

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

62nd Legislative Day

November 2, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please 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 Dr. Gary Rhodes, Elliott Avenue Baptist Church, Springfield, Illinois. Dr. Rhodes.

DR. GARY RHODES:

(Prayer by Dr. Gary Rhodes)

PRESIDENT PHILIP:

We'll have the Pledge of Allegiance by Senator Sieben. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President -- Mr. President, I move that reading and approval of the Journal of Wednesday, November 1st, in the year 1995, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

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

SECRETARY HARRY:

A Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change which are attached to bills of the following titles, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 660, 679, 1070, 1498, 1693, 1696, 2070 and 2141.

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All adopted by the House, October 20th, 1995.

And House Bills 1002, 1106, 1202, 1221 and 1267.

All adopted by the House, October 20th, 1995 -- or, November 1st, 1995, that is.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports House Bill 115 Do Pass.

And Senator Cronin, Chair of the Committee on Education, reports House Bill 854 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DeANGELIS)

For what purpose does Senator Donahue seek recognition?

SENATOR DONAHUE:

Well, thank you, Mr. President. I would like to request a Republican Caucus immediately in Senator Pate Philip's Office. All of those that are in earshot of my voice, please come to Pate's Office immediately.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Republican Caucus in Pate Philip's Office. The Senate will stand in recess till the call of the Chair.

(SENATE STANDS IN RECESS)

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Senate will reconvene at 11:30.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

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...(machine cutoff)...will come to order. Messages 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 refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 211, with Senate Amendment No. 1.

Non-concurred in by the House on November 1st, 1995.

PRESIDING OFFICER: (SENATOR WEAVER)

Without objection, the Senate accedes to the request of the House for a Conference Committee on those bills just read by the Secretary. Is there leave? Leave is granted. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1234, offered by Senator Welch.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

...what purpose does Senator Palmer arise? Out of the record. For what purpose does Senator Bomke arise?

SENATOR BOMKE:

Thank you, Mr. President. Point of personal privilege. I want...

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR BOMKE:

Thank you. I want to recognize Rochester High School. I'm not sure where they are. If they will raise their hand? In the President's Gallery. If you'll please stand.

PRESIDING OFFICER: (SENATOR WEAVER)

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Welcome to Springfield. On page 3 of the Calendar is the Order of Motions in Writing to Override the Total Vetoes of the Governor. Senator Severns, did you wish to act on Senate Bill 95? Senator Severns.

SENATOR SEVERNS:

Yes. Mr. President, I'd like to seek leave to come back to this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Very good.

SENATOR SEVERNS:

Shortly.

PRESIDING OFFICER: (SENATOR WEAVER)

Very good.

SENATOR SEVERNS:

Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz, on 245? Mr. Secretary -- Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move that Senate Bill 245 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 245, as passed earlier this year, was designed to prohibit strikes by university police officers by allowing them the same collective bargaining procedures that apply to all other law enforcement officers in the State of Illinois. The -- the provision transfers the authority over university peace officers from the Educational Labor Relations Board to the Public Labor Relations Board. This is a

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provision that was granted two years ago to university firefighters and this is something which applies to every other law enforcement police officer in the State of Illinois, and I would ask that the Senate vote to override the Governor's veto.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz has moved that Senate Bill 245 do pass, the veto of the Governor to the contrary notwithstanding. Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will yield.

SENATOR CULLERTON:

Senator, could you tell me who the -- your motion, I take it, is to override the veto, and that is supported by the Fraternal Order of Police. Who is the -- who would be the people opposed to this motion? Who -- who would be those who would support the Governor's actions?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator Cullerton, as you know it's -- the Fraternal Order of Police, the Illinois State Lodge, is in support of -- of the motion to override. And as far as who is opposed to it, the information that I got is the Governor and I have no other -- another -- no other information from any other organized labor or group that is opposed to my motion.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion?

SENATOR DUDYCZ:

Other than the -- other than the universities, which are not happy with -- with the override motion.

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PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall Senate Bill 245 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will 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 53, the Nays are 5, none voting Present. Senate Bill 245, having received the requested three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Dunn, on 703? Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move that Senate Bill...

