

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

63rd Legislative Day

October 28, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise. Our prayer today will be given by the Reverend Jeff Chitwood, Southside Christian Church, Springfield, Illinois. Reverend Chitwood.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDENT PHILIP:

Please rise for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of October 16th, 1997.

PRESIDENT PHILIP:

Senator Butler.

SENATOR BUTLER:

Mr. President, I move that the Journal for Thursday, October 16th, 1997, be approved, with one correction. On that day, unfortunately, we got a little ahead of ourselves and -- and we acceded to the appointment of a second conference committee on two bills, House Bill 1254 and House Bill 1699, and this was not in order. With leave of the Body, the Journal shall so reflect.

PRESIDENT PHILIP:

Senator Butler moves, with that correction, to approve the Journal just read. There being no objection, so ordered. Messages.

SECRETARY HARRY:

A Message from the Treasurer.

To the Honorable Members (of the Senate) of the 90th

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General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Submitted by Senator {sic} Judy Baar Topinka, October 16th, 1997.

Another Message, dated the same day.

To the Honorable Members of the Senate, 90th General Assembly - I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDENT PHILIP:

The Illinois Farm Bureau has requested to shoot some pictures for a documentary. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1197, offered by Senator Halvorson.

(Secretary reads title of bill)

Senate Bill 1198 is offered by Senators Carroll and Severns.

(Secretary reads title of bill)

Senate Bill 1199, by Senator Mahar.

(Secretary reads title of bill)

Senate Bill 1200, offered by Senators Dillard, Obama and others.

(Secretary reads title of bill)

Senate Bill 1201 is presented by Senator Fitzgerald.

(Secretary reads title of bill)

Senate Bill 1202, Senator Welch.

(Secretary reads title of bill)

Senate Bill 1203, by Senator Viverito.

(Secretary reads title of bill)

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House {sic} (Senate) Bill 1204 is offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1205, by Senator O'Malley.

(Secretary reads title of bill)

And Senate Bill 1206, by Senator Sieben.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 112, offered by Senator Maitland.

It's substantive.

Senate Resolution 113, by Senator Clayborne and all Members,
as is Senate Resolution 114 and Senate Resolution 115.

Senate Resolutions 116 through 122, all offered by Senator
Demuzio.

Senate Resolution 123, by Senators Jones, Demuzio and all
Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Mr. Secretary, have there been any motions
filed?

SECRETARY HARRY:

Yes, Mr. President. The following Members have filed motions
with respect to the following bills: Senate Bill 36, Senator
Peterson; Senate Bill 194, Senator Dudycz; Senate Bills 548, 561,
51, 368, 780 and 805, all filed by Senator O'Malley; Senate Bill
843, by Senator Klemm; and Senate -- or, House Bill 626, that
motion filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Mr. Secretary, the Chair requests that these motions be
printed on the Calendar. So ordered. The Members, if you turn to

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page 8 on today's Calendar, to the middle of the page, is the Order of Motions in Writing to Override Total Vetoes. Senator Luechtefeld, on Senate Bill 908? Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move that Senate Bill 908 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. I move to override the Governor's veto on Senate Bill 908. Senate Bill 908 created a -- an economic incentive for ethanol processing centers. This particular bill, I think, can help, especially in my area where the jobs are really at a premium. It will allow, for instance, us to -- the farmers in that area to have a close place to bring their -- their product. Also, I think it's a state-of-the-art plant that they have, I think, which is presently ready to go in DeSoto, Illinois. And I would open the Floor up for any questions that they might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld has moved that Senate Bill 908 do pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Apparently, we're moving a little bit fast here. I -- I think that I support this issue with respect to overriding the Governor's veto with respect to the ethanol. Can the Senator tell me what impact this has financially?

