representative Hartke, we know how tough it is for you to be presiding in the Chair, since you represent the fine Lady Shoes of T-town who were in the championship game and did, indeed, lose to Carrollton."

Speaker Hartke: "Mr. Ryder, Teutopolis did not lose, your girls won."

Ryder: "And one of... That's right. But what about those other two times they played that year, Chuck?"

Speaker Hartke: "It's always a pleasure to be beat by the best."

Ryder: "Lori (sic-Laura), one of the seniors would like to thank

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us for this opportunity."

Laura Moss: "On behalf of the team, we'd just like to take this moment and say, thank you for inviting us here today."

Speaker Hartke: "Thank you, girls."

Ryder: "Thank you, Mr. Speaker."

Speaker Hartke: "The Gentleman has asked for the adoption of House Resolution 108. 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. The Chair recognizes the Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. I rise at a point of personal privilege."

Speaker Hartke: "State your point."

Curry: "I would like to welcome to the chamber... I'd like my colleagues to join with me in welcoming the students who are part of the Family, Career, and Community Leaders of America, FCCLA. They're here in Springfield to lobby Members. And I hope you'll give them a warm welcome. I also have with me here, Jamie Bresner and Eileen Ebert, and they're right behind me. If the chamber would welcome them here to Springfield today. Thank you."

Speaker Hartke: "Representative Curry, would you like to adopt your Resolution now?"

Curry: "Yes, please."

Clerk Rossi: "House Resolution 106 offered by Representative Curry."

HOUSE RESOLUTION 106

WHEREAS, The Family, Career, and Community Leaders of America (formerly known as FHA-HERO) is one of the largest career and technical educational student organizations in the United States; and

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WHEREAS, There are 220,000 members which includes over 5,000 members throughout the great State of Illinois; and

WHEREAS, The Family, Career, and Community Leaders of America is an integral part of the Family and Consumer Science education curriculum that operates within the school system; and

WHEREAS, The Family, Career, and Community Leaders of America is the only national organization with the family on its central focus; through FCCLA activities members develop skills to assume the multiple roles of family member, wage earner, and community leader;

WHEREAS, The Family, Career, and Community Leaders of America members learn leadership skills by seeking elected office, and participating in team projects; and

WHEREAS, The Family, Career, and Community Leaders of America members complete projects that guide them to discover strengths, target educational goals, and create a plan for achieving the career they desire; technological literacy is a vital aspect of career preparation in this decade, FCCLA offers opportunities to use the latest technology in individual, cooperative, and competitive events; and

WHEREAS, The Family, Career, and Community Leaders of America recognizes that teens can play an essential role in decreasing violent acts among their peers through the "Stop the Violence" Program; teens are being trained with techniques on how to resolve conflict, recognize, report and prevent violent crimes; these training sessions empower individuals to make a difference and ultimately decrease the rate of violent crimes; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the

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Family, Career, and Community Leaders of America student youth organization present here today and congratulate them for their efforts in working toward a better Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Family, Career, and Community Leaders of America student youth organization as an expression of our esteem."

Speaker Hartke: "You heard the Lady's Resolution. 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. Committee Reports."

Clerk Rossi: "Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on Wednesday, March 7, 2001 reported the same back with the following recommendations: 'do pass Short Debate' House Bill 64, House Bill 65, House Bill 256, House Bill 681, House Bill 1069, House Bill 1694, House Bill 1820, House Bill 2113, House Bill 2265, House Bill 2266, House Bill 2374, House Bill 2377, House Bill 2564, House Bill 3131; 'do pass Standard Debate' House Bill 1846, House Bill 2411, House Bill 2412; 'do pass as amended Short Debate' House Bill 185, House Bill 2023, and House Bill 2233; 'recommends be adopted' House Joint Resolution #1."

Speaker Hartke: "... Calendar announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "The Chair recognizes the Lady from Peoria, Representative Slone. For what reason do you seek recognition?"

Slone: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Slone: "I would like to welcome, on behalf of myself and my

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colleagues from Peoria and Tazewell County, the Peoria Area Chamber of Commerce Community Leadership School. They're in the gallery. Please give them a warm Springfield welcome."

Speaker Hartke: "Welcome to Springfield, your state capital. The Chair recognizes the Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. I'd announce that the Tourism Committee meeting today has been cancelled at 2:00. The Tourism Committee will not meet today. Thank you."

Speaker Hartke: "Thank you, Representative Holbrook. The Chair would like to recognize the Secretary of State, Jesse White. Welcome to the House chamber. Let's give the Secretary a welcome. Committee 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: "Mr. Clerk, what is the status of House Bill 144?"

Clerk Rossi: "House Bill 144 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment at the request of the Sponsor. On page 2 of the Calendar, on Second Reading appears House Bill 1. Representative Hoffman. Clerk, read the Bill."

Clerk Rossi: "House Bill 1, a Bill for an Act in relation to child death review. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 81, Representative Lang. A state impact note has been filed. That note has been filed. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 81 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. What about House Bill 84? Out of the record. House Bill 101, Representative McKeon. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 101, a Bill for an Act amending the Illinois Human Rights Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 128, Representative Schoenberg, 128. Out of the record. House Bill 148, Representative Berns. Out of the record. House Bill 151, Representative Turner. Out of the record. House Bill 158, Representative Dart. Tom Dart. Out of the record. House Bill 176, Representative Hoffman. Out of the record. House Bill 210, Representative Kenner. Representative Kenner. Out of the record. House Bill 219. Out of the record. House Bill 228, Representative Meyer. Out of the record. House Bill 242, Representative Flowers. Out of the record. House Bill 279, Representative Burke. Out of the record. House Bill 312, Representative Feigenholtz. Sara Feigenholtz. Out of the record. House Bill 326, Representative Persico. Out of the record. House Bill 376, Representative Ryder. Out of the record. House Bill 397, Representative Fritchey. Out of the record. House Bill 448, Representative Acevedo. Out of the record. House Bill 453, Representative Lyons. Tom Lyons. Eileen Lyons, excuse me. Out of the record. House Bill 479, Representative Younge. Out of the record. House Bill 506, Representative Dart. Out of the record. House Bill 511, Representative Turner. John Turner. Mr. Clerk, read the

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Bill."

Clerk Rossi: "House Bill 511, a Bill for an Act concerning mineral leases. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 582, Representative Lang. Out of the record. House Bill 623, Representative Curry. Julie Curry. Out of the record. House Bill 776, Representative Cross. Out of the record. Oh, excuse me. Mr. Clerk, read the Bill, 776."

