

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

26th Legislative Day

March 14, 1995

PRESIDING OFFICER: (SENATOR DeANGELIS)

The regular Session of the 88th General Assembly -- 89th General Assembly will come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Reverend Loren Rasbury, Sunnyside Road Church of Christ, Decatur, Illinois. Reverend Rasbury.

THE REVEREND LOREN RASBURY:

(Prayer by the Reverend Loren Rasbury)

PRESIDING OFFICER: (SENATOR DeANGELIS)

Rise, please, for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR DeANGELIS)

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Wednesday, March 1st; Thursday, March 2nd; and Friday, March 3rd, 1995.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler.

SENATOR BUTLER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler moves to approve the Journals just read. There being no objection, it is so ordered. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, March 7th; Wednesday, March 8th; and Thursday, March 9th, in the year 1995, be postponed, pending arrival of the printed Journals.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Butler moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Message from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 801.

Passed the House, March 9, 1995.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Committee Reports.

SECRETARY HARRY:

Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Senate Bills 299, 300, 451 and 851 Do Pass; Senate Bills 392 and 449 Do Pass, as Amended; Senate Bill 233 Do Not Pass, as Amended; and Senate Amendment 1 to Senate Bill 43 Be Approved for Consideration.

Senator Dunn, Chair of the Committee on Higher Education, reports Senate Bills 207, 210, 779 Do Pass; and Senate Bills 93 and 269 Do Pass, as Amended.

Senator Butler, Chair of the Committee on Commerce and Industry, reports Senate Bills 83, 739 and 769 Do Pass; and Senate Bills 74, 313, 354 and 355 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DeANGELIS)

For what purpose does Senator Severns seek recognition?

SENATOR SEVERNS:

Thank you, Mr. President. I just want to announce for the record that both Senator Hall and Senator Demuzio are absent today, due to illness.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 632, offered by Senator Madigan.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

On page 2 of today's Calendar is the Order of Senate Bills 2nd Reading. The Members are advised to move their bills. We're getting closer and closer to that deadline. Senator Klemm. Senator Klemm here? Senator Peterson, on -- take it out of the record. Senate Bill 92. Senator Lauzen. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 92.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 100. Senator Raica. Senator Raica? Take it out of the record. Chair would like to have permission to come back to its bills after it's out of the Chair. Senate Bill 108. Senator Maitland. Senator Maitland? Take it out of the record. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 108.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 112. Senator Woodyard. Senator Woodyard? Take it out of the record. Senate Bill 133. Senator Peterson. Senator Klemm, do you wish Senate Bill 122 called? Take that one out of the record. Senator Peterson. 133? No. Out of the record. 134, Senator -- out of the record. Senate Bill 167. Senator Klemm. Out of the record. Senate Bill 176. Senator Cullerton. Out of the record. Senate Bill 215. Senator Sieben. Senate Bill 192. Senator Hasara. Take it out of the record. For what reason does Senator Bowles seek recognition?

SENATOR BOWLES:

Thank you, Mr. President. I would like to ask that Senate Bill 1031 be tabled.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Bowles has moved that Senate Bill -- what is that again?

SENATOR BOWLES:

Bill 1031.

PRESIDING OFFICER: (SENATOR DeANGELIS)

1031 be tabled. All in favor, signify by saying Aye. Opposed, No. The bill is tabled. Senate Bill 215. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 215.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 226. Senator Hasara. Senator Hasara? 226. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 226.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 232. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 232.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator -- Senate Bill 249. Senator Rea. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 249.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 271. Senator Cullerton. Take it out of the record. Senate Bill 293. Senator Walsh. Senator Walsh. Senate Bill 293? Take it out of the record. Senate Bill 275. Senator Karpziel. Senator Karpziel? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 275.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 301. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 301.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Insurance, Pensions and

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Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 327. Senator Dunn. Senator Dunn. Take it out of the record. Senate Bill 345. Senator Fawell. Senator Fawell? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 345.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 350. Senator Klemm. Senator Klemm? Take it out of the record. Senate Bill 362. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 362.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 366. Read the bill.

SECRETARY HARRY:

Senate Bill 366.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 370. Senator Woodyard. Read the bill.