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, this particular bill would be about 4.5 million dollars over a five-year period -- each year, over a five-year period, that could be accessed by ethanol plants throughout the State of Illinois. Each one -- you could possibly finance as many as three, possibly four, ethanol plants throughout the State with this particular bill. But I think it's a -- a 4.5-million-dollar incentive, if all the money is -- is accessed each year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I'm sorry. Did you give us a -- a dollar amount? I understand what you said substantively about where, but is there a particular dollar amount that's involved in this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

First of all, it would be -- I -- I did say 4.5 million could be accessed, Senator - subject to appropriations.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I suppose that I'm -- you know, again, I'm probably in support of what you're doing. I have in my hand a letter that was given to President Philip and Speaker Madigan yesterday, by the Governor, with respect to all of the 1997 Veto Session approaches. And in summary, I suspect this letter was saying that without sustaining the -- the vetoes with respect to all the bills that he has on this list, that it may not -- this would cause, apparently, for us not to have the revenue that we need as part of the package in order to do the new education funding program that the Leaders

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discussed yesterday. And I guess... Is this an isolated motion on the other side of the aisle to override the vetoes, or is there some game plan here that we're going to call all of these? And perhaps somebody could enlighten us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will the Members please keep their conversations down to a minimum? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, when the Governor vetoed this particular proposal, he vetoed, I think, some two hundred million dollars' worth of -- of different tax incentives. This particular one -- again, I -- I don't know exactly how the Governor feels about this particular one. I do know that he did it as a package. I, simply, am representing my -- my district in something that I think is very important to my district, and also I think it's something that could be very important to a number of other districts throughout the State. Maybe your -- your district included, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I'm just trying to get a handle on where we're at here. I mean, what about the next bill? Are you intending to move on overriding the -- the Governor's veto on the -- raising the fourteen-thousand- to sixteen-thousand-dollar limit on the pharmaceuticals eligibility?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I -- yes, I do intend to do that. And again, it's something that -- I -- I am just trying to represent my district, and -- and I think the next bill you probably, hopefully, will also support. Think it's a very good bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I guess what we're saying here is, is that whatever the Leaders talked about yesterday with respect to education falls on its own face now, because given the fact that we are about to override all of these vetoes of the Governor, then there isn't going to be any revenue for any of the educational initiatives that were put forth by Senator Philip. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Luechtefeld, this is a 4.5-million-dollar subsidy, is my understanding. I'm curious as to how much of that subsidy would go to Archer Daniels Midland Company. Does any amount of that go to them, or -- or are they not in that business?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, as you know, they are in that business. I doubt seriously if they would... This would be basically to small plants to start up. Something to help them get going, throughout the State. No, I did not pass this bill for -- for them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, I -- all I have in front of me here is the Veto Message, that's why I was wondering if it's -- if it's written to limit it

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to new starting-up businesses, as opposed to existing large multinational corporations. Is it written in that fashion that you can specifically exclude them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I don't think that it's that specific, Senator, but it does have to be subject to appropriations, approved by -- by the Department of Agriculture. I -- I really don't think it's that specific. I do not intend it to be for -- for that particular company. And hopefully, it can be for some small companies throughout the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I've pioneered in ethanol/alcohol fuels for the last fifteen years. It's a necessary bill, because if we really developed ethanol alcohol - ethanol fuel - we can combine it with gasoline to make more gasoline...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Geo-Karis.

SENATOR GEO-KARIS:

We can combine ethanol with gasoline to make more gasoline. And let me tell you, that you can make it out of the waste products from the farms, and it -- we will recoup the losses over periods of not too many years, if we really develop it. I think it's a very good bill, and I'm sorry that it -- there was a veto because I know the problems not only in Senator Luechtefeld's area, but the whole State. If we develop an energy policy here that will permit us to use more ethanol, we could have more fuel available and we can be the fuel state of the whole country. I