Clerk Rossi: "House Bill 776, a Bill for an Act in relation to gambling."

Speaker Hartke: "Excuse me, out of the record. Mr. Clerk, Committee Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 7, 2001, reported the same back with the following recommendations: 'to the floor for consideration' House Resolution 113."

Speaker Hartke: "On page 6 of the Calendar, on Second Reading appears House Bill 863. Representative Osterman. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 863, a Bill for an Act in relation to victims' rights. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 899, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 899, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Hartke: "Third Reading. House Bill 911, Representative Hamos. Representative Hamos, 911. Representative Hamos. Out of the record. House Bill 935, Representative Mulligan. Rosemary Mulligan. House Bill 935. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 935, a Bill for an Act relating to education. 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. The Chair would like to recognize former State Representative, Bob Bergman, who's on the floor. Welcome back to Springfield, Bob. House Bill 942, Representative Moore. Andrea Moore. Out of the record. House Bill 1033, Representative Tenhouse. Representative Tenhouse. Would you like to call that Bill, Representative Tenhouse? Out of the record. House Bill 1004, Representative Flowers. Flowers. Would you like to call that Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1004, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1099, Representative Davis. Monique Davis. Monique Davis, 1099. Out of the record. House Bill 1697, Representative Brunsvold. House Bill 1697. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1697, a Bill for an Act in relation to alcoholic liquor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1713, Representative Hoffman. Representative Hoffman. Out of the record. House Bill 1722, Representative Monique Davis, 1722. Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 1722, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1723, Representative Davis. The fiscal notes have been filed. Do you want to... third... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1723, a Bill for an Act regarding education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1776, Representative Rutherford. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1776, a Bill for an Act concerning public utilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1788, Representative Franks. Read the Bill."

Clerk Rossi: "House Bill 1788, a Bill for an Act concerning nursing home care. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1842, Representative Durkin. Representative Durkin. Out of the record. House Bill 1843, Representative Durkin. Out of the record. House Bill 1844, Representative Durkin. Out of the record. House Bill 1895, Representative Hoeft. Representative Hoeft. Out of the record. On page 8 on the Calendar, on Second Reading appears House Bill 1926. Representative Reitz, 1926. Out of the record. House Bill 1935,

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Representative Collins. Out of the record. House Bill 1956, Representative Moffitt. Out of the record. House Bill 1978, Representative Somner (sic-Sommer). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1978, a Bill for an Act in relation to gambling. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1983, Representative Lindner. Read the Bill."

Clerk Rossi: "House Bill 1983, a Bill for an Act concerning public aid. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 21... No, excuse me. House Bill 1989, Representative Mautino. Frank Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1989, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1990, Representative Dart. Read the Bill."

Clerk Rossi: "House Bill 1990, a Bill for an Act in relation to underage use of alcohol. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2079, Representative Wait. Ron Wait. Out of the record. House Bill 2140, Representative Monique Davis. Representative Davis. Clerk, read the Bill."

Clerk Rossi: "House Bill 2140, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2143, Representative Klingler. Out of the record. Ladies and Gentlemen, we're going to go to some Third Reading Bills. And I have a list of Bills of Sponsors who would like to call their Bills on Third Reading. It will not be in any order, but we'll be calling Bills. We'll try to alternate between Democrats and Republicans. House Bill 382, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 382, a Bill for an Act amending certain Acts in relation to the disposition of certain fetuses. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Today, I'm proud to bring House Bill 382. It's a Bill that brings compassion to a situation that occurs in everyday life across our state. Currently, we have a law in this state in the case of a spontaneous fetal demise situation, otherwise known as a miscarriage, we've always had a procedure in place for that scenario of a fetus which was over 20 weeks old, hospitals having a procedure and a process to notify those parents of their options in the disposition of those fetal remains. That is always in place. What this Bill does is allows the options afforded to parents of fetal remains under 20 weeks, gives the same options, the same process. This scenario is something that, we feel, should be an option under 20 weeks. I want to remind the Members, this came out of the Human Services Committee unanimously. I know of no opposition to this Bill. And I would appreciate your support on House Bill 382. Thank you."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 382?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? There is still 1 person who has not recorded themselves. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 382, there were 114 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, on Third Reading appears House Bill 901. Representative Howard, Connie Howard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 901, a Bill for an Act relating to higher education. Third Reading of this House Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 901 provides an increase in tuition discount for children of public university employees, and we'd like that increase to go from 50% to 100%. And that would include retired employees. And, the retired employees must have worked for one or more of the Illinois public universities for at least seven years. Employees would also include persons who work within any of the four divisions of the Department of Natural Resources under the authority of the Board of National Resources and Conservation, and those are Waste Management and Research Center, Illinois State Water Survey, Illinois State Geological Survey, and Illinois State Natural History Survey. I will entertain questions."

Speaker Hartke: "Is there any discussion? Ladies and Gentlemen,

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let's tone it down just a little bit. Shh. So that we can hear the discussion. The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates that she will yield."

Parke: "Representative, this is a very ambitious program and you've added a whole lot of people who are eligible. How many people in number count or do you think approximately, would be eligible for this now? And have you expanded who's eligible in this legislation? In other words, Representative, you said currently they're receiving 50%?"

Howard: "Yes."

Parke: "And you want to go to 100%?"

Howard: "Exactly."

Parke: "Have you included new eligibility people?"

Howard: "Yes."

Parke: "And those are the ones you just previously mentioned, those were the new ones that are being added in?"

Howard: "Yes, the ones... I said including retired persons, and also persons who are in those four divisions."

Parke: "Do you have an idea of how many more people you're talking about?"

Howard: "Yes, Representative Parke. Last year, there were about 1900. This year, we're including the retirees and I don't know how many that's going to be. But, keep in mind that their children will have to under 25 years of age."

Parke: "So, that could be 3,000 people?"

Howard: "Well, that's always conceivable, but we believe that this is very important because we don't have a record of giving our higher education employees other kinds of benefits, so we think this will be a good way to show them how much we appreciate them."

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Parke: "Well, wouldn't this be an economic advantage to these people?"

Howard: "Certainly, it would be an economic advantage. It would be to us..."

Parke: "Right."

Howard: "...if we were able to get that, yes."

Parke: "It would be an economic advantage to them. And..."

Howard: "Yes."

Parke: "Aren't they all members of an union?"

Howard: "Well, I would imagine that, probably, that is the case."

Parke: "And then, why don't they collectively bargain for this?"

