

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

90th Legislative Day

March 28, 2000

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by the Reverend Lonnie Lee, Westminster Presbyterian Church, Springfield, Illinois. Reverend Lee.

THE REVEREND LONNIE LEE:

(Prayer by the Reverend Lonnie Lee)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Thursday, March 23rd, and Friday, March 24th, 2000.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

Senator Myers moves to approve the Journals just read. There being no objections, so ordered. We have a request from Randy Squires to take pictures of the Senate in Session today. Is leave granted? Leave is granted. Messages.

SECRETARY HARRY:

Message from the State Board of Education from the State Superintendent of Education, Glenn W. McGee, dated March the 27th,

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2000.

A recommendation in reference to the report on waiver of School Code mandates.

Enclosed with this memorandum is the tenth report detailing applications for waivers and modifications of mandates contained in the School Code and administrative rules. This report contains eighty-three waiver applications that are subject to review and consideration by the General Assembly. I believe that seven of these requests merit serious review and recommend that you disapprove these.

A Message for the Governor by Charles Woodward, Director of Legislative Affairs, dated March 28th, 2000.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 91st General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDENT PHILIP:

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR SILVERSTEIN:

I'd like to welcome to the Senate, in the President's Gallery, Rabbi Pomerantz, Mr. Glickman, Mr. Isenberg, from the Arie Crown Hebrew Day School, along with my nephew. I'd like to know if they could be recognized by the Senate?

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate?

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Messages from the House.

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 1567, together with House Amendment No. 1.
Passed the House, as amended, March the 23rd, 2000.

We have a like Message on Senate Bill 1704, with House Amendment No. 1.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports House Bills 3756 and 3771 Do Pass; and House Bills 589, 4176 and 4433 Do Pass, as Amended.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports House Bills 1992, 2965, 3271 and 4047 Do Pass; and House Bills 3460, 3548, 4021 and 4396 Do Pass, as Amended; Senate Resolution 273 Be Adopted, as Amended.

And Senator Dillard, Chair of the Committee on Local Government, reports House Bills 840, 2130, 3132, 3852 and 4228, all Do Pass, as Amended; and Senate Amendment 1 to House Bill 3114 Be Adopted.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 2967, offered by Senator Munoz.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

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SENATOR DEMUZIO:

Yeah. Thank you, Mr. President. I -- I have two announcements. First of all, while she's down there and not back here, 'cause she wants to speak - we're not going to allow her to do that - but we want to welcome back our former Member, Senator Earlean Collins. And no, you cannot speak. Welcome back.

PRESIDENT PHILIP:

Earlean, very nice to have you back. For what purpose do you rise?

SENATOR DEMUZIO:

And secondly, for the purpose of an announcement. It's been told to me that today is Senator Ronen's birthday. Probably her twenty-ninth. They tell me there are cupcakes in her office after 11 o'clock. So if you want to make an appointment to get a cupcake up in Senator Ronen's office, please do so. Next year I hope she brings a cake for everybody. Thank you. Happy birthday.

PRESIDENT PHILIP:

Happy birthday. Twenty-nine again. Now I'm going to turn the Podium over to Senator Lauzen, who -- purpose of an introduction. Senator Lauzen.

SENATOR LAUZEN:

Ladies and Gentlemen of the Senate, we have a very special guest to present to you today. Excuse me. Ladies and Gentlemen, we have a very special guest to introduce to you today. Martin Butora was born in 1944, is a sociologist, author and currently serves as the Slovak Ambassador to the United States of America. In 1989, he was one of the cofounders and leaders of the Public Against Violence, the leading Slovak movement in the Velvet Revolution against communism. From 1990 to 1992, he served as the Adviser to President Vaclav Havel for Human Rights Issues and the Director for -- of the Section for Human Rights in the Office of the President of the Czech and Slovak Federal Republic. In

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September of '93 to June of '94, he was an Executive Education Fellow at the Woodrow Wilson School of Public and International Affairs at Princeton University. And from '91 to '98, he taught at the Faculty of Social Sciences at Charles University in Prague and at Trnava University in Slovakia. In 1994 to '96, Ambassador Butora was the President of the Slovak P.E.N. Club, and in 1997, he cofounded and became the President of the public policy research think tank - Institute for Public Affairs in Bratislava, Slovakia. In 1999, he was appointed as the Ambassador of Slovakia to the United States of America. Ambassador Butora's life stands as an example of strength and courage that overcomes tyranny in its many forms. Ladies and Gentlemen, please welcome Ambassador and Mrs. Butora.