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SECRETARY HARRY:

Senate Bill 370.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 371, Senator Woodyard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 371.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 409. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 409.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 417. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 417.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senator Fawell. Senate Bill -- 420. Senate Bill 420. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 420.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 442. Senator Woodyard. Senator Woodyard? 442. There's a committee amendment on it, yes. Take it out of the record. Senate Bill 444. Take it out of the record. Senate Bill 446. Senator Tom Dunn. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 446.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

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No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 452. Senator Donahue. Out of the record. Senate Bill 453. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 453.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 455. Senator Sieben. Senate Bill 455. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 455.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 472. Senator Peterson. Out of the record. Senate Bill 476. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 476.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 477. Senator Karpel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 477.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there -- have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 542. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 542.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 560. Senator Hasara. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 560.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 561. Senator Hasara. Read the bill.

SECRETARY HARRY:

Senate Bill 561.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 566. Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 566.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 567. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 567.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading. Senate Bill 573. Senator Maitland. Out of the record. Senate Bill 598. Senator Maitland. Out of the record. Senate Bill 604. Senator Fawell. Senator Fawell, Senate Bill 604? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 604.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DeANGELIS)

3rd Reading.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, on 107. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 107.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

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Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator DeAngelis. 432? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 432.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 528. Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 528.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 587. Senator DeAngelis. Read the bill, Mr.

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Secretary.

SECRETARY HARRY:

Senate Bill 587.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 615. Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 615.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Donahue, on Senate Bill 452. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 452.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On page 7 of your Calendar, in the middle of the page, House Bills 2nd Reading. Senator Hawkinson, do you wish to move 204? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 204.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Committee Reports.

SECRETARY HARRY:

Senator Dunn, Chair of the Committee on Higher Education,

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reports Senate Bill 682 Do Pass.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Cullerton arise? Did you wish to... 176? On Senate Bills 2nd Reading, page 2, Senate Bill 176, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 176.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 271. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 271.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government Operations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On page 5 of your Calendar, Senate Bills 3rd Reading. Senator Butler, do you wish to move -- call Senate Bill 21? Senator Butler? Out of the record. Senator Woodyard. 43. Senator Maitland. Senate Bill 50. Senator Maitland? Senator DeAngelis. Senator Maitland, do you wish to call Senate Bill 50? Out of the record. Senator Rauschenberger. 78. Out of the record. I skipped over 48. Senator Mahar, do you wish to call -- read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 48.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER).

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. Under Illinois law, the Illinois Commerce Commission is authorized to regulate certain entities with real property in the State of Illinois. Under federal law, emissions allowances, however, are considered the property of the federal government. This bill puts us in compliance with the federal law. The ICC is in support of the bill and I know of no opposition.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? If not, the question is, shall -- excuse me, Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR WELCH:

Senator Mahar -- Senator Mahar, can these allowances for Illinois be sold outside of the State, or can a in-State utility purchase allowances from another state, to use in Illinois?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Senator Welch, I'm not sure about that. But the whole -- the whole idea of emission allowances came from the federal government, not the State of Illinois. So this puts us in compliance -- our Statutes in compliance with the federal code.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Welch.

SENATOR WELCH:

Well, the idea behind these allowances a couple of years ago was that individual utility companies could purchase or sell them, depending on how much they were polluting the air. What would stop the companies from Illinois to buy allowances from other states and basically remove smokestack emission scrubbers or continue to pollute the air in Illinois? What guarantee is there that utilities in Illinois will continue to guard against polluting the air if they are allowed to sell their emission allowances on an open exchange, like a stock market?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I'm advised that they are allowed to do that whether we pass this bill or not.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

Well, that's too bad.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Mahar, to close. The question is, shall Senate Bill 48 pass. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 48, having received the constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 78. Read the bill, Mr. -- Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 78.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Under current law, in the Township Code, townships are prevented from leasing property to not-for-profit corporations for a period longer than fifty years. There's been a couple of instances - this is similar to Senator Klemm's bill the other day - where we have a boys' and a girls' club that would like to enter into a ninety-nine-year lease to construct a facility on township property, to allow use by both the township and the boys' and girls' clubs. This bill would allow townships to enter into ninety-nine-year leases with not-for-profit corporations. It's a -- it's a small change in the Code. I think it's well-drafted to protect the property taxpayer, and I would move it's favorable action.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR WELCH:

Senator Rauschenberger, this is quite a few bills you've had this year, but let me just ask you a question about the competitive bidding provision of this bill. It's my understanding that there is an exemption from competitive bidding of your bill, when the township property is going to be leased or constructed upon. Could you explain that, if that's true, and why are you eliminating competitive bidding?

