

85TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 5, 1988

PRESIDENT:

The hour of one having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Bill Schroeder, Trinity Lutheran Church, Springfield, Illinois. Reverend.

REVEREND SCHROEDER:

(Prayer given by Reverend Schroeder)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, April 28th; Tuesday, May 3rd and Wednesday, May 4th, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports, Madam Secretary.

SECRETARY:

Senator Berman, chairman of the Committee on Elementary and Secondary Education, reports Senate Bills Noed. 1584, 1587, 1795, 1796, 1839, 1840, 2023, 2066, 2181, 2185 and 2261 Do Pass.

And Senate Bills Noed. 1563, 1702, 1999, 2027, 2028, 2116, 2117, 2147 and 2217 Do Pass as Amended.

And Senate Bill 1951 Do Not Pass.

Senator J. J. Joyce, chairman of the Committee on Executive, reports Senate Bills Noed. 1581, 1709, 1886, 1972, 2051 and 2152 Do Pass.

And Senate Bills Noed. 1592, 1819, 1887 and 2241 Do Pass

as Amended.

Senator Marovitz, chairman of the Committee on Judiciary, reports Senate Bills Noed...1529, 1612, 1668, 1669, 1773, 1798, 1827, 1871, 1913, 1987, 1989, 1990, 1994, 1995, 1996, 2002, 2013, 2101, 2122, 2136 and 2161 Do Pass.

And Senate Bills Noed. 1611, 1789, 2041, 2257 and 2258 Do Pass as Amended.

And Senate Bill 1986 Do Not Pass as Amended.

Senator Poshard, chairman of the Committee on Labor and...Commerce, reports Senate Bills Noed. 1676 and 1685 Do Pass.

Senator Holmberg, chairman of the Committee on Local Government, reports Senate Bill 2249 Do Pass.

And Senate Bill 1843 Do Pass as Amended.

Senator Smith, chairman of the Committee on Public Health, Welfare and Corrections, reports Senate Bills Noed. 1803,...1947, 2047, 2197 Do Pass as Amended.

And Senator Degnan, chairman of the Committee on Elections and Reapportionment, reports Senate Bills Noed. 2055 and 2096 Do Pass.

And Senate Bills Noed. 2097, 2098 and 2174 Do Pass as Amended.

PRESIDENT:

Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

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

House Joint Resolution 189. It's a death resolution.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1036 offered by President Rock and all members. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1037 offered by Senator Kelly. It is substantive.

PRESIDENT:

Executive. If I can have the attention of the membership so that the members can make plans accordingly. The Session will commence at nine o'clock tomorrow morning instead of as previously indicated. So the Session will commence at nine o'clock and the Energy and Environment Committee and the Transportation Committee are still scheduled to meet and they will meet immediately after adjournment. We do not expect to be in more than an hour. So nine o'clock tomorrow morning. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Thank you, Mr. President. With leave of the Body, I'd like to become chief sponsor of House Bill 3408, and also would you then make Senator Hawkinson hyphenated cosponsor.

PRESIDENT:

All right. If you'll turn to page 11 on the Calendar, the gentleman has reference to House Bill 3408 and he wishes it to be shown with Senator Brookins as the chief sponsor with Senator Hawkinson as the hyphenated cosponsor. Without objection, leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to take leave...ask leave of the Body...and on Senate Bill 2197, I'd like to have the entire Committee on Public Health, Welfare and...to be a part of this. I'd like

to...in this order I'd like to have Senator Topinka as hyphenated sponsor, I'd like to have Senator Zito, Senator Poshard, Senator Marovitz, Senator Donahue, Senator Madigan, Senator Dunn, Senator Jones, Senator Savickas and Senator Raica in that order, please...

PRESIDENT:

All right. The lady seeks leave to have the members of the Committee on Public Health and Welfare in the order as indicated to be joined as cosponsors on Senate Bill 2197. Without objection, leave is granted. Senator Holmberg. Senator Mahar.

SENATOR MAHAR:

...thank you, Mr. President. I would seek leave of the Body to be added as a hyphenated sponsor of Senate Bill 2256.

