

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

110th Legislative Day

June 27, 1990

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desk. Our guests in the gallery will please rise. Our prayer today is by the Reverend Robert Jones of the Adysiniann Baptist Church of New York City, New York. Reverend Jones.

THE REVEREND ROBERT JONES:

(Prayer given by the Reverend Robert Jones)

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Senator Brookins would like to introduce a special guest that is with us this morning. So if the staff could please hold it down a little bit. Senator Brookins. ... (machine cutoff) ... Senator Brookins, why don't you come up here? Reverend Jones, would you -- would you please come up here? Systems not -- temporarily not working down there. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President, and to my colleagues: we have the honor of having with us Reverend Robert Earl Jones, who is the father of James Earl Jones -- James Earl Jones. This is his dad - Reverend Robert Earl Jones. And he happens to be in Chicago in a play at the Goodman Theatre - the Gospel of Colonus. And he -- we are fortunate to have brought him to Springfield to be our Chaplain of the Senate for the day, and he is with us. And so he has opened our meeting with a prayer, and I just think that that was just fantastic. He was -- James Earl Jones, the actor - his son - was the guest of the Democratic party - Topinka - in Chicago, and that of our honorable Chairman, Vince Demuzio, and sat on the dais, and we was graced with his presence there. So we just thought it would be a treat if we had that opportunity. And maybe we could prevail upon -- we could prevail upon Reverend Jones to say something for us, if he would.

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THE REVEREND ROBERT JONES:

(Remarks by the Reverend Robert Jones)

SENATOR BROOKINS:

Thank you, Reverend Jones. I have on the dais with me, my wife, Audrey, and a very good friend of ours, Sarah Barge. Her husband is a musician in the Chicago area. So I just want to thank my colleagues. And if you'll -- feel free to come up and come to our desk and meet the Reverend -- Reverend Jones, then I'm sure he can answer the questions about Red October for us, and all the other movies. He sounds just like his -- his son don't -- his son sounds like him. Okay. Thank you.

THE REVEREND ROBERT JONES:

(Remarks by the Reverend Robert Jones)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journals. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I move that reading and approval of the Journals of Tuesday, June 19th; Wednesday, June the 20th; Thursday, June 21st; Friday, June 22nd; Monday, June 25th; and Tuesday, June 26th, in the year 1990, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Hall. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. Message from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

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House Bill 2899 with Senate Amendments 1, 2, 3 and 4.

Non-concurred in by the House on June 26, 1990.

I have like Messages on:

House Bill 3136 with Senate Amendments 4, 5 and 6.

House Bill 3494 with Senate Amendment 2.

House Bill 3585 with Senate Amendment 1.

House Bill 3590 with Senate Amendments 2 and 4.

House Bill 3614 with Senate Amendment 1.

House Bill 3639 with Senate Amendment 1.

House Bill 3682 with Senate Amendment 1.

House Bill 3771 with Senate Amendment 1.

House Bill 3959 with Senate Amendments 1, 2 and 3.

And House Bill 4126 with Senate Amendment 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 2896 with Senate Amendments 1 and 2.

Non-concurred in by the House, June 27, 1990.

I have like Messages on:

House Bill 3058 with Senate Amendment 1.

And House Bill 3874 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. All right. Supplemental Calendar No. 1 has been passed out. It should be on your desk. Supplemental Calendar No. 1. All right. Message from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their

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Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1589.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, June 26, 1990.

I have alike Messages on:

House Bills -- pardon me -- Senate Bills 1802 with House Amendments 1 through 10 and 12 through 31.

Senate Bill 1803 with House Amendments 2, 3 and 4.

House <sic> Bill 1827 with House Amendment 3.

Senate Bill 1829 with House Amendment 2.

Senate Bill 1929 with House Amendment 1.

And Senate Bill 1933 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to accede to the request of the House with regard to the bills just read by the Secretary, and that conferences be appointed. All right. Supplemental Calendar No. 1 - Non-concurrence. House Bill 2899. Senator Collins. Senator Collins. Can we break up the conference in front of Senator Collins, Senator Netsch? Senator Collins.