Howard: "I'm reminded, Representative, that the benefits package in Illinois for our faculty members is 48th of 50. So, we don't really do very well. This is the... an effort to try to make certain that we do right by those people who have done right for us."

Parke: "But they could collectively bargain for this? This is considered... This would be in an increase in benefits, wouldn't it be?"

Howard: "Well, I suppose so."

Parke: "Okay. Do you have any idea what it would cost the taxpayers of the State of Illinois to go from 50% to 100% for all the eligibility people?"

Howard: "An additional 2.3 million or so."

Parke: "Well, you know, we have an issue that keeps coming up every year on General Assembly scholarships. And the argument that is made against this legi... that legislation is that it's at a cost. Ultimately, it's a cost to the taxpayers of the state to do that and it normally is defeated. I mean, normally it's passed to do away with them. Now, what you're doing, you're coming to us and saying you want to do it for... don't want to do it for the

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General Assembly, but it's okay to do it for people that work in a higher education and all the new areas that you've opened up. So, I would remind the Body... Thank you, Representative. To the Bill. I'll remind the Body, those of you who voted agai... for, voted for doing away with the General Assembly scholarships, I would think you shouldn't vote for this, because if your argument on that was that it cost the taxpayers, ultimately cost them money, then you shouldn't vote for this. Because this is gonna... Even though it's something that is a benefit, and I think that's wonderful and it's an incentive for people to come to work for a higher education, I think that's a great idea on the face of it. But, Ladies and Gentlemen, they have the right to collectively bargain for this. That's one of the problems we have is that the... as much as I respect the unions and appreciate the contribution to our state and how hard they work, when they can't collectively bargain for something with the bargaining units, then they come to the General Assembly and said, let's circumvent the collective bargaining process and have it passed as a new law or new entitlement that the taxpayers pay. I believe in collective bargaining. I think that collective bargaining is the way to go. I don't believe this is the way to circumvent that arena. If they want this benefit, collectively bargain for it, go to the bargaining table, negotiate, and get this benefit, but do not continue to try to come to the General Assembly to circumvent the collective bargaining. I'm going to oppose this legislation."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I rise in strong support of House

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Bill... I can't read it, I'm getting older, 901, I think it is. Thank you. I think that we all want to make sure that our public universities are competitive, nationally. And really the issue is, how do we insure that we have the best quality faculty. I think many of us would argue that we are underpaying college faculty in the State of Illinois. I certainly believe so and I think most national studies and comparative studies show the same. This is merely an attempt to help make Illinois more competitive so we can attract the best faculty. It's well worth the effort, and I urge your support."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates that she will yield."

Black: "Representative, if I read this correctly, it does not apply to the children of community college employees. Is that correct?"

Howard: "Yes, just the public universities."

Black: "So, it would only apply to the public four-year..."

Howard: "Four-year..."

Black: "...colleges and universities..."

Howard: "...universities."

Black: "...in the State of Illinois?"

Howard: "Yes."

Black: "Is there a definition of the word 'employee' in the Bill? I was trying to read it quickly and I'm sure somewhere in statute, there is a definition. I didn't find it in this Bill. I'm just wondering, for purposes of trying in my own head to figure out who all this will impact, is there a definition of 'employee' in the language or somewhere else

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in statute so we will not have a problem determining whose child gets the waiver and whose child does not?"

Howard: "A person... Let's see. For the defi... For the purposes of this legislation, we're talking about those who have worked in the public university system for at least seven years."

Black: "Correct. And it also includes retired employees, does it not?"

Howard: "Yes."

Black: "Now, the reason I bring this question up, and I'm really wrestling with this Bill as to how I'm going to vote. There are a number of categories of employees; you can be part-time, you can be a visiting professor, you can be an adjunct professor, you can be a visiting professor. I assume, then, if you are an adjunct professor or someone like former Governor Edgar who now is, I believe, the professor of the Public Affairs Institute at the University of Illinois. His children, of course, are grown. But he would not then be able to qualify, unless he had seven years employment status with the university. Is that the limiting factor?"

Howard: "That is correct."

Black: "Okay. But it does not distinguish between... If I read this correctly, it does not distinguish between full-time faculty employee slash part-time faculty employee?"

Howard: "It does not distinguish."

Black: "Okay, fine. Thank you very much, Representative. I appreciate your forthright answers. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, this is a very difficult Bill to vote against. I think the Sponsor is well-intentioned. I voted for and I believe cosponsored the legislation that gave the 50% tuition waiver because,

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as a previous Representative on the Democrat side of the aisle said, at the time we did that I thought it was a necessary prerequisite to try and keep distinguished faculty on staff during a period of time when we were financially strapped, could not put the money in resources into higher ed that we have been able to do the last four or five years. What I... The only struggle I have with this Bill is the fact that it does not distinguish between full-time faculty and part-time, full-time employee or part-time employee. I don't know how, for example, at the University of Illinois, people who work for the Division of Intercollegiate Athletics would be considered. I assume they would be considered an employee of the university, but there is a definitive difference in some cases. If you're the football coach or the basketball coach, obviously, you know their salary is certainly higher than the most distinguished professor at any of our universities. If their children would get the 100% waiver, there may be some backlash as to if you're making \$700,000 as the basketball or football coach, we're not sure your children should be treated the same as a beginning professor in the Department of English who may be making somewhere in the 40s or the 50s. I guess, notwithstanding that issue I have, what really concerns me, and I think Representative Parke touched on this... Again, I voted for the 50% tuition waiver, and I'll defend that to anyone who questions me. The 100% tuition waiver, when there are certain questions still in my mind, bothers me only in that we have so many issues before us; i.e., the Teamster's union, that cover most of our Illinois Department of Transportation workers. They have fought for a number of years to be included in the alternative pension formula. And the statistics

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clearly show, theirs is the most dangerous job in State Government. We have not and may not be able to reach agreement on putting them in that pension formula. It would only stand to reason, if we open this door, that then next year the Teamster's union from IDOT would say, well, we tried for years to negotiate and/or have the General Assembly do the alternative pension formula, we failed. So, the only perquisite left to us may be a tuition waiver for our children, we're state employees. If we don't get the State Employees Retirement System, the correctional officers pension worked out in the next two months, they're liable to come back and say, well, we didn't get everything that we collectively bargained for, that the General Assembly then decided to change its mind on our pension implementation. So, a perquisite in the place of that pension enhancement may be a 100% tuition waiver for our members. Now, I realize that we have the power to say 'yes' or 'no' to those requests, and they would pass or fail on their own merit. But I... And I may be the only 'no' vote, and probably the smart thing to do would be to sit down, shut up, and vote 'yes'. But, there are some legitimate questions that I have about a definition of 'employee', the fact that we may be opening ourselves to all kind of issues with other state employees, the fact that community colleges are not included, which will open an old wound that we've never healed satisfactorily on the way community college employees are treated for insurance, will now bubble to the surface. And I guess I even have a problem with retired university employees getting the 100% tuition waiver. The bottom line is, folks, whenever we give a tuition waiver for whatever, however good the reason, it's a cost shift. If my children don't pay,