PRESIDENT:

All right. The gentleman seeks leave to be added as the hyphenated cosponsor on Senate Bill 2256. Without objection, leave is granted. If I can have your attention for a moment, we have a number of special guests. The Chair will yield to Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's a great honor today to bring to you the champions from the great city of East St. Louis and...this famous team as they file up. They're the only Class A Team to win back-to-back state crowns. They're the only Class AA Team to win three state crowns in a decade and they've won nineteen consecutive victories. Coach Lewis here, who I'll introduce and he can ...introduce these...his famous team, coach...coach...Lewis is in his sixteenth season at Lincoln High School, and he has three hundred and forty-five victories under this belt, his team has. Also, we have LaPhonso Ellis, six-foot nine, all-American center, and he is going to Notre Dame and he's known as Mr. Basketball. With

this, it is a great honor that I present to you Coach Lewis and he will introduce his team.

COACH LEWIS:

(Remarks given by Coach Lewis)

SENATOR HALL:

This fellow that I'm about to look eye to eyeball...here is...as I told you that he is going to Notre Dame and he's known as Mr. Basketball. And it's a great pleasure and honor...that...to bring these people to you from the 57th Senatorial District. Representative Younge was very instrumental in getting this together and so was Representative Flinn over in the House. So, I certainly want to thank President Rock and members. And it's just another day with them because they're going to just keep winning and winning. So, just real honor to have this here. Thank you, again.

PRESIDENT:

Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President, for a point of personal privilege.

PRESIDENT:

State your point, please.

SENATOR SEVERNS:

It's my honor to have join us in the President's Gallery today the government class from Lovington High School with the exception of one student, all seniors who wanted to make the trip to see the Senate in action.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Yes, Mr. President, I'd like leave of the Body to be added as a hyphenated cosponsor of Senate Bill 2145.

PRESIDENT:

All right. The lady seeks leave to be added as the hyphenated cosponsor on Senate Bill 2145. Without objection, leave is granted. Senator Demuzio.

SENATOR DEMUZIO:

Hello. Mr. President, while we're on that order of business, I'd also like to add several members as hyphenated cosponsor to Senate Bill 1794; Senator Severns, Holmberg, Tom Dunn, Senators Welch, Luft, Jacobs, Zito, O'Daniel and Poshard.

PRESIDENT:

All right. The gentleman seeks leave to add those members as cosponsors to Senate Bill 1794. Without objection, leave is granted. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, I'd like to welcome the Hamilton County Beta Eta Club eighth grade honor students in the President's Gallery to my right and their sponsors, Betty Van Winkle and Gay Irby. I'd like to welcome them to the Senate.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I would like to be added as hyphenated cosponsor of Senate Bill 2197.

PRESIDENT:

The lady seeks leave to be added as the hyphenated cosponsor on 2197. Without objection, leave is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. Would it be possible to proceed with the bill that has to do with the blue pamphlet on

the Constitutional Convention so that we can, if possible, get it enacted early enough to be able to get the committee put together?

PRESIDENT:

Fine...

SENATOR NETSCH:

It's Senate Bill 1655.

PRESIDENT:

There's been a request to move to the Order of Senate Bills 3rd Reading, that's page 11 on your Calendar. If you'll open your Calendar to page 11...for the purpose of taking up Senate Bill 1655. There is some time constraint. Without objection, leave is granted. Senator Netsch, before we get to that order we have another special guest. It is the prerogative of the Chair to get to introduce these types of guests, I hope you know that. It is my distinct pleasure to introduce to you all, Susie Katz, who is the reigning Mrs. America of the United States of America. Susie, welcome to Springfield.

MRS. AMERICA: (SUSIE KATZ)

(Remarks given by Susie Katz)

PRESIDENT:

So, you got to be nicer to Doug Donnenfeld from now on, that's his sister. Senator Barkhausen, for what purpose do you arise, sir?

SENATOR BARKHAUSEN:

Mr. President, I would ask leave to have Senator Davidson added as a hyphenated cosponsor of Senate Bill 1870 of which I am the chief sponsor.

PRESIDENT:

All right. The gentleman seeks leave to add a cosponsor to Senate Bill 1870. Without objection, leave is granted. All right. Ladies and gentleman, we're now going to go to the Order of Senate Bills 3rd Reading. Page 11 on the Calen-

dar, on the Order of Senate Bills 3rd Reading is Senate Bill 1655. Madam Secretary, read the bill, please.