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PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, if you'd give me one quick minute, let me -- I need to check with staff on the elimination of the competitive bidding.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Welch, not to hold up the proceedings, I'm going to take this out of the record and we'll -- I -- I called this when staff wasn't quite ready and I'll -- I'll get that information to you. Thank you. Please take it out of the record.

PRESIDING OFFICER: (SENATOR WEAVER)

Out of the record. Senator Raica, on 80. Out of the record. Senator Fawell, on 86. Out of the record. Senator Jacobs, on 118. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 118 increases the penalty for driving under the influence of alcohol or drugs if the driver had a child under the age of sixteen in the vehicle at the time of the offense. I know of -- of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 118 pass. Those in favor will vote Aye. Those opposed, vote

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Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays none, none voting Present. Senate Bill 118, having received the constitutional majority, is declared passed. Senator Woodyard, on 141. Out of the record. Senator Geo-Karis. 157. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 157.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill, as amended, establishes a penalty for speeding in a roadway construction or maintenance zone. Excuse me. The violation would be a petty offense, with a minimum fine of a hundred and fifty dollars, plus costs. The construction or maintenance zone would have to be posted; workers would have to be present. The amendment also increases the fine for speeding in a school zone when school children are present to a minimum fine of a hundred and fifty dollars, plus costs. This has been -- this bill is supported by the Department of Transportation, the State Police, Mid-West Truckers', Associated General Contractors', and Laborers' International Union, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 157 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 157, having received the constitutional majority, is declared passed.

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159. Senator Raica. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senate Bill 159 does is it imposes a twenty-five-dollar additional fine -- or fee on persons convicted or receiving an order of supervision for driving under the influence of alcohol or drugs. This is a bill that's supported by almost all the hospitals in the State, as far as trauma center additional funding, and I just seek for -- an affirmative vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there any discussion? If not, the question is, shall Senate Bill 159 pass. Those in favor will vote Aye. Those opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 159, having received the constitutional majority, is declared passed. 177. Out of the record. 182. Senator Rauschenberger. Out of the record. Senator Trotter, on 203? Out of the record. Senator Thomas Dunn. 227? Out of the record. Senator Mahar, on 231? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

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SENATOR MAHAR:

Thank you, Mr. President and Members. This bill exempts those packages or packaging components used to contain distilled spirits that have bottled before July the 1st of '94. Current law contains a grandfather clause for packages or packaging components used to contain wine that have been delivered to the manufacturer or distributor before July 1st of '94, and this extends this same grandfather clause to distilled spirits. There were no -- no opposition in committee.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 231 pass. Those in favor will vote Aye. 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 55, the Nays are none, none voting Present. Senate Bill 231, having received the constitutional majority, is declared passed. 264. Senator Fawell. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is for the libraries that are municipal libraries that are presently under the -- the tax cap, and -- and all it does is it limits the annual aggregate extension growth to the lessor of five percent or the rate of inflation. In other words, the libraries will get their tax money and the municipalities will get theirs, and neither the twain shall steal the other one's. This is supported by the DuPage Mayors and Managers, the Township Officials of Illinois, the Illinois

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Municipal League, and the Illinois Library Association. And I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates that she will.

SENATOR BERMAN:

Thank you. Senator Fawell, let me give you a hypothetical so that I understand what the bill will or will not do. If a township had a levy last year of a hundred dollars, and their levy included their library levy of twenty-five, under this bill, if they split off, the library would have a levy of twenty-five dollars and the -- and the township would have seventy-five. It would not have a hundred and twenty-five. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

That is correct. It's not a tax increase. It's just letting everybody know who's taxing what.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 264 pass. Those in favor will vote Aye. 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 51, the Nays are 3, 1 voting Present. Senate Bill 264, having received the constitutional majority, is declared passed. Senator Syverson, on 363? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 363.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 363 just amends the Vehicle Code to allow the sale by auction of vehicles for which a junk or salvage certificate has been issued. This is a -- a bill that's approved by the Secretary of State's Office. I don't know of any objection to the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the -- Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR WELCH:

Since Senator Demuzio isn't here, I get to ask all of these questions. That's why I'm standing up here. Senator, if I could ask a question, how would a consumer going to one of these auctions know that the vehicle was a salvage vehicle? Would he be told? Would there be some sticker on the car? How -- how would I know, if I went to buy one of these?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

I know we addressed that, but I can't find that. I guess in the effort of time, I'll just pull it out of the record and then get back to you on that, if you like.