PRESIDING OFFICER: (SENATOR WEAVER)

Excuse me. Excuse me. Senator Dunn.

SENATOR DUNN:

Thank -- thank you, Mr. President. This bill, as the Body knows, passed unanimously both in the House and the Senate. But some people that this affect have talked to me and expressed some concerns, and I think they're legitimate concerns. So I think what I'd like to do with this bill is -- is -- rather than passing a bill that might be flawed, I'd like to hold this bill until next spring and try to work on -- on a little better version. So I'd like to hold the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

We'll take it out of the record. Senator Severns, on Senate Bill 95? Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move that Senate Bill 95 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Severns.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns.

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SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Senate Bill 95 came about as a result of a widow in my district who wanted to remarry when her husband, the former Chief of Police in Decatur, died - many years after his death. She was surprised to find out that she would lose all benefits if she remarried. She has since moved and is now in Senator Madigan's district. And with his help, Senate Bill 95 passed the Illinois Senate and the Illinois House unanimously. The -- the Governor's veto suggests that it's an unfunded mandate, but in fact we already fund pension systems. It is based on the hope, prayer and promise, I guess, that either people die before they claim it, or by marrying, they won't have to claim it. The -- the inequity of this veto really flies in the face of what is permitted not only on individuals in the General Assembly, the Chicago Police Department, Chicago Firefighters, IMRF, Chicago Park District, Metropolitan Reclamation District, SERS, SURS, TRS, and the list goes on and on of individuals who do not lose their benefits if they remarry. I'm simply asking that we apply the same level of equity to the widows of police who have died. And I would ask for a favorable vote on this measure.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns has moved that Senate Bill 95 do pass, the veto of the Governor to the contrary notwithstanding. Is there discussion? If not, the question is, shall Senate Bill 95 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will 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 58, the Nays are none, none voting Present. Senate Bill 95, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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...will now go to the Order of Motions in Writing to Accept the Specific Recommendations for Change, bottom of page 3. Senator Mahar. Senate Bill 276. Madam Secretary, read the motion, please. 276.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 276, in manner and form as follows:

Amendment to Senate Bill 276

in Acceptance of Governor's Recommendations

Filed by Senator Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. Senate Bill 276 is the Alternative Fuels Vehicle Act <sic>. And the reason we are doing this is because beginning in 1998, Illinois businesses that operate ten or more vehicles in the non-attainment areas are required by federal mandate to purchase vehicles burning alternative fuels. That year, no less than thirty percent of new vehicles purchased by them must be so equipped, and this increases to seventy percent in the year 2000. The Governor -- this bill passed this Body by 53 to 1 and 107 to 9 in the House. The Governor has amendatorily vetoed it. His amendatory veto urges small business participation. It urges that the alternative fuels be made available at public stations. The amendatory veto changes collection of user fees from the EPA to the Secretary of State. And the user fee is temporary, and it is three years in duration and twenty dollars per vehicle. I would move that we sustain the Governor's veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar has moved to accept the specific recommendations of the Governor as to Senate Bill 276. Is there any discussion?

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Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill I think we all ought to be very aware of. This is -- this is a bill that is going to penalize just about every truck owner in the -- in the Chicago suburbs and the collar counties, plus Oswego and a couple of others - Kendall, Will, Lake, Kane, DuPage. What we are talking about is taxing every truck that is -- weighs twenty-eight thousand pounds or less twenty dollars. And that money is going to go into a fund so that in 1998 or 1999, whenever this program may or may not start up, that they can go into alternate fuels. I have handed out a list of opponents of this bill. Let me read a couple of them for you. It is the whole page of opponents. It includes such things as: The Enterprise Fleet Services, Frito-Lay, Illinois Retail Merchants Association because every single delivery truck is going to be hit, Illinois Lumber Dealers Association, Illinois School Transportation Association, Illinois Transportation Association, Mid-West Truckers Association, Moore Business Forms and Systems Division, National Association of Fleet Administrators, Motorola, Pepper Construction Company, Town and Country Leasing, United Parcel, and the list goes on and on. This is not a good bill. This is a bad bill. It is going to cost millions of dollars to go into a fund - none of which, by the way, will help to pay for this as far as the State is concerned. The start-up costs alone is going to be three-quarters of a million dollars, which we have not appropriated. This is a bad bill. We ought to go back to the drawing boards. We were promised by the USEPA if we were -- became in compliance for three years, we would no longer have to do this. Chicago and the suburbs are one year away from that third year. The collar counties have been in compliance for four and a half years. This program ought to be killed. It ought to be killed in Washington, and it certainly

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ought to be killed in Springfield. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Klemm.