SECRETARY:

Senate Bill 1655.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill would enact into statutory form essentially the same provisions that we have with respect to proposed constitutional amendments. As everyone knows, the question of calling a Constitutional Convention is automatically on the ballot this November. We found that our Statutes did not provide for the General Assembly to prepare the arguments for and against and to prepare the form of the...in which the question would be submitted. Those provisions do exist with respect to any proposed constitutional amendments. So what this bill does is essentially make the same provisions applicable to the question on the ballot this November of calling a Constitutional Convention. We will prepare the brief explanation, the argument in favor, the argument against, just as we will with respect to the amendments. And that must be done quite a bit ahead of time which is why we would like to proceed now. The bill was unanimously requested by the committee of fifty which had been created pursuant to Senator Rock's resolution and it includes total bipartisan support. I would be happy to answer questions; if not, I would urge your support.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1655 pass. 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? All voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1655 having received the required constitutional majority is declared passed. All right. With leave of the Body, if I can direct your attention to page 12 on the Calendar, middle of the page. With leave of the Body, we'll move to the Order of Constitutional Amendments 3rd Reading. The sponsor has requested that that resolution be read a third time and that final action be taken. On the Order of Constitutional Amendment 3rd Reading is House Joint Resolution Constitutional Amendment No. 6. Madam Secretary, read the resolution, please.

SECRETARY:

House Joint Resolution Constitutional Amendment No. 6.

(Secretary reads HJRCA No.6)

3rd reading of the amendment.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just reiterate for a moment the basic components of this constitutional amendment. This amends Article IV, Sections 2 and 5 of the Illinois State Constitution. Beginning in 1992, Senators would be elected to six-year and four-year staggered terms and Representatives would be elected to four-year and two-year staggered terms. It would divide legislative districts into two groups. Beginning with the 1992 General Election Senators from the first group shall be elected for terms of four years and six years, Senators from the second group shall be elected for terms of six years and four years. Immediately following each decennial redistricting the General Assembly by law would divide the House districts as equally as possible into three groups. Representatives would be elected as follows: from the first group;

four years, four years and two years; the second group, four, two and four; and the third group, two, four and four. Within the same legislative district this amendment would prohibit a senatorial term from concluding in the middle of a representative term. And, Mr. President, the job of the individual legislator has become more and more demanding and complex in the past several years. The volume of work, both in terms of the constituent work at home and the legislative process here in Springfield, has increased tremendously. Thousands of bills are now considered every Session demanding a great deal more of time and attention than in the past. More and more the legislator is looked upon as a problem solver in his home district and is expected to work with individuals and agencies in both the private and public sector to solve these problems. It takes time, lots of quality time, to adequately address all of these needs both here in Springfield and at home, which the individual legislator is expected to address. And if you are a legislator in the midst of this work, you are constantly running for office. Having to get elected or reelected every two years forces the legislator to often pay more attention to the job of getting reelected than to the problems his office is expected to solve. Aside from having to spend a great deal of his time and attention toward constantly running for office, he's having to constantly raise money which is maybe the most burdensome task of all. Not having to run for office every two years, in my judgment, would decrease the constant attention to money raising, to campaigning and would give the legislator more time to effectively do his job. I just think, too, that the public gets tired of the constant campaigning. They burn out. They see the seemingly never ending stream of TV ads, radio ads, newspaper ads, signboards and they just get tired of the process too. But then, again, maybe I'm wrong, in which case the public would tell us that if this

constitutional amendment were put to them on the fall ballot.

I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of this constitutional amendment. Contrary to popular belief this is not a partisan issue, it was not a partisan issue in the House. Senator Poshard...explained the merits rather adequately; I would like to add two things. First of all, if the turnover in this Body is anything like the turnover that's been here since I've been here, it...it basically will not affect the majority of these members. But in 1992, two-thirds of the members of this Body would be running for four-year terms. Under this provision, half would be running for four-year terms. So, in terms of affecting the immediate future, it does not have much impact. Let me point out one thing. The thing that stands in the way of good...public policy...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Senator DeAngelis, just a moment. Could we have some order, please.

SENATOR DeANGELIS:

The one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis...