PRESIDING OFFICER: (SENATOR WEAVER)

Out of the record. Senator Sieben, on 365? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 365.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 365 amends the School Code. Provides that a person who is seventeen years old or older and who has been a dropout for a period of at least one year may take the GED test. Current law requires that a person be eighteen before they take the GED test. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 365 pass. Those in favor will vote Aye. Opposed, Nay. Voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays none, none voting Present. Senate Bill 365, having received the constitutional majority, is declared passed. 388. Senator DeAngelis. Senator DeAngelis, did you wish 388 called? Out of the record. Senator Walsh, on 390? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 390.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 390 amends the Election Code to provide that a county board and the board of election commissioners shall appoint judges of

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election in July of even-numbered years, instead of May. Additionally, it requires the county central committees to submit their certified lists from which election judges are selected by June 1st of -- of each even-numbered year. This bill passed out of committee on a roll call vote, and I know of -- I know of nobody that is against it.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Dudycz.

SENATOR DUDYCH:

Yes. Thank you, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR DUDYCH:

Senator Walsh, who wants this bill and why do they want it?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

It is the -- this is at the request of the State Board of Elections, and it's to make the time in which election judges are appointed steady throughout the State.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Would the sponsor yield? What is the current problem with the selection of election judges a little earlier than you're proposing? I -- I don't understand.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Right now, there are judges that -- that are selected in May and the certified lists aren't put in until June, and so there's

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nothing that's consistent. And in other places, they -- they, prior to this, changed the selection from September to May, but they want to bring the City of Chicago that's interested in this bill also, all into parity so that -- that the -- that the selection of election judges and the certification of election judges are all done throughout the State at the same time.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hendon.

SENATOR HENDON:

Okay. And lastly, how does this relate to the timing of the election itself? If it -- if it's after the primary - like right now we're trying to do election judges - if it's after the primary, would this make it where you can't put in and certify new election judges immediately after a primary?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

That is one of the reasons for this initiative of the State Board, is that the -- to give the new committeemen, and new county chairmen an opportunity to participate in the selection of the election judges within their county or township or...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Just a quick question. Senator Walsh, you had mentioned that this -- that this bill passed out on a roll call vote in the committee. Can you tell me what other way a bill would pass out besides a roll call?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

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I -- I -- I heard somebody say on an agreed bill -- agreed bill list. I -- I suppose it could on a partisan roll call. I don't know of any other ways than that.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Well, I just was cautious, because I don't know how the bill got out of committee in the first place, because I chair it, and it's -- it's really a confusing bill, it seems like. And I -- I -- I'm not sure if all the Members were really aware of all the provisions. So in your closing statements, I think you better clarify it, because this is one we better watch over. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR JACOBS:

First of all, our analysis, Senator, says that presently there's no provision in the Election Code of Cook County to select election judges. Does that mean that all past county elections held in the County of Cook are null and void and invalid?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Thank you. Cook County asked to be on this particular bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Well two things, I think, must be said. First of all, I think

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that the Senator should probably go back to the new Republican legislative school because, first of all, you got up and you spoke on a bill and not once did you use the word "empowerment", nor did you use "the mandate of November 8th". So I think that that's something that you should perhaps look at. And the other -- the other question I would have is, the State Board of Elections, they make us go through all of these hoops of getting in all of these reports and everything. Why do we want to do anything for the State Board of Elections?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Again, this is to make the -- hopefully, the selection of election judges more consistent throughout the State. I think it's a good initiative of the State Board.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he would.

SENATOR BURZYNSKI:

Have a couple of questions for the sponsor. First of all, I noticed in our analysis, it talks about the annual county board meeting. Can you tell me exactly when the annual county board meeting is regularly held, so that we know when these appointees have to be made?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

September.

PRESIDING OFFICER: (SENATOR WEAVER)

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Senator Burzynski.

SENATOR BURZYNSKI:

Is -- is that true in all counties, regardless of size and population?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

No.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis. Excuse me, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Well, I'll tell you, it seems to me that this bill is very onerous for those that are serving in the capacity of county chairmen. Really creates a tremendous amount of concern for me, and, you know, I used to serve in the House, as did Senator Walsh. And you know, I came over from the House so that we could deal with the real substantive issues of State Legislature and State government, and I'm just not sure why this bill ever was considered, let alone let out of committee. And so, you know, I -- I would request that my colleagues vote No on this bill. It -- or that -- or that the sponsor of the bill take the bill back out to -- out of the record and to committee for further discussion.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Walsh, to close.