SENATOR KLEMM:

Thank you very much. I reluctantly stand to oppose the -- the bill for maybe a little -- few different reasons than Senator Fawell did. When we first passed this, I think we all supported it. But I was almost under the impression that all the areas in the State would be contributing for this, I think, laudable program: The alternative -- or, Alternate Fuel Act. I think that's commendable. I think we need it. There's no question about it. I have a problem, however, when it's only a select small area of the collar counties and Cook County; that those businesses end up funding the program for the entire State. It would seem to me that if we're trying to look at equality and trying to eliminate pollution throughout the State, including the trucks that don't belong -- or if they are housed in the collar counties that drive into Chicago, deliver their goods, certainly they are as affected and they should be contributing the same as the businesses in the collar county. So I think what we should do is really have the program that the -- Senator Mahar has introduced to us but have the funding be statewide, so all those that are polluting, all those that are trying to change their -- their fuel source in their engines to accommodate that type of fuel can participate in this rebate program. It would seem to me that would be the fair, equitable program, and that's the reason I have to stand in opposition - not with the concept, but with the funding program.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Chamber.

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I rise in strong support of the motion to accept the change with respect to Senate Bill 276 and keep in mind - Mr. President - keep in mind this bill passed out of the Senate last spring with only one negative vote. This Body has already supported this piece of legislation. This bill addresses some very serious problems in a specific part of this State. And work from -- people from the City, from the suburbs and downstate have worked for over a year to put this bill in a position to pass it. And the Governor obviously is in support of it. It is absolutely ridiculous to have so many people...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Maitland. May we have some order on -- on the Floor, please?

SENATOR MAITLAND:

It is ridiculous to have so many people work so hard on an issue to resolve a problem and then simply discard it here today. This bill is an issue that will help the businesses in the non-attainment areas. It is businesses helping businesses. It is people helping people. And this is as it should be. I urge the Chamber to look very positively toward this bill and support the motion that has been suggested by Senator Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. True, we did all pass this bill in the spring, but sometimes things get by us and sometimes we make a mistake. And here we have an opportunity to review this and -- and to vote No. We already have -- Illinois has adopted the Federal Clean Acts -- Clean Fuel Fleet program, so that by 1998 all the fleets will begin acquiring clean fuel fleet vehicles. And we will have that program in place, which is an important program. However, this

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bill is nothing but a seven- to ten-million-dollar tax increase, and it does affect the districts. It affects particularly the City of Chicago. It affects Cook County and the businesses. And it is inequitable because it's only in the non-containment <sic> areas. If we have this it should be across the State so it is equitable so everybody is paying the tax. What happens with this is the areas that pay the tax, pay that tax, but the areas that do not pay the tax can acquire and apply for those grants without having contributed to the fund. It is not good for the City of Chicago businesses. It is not good for Cook County, Lake and Kendall and some of those non-attainment areas, and we should relook at this and make it equitable if we do anything on this at all. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. Will the sponsor yield for one quick question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Thank you, Senator Mahar. I'm not clear on this; I've asked several people. The -- anyone with a pickup truck - just an individual - would they be subject to the twenty-dollar tax?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. No. This is only subject to those companies that have fleets of ten vehicles or more. Also exempted are State, county and municipal vehicles. Just a second here. Owners of State, county and local government vehicles, rental vehicles, antique vehicles, electric vehicles and motorcycles are