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certainly speak in favor of the override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. I rise in full support of the override. When we talk about the impact, this has an impact in not only southern Illinois, but in the State of Illinois. It's a very important component of economic development. It does provide additional jobs, but it also provides a market for one of our most valuable products in agriculture, and it also provides the opportunity for expansion throughout the State. I think this is a very important bill and one that we should give serious consideration to. And I hope that each and every one of you will vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, stand in strong support of Senate Bill 908. In fact, I'm a little disappointed in the Governor that he -- he vetoed this bill and many other bills that I think that we should override. And for him to tie all of our hands in what is the democratic process to -- to override his vetoes and try to tie that into a -- a school aid formula increase, I think is wrong, especially when this State has enjoyed the economic development that it has over the last few years. And we have money available. I think that we should proceed. And not only this veto, but many of the other vetoes that are out there to be overridden, we should give serious consideration to, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Sieben.

SENATOR SIEBEN:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of the Gentleman's motion, and I think it's most appropriate today that we discuss an issue like this on 4-H Day, when we have so many of our young agricultural leaders here in the Chamber with us today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

I beg your pardon, Senator Sieben. Will the Members and the staff please keep your conversations to a minimum? Please. Senator Sieben.

SENATOR SIEBEN:

Mr. President, I think it's appropriate we discuss an issue like this today, when we have so many of our agricultural -- young agricultural leaders here. Some in the gallery with us today that are looking at their future in agriculture. And if we as a State cannot provide the economic incentive for the ethanol industry, as we're doing in this bill, some of these young people will not have the opportunities in agriculture that their parents and grandparents had before them. This is a very narrowly drafted bill; has a limited time frame of about five years. It is specifically targeted for community-sized ethanol operations. It's not for the ADMs or the big -- big industry people that are making ethanol. It will benefit southern Illinois, Senator Luechtefeld's district. It benefits northern Illinois. I have a project in the process, almost ready to begin construction, between Pearl City and Lena, in northern -- far northern Illinois, and this incentive is an essential part of their business plan in order to make the Atkins Energy plant successful, prosperous, to provide an enhanced market for the producers in that area and a place to sell their grain and receive higher value for the corn that they produce in northern Illinois. It's an excellent bill. The incentive is targeted. And I think it's the appropriate thing that we as an agricultural state, as leaders in the agricultural

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industry, should be doing for our ag industry. And I urge everyone that wants to have a good vote for agriculture to vote Yes on this override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in strong support of this override, not to benefit ADM, but all -- to benefit agriculture in this great State. You know, we're the second largest corn-producing state in the -- in the nation. And this will be very beneficial for jobs, protect -- help protect our environment, and I think it's a very worthy cause and I urge everyone to support it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Demuzio, for a second time.

SENATOR DEMUZIO:

Thank you, Mr. President. Let me just clarify my position. I intend to support your override. Intended to support it in the beginning. Fact of the matter was, there were a lot of people around here that weren't listening to what was taking place since you were first out of the box. I also wanted to point out that this was part of the Governor's program, apparently with the Leaders yesterday, with respect to these bills, with respect to having enough money for education. No one's signed on to the education program that I know of as of yet. And therefore, you know, with respect to the ethanol program, I'm as much interested in it from an agriculture community as anybody else in here and I intend to support your override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

WAND-TV requests permission to videotape. Hearing no objection, leave is granted. Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

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Well, I -- I appreciate the support on the other side of the aisle and, of course, on this side of the aisle for this particular bill. I -- I -- I certainly do not intend it to be something that stops education. I think that's an extremely important issue. Would ask for your support in this particular override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 908 pass, the veto of the Governor to the contrary notwithstanding. All those in favor will Aye. 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 58 Ayes, 1 Nay and none voting Present. And Senate Bill 908, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator DeLeo, what purpose do you rise?

