

78TH GENERAL ASSEMBLY

MAY 16, 1973

1. PRESIDENT:

2. Senate will...will come to order. The prayer will
3. be offered by Father John FitzGerald of Tolentine College,
4. Olympia Fields. Father FitzGerald. Will our guests
5. please rise?

6. (Prayer given by Father FitzGerald).

7. PRESIDENT:

8. Reading of the Journal. Senator Soper.

9. SENATOR SOPER:

10. Mr. President, I move to postpone the reading and
11. approval of the Journals of May 10th, 11th, 12th, 14th and
12. 15th pending the arrival of the printed Journal.

13. PRESIDENT:

14. Senator Soper moves that we postpone the reading of
15. the Journals of May 10, 11, 12, 14 and 15 until the arrival
16. of the printed Journal. All in favor signify by saying aye.
17. Contrary no. Motion carries. So ordered. Committee reports.

18. SECRETARY:

19. Senator Graham, Chairman of the Committee on Assign-
20. ment of Bills reports the following assignments:

21. (Secretary reads Committee Report).

22. PRESIDENT:

23. Introduction of bills.

24. SECRETARY:

25. SB 1169 by Senator Schaffer.

26. (Secretary reads title of bill).

27. SB 1170 by Senator Glass.

28. (Secretary reads title of bill).

29. 1st reading of the bills.

30. PRESIDENT:

31. Messages from the House.

32. SECRETARY:

33. Secretary reads messages from the House.

1. PRESIDENT:

2. Executive. If I might have the attention of the
3. Senate, I want to announce to you what will be our working
4. schedule. The remainder of this week and all of next week,
5. you may want to make some notes of this, we will follow-up on
6. this announcement with some memorandum provision for each
7. of you. We intend to work today straight through until 2
8. and adjourn for our Committees at 2:15. Tomorrow we will
9. work again from 10 to 2. Adjourn for our Committees scheduled
10. in the afternoon and the Senate return to Senate action at
11. 6:15 and work as long as we're being productive and we're
12. not knocked out. We will not work Friday. When we finish
13. tomorrow evening we will be through for this week. Next
14. week the schedule will be that we will convene at 12 on
15. Monday and work through until 5:30. Tuesday through Thursday
16. we will work on this daily schedule from 9 until 12:30-
17. Senate Session-12:30 until 2-a break for lunch; 2 until
18. 5:30-Senate Session and Committee meetings at 7. Senator
19. Mohr is working with the Committee Chairmen to arrange for
20. as little conflict as possible for the Committees to meet
21. next week at night. On Friday we will have no Committee
22. meetings. Friday is our deadline for Senate action on bills
23. and we will work as long as necessary Friday to get our work
24. processed. Now you all will receive a memo setting these
25. facts for you and I wanted to call attention to it now so
26. that you can be thinking in terms of what our time commitments
27. must be for next week. ...Bills on first reading. House
28. Bill 288, Representative Martin. House Bill 368, Representative
29. Catania. House Bill 425, Representative Jaffe. House Bill
30. 436, Representative North. Senator Roe, House Bill 436.

31. SECRETARY:

32. House Bill 436.

33. (Secretary reads title of bill).

1st reading of the bill.

1. PRESIDENT:
2. House Bill 446, Representative Choate. Senator Rock.
3. SECRETARY:
4. House Bill 446.
5. (Secretary reads title of bill).
6. 1st reading of the bill.
7. PRESIDENT:
8. House Bill 449, Representative Hanahan. House
9. Bill 549, Representative Porter. House Bill 553,
10. Representative Taylor. House Bill 554, Senator Scholl.
11. SECRETARY:
12. SB 554.
13. (Secretary reads title of bill).
14. 1st reading of the bill.
15. SB 555.
16. (Secretary reads title of bill).
17. 1st reading of the bill.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. House Bill 616, 553, Senator Newhouse.
20. SECRETARY:
21. House Bill 553.
22. (Secretary reads title of bill).
23. 1st reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Did we have 555? Scholl's. House Bill 616,
26. Representatives Kelly and Choate. House Bill 623,
27. Representative Gibbs. House Bill 625, Representative
28. Kosinski. Roe.
29. SECRETARY:
30. House Bill 625.
31. (Secretary reads title of bill).
32. 1st reading of the bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. House Bill 628, Representative B. B. Wolfe.
2. House Bill 630, Representative Gibbs. House Bill 675,
3. Representative Rayson. House Bill 695, Representative
4. Houlihan. Kosinski? Senator Kosinski.
5. SECRETARY:
6. House Bill 695.
7. (Secretary reads title of bill).
8. 1st reading of the bill.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. House Bill 749, Representative Catania.
11. House Bill 788, Representatives Kelly and Choate.
12. House Bill 623, Senator Knuppel.
13. SECRETARY:
14. House Bill 623.
15. (Secretary reads title of bill).
16. 1st reading of the bill.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. House Bill 425, Representative Knuppel.
19. SECRETARY:
20. House Bill 425.
21. (Secretary reads title of bill).
22. 1st reading of the bill.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. House Bill 788, Representative Kelly and Choate.
25. House Bill 1680, Representative Porter. Senator Glass.
26. SECRETARY:
27. House Bill 1680.
28. (Secretary reads title of bill).
29. 1st reading of the bill.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. For what purpose does Senator Glass rise?
32. SENATOR GLASS:
33. ...Mr. President, would it be proper to make a motion

1. relative to that bill at this time? I've checked with
2. leadership...both sides of the aisle on it, I'd be happy
3. to withhold it...later, but I would like to make a motion
4. bypass Committee on this bill.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. It's proper for us to make a motion at any time. I
7. don't know if it will prevail or not. Senator Glass moves
8. that House Bill 1680 may be...may bypass Committee and be
9. placed on order of 2nd reading. May be placed...is leave
10. is granted? Leave is granted, the bill will be placed on
11. 2nd reading.

12. SENATOR GLASS:

13. Thank you.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Next order of business will be Senate Bills on
16. 2nd reading. Senate Bills on 2nd reading and we are going
17. to have an orderly day, aren't we? Thank you. SB 83,
18. Senator Vadalabene. SB 2nd reading, do you want to move it?

19. SECRETARY:

20. SB 83.

21. (Secretary reads title of bill).

22. 2nd reading of the bill. The Committee on Transportation
23. and Public Utilities offers one amendment.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Vadalabene moves the adoption of the Committee
26. Amendment, all in favor will signify by saying aye. Opposed?
27. The ayes have it, the amendment is adopted. Any further
28. amendments from the Floor? 3rd reading. SB 150, Senator
29. John Conolly. SB 191, Senator Carl Berning. Hold all three.
30. SB 337, Senator McBroom. SB 417,...Senator McBroom, did you
31. want to move 337? Read the bill.

32. SECRETARY:

33. SB 337.

1. (Secretary reads title of bill).

2. 2nd reading of the bill. No Committee amendments.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any amendments from the Floor? 3rd reading.

5. SB 417, Senator Chew. No. SB 431 and 432.

6. Senator Regner. Advance.

7. SECRETARY:

8. SB 431.

9. (Secretary reads title of bill).

10. 2nd reading of the bill. No Committee amendments.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment No. 1 by Senator Regner.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Regner, would you explain your amendment

17. briefly?

18. SENATOR REGNER:

19. Yes, Mr. President, members of the Senate, this bill

20. was originally introduced to provide a mandatory life penalty

21. for a person convicted for a second offense of peddling hard

22. drugs. Under the new Code of Corrections, there is no such

23. thing as a life sentence, so this amendment says it's a

24. Class 1A felony with a minimum term of a mandatory 20 years.

25. And it changes from life to a minimum of 20 years and I

26. move for the adoption of Amendment 1 to SB 431.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Regner moves the adoption of Amendment No. 1 to

29. SB...431. All in favor will signify by saying aye. Opposed?

30. The ayes have it and the amendment is adopted. Any amendments

31. from the Floor? 3rd reading. SB 432.

32. SECRETARY:

33. SB 432. (Secretary reads title of bill).

1. 2nd reading of the bill. No Committee amendments.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Are there amendments from the Floor?

4. SECRETARY:

5. Amendment No. 1 by Senator Regner.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Regner will explain his amendment, please.

8. SENATOR REGNER:

9. Mr. President, members of the Senate, this is the
10. same type of bill as the last one. It...originally introduced
11. ...it provided a mandatory life sentence for a conviction of a
12. second offense of a felony while armed with a firearm again
13. ...there is no such penalty as life sentence under the new
14. criminal code. So therefore, this amendment makes it a man-
15. datory 20 year minimum sentence and imprisonment for this
16. crime. And I move for the adoption of Amendment No. 1 to SB 432.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Regner moves the adoption of Amendment No. 1 to
19. SB 432. All in favor will signify by saying aye. Opposed?
20. The ayes have it, the amendment is adopted. Any further amend-
21. ments from the Floor? 3rd reading. SB 434, Senator Partee, did
22. you desire to move that for Senator Keegan? Senator
23. Donnewald, I was trying to find out if leadership wants to
24. move SB 434 for Senator Keegan. Advance. We'll...we'll pass
25. over it and in the event...

26. SENATOR DONNEWALD:

27. Go ahead and move it.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. All right. Advance. Yeah. SB 434.

30. SECRETARY:

31. SB 434. (Secretary reads title of bill).

32. 2nd reading of the bill. No Committee amendments.

33. PRESIDING OFFICER (SENATOR GRAHAM):

Any amendments from the Floor? 3rd reading. SB 466.

Senator Chew is not on the Floor. SB 468, Senator Roe. Advance.

1. SB 468.

2. (Secretary reads title of bill).