SENATOR DeANGELIS:

...the one element that stands in the way of good public policy is elections. I don't think I ever pick up the paper during an election year and find that newspapers commentating that the reason this is not going to be done or the reason this is going to be done is because it's an election year. This takes the pressure off of that type of legislative atmosphere. And I really believe that far too often we spend

far too much time running for office, we spend far too much money for running for public office, and on top of it, we're asking the citizens of the State of Illinois to make this decision. And I think we ought to give them that opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in strong opposition to HJRCA 6. Admittedly, it is very tempting for all of us who are in the Legislature to want to lengthen the terms both of the Senate and of the House, but I would suggest that we ought to resist that temptation and resist it strongly. It seems to me that the only really good argument for lengthening the terms is one having to do with the amount of money that has to be raised to run for office these days. That is a problem for all of us, it is a problem, I think, for the people we represent because it is not a healthy situation, and that I concede is...is an argument in favor. I'm not sure that this would change that state of circumstances all that dramatically. My guess is because of the longer terms we might finally get a little more competition for some of the seats and therefore have even more costly races. So I'm not positive that even that would...would come out correctly. But I think beyond that it is very hard to make the case that we, the members of the Illinois General Assembly, ought to have six-year terms for Senate, four-year terms for House members when, for example, members of the...of the United States Congress have only two-year terms when they serve in the House. And almost all state legislative bodies have terms either equal to those that we currently have, in a few cases shorter, and rarely, I think only about one or two states have a term longer than the ones that we currently experience. Again, it seems to me that this is

not a happy time for us to be putting on the ballot a proposition that...whether rightly or wrongly, is going to seem very self-serving to a very large number of people. I would suggest to some of you who are concerned about the prospect of a Constitutional Convention being called on...as a result of the ballot proposition this November, that having this on the ballot, it seems to me, is going to provide a major incentive, an argument for those who are indeed advocating the holding of a Constitutional Convention, by saying, see, the only thing you can count on the legislators to do is to serve their own interests by...by lengthening their terms. Now that may be a very unfair argument, but it certainly is one that is likely to be made. I think the real point though is that as...as painful as it may be at times, it really is good for all of us to get back to our voters as often as we do, every two years for the House and every four years or two years for those of us in the Senate. That is the only way, really, that we have to be reminded that we are not isolated or insulated down here and that we do have a responsibility of representation. I think it is good for us, it is good for our constituents to have that opportunity to judge us that often and it seems to me that this amendment works directly contrary to that. I would strongly urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to this...this proposal. I think that once again Senator Netsch, as was said the other day, probably has exhausted all known knowledge on...on this particular issue, this side of it. She certainly has made some good points, in my...in my opinion. One of the...one of the complaints that I have always heard about the United States Senate, for example, is that with a six-year term the

Senator runs, he gets elected and then nobody sees him or her for six years until the time comes to run again. And I think that this is what we may...we may be subjecting ourselves to in this...in this proposal. I feel, too, that her point...I haven't talked this over with...with...Mr. Quinn, I don't know how he will come down on this particular issue, but I, too, suspect that he will see that...well...you say he's...I...I really don't know which way he's going to go, so I may be in trouble with him or I may not be, I don't know. But it would seem to me that he...he would be in a position to say, as Senator Netsch has said, here they go again. I would feel, and I'll close with this, that...that this...I've always felt that this particular issue depends upon who we are most concerned with. It is a pain in many ways to run every two years, I did it for a good number of years when I was serving in the House,...it is. But I sensed that the electorate...the electorate, at least in my district, seemed to appreciate the fact that something...there was something there that made us come to the people and give them a chance to say yes or give them a chance to say no and give them a chance to evaluate at the...at the polls, if you will, evaluate the quality of our service and then take action one way or another at the polls. This, to me, is beneficial to the public. I think it gives them a chance, I think it helps us keep a citizen Legislature that we all talk about, and I feel that we would be making a grave mistake were we to lengthen the terms of those in the House and in the Senate. So, I would...I would...I would urge a No vote on this proposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I share some of the same opinions just mentioned by Senator Hudson, Senator Netsch. I feel that a six-year term in the

Senate would certainly be a...a lengthy term and it would isolate us from our constituency...and we all know and I'm not talking about certainly the incumbent U. S. Senators but we know whether it's the incumbents or the previous U. S. Senators that they...there has been times when we've been displeased with them and when we have wanted to have that person come before the voters, the electorate, we had to wait for maybe a six-year period. And even when we defeat an incumbent it certainly is by a very narrow margin. I...I agree to one respect, this is a future consideration and that's why I'd ask each member of this Body to look upon it not as something that would be of a personal or individual interest to us, but what would you want for your children in future generations? And I say the forefathers when they wrote the Constitution, both in Illinois and for United States, looked upon this issue very closely. We should maintain this procedure, it's a fair...it's a rightly one, it's one where you get good representation, it's the one we've lived with and each one of us have been elected to. I request a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I don't know how often, if ever, that Senator Netsch and I have been on the same side of a question, scares me. But I would urge all of you...yes, she is...my seatmate is making side comment. I would urge all of you to vote No. And not only our forefathers, the founding fathers who wrote the U. S. Constitution and the Illinois Constitution, the present day fathers and mothers of the Illinois Constitution which was adopted in 1970 saw the wisdom...of a two-year term for the House members, split up the Senate in a combination of four-two-four or whatever you happen to hold. I urge all of