SENATOR DeLEO:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR DeLEO:

Thank you. As we all know, yesterday was a wonderful day in the United States of America. Our First Lady turned fifty years of age. Hillary Clinton resides and comes from the northwest side of Chicago, particularly Park Ridge, Illinois. Senator Butler, from your hometown. A neighbor of Senator Dudycz and myself, where we grew up in that neighborhood with the -- the First Lady. But today we have something very special, Mr. President. Almost a milestone. Senator Cullerton's birthday is today. He's not reached the fifty mark. He's a year light, a year shy of fifty. I don't want to say the exact number because he's very modest of his age. We're just surprised that he -- in this stressful

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atmosphere that we work in, that he's lasted all these years here in Springfield, Illinois. But I'd like all of our colleagues to join in and wish Senator Cullerton a happy forty-ninth birthday today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Happy birthday, Senator Cullerton. Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. We'd also ask everybody to join us in a slice of birthday cake to celebrate his birthday. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

I thought you were going to ask us to join you in singing "Happy Birthday". Middle of page 8, in the Order of Motions in Writing to Override Total Vetoes, is Senate Bill 909. Senator Luechtefeld. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move that Senate Bill 909 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. I move to override the Governor's veto on Senate Bill 909. Senate Bill 909 amends the Senate -- the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act to increase the household income limit from fourteen thousand to sixteen thousand. The last time this particular limit was set was, I think, in 1985. I think people... It passed unanimously, by the way, in -- in the Senate last time. It was a -- I think, a bill that most people -- certainly, this is a law that most people, I think, like on both sides of the aisle. If fourteen thousand was a credible amount of money for -- to help these low-income senior

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citizens in 1985, then certainly sixteen thousand is -- is not an excessive amount. In fact, I -- it hasn't even kept up with inflation. I think this is a very good bill that was, certainly, passed unanimously by the Senate. And I would open the Floor up for any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. As Senator Luechtefeld's cosponsor on the legislation and on the motion to override, let me just state in the record - pardon my voice - when I passed the legislation in 1985 to help low-income seniors get life-sustaining drugs, drugs that are necessary because of heart conditions, diabetes or -- or rheumatoid arthritis, we had felt then that there could be an income limit; that was fourteen thousand dollars. In the twelve years since, there has been income creep, inflation creep, people's incomes have gone up because of Social Security, and now, in all of our districts, we're finding people who had been able to receive life-sustaining drugs suddenly above that fourteen-thousand-dollar limit. I had a woman come -- come in who had fourteen thousand one hundred dollars and now, suddenly, would be unable to obtain any medications necessary to save her life, except at a private cost to her of almost ten thousand dollars a year. That is ludicrous. The cost of -- of raising this program modestly - not the amount of inflation, but only from fourteen thousand to sixteen thousand - is under six million dollars. Yet, in the last five years, twenty-five percent of our seniors have become ineligible under this program. We went from over eighty-four thousand people being able to use this program to under sixty-four thousand being able to use this program. That is just wrong. This motion is absolutely correct. The Governor, unfortunately, is absolutely wrong. We must

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override the veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. I, too, rise in support of -- of Senate Bill 909. I notice that Senator Luechtefeld and Senator Carroll had a press conference at 2:30. I suspect that this bill will come out 58 to 1 again, I suppose. And so, I suppose, Senator Luechtefeld, you and Senator Carroll will cancel your press conference at 2:30. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Luechtefeld, could you give us the fiscal impact of this piece of legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I've heard a number of -- of -- of amounts thrown around. I think one was just thrown out that was like six. We've -- we've -- we have a conservative estimate of around 8.3 million for this particular program. It might -- of some forty thousand people. More people could access to this program, I think, with the sixteen-thousand-dollar limit.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

Well, do you have a commitment that if this veto is overridden

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that the House will also move to override, or are we just going through a charade? And the reason why I raise that question to this Body and to you, Senator, is that in a meeting I had with your Leader and the Governor, and we talked about trying to do something for education, especially in your district, and we keep chipping away at the available revenue and available revenue to -- we need to put into the education proposal that has been proposed. And it was strongly suggested that if we proceed along those lines, we could not do anything for education. So, you being an educator and you supporting your Leader, I need to know, do you have a commitment from the House that they're going to override this piece of -- I mean, override the Governor's veto and at the same time kill any attempt to do anything about financing education.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, as you know, the House is controlled by your party. I do not have any knowledge. You may have some knowledge that they intend to not override. I have talked to a number of Members in the House of Representatives who will support this and introduce this. As I said, you -- you may have some knowledge that I don't have since the House is controlled by the other party.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR JONES:

Well, let's just deal with this Chamber. I -- I -- I believe your Leader has indicated that he wanted to do something about education, that he wanted to put some additional dollars in there. Now, we're in the Catch-22...

