

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

51st Legislative Day

May 19, 1997

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...are requested to come to the Senate Floor. We are about to begin. The regular Session of the 90th 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 Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois. Rabbi Datz.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson will lead us in the Pledge of Allegiance.

SENATOR HAWKINSON:

(Pledge of Allegiance, led by Senator Hawkinson)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. ...urge all the Members of the Senate to come by and be in their seats. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Madam President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR DEMUZIO:

In reviewing the roll calls of last week, when we were beginning the Order of 3rd Reading, apparently I was off the Floor and a bill that passed 57 to 1, I notice I was a negative vote. It was a noncontroversial bill, and I would like the record to reflect that had my button been pushed right, had I been on the Floor, I would have been voting in the affirmative. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

What bill number is that?

SENATOR DEMUZIO:

...Bill 66. I beg your pardon. Thank you.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. It will be so noted, Senator Demuzio. Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Madam President, I move that reading and approval of the Journals of Monday, May 12th; Tuesday, May 13th; Wednesday, May 14th; Thursday, May 15th; and Friday, May 16th, in the year 1997, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

There being no objection, it is so ordered and the motion's taken. Messages from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 56, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1.

Passed the House, as amended, May 16th, 1997.

We have like Messages on the following bills with the following amendments: Senate Bill 73, with House Amendment 3; 172, with Amendment 2 (and 5); 218, with Amendment 1; 285, with Amendments 1 and 3; 303, with Amendment 1; 316, with Amendments 2 and 3; 348, with Amendment 3; 355, with Amendment 1; 435, with Amendment 1; 476, with Amendment 2; 493, with Amendment 1; 521, with Amendment 1; 549, with Amendment 1; 551, with Amendment 1; 569, with Amendment 1; 681, with Amendment 1; 698, with Amendments 1, 2 and 3; 709, with Amendments 1, 2, 3 and 5; 720, with Amendment 1; 789, with Amendment 3; 797, with Amendments 1 and 2; 856, with Amendments 1, 2, 3, 4 and 5; 878, with Amendments 1 and

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2; 1016, with Amendment 1; 1039, with Amendment 1; 1048, with Amendments 1 and 2; and 1099, with Amendment 1 {sic} (2); and Senate Bill 1101, with House Amendment 1.

All passed the House, as amended, May 16th, 1997.

Message from the House by Mr. Rossi, 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 18, with Senate Amendment 1.

Nonconcurrent in by the House, May 17th, 1997.

We have a like Message on House Bill 127, with Senate Amendment 1; 229, with Amendment 1; 263, with Amendment 1; 994, with Amendment 1; and 1212, with Amendment 1.

All nonconcurrent in by the House, May 17th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...like to go to the Order of Non-concurrence on some of the motions that are for nonconcurrence. I would appreciate it if all the Members of the Senate would take their seats and come to the Floor. The Chair would remind the Membership that it is imperative to -- to review your bills so -- that come back from the House with amendments and to file a motion with regard to those amendments. These motions, either to concur or nonconcur, should be filed as soon as possible so that they can be considered by the Senate within the next few days. I'd like to remind the Members of the Senate, check your bills as they come back from the House in case you have motions to concur or nonconcur and file them timely so we can get 'em heard this week. Ladies and Gentlemen of the Senate, on -- on page 8 of today's Calendar is the Order of Secretary's Desk, Senate Bills. The intent of the Chair is to proceed to this Order of Business for the purpose of considering motions to nonconcur, and they have been printed on

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the Calendar. Order of Non-concurrence. Senate Bill 120. Mr. Secretary, read the bill number.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 120.

Filed by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

May we have your attention, please. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam Chairman. This is the vehicle bill that we hope to use for the rewrite of the Juvenile Code. I would move to nonconcur in House Amendment No. 1 to Senate Bill 120.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The motion -- Senator Hawkinson moves to nonconcur with the -- the House amendment to Senate Bill 120. All those in favor, say Aye. All opposed, say Nay. In the opinion of the Chair, the Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 124. Retract that. Senate Bill 240. Senator Karpel. Out of the record. Senator O'Daniel, for what purpose do you rise, sir?