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somebody's children will pay, or we will have to appropriate the money. We all know there's no free lunch. I commend the Sponsor. I think it's a good idea. It probably made more sense to me a few years ago when we simply turned our back on higher ed appropriations. And I think Governor Ryan has clearly shown his commitment to higher ed. Governor Edgar, the last years of his administration, when we got out of the fiscal problems, clearly demonstrated his financial commitment to higher education. And I guess, for better or for worse, I'm just not comfortable voting 'yes' for this Bill. Although in the... I'm positive it will pass, but I just don't feel that I can vote for it at this time."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DeKalb, Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. I just... To the Bill, I want... need to make a few..."

Speaker Hartke: "To the Bill."

Wirsing: "...comments. Seeing's how my name is up there on the board, I thought it'd be appropriate. This is an issue that I know gets debated often and many times about waivers and that whole aspect of it. One of the issues with our state universities here in Illinois and as well as in other states, but here in Illinois, in particular, is the trying to keep the balance at each university and keeping faculty, if not just faculty in general, but keeping faculty who are of the higher echelon, researchers, that whole gamut of people. Illinois loses a lot of those top people, from the faculty perspective, to other states, to the private sector in other states, simply because they pay a higher salary. And so this is a very minimal way in which the Illinois Legislature can show that we want

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faculty to stay here and we want quality faculty to stay here, as well. And if we can't keep... enhance all faculty, we're not going to have quality faculty. The expansion of this waiver program, I think, can in a small way help to assist for that to occur. Even when we look at the retired side of faculty that are eligible under this, many of those faculty come back to the universities and become that person of now of many years of experience and bring good things back relative to knowledge and academia into those universities. So, I stand in strong support for this... for House Bill 901, and would hope that everyone can follow that lead."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Howard to close."

Howard: "Yes, thank you, Mr. Speaker. I just ask my colleagues to remember that, despite the fact that we have some of the best universities in this country located within Illinois, we unfortunately give benefits 48th of 50. We need to do something about that. Please vote 'yes'."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 901?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 901, there were 79 persons voting 'yes', 34 people voting 'no', and 2 people voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar appears House Bill 1970. Representative Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1970, a Bill for an Act in relation to business transactions. Third Reading of this House Bill."

Speaker Hartke: "Representative Moore."

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Moore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1970 amends the Consumer Fraud and Deceptive Business Practices Act and it is in regard to retail transactions that occur in a foreign language. Currently, the way the statute is written, it's very difficult to enforce the issue as it relates to foreign language contracts. The statute currently provides that anyone that does any kind of a retail transaction with credit codes, other than credit cards, goes home with a copy of the transaction in their own language. This is very problematic, as the banks do not accept them. Most retailers do not have 20 or 30 different kinds of languages that they can provide for in their computers. This provides a form that says that the contract has been translated, who translate it, who is the person that translates it, and it also provides the retailers the translator that that retailer must also sign. There's no opposition to this Bill, and I would... it's a good consumer Bill that will help people from being taken advantage of. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1970?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1970, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar appears House Bill 1034. Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1034, a Bill for an Act concerning

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tobacco. Third Reading of this House Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker and Members of the Committee or of the House. House Bill 1034 is very simple in what it does and far-reaching in what it could accomplish. It would raise the age for sale of cigarettes and tobacco products from 18 to 19. Presently, smoking is the most preventable cause of death in this country, responsible for one out of five deaths in the United States. The vast majority of smokers have their first cigarette while they're in high school. By raising the smoking age just one year, we can eliminate virtually the ability of any high schooler to legally obtain tobacco products in this state. And the studies also show that a number of underclassmen obtain their tobacco products from older classmates who are able to legally purchase. This Bill is supported by the Illinois State Medical Society, the Illinois State Crime Commission, and the Illinois Cancer Society. I welcome any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he will yield."

Black: "Representative, I'm confused on the Amendment, the language on the Amendment."

Fritchey: "The Amendment became the Bill."

Black: "All right. Is there an exemption for a military... person serving in the military?"

Fritchey: "No, there's not."

Black: "So, if a constituent of mine comes home on leave after basic training, he's a private first class in the United

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States Marine Corps and has chosen to smoke and buys them on post, he cannot buy them in his home town?"

Fritchey: "He would have to abide by the laws of the state, the same as he could not buy alcohol in this state if he's under 21."

Black: "You mean, there's no exemption for the military..."

Fritchey: "Representative."

Black: "...in that either?"

Fritchey: "Excuse me?"

Black: "You mean, there's no exemption for a military uniform in that either?"

Fritchey: "No, there's not."

Black: "Well, I'll be darned. Well, I thought I was going down a good path, but you headed me off. All right."

Fritchey: "I hate to do that to you, Representative. No, basically, the way we looked at this and you can see the original Bill, there was an exception envisioned. And, the argument that came from the health community, overwhelmingly, was we owe as much of a responsibility to protect all youth and I'm goin... for these purposes, I'm concerning a 18-year-old to be youth, to protect all 18-year-olds, regardless of their military status, from the damages done by tobacco use."