PRESIDING OFFICER: (SENATOR DUDYCZ)

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I beg your pardon, Senator Jones. Will the Members please keep their conversations down to a minimum?

SENATOR JONES:

We're in a Catch-22 as it relate to this piece of legislation and the prior piece that this Body overrode. How in the world can we tell the voters and tell the educators and tell the children, tell the senior citizens, we're going to do all these great things, but the available revenue is not going to be there to accomplish such? So are we just trying to fool the people of Illinois? You know and I know that this bill is not going to see the light of day, but you intend to tell your constituents "Well, I tried to do something", when you know the minute it leaves this Chamber it's going to die over in the House. The House is not going to pass it. You're going to go back to your constituents and say "I was not part of this -- the charade; I attempted". So let's stop the charade. Either you are for doing something about education or you're not. And -- and your vote on here, this would indicate you don't want to do anything about education. All you want to do is fool the voters in the State of Illinois that you are attempting to do something, when you know good and well it's not going anywhere. That's -- that's unfair. It's unfair to myself, unfair to the Members on this side of the aisle. I'm not against what you're trying to do, but don't tell the people of Illinois that you're going to override this veto then, at the same time, I'm going to have all these dollars that your side of the aisle has proposed to put in education. The two just does not mix together.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. While I support the sentiments of my Leader a hundred percent and I hope that we are able to do

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something for education, the senior citizens in my district are looking forward to this override and -- so that they can benefit from this. Everybody knows fourteen thousand dollars is not what it used to be. Ask any alderman in the City of Chicago; he'll tell you seventy-five thousand is not what it used to be. So I urge an Aye vote on this override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR LUECHTEFELD:

Well -- well, first of all, in answer to Senator Jones, I say, again, if you... You -- you seem to know, maybe from the Leadership of the House, that they will not handle this. If that's the case, then I have... There -- this is no charade. These are important bills. Also, Senator, I would challenge any person, any Member of this particular Body, to be more interested in education than I am. This has been -- it -- it was my entire adult life, and I will challenge anyone to -- who says they are more concerned about education and good education in the State of Illinois. And I'm a little surprised that you would attempt to pit those students against seniors. This particular bill costs eight million dollars. I'm sure the Governor's -- he -- he basically is for -- he's not against older people; he's not against poor people. He -- he vetoed this -- this as a package of ten -- of two hundred million dollars, feeling, I'm sure, that if he -- if he signed one, he may have to sign them all. Again, my intentions are to help the people of my district. And this particular bill, I'm sure you're for, or at least I think you are. It helps the people in your district also. Again, I would ask for the support of this particular Body. Last time, I think it passed out of here unanimously on this particular bill. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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The question is, shall Senate Bill 909 pass, the veto of the Governor to the contrary notwithstanding. All those in favor will vote Aye. 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 57 Ayes, no Nays, none voting Present. And Senate Bill 909, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. We'll now go to the bottom of page 8 of your regular Calendar to the Order of Motions in Writing to Accept Specific Recommendations of the Governor. On the bottom of page 8 on the Calendar, in the Order of Motions in Writing to Accept Specific Recommendations for Change, Senator Luechtefeld, on Senate Bill 13. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 13, in manner and form as follows:

Amendment to Senate Bill 13

in Acceptance of Governor's Recommendations

Offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. I move to accept the Governor's amendatory veto on Senate Bill 13. The original bill eliminated the family privilege from the criminal statute against concealing or aiding a fugitive when an offense is murder. The Governor changed that to -- wants to maintain the family privilege, allowing family members to conceal and assist a murderer and -- to run away from the authorities. The Governor likes to -- likes the increase of penalty and maintains that the increase from a Class 4 to a Class 3 felony when nonfamily members assist a murder suspect. I would answer any questions that you

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might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld has moved to specific -- to accept the specific recommendations of the Governor as to Senate Bill 13. Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 13, in the manner and form just stated by Senator Luechtefeld. All those in favor will vote Aye. 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 59 Ayes, no Nays, none voting Present. And the specific recommendations to -- of the Governor as to Senate Bill 13, having received the required constitutional majority voters of Senators -- vote of Senators elected, are declared accepted. Senator Bomke, what purpose?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BOMKE:

I just want to announce to the Members that there will be a Legislative Health Fair tomorrow. And I've seen what some of you eat. Would recommend that you strongly consider getting health screening for blood pressure, cholesterol, glaucomas, glucose, hearing, lung capacity, oral cancer, skin cancer. It'll be from 8 a.m. to 12 noon. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate Bill 317. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 317, in manner and form as follows:

Amendment to Senate Bill 317

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in Acceptance of Governor's Recommendations
Offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. As stated, we are going to move to accept the amendatory veto. I do need to read in for legislative intent that, in accepting this amendatory veto of the Governor, I want it clear that the General Assembly is in no way establishing any legislative intent, that the status of chiropractic physicians under Illinois law is in any way being questioned or changed. I'll be happy to answer any questions; otherwise, move to accept the -- the changes that were made.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson has moved to accept the specific recommendations of the -- of the Governor as to Senate Bill 317. Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate -- sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

As I read the Governor's amendatory veto, he says -- or, he adds the language: Notwithstanding the preceding sentence, only a physician licensed to practice medicine in all of its branches shall act as primary care physician within a managed health care entity for purposes of the Illinois integrated health care program. What does this do with groups such as nurse practitioners, midwives, et cetera? Are we excluding them then from the HMO procedures?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Syverson.

SENATOR SYVERSON:

Thank you. That's a good question. But this language is specific only to chiropractors. Does not change any of the existing rules. In fact, the change allows chiropractors to participate in the MediPlan Plus program, but does not allow them, because of the federal guidelines, to be primary care physicians. But, again, this is specific to chiropractic only.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 317, in the manner and form just stated by Senator Syverson. All those in favor will vote Aye. 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 55 Ayes, 2 Nays and 1 voting Present. And the specific recommendations of the Governor as to Senate Bill 317, having received the required constitutional majority of the Senators elected, are declared accepted. With leave of the Body, we shall return later to Senate Bill 369. Senate Bill 663. Senator Farley. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 663, in manner and form as follows:

Amendment to Senate Bill 663

in Acceptance of Governor's Recommendations

Offered by Senator Farley.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

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I would move to accept the Governor's recommendations in regard to Senate Bill 663. What this states and what his intentions and -- and ours should be is to make sure that telemarketers are in compliance with the Federal Trade Commission. And what that means is that if they are in compliance, they are in, also, compliance with our -- our Telephone Solicitation Act. And I would -- I would agree and accept that recommendation, Mr. -- Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 663, in the manner and form just stated by Senator Farley. All those in favor will vote Aye. 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 58 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to Senate Bill 663, having received the required constitutional majority of the Senate, are declared accepted. Senate Bill 771. Senator Halvorson. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 771, in manner and form as follows:

Amendment to Senate Bill 771

in Acceptance of Governor's Recommendations

Offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Halvorson.