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also exempt.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. Ladies and Gentlemen, I ask myself one single question about this bill, and that is: Have we not over the years, both in Washington and in Springfield, gone far enough in -- in supporting the production of ethanol? It seems to me that at some point everyone has to say, "Look, we've done as much as we should do; from now on you have to fund this yourself." I -- I admire every farmer in the State, but on the other hand, I also admire the people that have had to -- had -- have had to support this whole process of promoting ethanol and thereby promoting corn. I'm going to vote No simply because I think we've gone far enough.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, much as I like my -- the prior speaker, I disagree with him thoroughly. The oil companies have made slaves out of the whole darn country. It's high time that we encourage the production of our farm vegetation - corn, what have you. And this is a bill -- when you look at it, you can make ethanol out of waste farm vegetation. I think if we would go into it more thoroughly for ethanol fuels, I think we would find that Illinois could be the energy state of the nation. And what this bill does is -- the a way it was amended, it authorizes the Alternate Fuels Advisory Board to provide incentives for small businesses and ensure that funds are available to small fleet operators and owners. And, you know, when you stop to think about a twenty-dollar fee like that for these big fleets, what -- what -- that's not going to kill them.

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It will help encourage the use of alternate fuels. Brazil has gone full-scale ahead using sugarcane to make ethanol <sic> (ethyl) alcohol. And if you mix ethanol alcohol with gasoline, you get more gasoline. And I think this is the way we've got to go. We just cannot depend on the self-serving statements of the oil companies, who have their biggest lobby as imaginable in Congress. And I -- I honestly think that we can help our farmers, we can help our own economy and we can build more alternate fuels for the good of the people. It's cleaner. Ethanol is cleaner, less pollutive and more efficient. And I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Mahar, I'm looking at my analysis and there are two recommendations - three, but two that I'm interested in - the Governor has made requiring the Alternative Fuels Advisory Board to develop rules and, secondly, to give some assistance to create partnerships. Are there any time limits or -- or is there a period of time in which this could be done? And is there some opposition among those who are for this bill in doing -- putting those kinds of Advisory Board recommendations into play?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Well, I -- I don't believe the legislation, as changed by the Governor, has specific time lines for instituting those. But the deadline -- set by the federal government is kicking in rather

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quickly. So this is something they were going to want to do. The opposition -- any opposition that I have heard from and we have heard from on the Floor today does not deal with this, but rather the twenty-dollar-per-vehicle fee, which I'll address in closing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Mahar, in these non-attainment areas, those that aren't complying with federal air quality standards, aren't there restrictions on construction and building new industry that would pollute in that area? Aren't there restrictions on any more smokestack-type industry coming into those areas at this time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

No. I -- I think the State of Illinois has a set period of time in which to comply with the Clean Air Act of 1990. We have to remove emissions from our air in the non-attainment area or cleaning up these areas. And it can come from a number of different things. We've already put in vehicle emission testings. If those -- if we do not clean up the air to the satisfaction of the federal government, then the smokestack industries will -- going to have to pick up the balance. And that's where you're going to see factories close in the State of Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

So if we don't pass this bill, what we're going to be saying

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to jobs is: We can't take any more because we're not in compliance with federal air quality standards. This bill is not just about helping farmers downstate; it's about jobs in suburban districts. Those of you who think you're helping these trucking companies who have jobs now are, in the long run, hurting your local counties because businesses won't be able to come in. And the reason is, those collar counties, their air is not clean enough to allow for more polluting industries to come in, so they're not going to be able to get permits to pollute the air. That's one problem. Number two, on the federal level, there's going to be the elimination of federal price supports for farmers. What the farmers are relying on to replace that is using their products, such as their corn, to create ethanol. You're saying we have enough ethanol. I say you folks haven't looked at the total picture. We're going to be putting farmers out of work. We're going to be putting smokestack industries out of business in the collar counties. And at the same time, we see coal mines closing in downstate Illinois. This is a jobs bill, not an environmental bill. We should vote to support the Governor. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I also rise in strong support of the Gentleman's motion to support the Governor's amendatory veto. Remind the Members here that fifty-three of us voted for this last May; thought it was a good idea at that time. This legislation's been around for a long time. And what we're really talking about here is a program that provides an incentive - an incentive - for vehicle owners to convert their vehicles so they can use alternative fuels, whether that be ethanol or compressed natural gas or liquid petroleum. So we're talking about an incentive

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program that fifty-three of us thought was a good idea last May. And now, because of some concern about how the fee is going to be collected, we're getting into this major debate. I think the Governor's changes that he made are relatively minor in this bill; it will make it work better. And I would encourage the fifty-three Members that voted for this last May to stick with your convictions and vote for this again.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Trotter. Further discussion? Senator Fawell, for a second time.