SENATOR COLLINS:

I move to refuse to recede, and that a conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 to House Bill 2899, and that a conference committee be appointed. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries; Secretary shall so inform the House. House Bill 3136, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 4, 5 and 6 to House Bill 3136.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I would move to recede from Senate Amendments 4, 5 and 6, and concur on Amendments 1, 2 and 3. The Amendment No. 4 - this is the Southwestern Illinois Development Authority legislation that was introduced and we've discussed several times on the Floor - Amendment No. 4 was the provision for Will and Kankakee Regional Development Authority. And from what I understand, that language may end up in House Bill 3153. But anyway, that is taken out. Also, Senate Amendment No. 5, which was the -- was one which created the Tri-County River Valley Development Authority. I understand that has passed now, and -- and is on its way to the Governor, or will be shortly. So that -- amendment is out. And then Amendment No. 6 was some clean-up language on Amendment No. 4. So that naturally comes out. So I would appreciate the support of the -- of the Body on House Bill 3136, which deals with the Southwestern Illinois Development Authority. PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? This will be final action. Senator Watson has moved -- the question is, shall the Senate recede from the adoption of Senate Amendments 4, 5 and 6 to House Bill 3136. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate recesses from Senate Amendments 4, 5 and 6 to House Bill 3136, and the bill, having received the required constitutional majority, is declared passed. 3494, Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendment No. 2 to House Bill 3494.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President -- Mr. President, Ladies and Gentlemen of the Senate. I would move that we recede from Senate Amendment No. 2. The House has accepted Senate Amendment 1, 3 and 4, and so the only action we have - and it would be final action - and that is to recede from Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well --

SENATOR DONAHUE:

I'll explain that. I'd be glad to. I don't think it -- it -- what the amendment did is it allowed for fingerprinting of bus drivers in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Donahue, it is then your request to -- to move to recede from the adoption of Senate Amendment. Is there discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Can I ask the sponsor a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Raica.

SENATOR RAICA:

Senator Donahue, it was my understanding that the reason that the fingerprinting was put on there was because it wasn't clear whether we can do a background check on individuals just going by name, so the idea of having the fingerprints on there was a way to do a comprehensive background check. If that's the case, why would we be taking that amendment off this? And actually I don't know if it would have any validity then, because we would not have a good way to do background checks without the fingerprinting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Donahue.

SENATOR DONAHUE:

I -- the question seems to be in regard to who pays for the background check, and that is the hangup in the House at this -- at -- at -- why they refuse to accept this Senate Amendment. And the House is pretty adamant. I'd be more than happy to put it into conference, but it isn't going to do any different, Senator Raica, I'm afraid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator Donahue, if we -- you want to recede from this amendment. If we recede, will there be any fingerprinting at all under this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Donahue may -- you may close.

SENATOR DONAHUE:

I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Donahue has -- the question is, shall the Senate recede from the adoption of Senate Amendment No. 2 to House Bill 3494. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, none voting Present. The Senate recesses from Senate Amendment No. 2 to House Bill 3494, and the bill, having received the required constitutional majority, is declared passed. 3585. Senator Rea. House Bill, Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3585.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move to recede from Amendment No. 1 of House Bill 3585.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senator, would you please tell us what Amendment No. 1 did?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Actually, Amendment 1 would make a -- would make available allowable tax credit entitled for donations to the Illinois Center for Research on Sulfur in Coal, and for equipment purchased for the purpose of utilizing Illinois coal. And it would increase that from twenty to thirty percent. And also establishes a five-percent tax credit on amounts expended for installation of such equipment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? Senator Rea, you wish to recede from the amendment - is that correct? Senator Rea.

SENATOR REA:

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So as a result, why this -- it -- it returns the bill then to allow the -- the bonding for coal research and development as originally was submitted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You're moving ro recede? All right. The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 3585. Those in favor will vote Aye. Those opposed, Nay. The voting is open. This is final action. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 3585, and the bill, having received the required constitutional majority, is declared passed. Chicago Magazine has sought leave to shoot some photographs. Is leave granted? Leave is granted. 3590. Senator Watson. Madam Secretary, House Bill 3-5-9-0.