SENATOR HALVORSON:

This bill deals with the mobile home transfer. The Governor made one minor change. He put a ten-year Statute of Limitations on it. It's noncontroversial and I urge all of you to accept the veto.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 771, in the manner and form just stated by Senator Halvorson. All those in favor will vote Aye. 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 58 Ayes, no Nays, 1 voting Present. And the specific recommendations of the Governor as to Senate Bill 771, having received the required constitutional majority of the Senators elected, are declared accepted. On the top of page 9, in the Order of Motions in Writing to Accept the Specific Recommendations for Change, is Senate Bill 772. Senator Halvorson. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 772, in manner and form as follows:

Amendment to Senate Bill 772

in Acceptance of Governor's Recommendations

Offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is the "hit and run" bill. The Governor made only one change: Instead of mandatory sentencing, he made it a prosecutorial choice in the terms of the sentence they can seek. I move that we accept the veto and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to

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Senate Bill 772, in the manner and form just stated by Senator Halvorson. All those in favor will vote Aye. 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 58 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to Senate Bill 772, having received the required constitutional majority of the Senators elected, are declared accepted. Senate... Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR GEO-KARIS:

Mr. President, up in the President's Gallery is one of your constituents, Mrs. -- Miss Jane Maxouris, who's here visiting with the AARP, and she's sitting down there -- up there. And she's one of your constituents.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guest -- in the gallery please rise and be recognized? Welcome to Springfield. Thank you, Senator Geo-Karis. Senate Bill 786. Senator Burzynski. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 786, in manner and form as follows:

Amendment to Senate Bill 786

in Acceptance of Governor's Recommendations

Offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you, Mr. President. As already indicated, do move to accept the Governor's specific recommendations for change. Basically, Senate Bill 786 amended the Illinois Dental Practice Act to clarify the goal of continuing education requirement. The Governor's Veto Message deleted the language dealing with the fees, as that's already been instituted in Senate Bill 857.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 786, in the manner and form just stated by Senator Burzynski. All those in favor will vote Aye. 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 59 -- Ayes -- 59 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to Senate Bill 786, having received the required constitutional majority of the Senators elected, are declared accepted. Senate Bill 878. Senator Watson. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 878, in manner and form as follows:

Amendment to Senate Bill 878

in Acceptance of Governor's Recommendations

Offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President and Members. This is the Illinois Prepaid Tuition Act, which we worked closely with the Illinois Student Assistance Commission. The Governor had some concerns about the moral obligation language in the legislation and the fact that it was inconsistent with other Acts that require

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a similar State commitment, so he changed that language. I agree with his approach and certainly would support his amendatory veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 878, in the manner and form just stated by Senator Watson. All those in favor will vote Aye. 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 57 Ayes, no Nays, 2 voting Present. And the specific recommendations of the Governor as to Senate Bill 878, having received the required constitutional majority of the Senators elected, are declared accepted. Senate Bill 1072. Senator Berman. Madam Secretary... Senator Parker, what purpose do you rise?

SENATOR PARKER:

Thank you -- thank you, Senator. I just want to introduce a constituent of mine that's up there, that's also a friend of yours, and that's EmLee Lambos. Can we greet her? Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will -- will our guest please rise and be recognized? Welcome to Springfield. And thank you, Senator Parker. On Senate Bill 1072, Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1072, in manner and form as follows:

Amendment to Senate Bill 1072

in Acceptance of Governor's Recommendations

Offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

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SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendatory language from the Governor embodies an agreement between the State Board and the Association of Special Education Administrators. It gives the State a little more flexibility in the expenditure process regarding special ed. I move the adoption of the amendatory language.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1072, in the manner and form just stated by Senator Berman. All those in favor will vote Aye. 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 59 Ayes, no Nays, none voting Present. And the specific recommendations of the Governor as to Senate Bill 1072, having received the required constitutional majority of the Senators elected, are declared accepted.