SENATOR O'DANIEL:

Madam President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR O'DANIEL:

With me here I have our former colleague, my former seatmate and officemate, and one, I think, of the greatest Congressmen that ever went to the U.S. Congress, Glen Poshard. I'd like for the -- help me welcome him to the...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome. Welcome, Congressman Poshard. Please turn to your Calendar on page 10. Senate Bill 299. Senator Rauschenberger.

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Out of the record. Page 11. Senate Bill 417. Senator Dillard.

Out of the record. Page 12. Senate Bill 460. Senator Cullerton.

Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to concur with the House -- or, to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 460.

Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. I would move to nonconcur. I believe that one of the amendments put on in the House was technically incorrect, and I want to correct it in a conference committee.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton moves to nonconcur in the amendment to Senate Bill -- House Amendment 1 and 2 to Senate Bill 460. All those in favor, say Aye. Those opposed, say Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senate -- Senate Bill 545. Senator Karpziel. Out of the record. Senate Bill 603. Senator Watson. Senator Watson. Senate Bill 603? Out of the record. Senate Bill 663. Senator Farley. Senator Farley? Out of the record. Senate Bill 670. Senator Cullerton? Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 670.

Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Madam President, Members of the Senate. This bill had to do with putting a cap on the amount of money that can be charged for cancellation fees on certain types of credit. And we have been working on this bill with the Credit Union, the Bankers Association and the Department of Financial Institutions, and we -- we have come up with an agreement, but we didn't have time to get it on in the House. So we have to put it on in a conference committee. So I would move to nonconcur with this House amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton moves to nonconcur in House Amendment 1 on Senate Bill 670. All those in favor, say Aye. Those opposed, say Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. House -- Senate Bill 713. Senator Dudycz. Senator Dudycz. Out of the record. Senate Bill 730. Senator Fawell. Out of the record. Senate Bill 939, on the bottom of page 16. Senator Watson. Out of the record. Senate Bill 1019. Senator Karpziel. Out of the record. Senator Weaver, for what purpose do you rise, sir?

SENATOR WEAVER:

For the purpose of an announcement, Madam President. If I might have your attention. We have -- we have about ten pages of concurrences, and the huge majority of them, there's been no motions filed. I would admonish the Members to look over these House amendments and get your motion filed. We'll be meeting -- Rules Committee will be meeting in the morning, and it's important that we get as many motions filed as you wish. But time is running out and committees are going to have to meet periodically, and time is limited. So I would admonish all the Members to look at these House amendments and file a motion, either concurrence or nonconcurrence. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Senator Weaver. Senator Peterson, for what purpose

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do you rise?

SENATOR PETERSON:

Point of personal privilege, Madam President. I have a young gentleman sitting next to me here in the Chamber who is an Honorary Page for today and tomorrow, and he happens to be one of your constituents, but he happens to be my grandson, Kyle Haevers. Like you to welcome him to the Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome, Carl {sic}. Ladies and Gentlemen of the Senate, would you look on your page 10, and we will start with Senate Bill 240. Senator Karpiel. On the Order of Non-concurrence. On the Order of Concurrence, a Motion to Nonconcur, page 10. Senate Bill 240. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 240.

Filed by Senator Karpiel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Please keep the noise level down, Ladies and Gentlemen of the Senate. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Madam President. I move to nonconcur in -- I guess it's House Amendment No. 1 to Senate Bill 240 and have a conference be appointed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel moves to nonconcur in House Amendment No. 1 to Senate Bill 240. All those in favor, say Aye. All opposed, No. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Rauschenberger, on Senate Bill 299. Out of the record. Go to page 13. Senator Karpiel, on -- House -- Senate Bill 545. Mr. Secretary.

SECRETARY HARRY:

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I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 545.

Filed by Senator Karpziel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. I move to nonconcur in the House Amendment No. 1 to Senate Bill 545 and that a conference be appointed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpziel moved to nonconcur to House Amendment No. 1 to Senate Bill 545. All those in favor, say Aye. All opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. If I can ask the Members of this great Senate to confine their talk so where I don't hear it. I would appreciate it very much for the courtesy you extend to the Secretary and to me. I don't like to pound the gavel too often, but if I have to, I will, but I'd rather not. Senate Bill 663, Senator Farley, on page 14. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 663.