SECRETARY HAWKER:

Senate Amendments 2 and 4 to House Bill 3590.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I will recede from Senate Amendments No. 2 and 4 to House Bill 3590. This leaves the original language of the legislation, which is now in Senate Amendment No. 1, which did delete everything, but is language that will allow the -- pharmaceutical companies, manufacturers and the wholesalers to comply with DASA's requirement on filing certain controlled substance reports to the Department of Alcohol and Substance Abuse. Amendment No. 3 was one in which -- was worked out between the professional -- private professional practice -- practice individuals, such as physicians, psychiatrists and others who are licensed by the Department of Professional Regulation. There's a duplication of licensing, so the -- the effort here is

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to -- to allow for one -- one license. That's Senate Amendment No. 4. Now, the two amendments that we recede from is Senate Amendment No. 2, which was a provision that was in regard to the criminal identification and investigation of individuals and stiffening the penalties and concerns that we had for those arrested from cannabis use. And that was the controversial part of the bill. The House did not concur. So instead of sending this to conference, why, the attitude is to just send this on to the Governor with the original language in the bill. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

Well, I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Amendment No. 2, Senator Watson, would - according to my analysis - repeal first-offender provisions of the Cannabis Control and Controlled Substances Act, disallowing an order of supervision for any offense of the Cannabis Control or Controlled Substances Act; sets a minimum fine of a thousand dollars or a hundred hours of community service. Isn't that tougher than the existing law that we have now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, it is. Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator Watson, you're usually a Member who likes to

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stand up for toughening criminal laws. Why are you taking that off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

We fought the good fight here on the Senate Floor. The amendment prevailed. It went over to the House. The sponsor there did not concur with our action. It takes two Chambers to pass legislation. And as a result, the other amendments on the bill are important enough to me that I think it ought to go on to the Governor, and -- and we'll fight the -- the good fight again another day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator Watson, it's only the 27th of June. You're raising the white flag. I think that we should fight for the amendment if it's a good one. It seems to me that there's plenty of time left. I know that you're very persuasive. I'm sure that you could convince the House if we do send this to a conference committee, so I'd ask you to change your mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

You could certainly vote No, Senator. That's your prerogative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson moves that the Senate recede from Senate Amendments 2 and 4 to House Bill 3590. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

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are 35, the Nays are 19, none voting Present. The Senate does recede from Senate Amendments 2 and 4 to House Bill 3590, and the bill, having received the required constitutional majority, is declared passed. 3614, House Bill, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3614.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would ask that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3614, and ask for a Committee on Conference to be called.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3614, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries; Secretary shall so inform the House. House Bill 3639. Senator Geo-Karis. House Bill 3639, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3639.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, much as I hate to, I have to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved to recede. Is there discussion? Senator Welch.

SENATOR WELCH:

Mr. -- Mr. President, it seems to me that what we're doing

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here is taking off a provision that allows for --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Welch. You know, there's -- there's a lot of final action this morning. Well, folks, I don't think our -- Senator Welch.

SENATOR WELCH:

Well, this is an amendment, Mr. President, that we've been trying to get passed into law for many years down here. And that's one to allow license plates - special license plates - to Pearl Harbor Veterans. I don't know why we don't want to pass that on to the Governor. It seems to me that -- that Senator Geo-Karis, who has been a fighter for veterans, should not be receding from this amendment. In fact, I would expect her to lead the charge in favor of this amendment. And I think that we shouldn't recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, there are now five lights. Senator Geo-Karis.