3. 2nd reading of the bill. The Committee on Transportation
4. and Public Utilities offers one amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Roe moves the adoption of Amendment #1 to SB 468.
7. All in favor would you...all in favor signify by saying aye.
8. Opposed? The ayes have it. The amendment is adopted. Any further
9. amendments from the Floor?

10. SECRETARY:

11. Amendment # 2 by Senator Roe.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Roe, would you explain your amendment please?

14. SENATOR ROE:

15. Mr. President, members of the Senate, Amendment #2
16. deletes the words "gross number" and on line 4 substitutes the
17. word "twenty" and this is in relationship to the number of
18. parking tickets that it would be necessary to fail to contest
19. before the Court could recommend to the Secretary of State
20. that...that the offender's license be suspended or revoked
21. and Senator Chew and Senator Course indicated this would be
22. an acceptable number to them and I would move adoption of
23. Amendment #2.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Roe moves the adoption of Amendment #2. All
26. in favor will signify by saying aye. Opposed. The ayes have
27. it. The amendment is adopted. Any further amendments? 3rd
28. reading. SB 477, Senator Bob Mitchler. Advance. Hold it.
29. SB 509, Senator Vadalabene. Advance.

30. SECRETARY:

31. SB 509.

32. (Secretary reads title of bill).

33. 2nd reading of the bill. Committee on Transportation and
Public Utilities offers one amendment.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Vadalabene moves the adoption of Committee
3. Amendment. All in favor will signify by saying aye. Opposed?
4. The ayes have it and the amendment is adopted. 3rd reading.
5. SB 522, Senator Carroll. Oh, I'm sorry, Senator Vadalabene
6. has not...513. Do you want to move that Senator? Hold it.
7. SB 536, Senator Roe. SB 538, Senator Nudelman. Advance?
8. Senator Nudelman.

9. SENATOR NUDELMAN:

10. ...Mr. President, I'd like to advance that. I had however,
11. Senator Fawell had indicated he might have an amendment. I
12. said I'd entertain it. He hasn't brought it forth, if he does
13. I...I state now that I'd bring it back to 2nd if it was acceptable.

14. PRESIDING OFFICER (SENATOR GRAHAM)

15. Secretary will read the bill.

16. SECRETARY:

17. SB 538

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Are there amendments from the Floor? 3rd reading. SB
22. 539, Senator Sommer. SB 551, Senator Nudelman. Yes. Advance.

23. SECRETARY:

24. SB 551

25. (Secretary reads title of bill)

26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Are there amendments from the Floor? 3rd reading.
29. For what purpose does the Senator from Mt. Prospect arise?
30. Senator Regner.

31. SENATOR REGNER:

32. ...Mr. President, members of the Senate, I'd like to
33. introduce a class from Elk Grove High. They're brought

1. down here today to watch our operation. They're going
2. to attend some Committee meetings today. They're with
3. Mr. Chiarko and Mrs. Olsen from Elk Grove and they're
4. sitting in the President's gallery and if they'd arise
5. so we can recognize them please?

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. That used to be in the Chair's district until we got
8. reapportioned.

9. SENATOR REGNER:

10. That used to be in your district and mine when I was
11. on the other side, Senator Graham.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. ...Senator Regner, while you're on your feet, you have
14. a motion, might as well take care of it. Yes, Senator
15. Regner moves that we return SB 796 from the order of 3rd
16. reading to that of 2nd for purpose of an amendment. We
17. can get the bill ready and we can move the adoption of
18. amendment later. Wouldn't that be better, Mr. Secretary.
19. The bill apparently is not out here. 796. Leave is granted
20. for 796 now on the order of 2nd reading. Senator Regner
21. has an amendment to offer; would you explain your amendment
22. please?

23. SENATOR REGNER:

24. Yes, Mr. President, this is the Residential Contractor's
25. Licensing Bill and this other amendment I'm offering is
26. Amendment #5. And in lieu of a home rule article, it says
27. nothing in this Act shall place any limitation upon any
28. Home Rule Unit nor shall it limit any authority granted by
29. statute to license or regulate any activity. So what this
30. does is saying this Act will not preclude local government
31. having their own licensing ordinance. And I move for the
32. adoption of Amendment #5 to SB 796.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. All in favor of the adoption of the amendment will
2. signify by saying aye. Opposed? The ayes have it, the
3. amendment is adopted. The bill will be returned to the
4. order of 3rd reading and we'll call it later in the Session.
5. SB 557, Senator Vadalabene. Advance.

6. SECRETARY:

7. SB 557

8. (Secretary reads title of bill)

9. 2nd reading of the bill. Committee on Local Government
10. offers one amendment.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Vadalabene moves the adoption of Amendment #1
13. to SB 557. All in favor will signify by saying aye. Opposed?
14. The ayes have it. The amendment is adopted. Any amendments
15. from the Floor? 3rd reading. SB 566, Senator Sours is not
16. here, if he arrives. 571, Senator Vadalabene. You and I
17. are doing a lot of business today. Advance.

18. SECRETARY:

19. SB 571

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Are there amendments from the Floor? 3rd reading.
24. SB 597, Senator Latherow. SB 598, he's not here. SB
25. ...neither one, he said hold. Senator Latherow says hold
26. the two bills. SB 613, Senator Vadalabene. Advance.

27. SECRETARY:

28. SB 613

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendment.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Any amendments from the Floor? 3rd reading. SB 630,
33. Senator Nudelman. Advance.

1. SECRETARY:

2. SB 630.

3. (Secretary reads title of bill).

4. 2nd reading of the bill. No Committee amendments.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Are there amendments from the Floor? 3rd reading.

7. SB 652, Senator Romano. SB 656, Senator Johns. SB 656,

8. 2nd reading. Advance? Read the bill.

9. SECRETARY:

10. SB 656.

11. (Secretary reads title of bill).

12. 2nd reading of the bill. No Committee amendments.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Any amendments from the Floor? 3rd reading.

15. SB 661, Senator Regner. Advance.

16. SECRETARY:

17. SB 661.

18. (Secretary reads title of bill).

19. 2nd reading of the bill. The Committee on Local Government
20. offers two amendments.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Regner moves the adoption of Committee Amendment
23. #1 to SB 661. All in favor will signify by saying aye.

24. Opposed? The amendment is adopted. SB...Senator Regner

25. moves the adoption of Amendment #2 to SB 661. All in

26. favor signify by saying aye. Opposed? The ayes have it,

27. the amendment is adopted. Any amendments from the Floor?

28. 3rd reading. We have one...Senator Welsh, we have an

29. amendment proposed by Senator Welsh. Will you explain your

30. amendment after I get some order. Please, we have a Senator

31. who would like to explain his amendment and I would like to

32. hear what he says. May we please take our caucuses off of

33. the Floor. Please. Senator Welsh.

1. SENATOR WELSH:

2. I don't know the amendment number.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. It would be Amendment #3, I think.

5. SENATOR WELSH:

6. Amendment #3 eliminates the prohibition of a conscientious
7. objector from serving on the fire department.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Welsh moves the adoption of Amendment #3
10. to SB 661. All in favor will signify by saying aye.

11. Opposed? The ayes have it, and the amendment is adopted.

12. Any further amendments from the Floor? 3rd reading.

13. Senator Savickas. For what purpose do you arise?

14. SENATOR SAVICKAS:

15. Mr. President, members of the Senate, I rise for the
16. purpose of just introducing one of our former colleagues,
17. Senator Ted Swinarski whose come down to visit us.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Nice to see you, Senator. SB 662, Senator Regner. Advance.

20. SECRETARY:

21. SB 662.

22. (Secretary reads title of bill).

23. 2nd reading of the bill. No Committee amendments.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Are there amendments from the Floor? 3rd reading.

26. SB 689, Senator Welsh. Hold it. SB 724, Senator Daley.

27. SB 731, Senator Savickas. Senator Savickas, SB 731.

28. Senator Swinarski, will you go tell Senator Savickas I want

29. to know if he wants to advance his bill. I guess he's

30. not interested. SB...Senator Savickas, if I could prevail

31. upon you for your attention you have some bills, do you

32. want to advance.

33. SENATOR SAVICKAS:

1. ...I'd like to move...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. SB 731, first. What's your... For what purpose
4. do you arise, Senator McBroom.

5. SENATOR MCBROOM:

6. I want to point out, Mr. President, to you and to
7. Senator Savickas if we get into that series of bills, Senator,
8. we're...we're going to be taking up an awful lot of time.
9. I hope that something that is very important as Senator
10. Bell, Senator Schaffer and me can be...can be worked out
11. before too long. But if we get into that series, Senator,
12. we're going to be spending an awful lot of time on it
13. today.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Well, this is only second reading and if there are
18. no amendments. I'll hold them on 3rd reading. There's no...
19. I won't call them, there's no question on this.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator McBroom.

22. SENATOR MCBROOM:

23. We have a series of amendments for those bills, Mr.
24. President. If we want to get into it, we'll start offering
25. the amendments.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. If the Chair might suggest, discretion might be the
28. better part of valor and if we could proceed on and clean up
29. our Calendar. If you persist, Senator Savickas...
30. Senator Savickas.

31. SENATOR SAVICKAS:

32. ...Senator, I'll hold them, but there is one bill, SB 739
33. that I've offered an amendment on it has nothing to do with...

1. the Sanitary District per se except it changes the name
2. from Board of Trustees to the Board of Commissioners and
3. the amendment that it was offered is to clarify the intent of
4. the name change so it will not disrupt any contracts or any
5. programs that had been started under the Board of Trustees
6. when the name is changed to Commissioner. I would offer
7. this amendment and leave it on 2nd reading then...

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. ...The Chair might indicate that I think that may be
10. a non-controversial bill. Senator McBroom.