Filed by Senator Farley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would move to nonconcur with House Amendments No. 1 and No. 2 to Senate Bill 663.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Farley moves to nonconcur in House Amendments No. 1 and 2 to Senate Bill 663. All those in favor, say Aye. All

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opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Dudycz, on Senate Bill 713. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 2 to Senate Bill 713.

Filed by Senator Dudycz.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz.

SENATOR DUDYCH:

Yes, thank you, Madam President. Yeah, I would move to nonconcur with House Amendment No. 2 to Senate Bill 713.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dudycz moves to nonconcur in House Amendment No. 2 to Senate Bill 713. All those in favor, say Aye. All opposed, say No or Nay. And the -- in the opinion of the Chair, the Ayes have it, and the Motion to Nonconcur is adopted and -- and carries, and the Secretary shall so inform the House. Senate Bill 730. Senator Fawell? On page 15. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 730.

Filed by Senator Fawell.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. I move to nonconcur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Fawell moves to nonconcur to House Amendment No. 1 to Senate Bill 730. All those in favor will say Aye. All opposed, say Nay. The Ayes have it. The motion carries. The Secretary

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shall so inform the House. Senate Bill 1019, on page 17.  
Senator Karpel? Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their  
Amendment No. 1 to Senate Bill 1019.

Filed by Senator Karpel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. I move to nonconcur on Senate  
Bill 1019.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpel moves to nonconcur to Amendment No. 1 to  
Senate Bill 1019. Those in favor will say Aye. Those opposed,  
Nay. The -- the Ayes have -- the Ayes have it. The motion  
carries. The Secretary shall so inform the House. On page 11,  
Motion to Nonconcur on Senate Bill 417. Senator Dillard. Mr.  
Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their  
Amendment No. 1 to Senate Bill 417.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the  
Senate. I would move that we nonconcur in House Amendment No. 1  
to Senate Bill 417.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard has moved to nonconcur in House Amendment No.  
1 to Senate Bill 417. All those in favor, say Aye. All opposed,  
say Nay. The Ayes have it. The motion carries, and the Secretary

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shall so inform -- shall so inform the House. ...Shadid, for what purpose do you rise, sir?

SENATOR SHADID:

Thank you, Madam President. For a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

SENATOR SHADID:

I'm very pleased to be able to introduce a very good friend of mine, who is a legend in Peoria, and also a very good friend and a -- a drinking partner and a carouser with Harry Carey, my good friend, who's the owner of the Peoria Chiefs Baseball Team, Pete Vonachen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome. Welcome, Mr. Vonachen. Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, Senator Hawkinson.

SENATOR HAWKINSON:

On behalf of the Senators who -- who played in the House/Senate Softball Game this year, we'd like to thank Pete for the baseball caps that we used to once again defeat the House. Thanks, Pete.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you for your help, and welcome, again. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Madam President, could you give me just one moment? And I'll -- I'll come back.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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I'll give you a moment. Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

For purposes of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson, state your purpose, please.

SENATOR HAWKINSON:

Thank you, Madam President. The Senate Judiciary Committee will meet at 9 a.m., in Room 400, tomorrow, for purposes of considering motions to concur on House amendments to Senate bills.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Judiciary Committee is meeting at 9 a.m. tomorrow morning, in Room 400. Thank you, Senator Hawkinson. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Thank you, Madam President. In the Democratic side of the aisle in the balcony, we have the youngsters from the Thurgood Marshall Elementary School from Bellwood. I wanted to introduce them for Senator Collins. And could they rise and be welcomed to the Senate?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Senate. Will you rise and be welcomed? Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following...

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a minute...