Black: "I'm not sure I really follow that train of thought, but I can understand it. And your quick retort on the alcoholic beverage stole any thunder I was going to try and make with the patriotic rendition of the flag. So, I commend you for that. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "Ladies and Gentlemen, I daresay that all of us are going to vote for this. I'm going to vote for it, but I'm still going to joust with some windmills. There comes a time in

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this General Assembly... The last cigarette tax increase that this Body passed was wrapped in, 'let's pass it for the kids', because the money from the last cigarette tax increase went to education. So, kids, if you'd smoke more, your schools might have a more up-to-date computer lab. I thought, at the time, that sent out a pretty strange message. And I've asked the Sponsor, jokingly of course, wouldn't it be an affirmative defense if the judge wanted to rule that a minor had purchased a pack of cigarettes, the minor just simply said, 'Your Honor, I'm just trying to get a new computer for my school, it's the only reason I bought the pack of cigarettes.' Until we get the collective will in this Body to once and for all face the fact that we tend to fund education in this state by property taxes and a potpourri of various sin taxes, we're never going to get to the bottom of the school funding issue. And that's not what this Bill does, and I won't belabor it. But at some point I just have some concerns about taking a lawful, legal product that the Federal Government subsidizes and then keep trying to restrict it on and on and on and then litigate it out of business. It's either a legal, lawful product or it isn't. I guess nobody wants to really attack that part of it. Nobody in this chamber is more sincere in what they've tried to do on the issue of tobacco and health than Representative Fritchey. And I commend him for that. I have a highly personal reason for probably being willing to join you in anything. My mother who passed away in 1968, a heavy smoker, died of lung cancer and emphysema and I am convinced that there is a relationship between her tobacco habit and her untimely death at the age of 56. So, I could easily join with you on every one of these Bills, but I

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guess I have a little problem when we continue to regulate, litigate, and go after a business that is legal and is lawful, and in fact, contributes millions of tax dollars to the State of Illinois, not only in education, but General Revenue Funds, as well."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Klingler. Do you stand in opposition to this Bill? It's on Short Debate."

Klingler: "I stand in support as the spokesperson for the Children and Youth."

Speaker Hartke: "Thank you."

Klingler: "I think that the fact of raising the age from 18 to 19 goes a long way in helping high schools deal with the problem of students smoking illegally. Because by 19 years old, there are very few students who are still in high school. I think it'll really assist the schools and give them an enforcement tool in preventing smoking around the schools. And now, we talk a lot about the Tobacco Settlement Fund and how to use some money to help prevent smoking for teens. I think this is one of the strongest things that we can do to help prevent teen smoking is basically, keep the smoking out of the high schools. And so I hope that there's strong support for this Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, representative Davis. Do you stand in opposition of this Bill?"

Davis, M.: "Well, I just have one question, Mr. Speaker."

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "I wanted to know what happens if an 18-year-old buys or attempts to buy cigarettes? Is this a criminal penalty, what happens to that person?"

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Fritchey: "This Bill just modifies existing law. It doesn't change any penalties. The law is on the sale, not on the purchase. The law is on the sale of tobacco to minors."

Davis, M.: "And if a store owner doesn't... can't distinguish between an 18-year-old and a 19-year-old, I guess he should ask for ID."

Fritchey: "Well, let me..."

Davis, M.: "And if he sells to the 18-year-old, what happens to him?"

Fritchey: "Well, that's a two-part question. Representative Ryan is carrying companion piece of legislation to this that's supported by the retail merchants and the Medical Society, as well as the Cancer Society. And what that's going to do, is provide for an additional stripe on the driver's licenses. Where right now you have an under 21 stripe for purposes of carding for an alcohol purchase, if somebody is under 19, there would be an under 19 stripe for purposes of tobacco enforcement. It's a question of enforcement, Representative. Is there a penalty? Yes, the statute provides for a business offense punishable by a fine of not more than \$50 for each violation. That..."

Davis, M.: "Thank you."

Fritchey: "That's unchanged."

Davis, M.: "Thank you very much, Representative."

Fritchey: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he'll yield."

Johnson: "Representative Fritchey, one question, is there any exemption in here for those who are under 19 years of age and serving in the military on our bases here in the State

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of Illinois?"

Fritchey: "No, we addressed that, previously. The original Bill had contemplated that. And because of difficulties in enforcement and additionally the desire to protect all 18-year-olds, there are no exceptions to the Bill."

Johnson: "Okay. So, then as I understand it, those 18-year-olds who are currently on our military bases, serving our country in uniform right now, in this state, are going to be prohibited from obtaining cigarettes in the State of Illinois."

Fritchey: "The same way that if they are 19 or 20, they could not buy alcohol in the State of Illinois."

Johnson: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Turner, the Gentleman from Logan."

Turner, J.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he'll yield."

Turner, J.: "Representative, does your Bill cover the sale of tobacco or simply the possession of tobacco?"

Fritchey: "Sale, distribution, the Bill does nothing to substantively modify the terms of the existing law other than change the age from 18 to 19. So, there are provisions in the law, Representative, for sale, for distribution, for notices for requiring ID, et cetera. Everything stays intact and unchanged, other than making the age threshold one year higher."

Turner, J.: "What is the..."

Fritchey: "If I could... Oh, I'm sorry."

Turner, J.: "What is the penalty for someone who sales or gives tobacco to a 19-year-old under your Bill?"

Fritchey: "The present fine, which would remain unchanged; a first offense is \$200, a second offense within a 12-month

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period 400, and the third, or subsequent offense within a 12-month period, a fine of 600. One half of that fine would go to the local government that successfully prosecuted the offender and one half goes to the state. And that's unchanged, as I said, from existing law."

Turner, J.: "And what is the penalty for a 19-year-old who possesses tobacco under your Bill?"

Fritchey: "This Bill doesn't address that and it's not addressing the statute. The statute is the sale of tobacco to minors."

Turner, J.: "Oh, I'm sorry. The first question I asked you is whether it affected the sale or transfer or the possession. So, it does not affect possession by minors?"

Fritchey: "No, it has to do with sale and distribution. Possession by minors is not covered in the statute. We are not... this Bill does not... Let me say, the existing law does not criminalize possession by minors. The existing law is aimed at restricting sale to minors. And I'm wary to use the term 'minors' because it's defined differently in different statutes. That's why we've taken the word 'minors' out of the statute and specifically put in '19'."

Turner, J.: "Okay, Representative. So, as I understand it, your explanation then, the Bill does not affect the possession of tobacco. And you've represented to the Body, then, that we have no law regarding the possession of tobacco by a minor in the State of Illinois."

Fritchey: "I'm sorry, I didn't hear the middle part of that, I'm sorry."

Turner, J.: "Are you stating then, to the Body, that there is no law in the State of Illinois that prohibits a minor from possessing tobacco?"

Fritchey: "No, I'm saying that this law does... the statute that's being amended here does not criminalize possession

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by minors."

Turner, J.: "Okay. Well, my question is, is there a law in the State of Illinois that criminalizes the possession of tobacco by minors?"

Fritchey: "You know, I... Candidly, I want to say that the answer is 'no' because I have a recollection that somebody was going to try to bring this, but I don't want to say that definitively, Representative."

Turner, J.: "Well, I asked the question because if we're changing the law with regard to the sale or transfer of tobacco to minors, then I would think, to be consistent, we would also want to make the same change in any possession statute. But if there isn't a possession statute, then we need not worry about that."