11. SENATOR MCBROOM:

12. ...Do you want to offer the amendment and leave it
13. on 2nd reading, Senator? We have amendments for the entire
14. series and as I indicated to you I, Mr. Carey, I know spent
15. most of the day on the Floor yesterday. I wish he were here
16. today to hear what I was saying. If...if you're going to
17. leave it on 2nd reading, fine, otherwise as I indicated
18. to you, Senator Bell and Senator Schaffer and I are prepared
19. to spend the rest of the day on this series.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. SB 7...Senator Savickas. The Chair is going to request
22. pretty shortly that we're not going to debate bills and we're
23. not going to consider. And if we're not going to, let's
24. move on with the Calendar. Senator Savickas.

25. SENATOR SAVICKAS:

26. No, I...my intention is to adopt this amendment and
27. leave it on 2nd reading with the rest of the series.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. That's what I was trying to do was have the Secretary
30. read the bill a second time so you could offer the amendment.

31. SB 739.

32. SECRETARY:

33. SB 739.

1. (Secretary reads title of bill)

2. 2nd reading of the bill. No Committee Amendments.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Savickas offers...

5. SECRETARY:

6. Amendment #1 by Senator Savickas.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Would you like to explain your amendment again, Senator?

9. Your amendment to 739.

10. SENATOR SAVICKAS:

11. Yes. All this change...the amendment just reinforces
12. the purpose of the changes wherever any of the terms trustee
13. or trustees are used for Board of Trustees that they will
14. now be used as Commissioner, Commissioners and Board of
15. Commissioners and the change is intended only for...to be
16. used on the designations of the corporate authorities of
17. sanitary districts organized under the Act. It shall not
18. operate to reduce the term of any member elected or appointed
19. to the board of such sanitary district. And also, no action
20. taken before the effective date of this amendatory act by
21. the corporate authorities of any sanitary district organized
22. under this Act shall be rendered invalid by reason of the
23. fact that such corporate authorities were designated as
24. trustees or board of trustees in relation to that action.
25. So this is all it does...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Savickas moves the adoption of Amendment #1
28. to SB 739. All in favor will signify by saying aye. Opposed?
29. The ayes have it. The amendment is adopted. The bill will
30. remain on the order of 2nd reading. Senator Glass has
31. indicated that he would be desirous of being a Senate
32. sponsor of House Bill 549. All right, we'll wait till we
33. get back to that so it won't confuse the Secretary.

1. SB 760, Senator Shapiro. Advance.

2. SECRETARY:

3. SB 760.

4. (Secretary reads title of bill).

5. 2nd reading of the bill. No Committee amendments.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Are there amendments from the Floor? 3rd reading.

8. SB 761.

9. SECRETARY:

10. SB 761.

11. (Secretary reads title of bill).

12. 2nd reading of the bill. No Committee amendments.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Are there amendments from the Floor? 3rd reading.

15. SB 762, Senator Kenneth Course. Hold it. SB 764,

16. Senator Carroll. Advance.

17. SECRETARY:

18. SB 764.

19. (Secretary reads title of bill).

20. 2nd reading of the bill. No Committee amendments.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Amendments from the Floor?

23. SECRETARY:

24. Amendment #1 by Senator Carroll.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Carroll, explain your amendment please.

27. ...PLEASE, please, please. Ladies and Gentlemen, please.

28. SENATOR CARROLL:

29. This is a technical amendment that we had promised

30. in Committee to say that the members approved by the County

31. Board have to be approved with the advice and consent of

32. entire Board by nomination of the President. I would

33. move the adoption of the amendment.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Carroll moves the adoption of Amendment #1
3. to SB 764. All in favor of the adoption will signify by
4. saying aye. Opposed? The ayes have it. The amendment is
5. adopted. Any further amendments from the Floor? 3rd
6. reading. SB 797, Senator Regner. Advance.

7. SECRETARY:

8. SB 797

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendment.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment #1 by Senator Regner.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Regner, would you explain your amendment?

17. SENATOR REGNER:

18. Yes, Mr. President, this is a bill to...that requires
19. the tax board of appeals to notify municipalities or school
20. districts within its boundaries...notify them when there is
21. a ...

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Please, please. A Senator is trying to explain an
24. amendment and he deserves our courtesy. Would we please
25. be in order? Good order. Continue, Senator.

26. SENATOR REGNER:

27. ...So what this does is, it says that the tax board
28. of appeals does not have to make the notification to the
29. school district or municipality. But that the complaining
30. party or his attorney has the obligation of making the
31. notification. And this would simplify the operation for the
32. tax board of appeals. And I move for the adoption of
33. Amendment 1 to SB 797.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. You've heard the motion. All in favor will signify
3. by saying aye. Opposed? The ayes have it. The amendment
4. is adopted. Any further amendments? 3rd reading. SB 798,
5. Senator Regner. Advance.

6. SECRETARY:

7. SB 798.

8. (Secretary reads title of bill).

9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Are there amendments from the Floor? 3rd reading.

12. SECRETARY:

13. Amendment #1 by Senator Regner.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Regner, would you explain your amendment, please?

16. SENATOR REGNER:

17. Mr. President, members of the Senate, this is a technical
18. amendment. When a reference was made to blanket bonds and
19. their description in paragraph 22-1, it should have been
20. 14.1 and 2 and all that does is make that technical
21. correction. And I move for its adoption.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. You've heard the motion by Senator Regner. All in
24. favor will signify by saying aye. Opposed? The ayes
25. have it. The amendment is adopted. Any further amendments?
26. 3rd reading. SB 811, Senator Hynes. SB 824, Senator
27. Saperstein. Move it. Advance, she says.

28. SECRETARY:

29. SB 824.

30. (Secretary reads title of bill).

31. 2nd reading of the bill. The Committee on Public Health
32. offers one amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Saperstein will move the adoption of the
2. Committee amendment to SB 824. All in favor will signify
3. by saying aye. Opposed? The ayes have it. The amendment
4. is adopted. Any further amendments? Senator Saperstein.

5. SENATOR SAPERSTEIN:

6. Mr. President, I offer Amendment #2 which is...a
7. corrective amendment. It strikes the word "medical" when we...
8. and inserts in lieu thereof "mental." This is a corrective
9. amendment.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. You have the amendment, Mr. Secretary?

12. SECRETARY:

13. I have the amendment.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Saperstein moves the adoption of Amendment #2
16. to SB 824. All in favor will signify by saying aye.
17. Opposed? The ayes have it and the amendment is adopted.

18. Any further amendments, Senator? 3rd reading. SB 825.

19. SECRETARY:

20. SB 825.

21. (Secretary reads title of bill).

22. 2nd reading of the bill. The Committee on Public Health
23. offers one amendment.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Saperstein moves the adoption of the Committee
26. amendment to SB 825. All in...Senator Saperstein, could
27. we have some order gentlemen? Senator Saperstein.

28. SENATOR SAPERSTEIN:

29. ...I would like to offer Amendment #2 to...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. We haven't adopted Amendment #1 yet.

32. SENATOR SAPERSTEIN:

33. Oh, excuse me. I move the adoption.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. All in favor of the adoption of Amendment #1 will
3. signify by saying aye. Opposed. The ayes have it. The
4. amendment is adopted. Senator Saperstein offers Amendment
5. #2. Will you explain your amendment please?

6. SENATOR SAPERSTEIN:

7. Yes. Be happy to. This is also suggested by the
8. Committee. The bill...the original bill provides for
9. visitation for the conditionally discharged. This amendment
10. as suggested by the Department and the Committee would permit
11. an extension of the visitation if the Department of Mental
12. Health deemed it necessary. I move the adoption.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Saperstein moves the adoption of Amendment #2
15. to SB 825. All in favor will signify by saying aye. Senator
16. Ozinga, for what purpose do you arise?

17. SENATOR OZINGA:

18. ...Has Senator, was this Amendment #2 consented to
19. by the Department?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Saperstein.

22. SENATOR OZINGA:

23. Was...was it their suggestion?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. She indicates...Senator Saperstein.

26. SENATOR OZINGA:

27. How come this was not adopted in the Committee?

28. SENATOR SAPERSTEIN:

29. Because your...in the...our presentation of the
30. Amendment #1 this was not mentioned and after the discussion
31. of the bill, the departments suggested that they be permitted
32. to extend visitation. It's a...deemed necessary. There was
33. no written amendment so we promised to amend it on the Floor.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Ozinga.

3. SENATOR OZINGA:

4. Now, Senator, I notice on the Calendar that these
5. are listed as 824 through 830. This would lead to an
6. impression that these are all part of a package. Now I
7. am going to specifically request that they be listed separately
8. on the Calendar from here on out because they are specifically
9. separate and distinct subject matters.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Saperstein

12. SENATOR OZINGA:

13. ...adoption of that.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. I was not listening, did your question require an
16. answer and if so Senator... No. Then, the motion has been
17. made to adopt Amendment #2. All in favor signify by saying
18. aye. The ayes have it. The Amendment is adopted. Any
19. further amendments? SB 826. 3rd reading on SB 825. SB 826.

20. SECRETARY:

21. SB 826.

22. (Secretary reads title of bill).

23. 2nd reading of the bill. The Committee on Public Health
24. offers one amendment.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Saperstein moves the adoption of Amendment #1
27. to SB 826. All in favor will signify by saying aye. I don't
28. hear any ayes. Opposed? The ayes have it. The amendment is
29. adopted. Are there other amendments from the Floor?

30. SECRETARY:

31. Amendment #2 by Senator Saperstein.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Saperstein, explain your amendment please.