SECRETARY HARRY:

...Legislative Measures have been assigned: Referred to the Committee on Agriculture and Conservation - Motions to Concur with House Amendment 1 to Senate Bill 304 and House Amendment 1 to

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Senate Bill 305; to the Committee on Commerce and Industry - the Motion to Concur with House Amendment 1 to Senate Bill 76; to the Committee on Environment and Energy - Motions to Concur with House Amendments 1 to Senate Bill 347 and 475; to the Committee on Executive - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 910; to the Committee on Judiciary - Motions to Concur with House Amendment 1 to Senate Bill 13, Amendment 1 to Senate Bill 14, Amendments 1 and 2 to Senate Bill 171, Amendment 1 to Senate Bill 232, Amendment 1 to Senate Bill 429, Amendment 1 to Senate Bill 599, Amendment 1 to Senate Bill 827, and Amendment 1 to Senate Bill 918, and Amendments 1 and 2 to Senate Bill 952; to the Committee on Local Government and Elections - the Motions to Concur with House Amendment 1 to Senate Bill 21, Amendment 1 to Senate Bill 103, Amendment 1 to Senate Bill 369, Amendment 1 to Senate Bill 340 -- or, 437, Amendments 1 and 2 to Senate Bill 509 and Amendment 1 to Senate Bill 1109; to the Committee on Public Health and Welfare - Motions to Concur with House Amendments 1 to Senate Bill 80 and Senate Bill 418; to the Committee on State Government Operations - the Motions to Concur with House Amendment 1 to Senate Bill 561, Amendments 1 and 2 to Senate Bill 689, and Amendments 2 and 3 to Senate Bill 852; to the Committee on Transportation - the Motions to Concur with House Amendment 1 to Senate Bill 31, Amendment 1 to Senate Bill 455, Amendment 1 to Senate Bill 495, Amendment 1 to Senate Bill 496, Amendments 1 and 2 to Senate Bill 543, Amendment 1 to Senate Bill 548, and Amendment 1 to Senate Bill 915 {sic} (950); and Be Approved for Consideration - the Motion to Concur with House Amendment 1 to Senate Bill 7.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House.

SECRETARY HARRY:

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

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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 182, with Senate Amendment 1.

Nonconcurrent in by the House, May 19th, 1997.

We have like Messages on the following House bills with Senate amendments: House Bill 228, with Amendment 1; 310, with Amendment 1; 353, with Amendment 1; 447, with Amendment 2; 470, with Amendments 1 and 2; 475, with Amendment 1; 581, with Amendment 1; 606, with Amendment 1; 740, with Amendment 1; 1197, with Amendment 1; 1215, with Amendment 2; 1254, with Amendment 2; 1374, with Amendment 1; 1485, with Amendment 1; 1628, with Amendment 1; 1651, with Amendment 2; 1699, with Amendment 2; 1887, with Amendment 1; 2164, with Amendments 1, 2, 3 and 4; and House Bill 2209, with Senate Amendment 1.

All nonconcurrent in by the House, May 19th, 1997.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver, for what purpose do you rise, sir?

SENATOR WEAVER:

Thank -- thank you, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Just a moment, Senator. Can we have your attention, Ladies and Gentlemen of the Senate? Senator Weaver.

SENATOR WEAVER:

Once again, Madam President, I'd like the Membership to understand that we're coming in at 10 o'clock in the morning. There'll be a Rules Committee meeting. So I encourage you to get your motions filed today so that they can be taken to Rules and assigned to committees. Committees will be meeting throughout the day tomorrow. So get those motions filed so we can expedite whatever action you wish to take. Thank you very much.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're going back to the Order of Non-concurrence, Ladies and Gentlemen of the Senate. Secretary's Desk, Concurrence, for the purpose of the motions for nonconcurrence. Page 14. Senate Bill 603. Senator Watson. Mr. Secretary, 603.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 2 to Senate Bill 603.

Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Please, Ladies and Gentlemen of the Senate. Senator Watson.

SENATOR WATSON:

Yes, thank you, Madam President. That's exactly my motion, and I would appreciate its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson moves to nonconcur to -- with House Amendment 2 to Senate Bill 603. All those in favor, say Aye. All opposed, say Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 939. Senator Watson. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 939.

Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes, thanks, Madam President. Once again, that's exactly my motion, and I would appreciate the support of the Members.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson moves to nonconcur in House Amendment 1 in Senate Bill 939. Those in favor, say Aye. Those opposed will say

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Nay. The Ayes have it. The motion carries. The -- the Secretary shall so inform the House. There any further business to come before the Senate? If not, Senator Peterson moves the Senate stand adjourned until 10 a.m., Tuesday, May 20. 10 a.m, Tuesday, May 20th, 1997. We're adjourned.

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