SENATOR FAWELL:

I apologize for rising a second time. But just so you understand: The collar counties have been in compliance for four and a half years. Cook County is one year shy of being in compliance, according to the original agreement that the USEPA came up with. This is not fair. The bill is unfair, to constantly tax the collar counties, the suburbs and -- and Chicago businesses. And we are talking some big fleets when we are talking about delivery trucks from -- and the -- the UPS and some of our other small delivery firms. And twenty-eight thousand pounds is not a small truck. This is an unfair bill. All of the unattainment - so-called unattainment <sic> - areas are not being taxed. Certainly Madison County is not being taxed. This is an unfair bill. We ought to kill it now. Call our congressmen and tell them, "Get off our backs." That's what they're down there for.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Mahar, to close.

SENATOR MAHAR:

Thank you, Mr. President. Let me clear up a few things. We are required in the State of Illinois, as are some forty other states, by the Congress of the United States to meet federal clean

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air quality standards. We have our -- the major portion of the State of Illinois that is what is known as a non-attainment area is northeast Illinois. And we have looked at a way by which we may begin producing -- or -- or giving incentives for alternative fuel vehicles for the past three years. We've looked at revenue bonds. Nobody wanted that. We've looked at general obligation bonds. Nobody wanted that. We came up with a solution this past spring, which was almost unanimously adopted, that the individual fleet vehicles in the non-attainment area would be the ones that would pay the cost. They're the ones that are responsible, in part, for polluting the air. In addition to them paying the cost, they're also the beneficiaries. For the money that goes into this pool, they're the ones that are going to access the pool to either buy new vehicles that -- that operate clean air or convert their existing vehicles. Well, let me tell you something: We don't have to do this; but we'll be in noncompliance with the federal government, as early as the year 1998, and we'll be in -- completely out of compliance by the year 2000. And then what are we going to lose? We're going to lose seven hundred and fifty million dollars in road funds. You want to do that? This is a three-year easy solution to a very complex problem, and I suggest that we move on and sustain the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 276, in the manner and form just stated by Senator Mahar. 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? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 20 Nays and 1 voting Present. And the specific recommendations of the Governor as to Senate Bill 276, having received the required constitutional majority of the -- vote of the Senators elected,

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are declared accepted. Bottom of page 3, Motions in Writing to Accept Specific Recommendations for Change, Senate Bill 377. Senator Watson. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 377, in manner and form as follows:

Amendment to Senate Bill 377

in Acceptance of Governor's Recommendations

Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I'm sure most everyone on the Floor is familiar with this piece of legislation. It's been discussed thoroughly, I know, in your offices, in your districts, on the phone, by letter, by communication of any means. People have communicated their thoughts to us concerning the pros and cons of -- of this particular piece of legislation. This establishes what we call the early childhood education program, and there's several components of the legislation. The Governor amendatorily vetoed language out that would have involved the -- what we would call the home day care system and -- and group care home -- home facilities. And the reason that he did that was primarily because of the cost and his concern for what the cost may be impacted. He changed the language in regard to the appointment of the Ready to Learn Council. Instead of the State Superintendent of Education making the appointments, the Governor will make those appointments. He reduced the number of public members from twelve to two, and he provided that the Governor, again, rather than the State Superintendent serve as chairman of the Council. He would appoint that individual. It deleted the requirement that the consolidated local planning issue that was a

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part of this legislation and he deleted that entirely. That's basically his action. I concur with -- with the Governor's view and would ask for the support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR LAUZEN:

I realize that this debate may go some time, so I'd like to draw your attention to the gallery on the Democrat side behind. I'd like to welcome West Aurora High School junior and seniors. Teachers who have brought them to Springfield are Barbara Pielet, Jerry Skinner, Jill Blanchard and Rita Watson. If you'd -- if the Senate would recognize these friends from back home, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized. Welcome to the Senate. On Senate Bill 377, any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. -- thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Watson's motion to concur. I think that what the Governor has done is a -- an effort to address some of the concerns, primarily financial, that the original bill had. But the main purpose of the bill is still there, and that is to provide facilities for early childhood education. The demands of society are such today that we need all the help that we can put together to address our young children, preschool children, early childhood problems, so that they can be ready for school, that they can understand what is expected of them when they start to move through the elementary school

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process. Groups that I have great respect for are supporting the amendatory veto of the Governor. That includes Voices for Illinois -- Voices For Illinois Children, the Children's Home and Aid Society, and many other groups that have dedicated themselves to the better interests of our children. And I would urge everyone to support Senator -- Senator Watson's motion.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a good bill and it became even better with the amendatory veto by the Governor. And this is a voluntary program on the part of parents. It's nothing forced down anyone's throat. But I think it's time that we do better prepare our children for school by encouraging early childhood programs to meet performance standards for education, child care, and access to health and social services, and parental involvement, and since it's totally voluntary and since it's a step in the right direction. If we don't start worrying about our children at an early age, when are we going to do it? When they're eighteen and twenty and they're gone way off afield? I certainly support this bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. When this bill went to the Governor, it was an excellent bill. The Governor made some changes. I did not -- or, do not agree with all those changes, but I think even with the changes, the bill remains a very good bill. It's a bill about coordination of services in the early childhood education area in the State of Illinois. It's a bill about making sure that youngsters that are now on waiting lists have access to services, including all-day prekindergarten

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programming. But the Governor -- again, the Governor was responding to concerns expressed by a very small segment out there. What he did was, he scaled the bill back to reduce the cost of the bill. I would have preferred more money in this bill, connected to the programs in this bill, but the Governor scaled it back. He excluded day care homes. I would have preferred to keep day care homes in the bill, but he was responding to the concern of those who said that this bill went too far, in terms of working with -- with infants. And he reduced the number of public members to the Ready to Learn Council. I would have preferred that would have remained the same. But again, the bill is still a very good bill, and I urge my colleagues to support this motion to accept the amendatory veto of the Governor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I, too, stand in support of this bill. I have a letter here from United Way of Illinois. And as others have said, I don't support all of the changes that the Governor made, but the core of this bill and what it would provide for our children is very important, particularly that it emphasizes, as the United Way letter says, the coordination and planning for a system of child care out of the current hodgepodge of early childhood programs. I think it's extremely important that we take that step if we want our children to have everything at their disposal to learn as quickly and as systematically as they can in this State and therefore be competitive. I think this bill takes that step, and I urge colleagues to support it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You know, I think that one of the

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most effective ways that we campaign is going door-to-door to ask constituents in our home districts what's important to them and to listen to what they say. During the thousand and five hundred calls that I made the last time I was running for office, I came across a couple of ladies who came to the door and said basically the same message. They said, "You know, in our family we're sacrificing so that I can fulfill my responsibilities as a parent to raise my children myself. It's our decisions, and others might choose differently. But please do not raise my taxes to subsidize other people's choices in their families to put their kids in day care." You know, I think that, generally speaking, we get less of what we tax and more of what we subsidize. I hope that we all agree that generally a mother and a father are the best people to raise children. Sometimes day care is necessary, and it's important. But do we want to subsidize large company child care, generally, for our children? There's three examples that I'd just quote where professors at the University of Colorado at Denver looked at two hundred and twenty-five infant and toddler day care centers and found only one in twelve gave their charges a developmentally appropriate environment. Quote: "Most parents substantially overestimate the quality of services their children are receiving." Close quotes. In a second study, Professor Jay Belsky at Penn State University says the quality problems of most centers are one of the nations best kept secrets. If you look at -- quote, "If you look at the data in this country in terms of quality of care, it's not something to make you smile." Close quotes. Finally, Professors Todd Risley and Betty Hart, in their study, Meaningful Differences, published findings that show that the most important factor in an infant's mental development is the amount of time caregivers spend interacting with and just talking to them. Now some might say that the proper answer to this problem is that we ought to have more government regulation, but I