you to remember that these United States is the oldest standing free democracy in the world, ever known to the world, and know...longest existing. And it's been based on the fact the House of Representatives and the members of the Senate particularly at state level responsible to the voters on a regular basis. I urge all of you to vote No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones. Good...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And, quite frankly, I have mixed emotions about this constitutional amendment because, quite frankly, it favors the incumbents. Both of the legislative bodies are controlled by the other party and, of course, it would favor them. Our form of government has been we elect a president for four years, we elect a governor for four years but we elect the legislative bodies the Congress for two years and the House for two years. So you, as a voter, have an opportunity of voting against that governor's or that president's policies and, quite frankly, it has worked quite well. I get a kick out of Professor Netsch. And I'm just guessing, and I will be willing to bet her, that when we change the terms of judges, and our judges...our circuit judges used to be four years, now they're six; Appellate Court used to be six, now they're eight and the Supreme used to be eight, now they're ten, I bet she voted for every one of those extension of their terms. If it's good enough for the members of the House, why is it not good enough for the...for the judiciary? What are...why are they any more different or special than we are, Senator Netsch? I'd certainly like an answer on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, one thing we got to keep in mind that if we do have...if the...if the electorate decides to give us four-year terms for the House and six-year terms for the Senators, just remember we cannot vote ourselves a pay raise for six years which will save the taxpayers some money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I really am not speaking to the pro or con of the bill as much as I am to take a little exception to some of the comments about a little responsibility to your constituents. My goodness, I don't care if you're elected to a lifetime term, if you're doing your job you're going to be responsible to your constituents. And that's something that if we're not, then two years or six years really doesn't...make much difference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess I'd just like to make a couple of comments about the calling into question of the sacredness of our Constitution. I don't think there's any of us in this Chamber whether we agree with this proposition or not has any greater respect for the Constitution of this state or the Constitution of the United States than I do; but if there is one characteristic of our Constitution that was intentionally built into the Constitution by the people that drew it up, it is the characteristic of flexibility, flexibility to meet the demands of an ever changing population, of an ever changing Legislature. The demands of office are different now than they were twenty years ago or fifty years ago, requiring

different skills, different amounts of time, different utilization of resources to meet the needs of the office. All this constitutional amendment says is in recognizing that flexibility is part of the Constitution. In...in regard to the changes that have come about, let's go back to the people and see if indeed they want legislators who are allowed to spend their time addressing the needs and the problems of the districts that they represent as opposed to running for election all the time. Let's just ask the people, that's all it does. It doesn't say Yea or Nay, it says because of the flexibility of this Constitution we ought to put questions like this to the people from time to time because society requires it. Let's ask the people. I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Joint Resolution 6 be adopted and approved. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 36, none voting Present. House Joint Resolution having failed to receive a three-fifths constitutional majority is declared lost. Resolutions.

SECRETARY:

Senate...Senate Resolution 1038 offered by Senator Lechowicz, President Rock and all...and other members.

Senate Resolution 1039 offered by Senator Hall, President Rock and all members. They're both congratulatory.

Senate Resolution 1040 offered by Senator Kelly. It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 124 offered by...Senator

R 1038

Lechowicz. It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave of the Body to go to Senate Joint Resolution 124.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leave...leave is granted, Senator Lechowicz on...specifically with respect to Senate Joint Resolution 124.

SENATOR LECHOWICZ:

Senate Joint Resolution 124 marks the anniversary of the Polish Constitution adopted on May 3rd, 1791. There's a...PNA parade this coming Saturday and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz...has moved the adoption of Senate Joint Resolution 124 which is congratulatory. Senator Hall, on this...on this resolution? All right. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 124 is adopted. Resolutions, Madam Secretary. Senate Resolution 103, it has already been read. Senator Lechowicz.