AMBASSADOR MARTIN BUTORA:

(Remarks by Ambassador Martin Butora)

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Philip arise?

SENATOR PHILIP:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR PHILIP:

Just to let the Membership know that Senator Geo-Karis won't be here this week. She's in the hospital in Libertyville. She is doing well. I talked to her this morning. She's having a series of tests. Hopefully she'll be back with us sometime next week. I would like the record to indicate she's not here because of illness.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Madigan arise?

SENATOR R. MADIGAN:

Point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR R. MADIGAN:

Visiting with us today, in the visitor's gallery, is a group of ladies from the Morton Republican Women's Club, and I'd like the Chair to recognize them.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise, be welcomed by the Senate? For what purpose does Senator Bomke arise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR BOMKE:

Mr. President, it's my pleasure to -- may I have your attention, please? Can I have your attention? It's my pleasure to recognize, in the gallery behind the Senate Republicans, the Riverton Hawks basketball team that finished fourth this year. But before you give 'em a -- a hand or an ovation, I want to say a little thing -- a little about them. They are the only team that beat Pleasant Plains in the -- the -- the eventual State Champions, later on in the season. They beat 'em the last regular season -- regular game -- or, regular season game, and went on to meet up with them in the semi-championship game. And if any of you saw that game, you would agree with me, it was the greatest basketball game you will ever see. There was no clear winner in that game, to be perfectly honest. Pleasant Plains ended up with more points at the end of the third overtime, but it was not a decisive win. Pleasant Plains went on to win the State Championship that evening. I think it was clear to anyone that saw that game, that truly was the championship game. They're a real outstanding basketball team, just -- coached by Jeff Koger.

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Clint Cuffle, their star basketball player. I can't say enough about the Riverton Hawks. They're just one of the great, great teams you'll ever see. Unfortunately, they fell a little short. But please help me in giving them a welcome, with a standing applause.

PRESIDING OFFICER: (SENATOR WEAVER)

For what purpose does Senator Myers arise?

SENATOR MYERS:

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

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR MYERS:

I have sitting with me today, Cindy Walk, who's from Lakeland College. She's interested in a political science career, and she's here kind of observing us all today.

PRESIDING OFFICER: (SENATOR WEAVER)

Welcome. For what purpose does Senator Hendon arise?

SENATOR HENDON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR HENDON:

It gives me a great pleasure to introduce to the Senate some visitors from my district from the successful -- the successful Independent Network: JoAnne, Diane, Arnette and Joseph. I wanted to recognize them here today.

PRESIDING OFFICER: (SENATOR WEAVER)

Welcome. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand on a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR WEAVER)

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State your point.

SENATOR SMITH:

In the balcony to -- above me we have in our audience today the Vice President of the Shedd Aquarium -- John Shedd Aquarium. I'm sure you've seen some of the artifacts on the floor -- on the main floor. Different animals that they share in our museum. And so we have Miss Deborah Fassnacht.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guest please rise?

SENATOR SMITH:

I'm sorry you did not hear me. I'm merely saying that they have a display on the main floor and those of you who are visiting and enjoy the Shedd Aquarium in the City of Chicago, which is part of my district, we'd be delighted for you to come down and take a look. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Senator Smith. WCIA-TV requests permission to videotape. And the Shedd Aquarium asks permission for photos. Is there leave? Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 66, offered by Senator Cronin.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

We'll be going through the Order of 2nd Reading on page 8. Senator Jacobs, on House Bill 665. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 665.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Philip, on House Bill 739. Senator Philip. Senator Philip, did you wish to move 739? Read the bill,

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Mr. Secretary.