PRESIDING OFFICER: (SENATOR DONAHUE)

...the same order of business, on page 8, under Motions in Writing to Accept Specific Recommendations for Change, is Senate Bill 369. Senator Dudycz. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 369, in manner and form as follows:

Amendment to Senate Bill 369

in Acceptance of Governor's Recommendations

Offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Bill 369 require that

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before an elected municipal or park district official may be conservator of the peace that official must receive a certificate attesting to successful completion of a training course administered by the Police Training Board. Secondly, the bill had authorized Attorney General investigators to exercise their police powers anywhere in the State, in cooperation with local law enforcement agency, but not having to notify the agencies in advance. The Governor's Message made an amendatory change to the Attorney General Act by reinserting the requirement that the Attorney General investigators may exercise police powers anywhere in the State in cooperation with and after contact with the local law enforcement officials.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Dudycz, does this mean that Chicago aldermen will now have to take a training course before they can get a badge and carry a weapon?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Would this -- would this -- would the Attorney General also be able to decide, if an -- if an alderman has been convicted of, say, bank robbery or armed robbery, that that officer -- that

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alderman could not carry a gun? Would this prevent a felon, convicted felon, from being able to carry the gun after they've taken the class? If they take the class, they can still carry it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Well, the -- the -- the issue of the alderman carrying a gun, we -- we dealt with that in Senator Cullerton's bill earlier this spring, Senator. I'm not quite sure I understand the question. If you're -- if you're talking about the -- the Governor's amendatory veto of the bill, what he -- is requiring that the Attorney General's investigators may exercise the police powers anywhere in the State, but they must cooperate with the local law enforcement agencies. But they do not have -- well -- and they have to contact them in advance, where they wouldn't originally.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Further discussion? Senator Dudycz, to close.

SENATOR DUDYCH:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz has moved to accept the specific recommendations of the Governor as to Senate Bill 369, and the question is, shall we accept that. And 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 54 Ayes, 4 Nays and none voting Present. The specific recommendations of the Governor as to Senate Bill 369, having received the required constitutional majority, is declared passed. Resolutions.

SECRETARY HARRY:

Senate Resolution 124, offered by Senator Petka.

It's substantive.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1207, offered by Senators Philip and Cronin.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 467, offered by Senator Tom Walsh.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Senator Collins has filed a motion with respect to Senate Bill 278; Senator Syverson has filed a motion on Senate Bill 473; and Senator Severns has filed a motion with respect to Senate Bill 1103.

PRESIDING OFFICER: (SENATOR DONAHUE)

Mr. Secretary, the Chair requests that those motions be printed on the Calendar. It's so ordered. I'd also like to remind, in light of that, that the Chair reminds all of you that the motions on veto measures should be filed with the Secretary today, as Thursday will be the last day for the Senate to consider veto motions on Senate bills. Thursday's the last day, so the sooner you get them in, they can be heard. Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. It would appear that we're going to have a Republican and Democrat Caucus. As you know, we have committee hearings scheduled for 1 o'clock. I believe we have two committees:

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Agriculture and Revenue. I would suggest that we have those at 3 o'clock. Executive Committee, then, would be at 4 o'clock in the same room.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Halvorson, for what purpose do you seek recognition?

SENATOR HALVORSON:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR HALVORSON:

Thank you, Madam President. I want to announce that we have some great people in the audience with us today, up here in the gallery - several groups. I had the pleasure of riding a bus in with some of the AARP. So, first of all, I would like for all the AARP people who are here to stand and be recognized, because you've worked very hard for all your causes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please stand and be recognized? Welcome to Springfield.

SENATOR HALVORSON:

And the second, I also have some people here from my district that are here because of 4-H, which is a very important Cooperative Extension service, that I'd like to recognize my constituents who are here from 4-H. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized, please? Welcome to Springfield.

SENATOR HALVORSON:

Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Karpiel.

SENATOR KARPIEL:

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I just... Thank you, Madam President. I just rise to announce a Republican Caucus immediately in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. And Senator DeLeo.

SENATOR DeLEO:

Thank you, Madam President. We respectfully request a Democratic Caucus immediately upon adjournment in Senator Jones' Office. Immediately upon adjournment.

PRESIDING OFFICER: (SENATOR DONAHUE)

We have Republican and Democrat Caucuses. The Senate will stand -- Senate will stand adjourned until noon on Wednesday - noon.

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