1. SENATOR SAPERSTEIN:

2. ...The original bill mandates the director to review
3. the drugs administered in the hospital and it was not
4. qualified. The Committee suggested that we qualify what
5. kinds of drugs we meant. And the amendment reads; we strike
6. the word drugs and add drugs as used in this section means
7. psychotropic and narcotic drugs. I move the adoption.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. All in favor of the motion will signify by saying
10. aye. One aye. Opposed? The aye has it. The amendment
11. is adopted. Senator, you better start voting for your own
12. amendments pretty soon. You have... Any further amendments?
13. 3rd reading. The next bill will be SB 827.

14. SECRETARY:

15. SB 827

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any amendments from the Floor? 3rd reading. SB 828,
20. Senator Saperstein...

21. SECRETARY:

22. SB 828

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Are there any amendments from the Floor? 3rd reading.
27. SB 829.

28. SECRETARY:

29. SB 829

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Are there any amendments from the Floor? Senator

1. SECRETARY:

2. Amendment #1 by Senator Saperstein.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Explain your amendment please.

5. SENATOR SAPERSTEIN:

6. Oh. Mr. President and Ladies and Gentlemen of the
7. Senate. This was an amendment suggested by the Illinois
8. Association for Mentally Retarded. The original...SB 929
9. provides for separation of the sexes for sleeping quarters
10. only. This would exempt the profoundly mentally...adults
11. and children, children under six and the nonambulatory
12. clients. I move the adoption.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Saperstein moves the adoption of Amendment
15. #1 to SB 829. The number on the board is correct, we are
16. addressing ourselves to 829 and that was the bill read by
17. the Secretary. If the Senator addressed herself to the
18. wrong bill...is your amendment for 829, right?

19. Senator Ozinga.

20. SENATOR OZINGA:

21. ...29 according to the digest refers to the separation
22. of the sexes and sleeping quarters. Is that what her
23. amendment does?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Yeh. Yeh. Moves the adoption Amendment #1 to SB 829.
26. All in favor will signify by saying aye. Opposed? The
27. ayes have it. The amendment is adopted. Any further
28. amendments? 3rd reading. SB 830.

29. SECRETARY:

30. SB 830.

31. (Secretary reads title of bill).

32. 2nd reading of the bill. No Committee amendments.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any amendments from the Floor? 3rd reading.
2. Mr. Secretary, I guess you have the request from
3. Senator Ozinga regarding separation of these bills?
4. SECRETARY:
5. I've got it.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. SB 884, Senator Fawell. SB 905, Senator Fawell.
8. Hold the entire series. SB 915, Senator Tom Merritt.
9. SB 920, Senator Carroll. Advance.
10. SECRETARY:
11. SB 920
12. (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Are there amendments from the Floor? 3rd reading.
16. SB 928, Senator McBroom. Advance. Oh, oh, I'm sorry.
17. Senator McBroom.
18. SENATOR MCBROOM:
19. ...Yes, Mr...Mr. President.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Please. Yes, continue Senator.
22. SENATOR MCBROOM:
23. ...make sure I'm talking about the correct bill. SB 928,
24. I have an amendment which is on the Secretary's desk. I
25. ...I'd like...like to point out, Mr. President, before explaining
26. the amendment if I could have...
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. If we could get a little order, it would be less difficult.
29. Gentlemen and Ladies, I again prevail upon you to show a
30. Senator the courtesy that he deserves that includes our
31. visiting members from the House. That he deserves to be heard,
32. I'm going to request again that we have order. Continue.
33. SENATOR MCBROOM:

1. Well, I'm going to ask the Secretary to read the
2. amendment, Mr. President, but before he does that I would
3. like to point out that Senator Bell and Senator Schaffer
4. and I are studiously attempting to be reasonable, Mr.
5. President and this...this amendment has the effect of
6. taking the transfer clause out on the movement of sludge
7. or waste water or whatever the case might be if...if County
8. A and County C would agree upon it. County B...they don't
9. have to get the permission of County B which is in between.
10. I would hope that some of the members...I would hope that
11. some of the members, Mr. President, would endeavor to look
12. at this as seriously as the three of us are looking at it
13. and would realize that we're trying to take a sincere approach
14. to a problem which affects our district. We're also preparing
15. another amendment which we may offer which would take out
16. the backdoor referendum, Mr. President. And I...I just would
17. hope that Senator Rock, I know you're listening to me and
18. you know how serious I am about this I...I hope that some
19. of your associates on that side and this side would think
20. seriously about our problem. So if the Secretary would
21. read the amendment.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Secretary will read the amendment.

24. SECRETARY:

25. SB 928

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. Amendment #1 by Senator McBroom.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator McBroom has explained his amendment. And now
31. he moves its adoption. All in favor will signify by saying
32. aye. Opposed. The ayes have it. The amendment is adopted.
33. Any further amendments? We'll...you're moving it to 3rd

1. reading and may want to call it back later. 3rd reading.
2. 928. SB 967, Senator Knuppel. Advance.
3. SECRETARY:
4. SB 967.
5. (Secretary reads title of bill).
6. 2nd reading of the bill. No Committee amendments.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Any amendments from the Floor? Secretary, where are we?
9. SECRETARY:
10. No committee amendments on 967.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Are there any amendments from the Floor? 3rd reading.
13. SB 970, Senator Knuppel. Advance.
14. SECRETARY:
15. SB 970.
16. (Secretary reads title of bill).
17. 2nd reading of the bill. The Committee on Judiciary offers
18. one amendment.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Senator Knuppel offers and moves the adoption of Amendment
21. #1 to SB 970. All in favor signify by saying aye. Opposed.
22. The ayes have it. The amendment is adopted. Any further
23. amendments? 3rd reading. SB 973, Senator McBroom.
24. Senator Savickas, for what purpose do you arise?
25. SENATOR SAVICKAS:
26. Today seems to be family reunion day today...my colleague
27. to my left, Senator Vadalabene, has two of his sons here, Sam, Jr
28. and Charles Vadalabene sitting right with him. I'd like to
29. introduce them.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Will the young Vadalabenes stand? Now, Senator McBroom?
32. Hold it, he said. Senator...992, Senator Rock. Advance.
33. SECRETARY:

1. SB 992.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. Amendment #1 by Senator Rock.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Rock, explain your amendment, please.

7. SENATOR ROCK:

8. Yes, Mr...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Gentlemen, Ladies, again we have a Senator attempting
11. to explain his amendment.

12. SENATOR ROCK:

13. Thank you. Mr. President, members of the Senate,
14. Senate Bills 992 and 993 are administration bills offered
15. by the Department of General Services for our consideration.
16. In the Executive Committee, I agreed to put an amendment on
17. 992. The subject of this bill is the authority of the Department
18. to enter into leases and there was some concern that rather
19. than to have...we are now currently bound by the one year,
20. two year rule. The Department wished to extend that. So
21. what this amendment does is it allows the Department to enter
22. into a lease for five years with an option to renew at the
23. end of that five for another five rather than a ten year
24. provision. It's an agreed amendment, agreed to by both
25. sides of the aisle. And I move its adoption.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Rock moves the adoption of the Amendment. Any
28. other amendments from the Floor? All...all in favor of the
29. adoption of the amendment signify by saying aye. The ayes
30. have it. The amendment is adopted. Any further amendments
31. from the Floor? 3rd reading. SB 993, Senator Rock. Advance.

32. SECRETARY:

33. SB 993.

1. (Secretary reads title of bill)

2. 2nd reading of the bill. No committee amendments. Amendment
3. #1 by Senator Rock.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Rock, would you explain your amendment please.

6. SENATOR ROCK:

7. Yes sir. Mr. President, Members of the Senate, this is
8. a companion bill to 992 and in order to conform to the amendment
9. we just adopted to 992, 993 is amended to...amends the
10. Finance Act to allow the Department to exercise an option if
11. they have one. And I would move the adoption of this amendment.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. All in favor of the motion by Senator Rock will signify
14. by saying aye. Opposed? The ayes have it. The amendment
15. is adopted. 3rd reading. SB 1008, Senator Harber Hall.
16. Hold it. Hold all three. SB 1055, Senator Hynes. Senator
17. Hynes. SB 1055. SB 1078, Senator Glass. Senator Glass.
18. Senator...Latherow, would you like to do something with
19. SB 1082? Gentlemen, I'm trying to ask you if you want to
20. move your bills. Hold it. SB 1097, Senator Nimrod. SB 1135,
21. Senator Knuppel. Advance.

22. SECRETARY:

23. SB 1135

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Are there amendments from the Floor? 3rd reading.

28. Ladies and Gentlemen, I think that this point in time I'd
29. like leave to go out of the order of business, normal order
30. of business and go to the order of motions. We'll recognize
31. Senator Merritt for the purpose of making a motion.

32. What is your motion, Senator?

33. SENATOR MERRITT:

1. Mr. President, members of the Senate, yesterday we
2. moved SB 930 to the order of 3rd reading. I failed to add
3. on a technical amendment, I'd like to take SB 930 back to
4. the order of 2nd for the purpose of offering Amendment #1.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Merritt asks leave of the Body to return SB 930
7. to the order of 2nd reading for the purpose of consideration
8. of an amendment. All in favor signify by saying aye. Opposed.
9. The ayes have it. The bill's on 2nd reading and Senator
10. Merritt will offer his amendment.