SENATOR GEO-KARIS:

I certainly didn't want to recede, but, unfortunately, I can't get it through otherwise. And you don't have to impinge on my integrity about the military, because I have served. So I'm just telling you that I can't get it through. And I don't want the bill to fail. And I'll be happy to sponsor it or help it in another bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

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Thank you, Mr. President, Members of the Senate. I agree with Senator Welch - which is rarely. But I think, too, Geo, you ought to try this another round. As Senator Welch said a while ago to Senator -- that it's still the 27th, and we might have another chance at it. One of the reasons that I stand in support of it is, a year from now, December the 7th, 1991, will be the fiftieth anniversary of Pearl Harbor, and I have an interest in the bill. And so I -- I would consider -- hope you reconsider, and let's try it one more time. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, I think as we look to this we should know that Senator Jeremiah Joyce had a bill which would indeed consider some of the provisions that had come out of the Senate Transportation Committee on limiting the number of special license plates. I think we're at like a hundred and seventy-six and counting. And our law enforcement officials in the State have dutifully noted that they cannot keep track of all the various codes, colors, symbols, and everything else that we have put on cars. And if we do start, you know, determining specific battles in any particular war, I -- I would question - and I understand Pearl Harbor is a very important event - but so were many of the other events in World War II, the Korean War, Vietnam, and we're going to - once you start this - have to -- I mean, what's wrong with the Tet Offensive, too. I mean, I'd like to call that into question. So I -- maybe this may be the appropriate time that Senator Geo-Karis be allowed to go on her course.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 7 has requested permission to videotape. Is leave granted? Leave is granted. Senator Geo-Karis, that was

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not a question. Further -- Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I've just been reminded that next year makes the fiftieth anniversary of Pearl Harbor. And -- inasmuch as it's very dear to me, and being ex-military, I'm going to refuse to -- I'm going to change my motion. I refuse to recede and ask for a conference called.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3639, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carried; the Secretary shall so inform the House. 3682. Senator Joyce. 3771. Senator Holmberg. House Bill 3771, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3771.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 1, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3771, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries; Secretary shall so inform the House. House Bill 3959. Senator Maitland. Senator Maitland on the Floor? 4126. Senator Joyce. Senator Joyce. J.J. Senator -- Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President and Members of the Senate. I refuse to recede from --

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait a minute. Let me put it in the record. Okay. House Bill 4126, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 4126.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

On that amendment, I refuse -- I move to refuse to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves that the Senate refuse to -- to recede from the adoption of Senate Amendment No. 1 to House Bill 4126, and a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries; Secretary shall so inform the House. Supplemental No. 2. Senator Rock. All right. If you -- Supplemental Calendar No. 2 should also be on your desk. Supplemental Calendar No. 2. It'll be Welch, Collins and Madigan. House Bill 2896. Senator Welch. Senator Welch. 3-0-5-8. Senator Collins. House Bill 3-0-5-8, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3058.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

I refuse to recede, and that a conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3058, and that a conference committee be appointed. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill

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3874. Senator Madigan. House Bill 3874, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3874.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Madigan.

SENATOR MADIGAN:

Mr. President, thank you. I would yield to the sponsor of the Senate amendment, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft. Senator Luft. Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate recede from Senate Amendment No. 1 to House Bill 3874.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Luft has -- Senator Luft has -- Senator -- is there discussion? Senator Raica.

SENATOR RAICA:

Mr. President, one of the colleagues brought up yesterday, too, if we can just have the Members let us know what the amendments do, we'd be more than happy to vote, but if they can give us a short definition of whatever, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. In response to the inquiry, this was allegedly a technical amendment that the telephone industry asked us to put on this bill, which dealt with the way that the rates were determined for telecommunications. If you've read the papers lately, there is a major theory that this was not a technical amendment, and we just thought at this point we may either present this as a bill at a later time, or at least have hearings on it so those of us that have some questions in our mind

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can act and vote with some degree of responsibility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Madigan moves that the Senate recede from the adoption of Senate Amendment No. 1 to House Bill 3874. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Netsch, for what purpose -- have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does recede from Senate Amendment No. 1 to House Bill 3874, and the bill, having received the required constitutional majority, is declared passed. Senator Welch, did -- did you want -- ? All right. Let's go to the -- your regular Calendar. Your regular Calendar. Page 10, Concurrence. Page 10. Secretary's Desk, Concurrence. All right. Senate Bill 100. Senator Zito. Senate Bill 988. Senator Welch. Page 10 of your regular Calendar. Senator Welch.