SENATOR WALSH:

Thank you, Mr. President. As I said, this bill received a unanimous vote from the -- from the committee. What this bill does is it empowers the new county chairmen and the committeemen to -- to make the selection of their -- of their -- of their election judges. This is not a mandate on anybody, and I would ask for the support of the Senate.

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PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill 390 pass. Those in favor will vote Aye. 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 55, the Nays are none, none voting Present. Senate Bill 390, having received the constitutional majority, is declared passed. Senator Klemm, on 405? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 405.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 405 amends the County Code. What it does is decrease to a hundred and seventy-five thousand the population for the number of inhabitants a county can and may charge and authorize for a county law library fee, not to exceed ten dollars. Currently, that enabling legislation to allow ten dollars is only limited to counties of two hundred and fifty thousand dollars -- or two hundred and fifty thousand population. The counties of McHenry, Madison, Peoria and Sangamon had asked that they -- because of the caseload they have and because of some lost population in Peoria, they wanted to at least have the county board have the authority to go to ten dollars on the fees, and it is permissive by the counties. And I think it's something that we -- you know, needs your support. So I'll answer any questions if you have any.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 405 pass. Those in favor will vote Aye. Opposed, Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. Senate Bill 405, having received the constitutional majority, is declared passed. 425. Senator Geo-Karis. Out of the record. Senator Walsh, on 426? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 426.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Members of the Senate. Senate Bill 426 amends the Election Code to permit any election authority to develop and implement to computer-based voter registration system that includes a computer-stored image of the signature of each voter. I'd be happy to -- to ask <sic> any questions. I -- I know of no opponents, and again, this bill passed unanimously out of committee.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 426 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 426, having received the constitutional majority, is declared passed. Senator Geo-Karis, on 457? Out of the record. Senator Maitland, on 465? Out of the record. Senator Klemm, on 529? Senator Klemm. 529, Senator Klemm? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 529.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Senate Bill 529 allows a school district who picks up the K-to-6 children at their homes in the morning, to be able to let them be dropped off at a child care provider or baby-sitter -- baby-sitter's home, provided that the district has received written request for that, has given its permission and that the provider is a mile and half from the school, as it would be for public transportation now, and that that location would have to be consistent and not be changed. What we have is that children now, because of the mile and a half, are required to be bused. They are doing so by the public schools. They pick them up at their homes, but many of the -- the parents are not home at the time the children come back from school. So rather than having the school be forced by mandate to drop them off at an empty home, this would allow them, under permission and under authority by the school, to be able to drop them off at a care center or at a grandparent's home or someplace where that child wouldn't be a latchkey. So this is, I think, good legislation. It doesn't add any cost because the school must transport that child both ways anyhow, so there's no additional cost. And I do ask for your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall Senate Bill 529 pass. Those in favor will vote Aye. 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 55, the Nays are none, none voting Present. Senate Bill 529, having received the constitutional majority, is declared passed. Senator

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Petka, on 535? Out of the record. Senator O'Malley, on 625? Out of the record. The Senate will stand in recess until we have some Committee Reports to read in; otherwise, we will adjourn until noon, tomorrow. So the Senate stands in recess. For what purpose does Senator Severns arise?

SENATOR SEVERNS:

Thank you, Mr. President. I also want to say that in addition to Senator Hall and Senator Demuzio, Senator Carroll is also sick today.

PRESIDING OFFICER: (SENATOR WEAVER)

The record will so reflect.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to the Committee on Education - Senate Amendment 1 to Senate Bill 50; referred to the Committee on Public Health and Welfare - Senate Amendment 1 to Senate Bill 86 and Senate Amendment 2 to Senate Bill 293; to the Committee on Revenue - Senate Amendment 2 to Senate Bill 466 <sic> (446); to the Committee on State Government Operations - Senate Amendment 2 to Senate Bill 457; Be Approved for Consideration - Senate Amendment 1 to Senate Joint Resolution 15.

PRESIDING OFFICER: (SENATOR WEAVER)

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Anything further to bring before the Senate? If not, the Senate will stand adjourned until Wednesday, March the 15th, at the hour of noon.

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