11. SENATOR MERRITT:

12. Yes. Mr. President, there was no opposition to the
13. bill in committee, this merely provides for school district
14. that may be...I'll refer to it as a hole in the doughnut,
15. and then the surrounding territory being the doughnut not
16. being in a junior college district does not make it contiguous.
17. The bill addresses itself to that. The amendment merely
18. states that contiguity of such territory shall not be affected
19. by any subsequent change in the status of change in the
20. surrounding nondistrict territory. I would move the adoption
21. of the amendment, Mr. President.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. This would be a good time to put on a bad amendment
24. because no one's listening anyway. Senator Merritt moves
25. the adoption of Amendment #1 to SB 930. All in favor will
26. signify by saying aye. And after we say aye, may we please
27. have some order. Opposed? The ayes have it. The amendment
28. is adopted. The bill will be returned to the order of 3rd
29. reading. Now, Gentlemen, Ladies, we have some motions that
30. we are going to consider. Are we listening? That will take
31. up a considerable amount of time. Now, if there are some
32. other motions on moving bills from 3rd back to 2nd and otherwise,
33. will you please do it now? Senator Glass, have...wanted to...

1. did you have a motion, Senator Glass? He wanted...Senator
2. Glass wanted to pick up a House Bill. Let's do it now.
3. House Bill 549.

4. SECRETARY:

5. SB 549.

6. (Secretary reads title of bill).

7. 1st reading of the bill.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Do any of the other Senators have motions to make re-
10. garding bills they want to move back for amendments? If not,
11. we will recognize Senator Rock for the purpose of discussing
12. the motion filed with the Secretary. Senator Rock.

13. SENATOR ROCK:

14. Mr. President, Ladies and Gentlemen of the Senate...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Wait...Senator Rock. Ladies and Gentlemen, I'm going to
17. prevail upon you to have some order because these are important
18. motions and the discussion will be important. And may we
19. please. Senator Rock, continue.

20. SENATOR ROCK:

21. Thank you, Mr. President, the subject of this motion,
22. it is a motion to discharge the Committee on Insurance and
23. Financial Institutions, if I could have Senator Netsch's
24. attention, I think she might be interested in this, it is a
25. motion...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. I think you deserve the attention of all the Senators.
28. Would you please be in your seats for temporarily, at least.
29. Continue.

30. SENATOR ROCK:

31. ...The subject, Mr. President, of SB 934, I have filed
32. a motion in writing to discharge that Committee from further
33. consideration of that legislation and have this legislation

1. brought to the Floor of the Senate and placed on the order
2. of second reading. The subject as everyone is well aware
3. is limited branch banking. This, Mr. President and members
4. of the Senate, is an idea in my judgment whose time has
5. come. The Constitutional Convention thought so highly of
6. this issue that they built a special section in article 13,
7. section 8 that says the branch banking shall be authorized
8. only by law, approved by three-fifths of the members
9. voting. The thrust of this motion, Mr. President, members
10. of the Senate, is to give this Senate, this Chamber an
11. opportunity in the 78th General Assembly to address itself
12. to this most pressing problem. I think it is something
13. that deserves our full attention. It deserves discussion
14. on the Floor of the Senate. I have passed out a folder
15. containing editorial opinion of some of the major newspapers
16. throughout the State. Not only in Chicago but throughout
17. the State. There is also a free capsulized opinion sheet
18. which says in essence that the time has come that this State
19. should have a limited branch banking act. I would point out
20. Mr. Chair...Mr. President, members of the Senate, some of
21. the ideas that were brought out in the Senate Committee.
22. There are, in fact, eleven hundred and fifty commercial banks
23. in the State of Illinois. There are twelve hundred seventy-
24. two cities, villages and town in our State, seven hundred
25. and fifteen of these cities, villages and towns have a bank.
26. Five hundred and fifty-seven are without a bank. Most of them
27. are of such size that raising the five hundred thousand dollar
28. capital to start a bank would probably in all candor be an
29. uneconomical venture. However, their inhabitants would be con-
30. venienced and better served in many such communitites if, in fact,
31. they had a bank. The whole thrust of this bill, SB 934 is to
32. provide a service vitally needed to the economy to the State of
33. Illinois, to the people and the citizens in the State of Illinois. I

1. do not think SB 934 had the kind of hearing, the kind of
2. public airing such a concept deserves. That, Mr. President,
3. is the reason for this motion to discharge that Committee,
4. to bring that bill to the attention of the full Senate
5. here on the Floor. And I would ask a favorable roll call.
6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Merritt, for what purpose do you arise?

8. SENATOR MERRITT:

9. Mr. President, members of the Senate, those of you who
10. in this Body know me the best know that I'm no lengthy debator.
11. This issue was, in my opinion on last Friday, given perhaps one
12. of the most fair hearings I've ever heard in any Committee that
13. I've ever attended. By agreement, and what I mean is total
14. agreement of both the proponents and opponents, they agreed
15. to take three witnesses each, try to limit their remarks to
16. ten minutes. I didn't even shut any of them off; if they
17. ran slightly over that, no one was shut off. I told all of
18. our members that each would have an opportunity to do all
19. the questioning they desired. There was no attempt at any
20. time to shut anybody off. I think, if my memory serves me
21. correct, it went on for approximately two hours. I have never
22. seen a more orderly group; the room was crowded with bankers
23. from both sides. They were completely orderly and I certainly
24. feel like they had a very, very fair hearing. Now, at the
25. same time, all of us here who were in Committees last week know
26. what a tremendous job was done by those Committees, all of
27. them trying desperately to meet our May 12th deadline. And
28. I think we can all take pride in the fact we, for the most
29. part accomplished that, with the exception of the Appropriation
30. Bills and those that were going to be exempt. I think that
31. all of us knew if I had a bill in Committee that if I didn't
32. have it out of there by the 12th, it was virtually a dead issue
33. and I was willing to accept any bills I had on that same

1. basis. Now, the issue before us on this motion is not
2. whether we're going to be for or against branch banking.
3. That's not the issue at all. The issue is, are we going
4. to believe in the Committee system that over the years
5. has functioned well in this Body. If not, then I don't
6. know how many bills are still sitting in Committee in the
7. same status that this one is, still sitting there, and if
8. we're going to spend all of our time in the coming days
9. and I'm sorry this had to be the first of these type of
10. motions, if we're going to spend all of our time doing this
11. on the Senate Floor, then I wonder sometimes if the Committee
12. system should prevail. I happen to be one Senator that
13. believes in it. It's the only way that we can do an
14. orderly business here in the Senate. And I certainly
15. would ask those that believe not necessarily for or
16. against branch banking but in the Committee system to join
17. me in resisting this motion. Thank you.

18. SENATOR ROCK:

19. ...Mr. Chairman, I...I, Mr. President, I know that others
20. wish to speak on this but I just want to make it crystal clear,
21. let me make one thing perfectly clear. At the end of the Committee
22. hearing before Chairman Merritt and his group, I publicly
23. and I will do so again acknowledge their courtesy, their
24. patience, I in no way mean to infer or state that the
25. Committee did not in fact hear the witnesses, take the
26. testimony and make a reasoned judgment. The...the thrust
27. of this motion, Mr. President and members of the Senate,
28. is that this issue is of such magnitude that it deserves
29. the attention and the addressing of the full Senate. Now
30. we are coming in here next Monday to have the Committee of
31. the Whole to deal with a bill that I don't think ranks any-
32. where near in importance as does this one. I am asking only
33. that this bill be discharged from that committee for the

1. purpose of airing this on the Floor of the Senate. And I
2. again renew my solicitation for your support.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Sours.

5. SENATOR SOURS:

6. Well, then I'd like to ask, Mr. President, I'd like to
7. ask Senator Rock a question. Will he yield?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. He indicates he will.

10. SENATOR SOURS:

11. Then it is your disposition, Sir, that you're dissatisfied
12. with the action taken to this bill. Is that correct?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Rock.

15. SENATOR ROCK:

16. Well, dissatisfied in the sense, Senator, that it was a
17. six-to-six vote in a Committee, and I think again, if I can
18. restate the issue, I think issue is of such magnitude and
19. such importance to the people and the economy of this
20. State that it deserves our attention on the Floor. That's
21. the whole sum and substance of the motion.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Sours.

24. SENATOR SOURS:

25. But the decision the Committee just didn't suit you
26. and those supporting your position isn't that true? You...
27. you dislike the attention given to the bill.

28. SENATOR ROCK:

29. No, Sir, I did not say that. I...I publicly thanked
30. the Committee Chairman for his courtesy shown to those
31. witnesses who were in favor and those witnesses who were
32. against and shown to myself as the chief sponsor. I am
33. obviously unhappy with the result because I would wish that

1. that Committee would have at least recommended the bill
2. out with no recommendation recognizing that this is an
3. issue that deserves the attention of the full Senate.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Sours.

6. SENATOR SOURS:

7. I think I have my answer, Mr. President. This is
8. a matter that just doesn't satisfy those people who propose
9. what Senator Rock is proposing. That's all. And if we...
10. if we listen...this kind of activity, we could be here forever
11. and it wouldn't be any...any sustenance in any of these bills
12. that are in that position where there's a tie vote in Committee.
13. He knows the rules as well as we do and it just doesn't
14. satisfy him. Now, I'd like to say this if the...if the
15. Committee gave it a fair hearing and that is the Committee's
16. decision, that ought to remain the Committee's decision.
17. And this...and this Chamber should not intermeddle.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Soper.

20. SENATOR SOPER:

21. A point of parliamentary inquiry.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. State your point.

24. SENATOR SOPER:

25. How many votes does this take to...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. It takes 30 votes.

28. SENATOR SOPER:

29. 30 votes.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Terrel Clarke.