Fritchey: "I don't believe there is one. And I'm also putting a certain amount of faith in the reference bureau because I did have them look to make sure that everything was going to be consistent and they made changes to various sections within the existing law and I would be hard-pressed to fathom that they would have missed that."

Turner, J.: "Representative Johnson, a few minutes ago, had asked you about persons in the armed services who may be stationed in Illinois and whether or not they would be allowed to smoke cigarettes. And I thought you indicated that they would not. But apparently they could do that as long as... and they would not have any culpability, only the person or persons who transferred the tobacco, or sold the tobacco, or gifted the tobacco to them. Is that right?"

Fritchey: "Correct."

Turner, J.: "Okay. Thank you, Representative."

Fritchey: "Thank you."

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Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Fritchey to close."

Fritchey: "Thank you. We look at numerous ways and we have for the past couple years. And as a result of the tobacco settlement, we likely will look for decades to come of ways to impact and reduce youth smoking. And we studied a number of projects that cost anywhere from a million dollars to the tens of millions of dollars. House Bill 1034 will give us a way, with no cost, to have a dramatic impact on the ability of kids in this state, to legally obtain tobacco, and in turn a dramatic impact on the amount of youth smoking in this state. I respectfully request an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1034?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On House Bill 1034, there were 104 persons voting 'yes', 6 people voting 'no', and 5 people voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar appears Bill 1001. Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1001, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hartke: "Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1001 just clarifies the position in the liquor control ordinance right now, that if a foreign manufacturer... Currently, they must file a form with the Liquor Control Commission that would register the product

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within the state. Sometimes that form's not filed, and a distributor accidentally starts selling the liquor without the product being filed. This Bill will allow the distributor to also file the form, so the product would be registered with the Liquor Control Commission. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. There was very little debate about this Bill in committee, seemed to be no major opposition to it, and the Bill is supposed to be simply remedying a situation where the wrong people are selling the wrong goods simply because a piece of paper hasn't been filed. I would recommend your 'aye' votes."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 1001?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1001, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 25?"

Clerk Rossi: "House Bill 25 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. On page 11 of the Calendar, on Third Reading appears House Bill 846. Representative Brosnahan. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 846, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. House Bill 846 is an initiative of the Secretary of State's office. It brings about much needed changes in the current system. There's an attempt to crack down on the abuses that are taking place with disability license plates, as well as disability placards. What this Bill does is a number of things; number one, it issues only one permanent placard and/or one set of disability license plates. It also issues disability license plates to qualified applicants only if their name is on the title to the vehicle or if it's a parent or legal guardian whose name is on the title. It also allows law enforcement to seize any placard if abuse occurs and then forward this information to the Secretary of State, the Secretary of State would then be able to revoke the placard after a hearing. And also what this Bill does, in an attempt to limit the number of permanent placards that are out there right now in Illinois, it also requires a \$10 replacement fee for any placard that is lost or stolen with the exception for those people that meet the financial eligibility criteria set forth in the Circuit Breaker Program. And with that, I would be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Johnson, the Gentleman from DuPage."

Johnson: "Representative, just a quick question. I received some calls from some of my seniors, some constituents that were concerned about some of the language that I think you might have cleaned up. Was there a provision in here that said that you could not get a permit if you could walk more than

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250 feet?"

Brosnahan: "Representative, there used to be a definition that would allow somebody to get a permanent placard or a license plate, a disability license plate, if a doctor found that they were not able to walk 200 feet without resting to stop. We found that that was a kind of... kind of broad, to tell you the truth. So, one of the things that this Bill does, it sets forth a five other definition of how people, if they meet certain requirements, whether they..."

Johnson: "Okay. Because I think that their concern, you know, a number of them have emphysema and so on, and they have an oxygen tank, for example."

Brosnahan: "And they would be allowed..."

Johnson: "And conceivably, they can walk more than 250 feet, but they're carrying this oxygen tank..."

Brosnahan: "Sure."

Johnson: "...and they were concerned. Now, I think that your Amendment..."

Brosnahan: "That's true, that it would not affect those people whatsoever."

Johnson: "Okay, clean that up, right?"

Brosnahan: "They would still be able to get a... yes, they would still be able to get a placard or a disability license plate."

Johnson: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Brosnahan to close. Oh, excuse me. Representative Black."

Black: "Thank you very much, Mr. Speaker. I never overlooked you when I was in the Chair..."

Speaker Hartke: "That's true."

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Black: "...although that was a long time ago. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, this Bill was the subject of a great deal of discussion locally and other places. And I think Representative Johnson has addressed most of my concerns in the cleanup language. I still... When I scrolled through this, I still don't see a clear definition of disability. Does the underlying Bill accept or have, or the underlying statute have a definition of disability as would be recognized by social security or..."

Brosnahan: "Yes."

Black: "...some medically approved disability?"

Brosnahan: "Yes, it does. Under 625, Illinois Compiled Statute, Section 1-159.1, it does spell out the definition of people with disabilities. And there are actually six reasons listed there."

Black: "Is there a provision in the underlying Bill for someone who has a temporary disability; i.e., open-heart surgery or cardiac rehab or hip replacement surgery that, you know, for a matter of weeks they would need to be as close to the door and the services they need, but eventually they'd hope to return to their full physical use? Is that addressed?"

Brosnahan: "Yes. The Secretary of State's office, right now, issues temporary placards that are good to, I believe, up to six months. That does not change. Temporary placards will still be able to be issued to people that meet these definitions and these requirements."

Black: "One question, and I bring this up only because I recently saw it when I was visiting my daughter and son-in-law and grandchildren who live in Aurora. At a shopping center, and I've never seen this sign, they had it... it was like a

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handicapped reserved sign that we're all familiar with, but this was for expectant mothers. Now, I assume that that is something that the store had chosen to do. It was a neat idea. At the time, my daughter was about eight and a half months pregnant and she parked there. But I don't... That isn't embodied in State Law, isn't that something that a store may choose to do if they want to do that?"

Brosnahan: "I believe you're correct, that is not in the State Law, whatsoever. It's totally separate. So, it must have been the store did that on its own volition."

Black: "Okay. Now, the thing that has always bothered me about this and it... Like you, I think all of us are bothered when we park someplace, see someone pull into a handicapped spot, no placard, no identifier on the license plate, appear to be as healthy as you. Of course, sometimes in today's society, if you say anything, you may regret having said anything. But, I've always been concerned about this law and the punishment factor, not that that's something I want to dwell on. But at some point, is there anything in this Bill that addresses the punishment factor for those who just thumb their nose at the entire handicapped provision and parking spot?"