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would say that -- that the proper solution is what -- what has worked for thousands and thousands of years, and that's that parents raise their children. The net effect of all this is that expanding the subsidy to day care in one more subtle way encourages the attitude in parents to choose the short-term financial rewards of careerism rather than the parental sacrifices that produce real long-term benefits to our children. We want to make sure that we don't send a message in this bill that parents who could devote greater time to their children, that it really isn't that important after all. There are many reasons to be opposed this -- to this legislation. I know that it's very well-intentioned, but I rise in opposition.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, I rise in strong support of the amendatory veto that the Governor offered to Senate Bill 377. And -- and, Senator Lauzen, I would like very much to rise and be opposed to this bill. I don't disagree with anything that you have said, nor do I disagree with any of the things that the people who have opposed this bill stand for and all the organizations that are opposed to this bill. But I want to tell you something, Ladies and Gentlemen: They're putting their heads in the sand. They're talking as though this were a perfect world. I agree, mothers and fathers best raise their children. That's the real world. But go into some of our schools across this State, indeed across this nation, and witness what we see with dysfunctional families and the students that they're sending to class. Walk into the third grade class, where the young eighth grader is there coming from a dysfunctional family and had no care when she was a baby. She was raised in a dysfunctional family, and now she is at risk of failure for the

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rest of her life. Truly in a functional family, a good mother, a good father, or a mother and father could care for that third-grade Molly. But the list of dysfunctional children is growing and growing and growing. And we either spend the money today, with very little strings attached, as is in Senator Watson's bill, or we spend even larger dollars, and, Senator Lauzen, that government that you and I both don't want to get bigger will get bigger much more expensively - much more expensively - when these young children become dysfunctional in life. Spend a dollar today to save a thousand dollars tomorrow. This is a good bill, and this motion should pass.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. Some of you may know I taught kindergarten for awhile. I'm going to tell you, the kindergarten I taught in -- in DuPage County, we had kids that came in that had never held a crayon in their life, did not know the difference between blue and red or green, did not know their shapes, were behind the day they walked into that kindergarten. And unfortunately, they were still behind when they were sixteen years old and dropped out. Some of those kids are the kids that we are now permanently taking care of because they're in prison. This is a good bill. Anybody that knows anything about early childhood education knows we should be taking these kids and making sure, along with their parents, which is what this bill calls for - and it's as a volunteer program - that we should be doing this. This is a good bill, and I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? If not, Senator Watson, to close.

SENATOR WATSON:

Yes. Well, thank you, Mr. President. And not to dwell,

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because there was some excellent speeches made in behalf of this legislation, but one -- one point that wasn't made - and I -- I think that I -- as sponsor of the welfare reform legislation in this State, I think that I have an obligation and responsibility to mention - many of us on this Floor, and many of you who are about vote No, voted for the welfare reform. And when you talk about dysfunctional families and you talk about the ideal world where you have two parents and one of them stays at home and raises those kids, that's -- that's -- that's fantastic, in the ideal world. But that isn't necessarily what we're talking about. We're going to be requiring, under the welfare reform that we passed in this State, individuals who are capable to go back to work. And unfortunately, in many cases, those are going to be single family -- single-parent situations. Now, if we want to break the dependency of generation after generation after generation of welfare, one of the strong components of that is education. I think we all agree with that. And that's what we're trying and attempting to do here, is to create a situation by which young kids, the prekindergarten kids, will get an opportunity to succeed in life. We're going to require those individuals to go back to work and we -- in that requirement, I think we have a responsibility to those young people. Where -- there's been some who've said this is an expansion. And I -- I beg to differ. If they -- if they sat at -- at -- on -- in regard to the work group's meetings that we had, the understanding of many of the members of that work group, and especially this member, was that we're talking about consolidation and collaboration. There's a -- there's an incredible number of programs out there that need to be consolidated, and that's what the Council is for, is to make an effort to do that. So those of you -- I know this is not an easy issue for you because of the political ramifications of it, but those of us who voted for