32. SENATOR CLARKE:

33. Mr. Chairman, I...Mr. President, I indicated the

1. other day that I wanted to make something clear and I just
2. like to speak to it so far as I am listed as the second
3. sponsor on this bill and my name was used in a variety of
4. letters that went out to bankers over the State indicating
5. that Senator Rock and I were going to sponsor this motion to
6. discharge the Committee. And for you newcomers, this is the
7. type of problem you might fall into. I have been for several
8. years a co-sponsor with Senator Horsley two years, four years
9. ago on the bill that breaks the concept of a holding company,
10. banking concept. I favor that idea. I have for a good many
11. years been opposed to branch banking even in a limited sense
12. because this has very vital repercussions in a county the
13. size of Cook County. The person who is a very honorable
14. person that came to me early in representing this group
15. early in this Session asking whether I again supported him
16. in this concept and I did and the delineation was not made
17. that there were two bills and one was a branch banking bill. This
18. bill was introduced the 14th of April, the last day so I didn't
19. get a chance to look at it because I was gone and the first I
20. learned that I was a sponsor was when I read it in the
21. editorial in the Chicago Daily News. And I just want to
22. make it perfectly clear, the situation, the trap you can
23. fall into was just a misunderstanding but I'm not sponsoring
24. this bill. I'm not going to vote for this motion and I
25. just want you to know that.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Do you have any motion to make with regard to your
28. name? Senator Wooten.

29. SENATOR WOOTEN:

30. Yes, Mr. President, just an innocent inquiry from one
31. of the newcomers. I have heard the argument made before that
32. we should not go against the Committee's judgment. Then, in
33. innocence, why is there provision in our rules for discharging

1. a committee if this is never to be done? I would assume
2. that we have that recourse and when...when there is strong
3. feeling on a certain subject and I just assume from reading
4. the rules that this is something that could be done and
5. while it may not be the customary thing to do and obviously
6. is extraordinary, there really are no provisions against it.
7. And it is a course of action left open to us and I'm assuming
8. that no one is calling that provision in to question.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. There is no prohibition against the motion of Senator
11. Rock. The only problem he has or anyone making a similar
12. motion is attaining 30 votes. Senator Partee.

13. SENATOR PARTEE:

14. Well, Mr. President and members of the Senate, Senator
15. Wooten you are very right, we do have such a rule because
16. generally we try to pass that legislation which expresses
17. the will of this Body, not just a segment of this Body.
18. I have absolutely no idea how a vote would come out if it
19. were taken on the subject of limited branch banking by the
20. entire Body. I think what Senator Rock was saying and I think
21. he said it well was that we think that this is the kind of
22. an issue where when the legislative judgment has been
23. rendered, it should be a judgment of the entire Body rather
24. than a segment of this Body. Unfortunately, issues can
25. not be weighed like flour or meal by the pound. If it could
26. be, we could have a rule that if a bill weighed more than
27. twenty pounds it would automatically go to the Floor for
28. discussion by the entire Body. The weight, the heaviness,
29. the impact of a measure, it seems to me, should have con-
30. sideration by the entire Body. This is a very sensitive
31. subject, I'm aware of that. It is also a subject, I think,
32. of general concern. We have two separate kinds of institutions
33. in this State. One being banks and the other being savings and

1. loans, which perform many of the same functions. Many
2. of you know at this moment several things are happening
3. in the savings and loan field particularly those that are
4. federally chartered which will eventually place those two
5. institutions in disproportionate positions and postures.
6. The savings and loans are going to be permitted to branch.
7. The Federal savings and loans. An attempt will be made
8. in this Body to permit State savings and loans also to
9. branch so that they can remain competitive with Federal
10. savings and loans. I think we owe it to the citizens of
11. this State to make certain that banks and savings and loans
12. are kept in parallel position in the context of keeping
13. viable our banking institutions whether they be formerly
14. called banks or savings and loans. Hence, to Senator
15. Rock and others, this is a very heavy problem, it is a
16. heavy bill. It is not a mere bill and the judgment
17. that is rendered on this issue should be the judgment
18. of the entire Legislature and not just a segment of it.
19. On that basis, I think he rightfully asks that you support
20. a motion to bring it to the Floor. As I say, I have no
21. idea what the vote will be eventually. But whatever the
22. vote is, it will reflect the judgment of this entire Legislature
23. on so crucial a question.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Rock will close the debate. I guess, again.

26. SEANTOR ROCK:

27. Mr. President, members...Ladies and Gentlemen of the
28. Senate, again I wish to reiterate that I too am a firm
29. believer in this Body and its rules and its traditions and
30. its committee system. I say in all candor that this is an
31. issue of such magnitude that it deserves the full attention
32. of the full Senate and I would solicit the support of the
33. forward thinking members of this Body to at least...to at

1. least get it on the Floor so that we can argue it properly.
2. I solicit your support.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Merritt, for what purpose do you arise?

5. SENATOR MERRITT:

6. Oh, oh okay, nothing.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. The motion is shall the Committee on Insurance and
9. Financial Institutions be discharged from the consideration
10. of SB 934 and that it be placed on the order of second reading.
11. On this motion...for this motion to prevail it will take 30
12. votes and upon that motion the Clerk...Secretary will call the
13. roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
16. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
17. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
18. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
19. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
20. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
21. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
22. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
23. Swinarski, Vadalabene, Walker,

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Walker.

26. SENATOR WALKER:

27. ...My vote is no. In explaining my vote, part of the
28. reason for it being no is this article in the Illinois State
29. Journal here yesterday where some bankers decrying the Senate
30. panel deadlock over branch banking and it immediately takes
31. into two very fine Senators, Senator Ozinga and Senator
32. Merritt, just because they happen to hold stock in a bank
33. or two. Having known both of those gentlemen for a number

1. of years, I know that had nothing to do with their decision
2. and if I can be helpful to the press, the gentlemen of the
3. fourth estate, I might say that I've been connected with
4. several banks for a number of years and I've invested in
5. some of them. It was money that I earned, worked for and
6. might say took a flyer on; it's worked out pretty well.
7. These were organized with local capital. Local stockholders.
8. I don't believe in the principle of branch banking, benefits
9. a few Loop banks. But what has been primarily my concern is
10. the attitude of the press and when they defile two Senators
11. such as Senators Ozinga and Senator Merritt and I understand
12. that no one came to their defense, I think it's reprehensible.
13. It was primarily my deciding factor and I'm just happy that
14. the bill is not coming from Committee on the Floor because
15. that would give several of the other papers a chance to
16. rap more than two of us who happen to be stockholders in a
17. couple of banks. Thank you for your time, Mr. President,
18. fellow Senators. And I understand here from a note in
19. closing, the editor of the Illinois State Journal owns stock
20. in a bank and is director of a bank so I can't understand
21. his attitude. Thank you very much.

22. SECRETARY:

23. Weaver, Welsh, Wooten, Mr. President.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Carroll voted aye. McBroom, no. Bruce, no. Fawell, no.
26. Dougherty, aye. That's the right pronunciation isn't it, Dan?
27. Now, we'll tell him again. On this motion, the yeas are 21.
28. The nays are 26. The motion having failed to receive the
29. constitutional majority therefore is declared lost. Senator
30. Rock.

31. SENATOR ROCK:

32. Mr. President, Ladies and Gentlemen of the Senate, again
33. I express my obvious disappointment at this and also my

1. respect for the rules and traditions of this Body. I have
2. filed a motion with respect to SB 935 in the interest of
3. time and economy. We have many other things to deal with.
4. I will gladly accept the same roll call, Mr. President.
5. Have leave to do that.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. We will have to call the roll on the motion.

8. SENATOR ROCK:

9. Well, in that...in that instance, I will withdraw that
10. motion.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Well, then you move to Table your motion?

13. SENATOR ROCK:

14. The motion in writing with regard to SB 935. Yes, Sir.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Rock ask leave of the Senate to Table the
17. motion made in writing on 935 to discharge the Committee.
18. All in favor of the motion will signify by saying aye.
19. Opposed. The ayes have it and motion on...made on 935 is
20. Tabled. Senator Palmer.

21. SENATOR PALMER:

22. Mr. President and members of the Senate, it is a great
23. pleasure to me to present to this Body the proud parents of
24. the youngest Senator of this Body, Mr. and Mrs. Phillip
25. Sommer of Morton, Illinois, seated right behind the President
26. to the right.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. ...We're proud of him too, Mr. and Mrs. Sommer. Senator
29. Bartulis, for what purpose do you arise?

30. SENATOR BARTULIS:

31. A point of personal privilege, Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. State your point.

SENATOR BARTULIS:

1. Today we having visiting with us directly in the gallery
2. behind the President's podium is a group 'a students from the
3. Illinois Braille and Sight Saving School in Jacksonville and
4. with their assistant superintendent Thomas Swab, Mrs. Helen
5. Beard, the senior advisor, Rich Barrett, teacher and Miss
6. Torino, student teacher.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Thank you, Senator, and the Senate is always thrilled to
9. have these youngsters visit our Chambers. Senator Hudson
10. Sours, do you have a motion?

11. SENATOR SOURS:

12. Yes...Mr. President, after suggesting to the marshall here
13. that we ring the bill, I'd like to refer to SB 920 which
14. was advanced from second to third reading today. 920.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Sours is addressing himself to SB 920 and I
17. think it might be helpful if we would listen to the Senator's
18. motion if we will please retain some of the fine order we
19. had just previously. Please. Senator, proceed.

20. SENATOR SOURS:

21. Mr. President, this was the bill I mentioned the other
22. day...heard in the Judiciary Committee where the results which
23. was shown on the report to the Secretary of the Senate to be
24. a vote of six and six.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator. Ladies and Gentlemen, please. Continue.