SENATOR WELCH:

I'd ask that that be referred back to the committee from whence it came, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Take it out of the record. 1354. Senator J.J. Joyce. 1535. Senator Rock. On the Order of Secretary's Desk, Concurrence, middle of Page 10. Senate Bill 1535, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1535.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1535 is the annual appropriation for the ordinary and contingent expenses of the General Assembly. House Amendment No.

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1, at the request of the four leaders, added an additional two million dollars, representing the amount that will be afforded to each caucus to deal with the subject of reapportionment. I know of no objection, and I would ask a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1535. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1535, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1537, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1537.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1537 is the annual appropriation for the legislative support agencies. As it left the Senate, it contained some ten million dollars. The House added eight hundred thousand dollars, half of which, again, is -- is with respect to data processing equipment for use by the Legislature. I know of no objection, and I would urge that we concur with House Amendment No. 1 to Senate Bill 1537.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1537. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1537, and the bill, having received the required constitutional majority, is declared passed. 1591. Senator Berman. Senate Bill 1-5-9-1, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1591.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we non-concur in House Amendment No. 1 to Senate Bill 1591.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved to non-concur with House Amendment No. 1. Senator Dudycz. Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes. Mr. President. Just briefly, Senator Berman, can you tell us what you're receding from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm not. I'm moving to non-concur. It's a vehicle -- there was a, I think, immediate effective date put on in the House. We're just keeping it alive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved that the Senate non-concur with House Amendment No. 1 to Senate Bill 1591. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries; Secretary shall so inform the House. Senate Bill 1635. Senator Etheredge. 1676. Senator Berman. 1784. Senator Rock. House -- I'm sorry -- Senate Bill 1-7-8-4, Madam Secretary.

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SECRETARY HAWKER:

House Amendments 3 and 5 to Senate Bill 1784.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would move to non-concur with House Amendments 3 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved to non-concur with House Amendments 3 and 5 to Senate Bill 1784. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. 1818. Senator Etheredge. Senate Bill 1818, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1818.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The Gentleman has been kind enough to hold it. I'd ask him if he'd hold it for a little while longer. The Governor is still making appointments. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Page 11. Senate Bill 1904. Senator Berman. 1-9-0-4, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1904.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we concur in House Amendment No. 1 to Senate Bill 1904. As it's presented to us today, the bill does two things. It maintains the original intent of the bill that exempts persons who comply with the Fair Campaign

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Practices Act from any criminal penalties. In addition, the amendment that was put on in the House is -- adds Senate Bill 1663, that was introduced by Senator Weaver here, regarding the effective date of resignation for purposes of determining whether an election should be -- should be held to fill a vacancy. It also adds a provision similar to Senate Bill 2157, which was Senator Keats' bill, to require voter registration services at driver's license facilities. And there's an immediate effective date. I'd be glad to respond to any questions. Move that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1904. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1904, and the bill, having received the required constitutional majority, is declared passed. 2067. Senator Luft. 2150. Senator Philip. Senate Joint Resolution 13. Jones. Senator Jones. Secretary's Desk, Non-concurrence, on the original Calendar. Senator Jones, do you want to -- all right. Non-concurrence, House Bill 3562, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3562.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I move that the Senate refuse to recede in Senate Amendment No. 1 to House Bill 3562, and request a conference committee.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves to non-concur with -- refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3562, and that a conference committee be appointed. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. 3716. Senator DeAngelis. House Bill 3716, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3716.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I move that the Senate recede from Senate Amendment No. 1 to House Bill 3716. There is some doubt as to whether this amendment was needed or not. Rather than provoke an argument or be an arbitrary person, I will let the Irish House sponsor win this one, and I'll win the other one in November. Thank you. The amendment took the Department of Revenue out of the Debt Collection Act. The Department of Revenue has its own debt collection procedure. The interpretation of some people is that putting this amendment - exempting them out - didn't do any more than what currently exists, and that is that they have the ability to be out of it right now. So I'm not going to put it in a conference, and I'll just go along with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator DeAngelis, the effect of your action - to recede from the Senate amendment - is to have the Debt Collection Board apply to the Department of Revenue. Is that a -- an accurate statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yeah. I -- I agree we -- they made it a halfway reasonable case for getting out from under when we did it, but by the same token, if it doesn't work, we'll hear about it later, I'm sure. So I think your action is very defensible and justified and correct, for a change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Does -- further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, I would like to have that last part of the last comment stricken, because I don't want it to be construed at all that I just got an endorsement from Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate recede from the adoption of Senate Amendment No. 1 to House Bill 3716. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does recede from the -- from Senate Amendment No. 1 to House Bill 3716, and the bill, having received the required constitutional majority, is declared passed. House Bill 3826, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 2 to House Bill 3826.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Paul Colgan and Associates have asked leave to do some filming. Is leave granted? Leave is granted. Straighten your