Brosnahan: "The only thing I'd say, Representative, is unfortunately a lot of this comes down to enforcement. When somebody abuses a placard or a disability license plate, a lot of times a police officer's not going to be there on the scene, unfortunately. But when they are there, when an individual does see a person abusing the system, you just have to hope that they can get ahold of the security guard or will be fortunate enough to have a police officer in the nearby vicinity."

Black: "All right. You know, and that's something that I know

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Secretary White and... perhaps you and he could work together. At some point, we're going to have to really get tough on those who just simply abuse this law and use a handicapped spot when, God forbid, they would be besides themselves if they absolutely were handicapped or needed that spot. But it is abused a great deal. So, and I think that's an inherent weakness in the law. The only other question I have for you is, in my own family my mother-in-law, an elderly lady, uses a walker, no longer drives, for physical and eyesight reasons. But if my wife, her daughter, or I want to take her to the store and she wants to go in, and she's still very independent and does what she wants to do, everything she can do, how is that addressed under this law? Can we go in and get a temporary placard that when we are taking my mother-in-law to the grocery store, the doctor's office, where we could park there when she was with us, or is that going to be shut off under this revision?"

Brosnahan: "If her condition is considered a permanent condition, you would be able to if... Let's say your wife or yourself are the actual legal guardian of your mother-in-law, under this legislation you would be able to get disability license plates."

Black: "Okay."

Brosnahan: "If she's... if you're not the legal guardian or your wife's not the legal guardian, then your mother-in-law would still be able to get a placard. And then that placard would kind of follow your mother-in-law, whatever car that she would be using..."

Black: "Okay."

Brosnahan: "...for transportation, she could take that placard."

Black: "Well, she has... she's simply no longer able to drive, so

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no longer has an automobile. And eventually, of course, will not renew her driver's license. But this, in no way, would prohibit a senior, and many seniors in rural areas live on their own. And it may be a family friend or it may be a church-related group or a community-based organization that transport these seniors to church, to the grocery store, to the beauty shop, to the pharmacy, and they need to park in that handicapped spot because of the people they are transporting. This isn't going to complicate that issue to any appreciable extent, is it?"

Brosnahan: "Not at all, Representative."

Black: "Okay."

Brosnahan: "There's a provision in this legislation that allows organizations to get the placards. Those organizations, whether they're not-for-profits or church groups that regularly transport people with disabilities, it's spelled out in this legislation..."

Black: "Okay."

Brunsvold: "...that they be allowed to have that."

Black: "And then last but certainly not least, they don't have to show up in person to go through this. If they are confined to a wheelchair or a walker, they will be able to have a friend or a family member take the necessary physical... the doctor's form, to the Secretary of State's office and get the placard. How will that work?"

Brunsvold: "My understanding is, there are going to be some administrative changes, as well, within the Secretary of State's office. They are going to be setting up a disabilities license plate and placard unit here in Springfield that will handle all these requests. So, it's my understanding that you're correct, that they'd be able to mail the required information whether it's doctors,

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reports, or what have you."

Black: "Okay."

Brunsvold: "They'd be able to mail it into Springfield."

Black: "I think you've addressed most of the concerns and I appreciate your forthright answers. Thank you."

Brunsvold: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Brosnahan requests an 'aye' vote on House Bill 846. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Clerk, take the record. On House Bill 846, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 1900, on Second Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1900..."

Speaker Hartke: "On Second Reading. Take that Bill out of the record. There's been notes requested on that piece of legislation, recently. The Chair recognizes Representative Brunsvold, the Gentleman from Rock Island, for an announcement."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just to remind everyone, the Sportsmen's Caucus Event is tonight out at the fairgrounds. We start the reception at 6:00 at the Artisan Building and the auction starts at approximately 7:00. And we'll have a short program at a quarter to seven introducing the Legislators that are there and we'll proceed with the live and silent auctions and the money that, of course, is raised there it goes to youth and handicapped activities at the Department

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of Natural Resources. So, we'd appreciate all the Legislators come out, take a look, and enjoy the evening if they can. And thank you, Mr. Speaker."

Speaker Hartke: "Thank you, Representative Brunsvold. Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 85, offered by Representative O'Connor; House Resolution 86, offered by Representative Berns; House Resolution 87, offered by Representative O'Connor; House Resolution 89, offered by Representative Parke; House Resolution 90, offered by Representative Black; House Resolution 92, offered by Representative Granberg; House Resolution 93, offered by Representative May; House Resolution 94, offered by Representative Yarbrough; House Resolution 95, offered by Representative Art Turner; House Resolution 97, offered by Representative Wojcik; House Resolution 98, offered by Representative Lang; House Resolution 100, offered by Representative Currie; House Resolution 101, offered by Representative Granberg; House Resolution 103, offered by Representative Morrow; House Resolution 104, offered by Representative Lang; House Resolution 105, offered by Representative O'Brien; House Resolution 106, offered by Representative Julie Curry; House Resolution 114, offered by Representative Kosel; and House Resolution 116, offered by Representative Barbara Currie."

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 passed. We will be adjourning... Oh, excuse me, Representative Boland from Rock Island."

Boland: "Yes, thank you, Mr. Speaker. My switch wasn't working on the last Bill. I would like to be recorded as 'yes'."

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Speaker Hartke: "The Journal will so reflect your wishes. Ladies and Gentlemen, we're going to be adjourning this afternoon on a Death Resolution. So, Members will please be in their chairs, staff will go to the rear of the chamber, please. Would you read House Resolution 113, please?"

Clerk Bolin: "House Resolution 113 offered by Representative Daniels.