27. SENATOR SOURS:

28. I have here in front of me the report made by the
29. Secretary of the Judiciary Committee and the vote was six to
30. six and nevertheless, erroneously, the report said report
31. this bill out with the recommendation of Do Pass. Now,
32. of course, it's incongruous on its face. A bill that
33. is voted six to six necessarily is not a Do Pass and

1. should remain in the Committee. So my motion, Mr. President,
2. is that this bill be taken from the Calendar and whatever
3. reading it may appear and recommitted to Judiciary Committee.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. It's been moved by Senator Sours that SB 920 be taken
6. from the Calendar and recommitted to the Committee on
7. Judiciary. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. I oppose that motion as the
10. principal sponsor of SB 920 and have not really originally
11. wanted to go into this topic of debate. But, since it has
12. been brought before the Body, I think it is important for
13. the Body to know what, in fact, took place in that Committee
14. and the roll call on that bill as originally announced by
15. the Chair was seven ayes and six nays with two voting present.
16. The Chair announced that roll call at that time and under
17. our rules, Rule 25, the roll call once announced could only
18. have been changed by unanimous consent of that Committee.
19. Subsequent to the announcing of that roll call of Do Pass,
20. a Senate member sought leave of the Chair to change his
21. vote which was not...does not receive unanimous consent of
22. the other members of the Committee and then that roll call,
23. I feel, illegally was changed to show a tie vote to leave
24. that bill in Committee. I think it's coincidentally poetic
25. justice that bill was reported out of the Committee Do Pass
26. and I would urge the defeat of this motion that would have had
27. the affect of recommitting the bill. I think this is a
28. bill that is entitled to be heard by the full Floor of the
29. Senate and more than that I think the actual vote of that
30. Committee indicated that the bill should be so reported out.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Sours.

33. SENATOR SOURS:

1. I'm not going to belabor this issue. The good
2. Senator knows as well as I do that the report shows six to six
3. on a Do Pass. That's impossible. Now, he said the bill deserves
4. treatment on the full Senate. We just dealt with a bill
5. also alleged to be important, as the last order of business.
6. I'd like to suggest we just simply call the roll and ring
7. the bell.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. The motion is that SB 920 be taken from the Calendar
10. and re-referred to the Committee from which it came, Judiciary,
11. for its consideration. All in favor of this motion...on
12. this motion, the Clerk will call the roll.

13. SECRETARY:

14. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
15. Chew, Clarke,

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. We can't hear the roll call, Ladies and Gentlemen.

18. SECRETARY:

19. Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
20. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
21. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
22. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
23. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
24. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
25. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
26. Swinarski, Vadalabene, Walker,

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Walker, for what purpose do you arise?

29. SENATOR WALKER:

30. I was in the phone booth when this motion was
31. originally made. As I understand it, SB 920 involved?

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. SB...the motion of Senator Sours was that SB 920

1. be taken from the Calendar and re-referred to the Committee
2. on Judiciary and all the debate that is acceptable...all the
3. debate that could be had on this is on the merits of re-
4. committal and not on the merits of the bill. And we have
5. no order again.

6. SENATOR WALKER:

7. Thank you, Mr. President. I understand we have a
8. full deck now.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. It sounds like it. How does the Senator vote?

11. SECRETARY:

12. Weaver, Welsh, Wooten, Mr. President.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Mitchler, aye. Harris, aye, the President. Merritt,
15. aye. Daley, no. Course, no, aye. Course voted no. How
16. is Senator Swinarski recorded?

17. SECRETARY:

18. Not recorded.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. You are not recorded, Senator? Vadalabene, no.
21. Senator Carroll.

22. SENATOR CARROLL:

23. A point of parliamentary inquiry, Mr. President. How
24. many votes does it take?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. State your point.

27. SENATOR CARROLL:

28. ...My question is, how many votes does it take to re-
29. refer this bill? My understanding...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. I'm looking at the rule now.

32. SENATOR CARROLL:

33. My understanding on the Rule 11, the bottom portion

1. on the motion to recommit is supported by the majority
2. vote of the members elected. Is that correct? Under
3. Rule 11, it's the only...

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. This...this rule that you're reading, I think, might
6. be referring itself to the 60 day assignment. If you'll
7. read farther down there. You will say if a motion to re-
8. commit is supported by a majority vote of the members
9. elected, such bill or resolution shall be set for hearing
10. at the next regularly scheduled meeting of the Committee.

11. SENATOR CARROLL:

12. That's correct. It would take a majority vote of
13. the members elected to re-refer. And then it would...
14. in other words, this motion needs 30 votes to prevail.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Savickas. I've got Senator Savickas on one
17. and a parliamentarian on the other. Senator Savickas...

18. SENATOR SAVICKAS:

19. How am I recorded on this?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. How were you recorded? How was... You were not
22. recorded.

23. SENATOR SAVICKAS:

24. I'd like to vote no on this measure.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Savickas will vote no and up on this motion, the
27. yeas are 30. The nays are 25. And the motion to recommit
28. succeeds and the bill will be recommitted. Senator
29. Carroll asks for a verification of the roll call. The
30. verification will be had. Of those voting...will the
31. Senators before we go in to this verification...if it takes
32. all afternoon, we are going to have the Senators in their
33. seats. You must be in your seats, gentlemen, and at that

1. time, I will direct the Secretary to call the roll and
2. not until I do find that the Senators in their seats shall
3. I give the Secretary such directions. In your seats,
4. please. The Secretary will now call the roll of those
5. voting in the affirmative.

6. SECRETARY:

7. The following voted in the affirmative: Bartulis,
8. Bell, Berning, Clarke, Conolly, Davidson, Fawell, Glass,
9. Graham, Harber Hall.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Hall...Harber Hall.

12. SECRETARY:

13. Knuepfer.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. You cannot vote on the verification of the roll
16. call, Senator.

17. SECRETARY:

18. Latherow,

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Knuepfer. Senator Knuepfer within the bar.
21. His name will be taken from those voting in the affirmative
22. and the Secretary will continue the roll.

23. SECRETARY:

24. Latherow, McBroom, Merritt, Mitchler, Howard Mohr,
25. Don Moore, Nimrod, Ozinga, Regner, Roe, Schaffer, Scholl,
26. Shapiro, Sommer, Soper, Sours, Walker, Weaver, Mr. President.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Knuepfer is in his seat, by it or near it, his
29. name will be returned to the original roll call and the
30. calling of...the verification of the roll indicates that
31. there were 30 Senators on the Floor and voting and the motion
32. of Senator Sours prevails and the bill will be recommitted to
33. the Committee. Senator Carroll, for what purpose do you arise?

1. SENATOR CARROLL:

2. A point of parliamentary inquiry of the Chair.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. State your point.

5. SENATOR CARROLL:

6. It's my understanding then, the bill having been recommitted
7. under the Rules, it has to be set for hearing therefore that
8. would waive the reporting deadline because it had been re-
9. ported out prior to the deadline now being re-referred.
10. That would be an automatic waiver of that rule. Is that
11. correct?

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. I think that you are correct because it does have to
14. be set for hearing and you would have to have leave of the
15. Senate to waive the six day rule so that it could be set
16. for such hearing.

17. SENATOR CARROLL:

18. And that would also waive the reporting deadline rule
19. because it had been re-referred after the deadline.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Well, let's approach one at a time. First of all,
22. and I think that would be...

23. SENATOR CARROLL:

24. ...It's automatic a waiver...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. I think that would be right and the Chair will so
27. rule. And now the motion must be, I presume, I'm not
28. presuming, I'm ruling. The motion must be to waive the
29. six day rule so that 920 can be set for hearing. All in
30. favor of that motion will signify by saying aye. Opposed?
31. The motion fails. The bill will be set for hearing at the
32. pleasure of the Chair...of the Chairman. The next regular
33. scheduled meeting of the rules so indicate. We're trying to make

1. a determination of where we stopped yesterday on Senate
2. Bills...we will now revert to the order of Senate Bills
3. on third reading starting where we left off yesterday.
4. And the first Senate Bill to be considered will be SB 384.
5. And for what purpose does the Senator from Marion arise?
6. Senator Johns.

7. SENATOR JOHNS:

8. Mr. President, I wanted to get your eye just before
9. you made that announcement. I was just wondering if an
10. order to...I mean a move to move from the Secretary's
11. desk would be in order at this time? SB 213. The motion
12. has been on the Secretary's desk for sometime and I checked
13. with leadership both times and they said hold it a day
14. and I've waited several days.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. I...I will say that your motion, I could withdraw my
17. suggestion that we go to Senate Bills on 3rd reading be-
18. cause we have just left the order of motions. I'm sorry
19. I didn't recognize you and I will recognize your request
20. to consider your motion. Will you state it or is it in
21. writing?

22. SENATOR JOHNS:

23. I...have it on the Secretary's desk in writing a few
24. days before because of the work load I've put it off.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. What is your motion, Senator?

27. SENATOR JOHNS:

28. My move is that we take SB 213 which is the deaf school
29. bill from the Secretary's desk and place it on the order of
30. second reading.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator McBroom, for what purpose do you arise?

33. SENATOR MCBROOM:

1. Senator Johns, it's not my desire to be an obstructionist
2. on this, I would like to talk to you about it a moment more.
3. If we could wait one more day on it, maybe we can get an
4. agreement worked out with you and someone on our side of
5. the aisle. Would you be agreeable to doing that?

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Johns.

8. SENATOR JOHNS:

9. Senator McBroom, can I ask you an honest and fair and
10. sincere question? Would it...would it behoove you to let
11. this go to second and let us talk from that position?

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator McBroom.

14. SENATOR MCBROOM:

15. Senator Johns, not my desire to take up the time of the
16. Senate. Senator Berning has an identical bill, Senator
17. Johns, and I'd like to...I'd like to...to, if we're going
18. to pass them, I'd like to have some kind of tandem agreement
19. on your bill and Senator Berning's bill. He has an identical
20. bill in the...in the Senate Appropriation Committee today
21. and if...that's...that's my only concern on it, Senator.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Johns.