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tie, Senator. Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. I move that we refuse to recede from Senate Amendment 2, and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Daley has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 3826, and that a conference committee be appointed. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The motions carries, so -- and the Secretary shall so inform the House. Senator Welch. Senator Welch has sought leave to go back to Supplemental Calendar No. 2. With leave of the Body, on Supplemental Calendar No. 2, the Non-concurrence Calendar, is House Bill 2896, Madam Secretary. With leave of the Body, we'll return to that order.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 2896.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to refuse to recede from Senate Amendments No. 1 and No. 2 to House Bill 2896, and ask that a conference of the committee be -- appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2896, and that a conference committee be appointed. Those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1293 offered by Senator Severns.

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Senate Resolution 1294 offered by Senator Topinka.

Senate Resolution 1295 offered by Senator Topinka.

And Senate Resolution 1296 offered by Senator Smith, President Rock and all Members.

They're all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again we are back in the position where we are awaiting more paper and messages from the House, so my suggestion is that we would recess until the hour of four o'clock. We'll reconvene here at four o'clock and do what we can do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested that the Senate recess till the hour of four o'clock. Senate will recess till the hour of four o'clock.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

The Senate will please come to order. I'd ask the Members who are attending conference committee meetings or in their office to please join us. We have only three items on the Supplemental Calendar. It is Supplemental Calendar No. 3. Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that

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the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 2967 with Senate Amendments 1 and 2.

Non-concurred in by the House, June 27, 1990.

I have a like Message on:

3875 with Senate Amendments 1 and 2.

And House Bill 3962 with Senate Amendments 1 and 2.

PRESIDENT ROCK:

Secretary's Desk.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments No. 1 to a bill of the following title, to wit:

Senate Bill 1518.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, June 26, 1990.

I have like Message on:

Senate Bills 1556 with House Amendment 1.

5.

Senate Bill 1700 with House Amendments 1, 2, 4 and

Senate Bill 1702 with House Amendment 3.

Senate Bill 1838 with House Amendments 2, 3 and 5.

Senate Bill 1842 with House Amendments 1 and 2.

Senate Bill 1949 with House Amendment 2.

Senate Bill 1951 with House Amendment 1.

Senate Bill 2075 with House -- House Amendments 1 and 2.

Senate Bill 2127 with House Amendment 1.

Senate Bill 2190 with House Amendments 1 and 2.

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Senate Bill 2217 with House Amendment 1.

Senate Bill 2267 with House Amendment 1.

Senate Bill 2277 with House Amendments 1, 3 and 4.

And Senate Bill 2306 with House Amendment 1.

PRESIDENT ROCK:

All right. Senator Demuzio, with leave of the Body, will move to accede to the request of the House with respect to those messages. Without objection, leave is granted. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1297 offered by Senator Daley.

And Senate Resolution 1298 offered by Senator J.E. Joyce.

They are both congratulatory.

PRESIDENT ROCK:

Consent Calendar. ...(machine cutoff)... Ladies and Gentlemen, if I can call your attention to Supplemental Calendar No. 3. There are only three items. It's Senators Daley, Holmberg and Tom Dunn. And while you're gathering your papers and your files, with leave of the Body, there's been a request to go to the Order of Secretary's Desk, Resolutions, Madam Secretary, for SJR 205.