HOUSE RESOLUTION 113

WHEREAS, The members of the Illinois House of Representatives wish to express their sincere condolences to the family and friends of former Governor William G. Stratton, who passed away on March 2, 2001; and

WHEREAS, William G. Stratton was the youngest person to hold the office of Governor in the twentieth century; he was 38 years old when he was elected to the position in 1952; and

WHEREAS, Mr. Stratton was born in Ingelside on February 26, 1914; his parents were William Joseph Stratton and Zula Van Wormer Stratton; he graduated from the University of Arizona in 1934, majoring in political science; and

WHEREAS, In 1940 Mr. Stratton was elected U.S. Congressman-at-large at 25 years of age, becoming the youngest member in the nation of the U.S. House of Representatives and was known as the "Baby of the House"; in 1942 he became the youngest constitutional officer in the State of Illinois when he was elected State treasurer; in 1948 he lost his bid for the position of Secretary of State, and joined the United States Navy, serving as lieutenant in the South Pacific during World War II; and

WHEREAS, Upon his return from service, Mr. Stratton regained his seat in the U.S. House; in 1950 he reclaimed the State

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treasurer's office; in 1952 he defeated Lieutenant Governor Sherwood Dixon to win the gubernatorial election, and he was elected to a second term as Governor in 1956; and

WHEREAS, During his time as Governor, William Stratton built the economic backbone of the State of Illinois; he laid out plans for O'Hare International Airport, McCormick Place, and the University of Illinois at Chicago, working beside Chicago Mayor Richard J. Daley; he built more than 7,000 miles of new roads, including 187 miles of expressway in the Chicago area, and 638 bridges across the State; he won approval for bond issues to construct the University of Illinois at Chicago and Southern Illinois University at Edwardsville; he also expanded the Northern, Eastern, and Western Illinois campuses; and

WHEREAS, Governor Stratton spoke out against racial discrimination, attempted to create a fair-employment commission, and named the first woman and first African American to a gubernatorial cabinet; and

WHEREAS, After leaving office, Mr. Stratton was vice president of corporate relations at Canteen Corporation, board chairman of the Illinois Restaurant Association, and a board member of the Illinois State Chamber of Commerce; at the time of his death he was a vice president of Associated Bank of Chicago; and

WHEREAS, In December of 2000 William Stratton and his wife, Shirley, celebrated their fiftieth wedding anniversary; and

WHEREAS, The passing of former Illinois Governor William G. Stratton will be deeply felt by all who knew and loved him, especially his wife, Shirley; his daughters, Nancy Taylor, Sandra Jane Gardner, and Diana Weiskopf; his sisters-in-law, Majorie H. Breckenridge and Barbara Breckenridge; and his five grandchildren; therefore, be it

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of former Governor William G. Stratton and extend our sympathies to his family and friends at this time; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of William G. Stratton."

Speaker Hartke: "The Chair recognizes the Gentleman from DuPage, Representative Daniels."

Daniels: "Well, Mr. Speaker and Ladies and Gentlemen of the House, William Stratton was, indeed, a remarkable man. As you heard from the Resolution, at a very early age he entered public life and served with distinction in the United States House of Representatives, went on to become a Constitutional Officer at a very young age, a State Treasurer, then to be elected as Governor. He served this country with distinction when he joined the Armed Forces and represented us in foreign fights in protecting our very freedoms. He stood for what he believed in in many ways and represented a very progressive aspect of the Republican Party. As a matter of fact, he called himself a progressive Republican. I like that label. I can tell you this, it was always a pleasure to meet him, to talk to him. His wife, Shirley, is indeed a wonderful lady who was a terrific First Lady. He will be missed, but he'll also he'll be remembered for the services that he gave to the people of Illinois and the distinction in which he served in the many offices that he filled. Mr. Speaker, we have a lot of people that knew Governor Stratton and held him in high esteem, but none closer to him, as a Member of the House, than Dan Rutherford. And I would ask if you would call upon him now to make some comments."

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Speaker Hartke: "The Chair recognizes Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. Thank you, Leader Daniels.

I did not... I wasn't even born when Governor Stratton was the Governor, but he and I got to know each other about 20 years ago. He lived in Chicago and he and Shirley lived, actually, a few blocks from the condo where I used to live 20, 25 years ago and we became friends. He would counsel, he'd give advice, he would... he'd come to our events, whether they were Republicans or Democrats. And particularly, I remember, he was... started to come to my annual event in Chicago. And I can tell you, maybe outside of Jack Brickhouse, he was the most popular guy that walked in that room. Everybody loved Bill Stratton. And as we look at the thing that he has laid the foundation for, I mean O'Hare Airport, I mean, my gosh, that man helped bring that here with Mayor Daley. And the terrific things he did for our road system. All of these things are things that Governor Stratton planted for those of us who were not born during the day he served. And as he left and went into his twilight years in life... I'm going to reflect a story. I was at his funeral the other day. And I want to reflect a story that his minister shared about Bill Stratton. Obviously, every one of us in this chamber have served in the building named after him. So, there's the Stratton Building, there's Stratton Park, and what I didn't know, but there's also a Stratton Dam. And apparently, what Governor Stratton got the biggest chuckle out of was the people that called him damn Stratton now is to turn around and call it the Stratton Dam. He also, and you probably saw this in the Tribune, Governor Edgar had commented that one of his favorite stories on Governor Stratton was that Bill Stratton had ran twice to become the Secretary of

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State. He finally had to resolve himself that he's just going to have to settle for just being the Governor. Bill Stratton and Shirley have been a friend for many... And the things he has done to touch our lives, as far as the type of person and the dignity that he showed to us as individuals, regardless of partisanship or geographic placement, and with regards to gender or race I think exemplify what we in politics should be all about. And what Bill Stratton has done for us is greatly appreciated. He will be blessed, and he will be missed."

Speaker Hartke: "The Chair recognizes Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. I knew the reputation of Bill Stratton for several years, a reputation of being a boy wonder in Illinois politics as explained by the Resolution and his career. His reputation, as Governor, of being willing to work with all sections of the state, all people in the state, both political parties, that he was a great facilitator as the Governor of the state. In recent years, I had the pleasure of meeting him and knowing him personally. And I would reiterate the remarks of Mr. Daniels and Mr. Rutherford that he, indeed, was a very kind, affable, caring person who, in the later years of his life, clearly, clearly appeared to enjoy everything that he was doing. And so, I just wish to join Mr. Daniels and the others in support of this Resolution for a person who I was very privileged to know, on a personal basis, as a very good person. Thank you."

Speaker Hartke: "You've all heard the Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 113 is adopted. Representative Currie now moves that the House stand adjourned until the hour of 2:00 p.m.,

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March 8th, Thursday, allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Bolin: "House Perfunctory Session will come to order. Committee Reports. Corrected Committee Report for the Committee on Executive. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on Wednesday, March 7, 2001, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 65, House Bill 256, House Bill 681, House Bill 2113, House Bill 1820, House Bill 2377, House Bill 2265, House Bill 2266, House Bill 2374, House Bill 2564, and House Bill 3131; 'do pass Standard Debate' House Bill 1846 and House Bill 2411; 'do pass as amended Short Debate' House Bill 64, House Bill 1069, House Bill 2023, House Bill 185, House Bill 1694, and House Bill 2233; recommends 'be adopted as amended Short Debate' House Joint Resolution 1. House Perfunctory Session now stands adjourned."