SECRETARY HARRY:

House Bill 739.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 861. Senator Philip. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 861.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1407. Senator Philip. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1407.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1853. Senator Philip. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1853.

(Secretary reads title of bill)

The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for
consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

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3rd Reading. 1854. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1854.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Watson, on 2109? Out of the record. Senator Myers, on 2346. Out of the record. Senator Dudycz. Out of the record. Senator Madigan. Robert Madigan, on 2904. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2904.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Noland, on 2909. House Bill 2909. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2909.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Karpziel, on 2977. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 2977.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on House Bill 2980. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2980.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Walsh, on House Bill 3037. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3037.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Robert Madigan, on House Bill 3046. Out of the record. Senator Dudycz. Out of the record. Senator Larry Walsh, on House Bill 3256. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3256.

(Secretary reads title of bill)

2nd Reading of the bill. No committee {sic} (Committee on Executive adopted Amendment No. 1) or Floor amendments.

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PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Radogno, on House Bill 3260. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3260.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Dudycz, on House Bill 3312. Out of the record. Senator Thomas Walsh, on House Bill 3420. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3420.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Rauschenberger, on House Bill 3428. Out of the record. Senator Thomas Walsh, on House Bill 3431. Senator Thomas Walsh. Senator Thomas Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3431.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Noland, on House Bill 3476. Out of the

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record. Senator Syverson, on House Bill 3485. Out of the record. Senator Maitland, on House Bill 3621. Out of the record. Senator Dillard, on House Bill 3640. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3640.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Dillard, on 3699. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3699.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Philip, on 3872. House Bill 3872. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3872.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3873. Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3873.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3875. Senator Philip. Senator Philip. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 3875.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 3876. Senator Philip. Read the bill.

SECRETARY HARRY:

House Bill 3876.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Syverson, on House Bill 3926. Out of the record. Senator Philip, on House Bill 3939. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3939.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator O'Malley, on 3944. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3944.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz. Read the bill, Madam Secretary.
House Bill 3951.

ACTING SECRETARY HAWKER:

House Bill 3951.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Peterson, on 3990. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3990.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Weaver, on House Bill 4182. Senator Peterson, on House Bill 3995. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3995.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now, Senator Weaver, on House Bill 4182. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4182.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Myers, on House Bill 4352. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4352.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. If I could have the Body's attention. Take your conferences off the Floor. Senator Parker, on House Bill 4369. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4369.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Maitland, on House Bill 4374. Out of the record. Senator Weaver, on House Bill 4450. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4450.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

We'll -- leave of the Body, if we have a chance we'll come back to that, on House Bill 4481. House -- Senator Maitland, on House Bill 4587. Senator Maitland. Senator Maitland. House Bill 4587. Read the bill, Madam Secretary. Did -- out of the record. Senator Rauschenberger, on House Bill 4588. Senator Rauschenberger. Out of the record. Oh! Out of the record. Earlier, leave was asked to go back to House Bill 3169. Senator Weaver. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 3169.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Attention of the Body. We are going to go to the top of page 17, Constitutional Amendments 1st Reading. Senate Joint Resolution 18. Senator Lauzen. Senator Lauzen. Read the resolution, Madam Secretary. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution, Constitutional Amendment, 18.

(Secretary reads SJRCA No. 18)

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have your attention. Take your conferences off the Floor. Would our ladies and gentlemen in the gallery please keep your voices down. Continue, Madam Secretary.

ACTING SECRETARY HAWKER:

(Secretary continues reading SJRCA No. 18)

1st Reading of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

2nd Reading. Senator -- Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

I just had a question on that last resolution, before we moved it, of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, as I understand it, you will have the opportunity when debate is on 3rd Reading. Senator Demuzio.

SENATOR DEMUZIO:

Why -- is that in our rules? I can't ask a question on the Order of 1st Reading on constitutional amendments? I thought maybe I might be helpful to him and point out something, that there may be a flaw in the ointment.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further business to come before the Senate? If not, Senator Weaver moves that the Senate stand adjourned until the hour of noon on March 29th. Senate stands adjourned.

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