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welfare reform, I think, have a certain responsibility to make the system work. And this is one of those components that can make the welfare reform programs responsible and effective. I appreciate your support.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 377, in the manner and form just stated by Senator Watson. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 22 Nays, 2 voting Present. The specific recommendations of the Governor of Senate Bill 377, having received the required constitutional majority, is declared accepted. Senator Klemm. Senator Klemm, on Senate Bill 949. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 949, in manner and form as follows:

Amendment to Senate Bill 949

in Acceptance of Governor's Recommendations

Filed by Senator Klemm.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Klemm has moved to accept the specific recommendations of the Governor as to Senate Bill 949. Any discussion? Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. The Governor amendatorily vetoed two sections of the bill, Senate Bill 949, by, one, extending the length of time or the window of opportunity from January 1996, which is only about six weeks from now, to 1998, to allow certain communities in Illinois to incorporate if the voters so decide.

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And he also removed, however, a section in a small community - Dozaville, I think it's called - down on the Mississippi River for reasons that are explained in the veto message about flood insurance. I believe the changes are appropriate and do ask for your support.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 949, in the manner and form just stated by Senator Klemm. Those in favor will vote Aye. The opposed will 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 53 Ayes, 4 voting Nay. The specific of the recommendations of the Governor as to Senate Bill 949, having received the required constitutional majority votes of all Senators elected, are declared accepted. ...(machine cutoff)...what purpose does Senator Palmer seek recognition?

SENATOR PALMER:

Thank you, Mr. President. I'd like to make a motion to table Senate Bill 1229.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Palmer moves that Senate Bill 1229 be tabled. All those in favor, say Aye. Opposed, say No. The Ayes have it, and the bill is tabled. To inform Members of the Senate, we're in a holding pattern for just a couple of minutes. The Rules Committee is going to meet, and we will have a supplemental Calendar, so hang on. Do all your talking now rather than later.

END OF TAPE

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Introduction of Bills, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1235, offered by Senator Hendon.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned to committees: Referred to the Committee on Executive - House Joint Resolution 38; to the Committee on Judiciary - Conference Committee Report 1 to Senate Bill 1140; to the Committee on Revenue - Senate Amendment 1 to House Bill 1461; and Be Approved for Consideration - House Bills 41 and 965, and Senate Amendment 3 to House Bill 820.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 22

Adopted by the House, May 26, 1995. It's substantive.

PRESIDING OFFICER: (SENATOR DeANGELIS)

...(machine cutoff)...reason does Senator Demuzio seek recognition?

SENATOR DEMUZIO:

Mr. President, I was just curious about the schedule for the

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remainder of the day. Perhaps you could enlighten us.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Demuzio, I will do so in about four minutes. I will do so in about four minutes. Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I have always known you to be spontaneous and to be, you know, very quick, but in this particular decision, I guess you want to summon up all your academic and scholarly powers...

PRESIDING OFFICER: (SENATOR DeANGELIS)

No, -- it's four minutes plus whatever time you take. ... (machine cutoff) ... Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 113, offered by Senators Severns, Demuzio and all Members.

Senate Resolution 114, offered by Senator Severns.

Senate Resolution 115, offered by Senator Severns.

Senate Resolution 116, offered by Senator Severns.

And Senate Resolution 117, offered by Senator Severns, Senator Demuzio and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Consent Calendar. Senator Karpziel on House Bill 41. From -- on Supplemental Calendar No. 1 we have House Bills, Secretary's Desk Non-concurrence. Senator Karpziel. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Amendment No. 1 <sic> -- with Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I move -- I refuse to recede from Senate -- the Senate Amendment No. 3 and ask for a conference to

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be appointed. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Karpel moves that the Senate refuse to recede from the adoption of Senate Amendment No. 3 to House Bill 41 and that a conference committee be appointed. All those in favor, say Aye. Opposed, say Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Is there any further business to come before the Senate? If not, Senator Butler moves that the Senate stand adjourned till 10 a.m., Friday, November 3rd.

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