SECRETARY HAWKER:

Senate Joint Resolution 205. No committee amendments.

PRESIDENT ROCK:

Any amendments from the Floor?

SECRETARY HAWKER:

Senator J.E. Joyce offers Amendment No. 1.

PRESIDENT ROCK:

Senator Joyce, on Amendment No. 1.

SENATOR J.E. JOYCE:

Yes, Mr. President and Members of the Senate. Amendment No. 1 is a response to a request from the community colleges. It also includes them into this study group, and I would ask that we adopt

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it at this time.

PRESIDENT ROCK:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Joint Resolution 205. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

All right. On the main question - on Senate Joint Resolution 205, Senator Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President and Members of the Senate. We -- yesterday discussed this particular resolution. Senator Karpziel and Senator Weaver had some questions. I think we responded to those, and I would ask that we adopt the resolution at this time.

PRESIDENT ROCK:

Question is the adoption of Senate Joint Resolution 205. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Senator Joyce, are -- are the universities supporting this language now, do you know?

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

Senator Maitland, it is my understanding that there are no universities opposing this at this time. The -- their concern had

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to do with the idea that we were going to statutorily impose a freeze that would preempt them and -- and set a precedent. The language in the resolution now addresses their concern, and it is my understanding that there is no one opposing it.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Joyce, I -- I know you're concerned in this area, and I have the same concern. My -- I guess my overriding concern though, is that we -- as we deal with -- with tuition, we have attempted to maintain, as you know, a third/two-third ratio in -- in -- in tuition, and I don't want to send the wrong signal here, I guess is my concern, and absent adequate State funding, and in the attempt to maintain the third/two-third ratio to provide adequate funding, I think we have to have some concern about that, and I -- I guess I would like a comment from you with respect to that statement.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.E. JOYCE:

Well, I also share that concern, Senator Maitland, but I'm -- as you are -- concerned about the parents of these students who reside in our districts, and who have to also do some planning, and they sit there and observe, but have no clear indication as to whether or not their budget is going to have to be adjusted for a tuition increase. So it is our hope that they will know at least until the time that this report comes back to this Body, that the tuitions at the undergraduate level will remain at the rate where -- at which they are right now.

PRESIDENT ROCK:

Further discussion? All right. If not, the question is the adoption of Senate Joint Resolution 205. Those in favor, vote

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Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 1 Nay, 16 voting Present. Senate Joint Resolution 205, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we'll move to the Order of Supplemental Calendar No. 3. Supplemental Calendar No. 3. Supplemental Calendar No. 3, Ladies and Gentlemen. On the Order of Secretary's Desk, Non-concurrence, is House Bill 2967, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 2967.

PRESIDENT ROCK:

Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. I move that we refuse to recede from Senate Amendments 1 and 2 to House Bill 2967, and ask that a conference committee be appointed.

PRESIDENT ROCK:

All right. Senator Daley has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2967, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 3875. Senator Holmberg. 3962. Senator Dunn. Madam Secretary, 3-9-6-2.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 3962.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I refuse to recede to Amendments 1 and 2.

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PRESIDENT ROCK:

All right. Senator Dunn has moved that the Senate refuse to recede from the adoption of Amendments 1 and 2 to House Bill 3962, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Ladies and Gentlemen, any further business or announcements? The paperwork has stopped us cold. Further business to come before the Senate? Announcements? All right. If not, Senator Marovitz moves that the Senate stand adjourned until Thursday, June 28. He's here, I have to recognize him, you know. Thursday, June 28th at the hour of ten o'clock a.m. There's no more paper. There's nothing to do, unless you want to sing. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

-- President and Ladies and Gentlemen of the Senate, why don't you send a message to that inefficient House and tell 'em to get off their duff and get moving. Egads, I'm tired of shuffling papers around. Coming back and forth. I'm telling you, I'm running my shoes ragged. Tell 'em off.

PRESIDENT ROCK:

Right on. All right. Senate stands adjourned till ten o'clock tomorrow morning. Ten o'clock.

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