SENATOR LECHOWICZ:

Is that the number for the Vietnam...resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask the same motion to suspend the appropriate rule for the immediate consideration for Senate Resolution 103 which is for the Memorial of...for the veterans of Vietnam conflict which will be held this coming Saturday here in Springfield. Senate Resolution 103.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, it's 1038, 1-0-3-8.

SENATOR LECHOWICZ:

What is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Resolution 1038.

SENATOR LECHOWICZ:

1038, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1038. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Lechowicz now moves the adoption of Senate Resolution 1038. Discussion? Senator...all right. Those in favor indicate by saying...Senator Lechowicz.

SENATOR LECHOWICZ:

In all fairness, Mr. President, I think what we should do is briefly remind the members of this Body that this coming weekend is a very touching weekend not only for the people of Springfield but throughout this state. This administration, this General Assembly provided approximately a million dollars for the construction of the Illinois Veterans' Memorial, and this coming weekend there's going to be many veterans, both Vietnam and other conflicts, coming here to Springfield for this dedication. If at all possible, if you're going to be in the Capitol, I would strongly recommend that you be at the Oak Ridge Cemetery this Saturday, if it's possible, to show your support. And if not, I would strongly encourage the membership to join me on Senate Joint...on Senate Resolution 1038, and I'm going to ask Senator Davidson, who I know will definitely be here, to present the resolution in behalf of this Body to the veterans from this conflict. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd like to add too an invitation to all members of the Chamber that would like to participate...is on Saturday morning...they will be at Memorial Stadium at 11th...North Grand at nine forty-five. They will be in the parade from there through Oak Ridge Cemetery to the...Vietnam Memorial dedication ceremonies which will take place in Oak Ridge Cemetery later on that morning. I'd invite all of you who can be present to join me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like to amend the resolution on its face on page 2, because it's just been brought to my attention that Senator Tom Dunn is a Vietnam Veteran. I'd like to ask that the resolution be read as follows; that..."be presented by...by John "Doc" Davidson, a Senator from Springfield and Senator Tom Dunn, a Vietnam Veteran." And I move for the amendatory...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is...is there...is there leave to amend the resolution on its face? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to add the name of Walter Dudycz who is also a Vietnam Veteran.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to...to amend the...Senate Resolution 1038 on its face to add both Senators Thomas Dunn and Senator Walter Dudycz? Is leave granted? Leave is granted. It is so ordered. Further discussion? Senator...all right, those in favor of the adoption of Senate

Resolution 1038 signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution...1038 is adopted. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Well, while we're on resolutions, I had spoken to President Rock earlier awhile. On the Secretary's Desk is Resolution 909 dealing with...asking Congress to defer payment which applies to not only all of us here but all the state employees who in...deferred payment on Internal Revenue findings. I'd appreciate if we could go to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On page 12 of your Calendar, we'll move to that order of business. Is leave granted? Leave is granted. On the Order of Secretary's Desk Resolution is Senate Resolution 909.

SECRETARY:

Senate Resolution...909 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, all this resolution does is urge Congress to amend the Internal Revenue Code to exempt nonelective deferred compensation from...from taxation upon their accrual basis. This is necessary because the change in the Tax Code. There is a House resolution...sponsored in the House...House Resolution 4221 which will correct this amendment but this is to urge Congress that we're concerned and this is an item which applies to deferred compensation to everybody and every state in the nation. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson has moved to...moved the adoption of Senate Resolution 909. Those in favor will indi-

cate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 909 is adopted. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, while we're on that order of business, I too, have a resolution, SJR 101.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of...of Secretary's Desk Resolutions, bottom of page 12, Madam Secretary, Senate Joint Resolution 101.

SECRETARY:

Senate Joint Resolution No. 101 offered by Senators Etheredge, Philip and Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and members, I...I have an amendment for this resolution, I believe it is being distributed. While that amendment is being distributed, I can describe what it does. The amendment deletes all of the present resolution and substitutes for it a statement which says that the...the Senate disapproves the report of the Compensation Review Board. I think that all of us were chagrined and embarrassed a short time ago when the report of the Compensation Review Board was presented to the public. Chagrined and embarrassed because it recommended...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, may...may I interrupt. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Move to adjourn till nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Rock...that motion is undebatable. Senator Rock moves to adjourn until nine o'clock tomorrow

morning. The Senate stands adjourned until tomorrow morning at nine o'clock.

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE
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