24. SENATOR JOHNS:

25. Well, I'd just like to point out just a little basic
26. difference here. Senator Berning's bill is for seven million
27. dollars and my Bill for seven hundred thousand. My bill is
28. from an area that is very poor and his bill is for an area
29. that is very, very rich. I leave that thought with you.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. ...With that thought, what is your desire with regard
32. to your motion? I'll recognize you shortly, Senator.

33. SENATOR JOHNS:

1. Mr. President, parliamentary question here. Yes, Sir.
2. I'll yield to Senator McBroom.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator McBroom, finish your dialogue and I'm going
5. to recognize Senator Hall. Senator McBroom.

6. SENATOR MCBROOM:

7. Senator Weaver told me something about Senator
8. Berning's bill that I...I was not aware of and I just have
9. no further comment on Senator John's. He can do whatever
10. he chooses to do, Senator.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Kenneth Hall, for what purpose do you arise?

13. SENATOR KENNETH HALL:

14. Well, I was just going to say that Senator Berning's
15. bill, the other companion bill to the Appropriation bill
16. came before the Education Committee and it's in a sub-
17. committee. So it's not out.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Johns.

20. SENATOR JOHNS:

21. Mr. President, I'm sure that every member of this
22. Body knows the deep feeling I have about these 43 children
23. that are deaf and need assistance and I...I won't say
24. anymore and belabor them with all of my pleas. I just
25. would like to move this off the Secretary's desk and place
26. it on the order of second reading where we can work with it
27. from that position.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Your motion is that this bill, 213, is that correct,
30. be taken from the Secretary's desk and be placed on the order
31. of second reading. All in favor of that motion will signify
32. by saying aye. Opposed? The motion prevails and the bill
33. will be placed on the order of second reading.

SB 634
Reading
5-16-73

1. Senator Shapiro. Senator Shapiro, you had a motion, I think.

2. SENATOR SHAPIRO:

3. ...Mr. President and members of the Senate, I would
4. like leave of the Senate to return SB 634 from 3rd reading
5. to 2nd reading for purposes of an amendment.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Shapiro requests that SB 634 be returned from
8. the order of 3rd reading to the order 2nd for purposes
9. of consideration of amendment. All in favor will signify
10. by saying aye. Opposed? The ayes have it and the bill is
11. now on the order of 2nd reading. Does the Secretary have
12. the amendment and do you wish to explain it? Oh...it's
13. Weaver. Weaver is offering the amendment. And Senator
14. Weaver will explain his amendment. Senator Weaver.

15. SENATOR WEAVER:

16. Mr. Chairman and members of the Senate, this amendment
17. to SB 634 offers some clarifying language. A similar amend-
18. ment was offered in Committee and I think that it should
19. have been adopted in Committee. If there's any questions
20. this, basically this amendment amends Section 15.113 of
21. the Pensions Codes and defines the various types of service
22. which are...which a member may in the Universities Retire-
23. ment System may receive. Its rationale is that certain
24. credits were given for military service when really the intent
25. of the original bill was to give military service for these
26. credits only when university personnel were working in
27. educational fields or advisors to other units of local
28. government. If there's any further questions on it,
29. I'll be happy to try to answer. I would move adoption of
30. the amendment.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Weaver moves the adoption of Amendment No. 1 to
33. SB 634. Any discussion? All in favor will signify by saying

1. aye. All in favor of the adoption will signify by saying
2. aye. Opposed? The ayes have it, the amendment is adopted
3. and the bill will be returned to the order of 3rd reading.
4. And now if there are no further motions, we will go the
5. order of Senate Bills on 3rd reading starting with SB 384.

6. SECRETARY:

7. SB 384.

8. (Secretary reads title of bill).

9. 3rd reading of the bill.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Don Moore. Is that his bill?

12. SENATOR MOORE:

13. Thank you, Mr. President and members of the Senate. SB 384
14. amends the election code to provide that upon any re-registration
15. of voters the County Clerk or the Board of Election Commissioners
16. shall cause to be printed on the voters identification card
17. a list of all governmental units applicable to the precinct
18. in which the applicant is registered. I think that many, many
19. of our registered voters do not know what various units of
20. government they actually live in. This is one advantage of
21. the bill. The other advantage of the bill is that in the
22. event we do have consolidations of elections, it will enable
23. the Election Judges to determine exactly what ballots that we
24. should go ahead with. That each voter would get. Would save
25. the County Clerks and Board of Election Commissioners a lot
26. of time in trying to redraw precinct boundary lines which
27. are in many cases impossible to redraw because of the over-
28. lapping of the different units of government. I'd be happy
29. to answer any questions or refer the matter to Senator
30. Dougherty for his explanations.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Dougherty, do you wish to be heard on this
33. bill? The Chair recognizes...

1. SENATOR DOUGHERTY:

2. I just wish as said by Senator Moore that the event
3. of consolidation we have discussed this bill before. I
4. think this is a good bill and I urge an aye vote.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Any further discussion? Senator Wooten.

7. SENATOR WOOTEN:

8. The sponsor yield for a question?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. He indicates he will. Senator Moore.

11. SENATOR WOOTEN:

12. ...Do I understand Senator that you would list on
13. all...all governmental units. Does this refer to all the
14. different offices for which elections are held? Would
15. that include education units as well?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Moore.

18. SENATOR MOORE:

19. Yes, it would also include school districts, elementary
20. school districts, high school districts, junior college
21. districts, etc, in addition to other units of government.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Wooten.

24. SENATOR WOOTEN:

25. How does your County Clerk feel about this?

26. SENATOR MOORE:

27. The only thing I can respond is that I'm sure that if
28. the County Clerk had any objections to this matter or to this
29. bill, Senator Dougherty, would have heard it from him on it.
30. And I am sure that they have discussed the matter and that
31. is why Senator Dougherty is in favor of the bill. One of
32. the reasons.

33. SENATOR WOOTEN:

1. Well, I would merely comment that my County Clerk
2. is absolutely livid about it.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. No further discussion? Senator Bruce.

5. SENATOR BRUCE:

6. I have a question for the sponsor. What governmental
7. units are going to be excluded from this listing? I...I
8. guess my question is if we are going to list all of
9. those, I hope you have provision for a multiple folding
10. car. In my own district, you have a mosquito abatement
11. district, library district; you've got a multiplicity of
12. districts that are going to be printed on the front of
13. this card. I don't know who's going to pay for it, my
14. County Clerks are very much opposed to this bill. I..if you
15. limit it maybe to school districts or junior college districts
16. but even at that we have overlapping districts within my
17. own county for precincts within the city, townships...it's
18. almost unworkable for our County Clerk you'd have to spend
19. ...you'd have to hire at least another person just to print
20. the card.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Moore.

23. SENATOR MOORE:

24. The only units of government that would be listed would
25. be those in which people are...candidates are elected from.
26. In my county we've got a mosquito abatement district. They
27. do not run for election. There are certain types of sanitary
28. districts where there...the trustees are elected or others
29. where they are appointed. I think the vast majority of the
30. special youth districts that we have in the State of Illinois
31. are by appointment. They would not be on this card. Only
32. those units of government from which candidates will be
33. elected will be on the...on the face of the card.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Bruce.

3. SENATOR BRUCE:

4. I would point out to the sponsor that is not what
5. the bill says. It says, any unit of local government
6. and then lists some other units such as junior colleges,
7. school districts but nothing about the fact that it's
8. limited to elected districts. Absolutely nothing in this
9. bill that says you're going to limit it - the mosquito
10. abatement district would not be on there. There's...this
11. ...this bill says that any unit of local government is
12. going to have to be put on the face of the voter registration
13. card. And I just tell you that that is, in my thirteen
14. counties, is an unworkable situation. Absolutely unworkable.
15. And I rise in opposition to this bill. I don't know who's
16. going to be for it but my local counties who have lost a
17. significant amount of revenue aren't willing to pay for it.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Moore will close the debate.

20. SENATOR MOORE:

21. Thank you, Mr. President, members of the Senate, it is
22. my intention that only those units of government in which
23. candidates are elected will be on the card. Now if the
24. interpretation of the bill could possibly be otherwise,
25. I would be happy to in the event this bill did pass, have
26. it amended in the House to make it specific that it shall
27. apply just to those units of local government and school
28. districts in which candidates are elected. This is my
29. intention in putting this bill in. And I'd request a
30. favorable roll call.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. No further discussion? The main question will be put.
33. And that is shall SB 384 pass? And upon that question the

1. Secretary will call the roll.

2. SECRETARY:

3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
4. Chew, Clarke,

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Let's have it so we can hear the roll call please.

7. SECRETARY:

8. Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
9. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
10. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
11. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
12. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
13. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
14. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
15. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Mr. President, in explaining my vote, I..I really
20. don't like to belabor this point but I've spent a fair
21. amount of time recently with our county officials who
22. sometimes wonder what we're up to down here because we have
23. taken...in effect, we have taken money away from them and
24. we continue to impose duties on them. This is going to
25. be an onerous chore in our county which require the addition
26. of extra personnel and I...I just don't...I don't understand
27. our reasoning. If we're going to do something like this
28. we better see to it that we supply the money that will
29. enable them to do the work we mandate. I must vote no.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. He voted no. Senator Latherow voted no.

32. SECRETARY:

33. Mr. President.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Moore, for what purpose do you seek recognition?

3. SENATOR MOORE:

4. Would you poll the absentees, Mr. Chairman?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. There's been a request, Mr. Chairman, for a call of the
7. absentees and would like to make a further request from the
8. Chair that we have some order, not disorder, order. The
9. absentees will be called.

10. SECRETARY:

11. Bell, Carroll, Chew, Clarke, Daley, Donnewald, Kenneth
12. Hall, Hynes, Johns, Keegan, Knuepfer, Kosinski, Netsch,
13. Palmer, Romano, Saperstein, Savickas, Soper, Swinarski,
14. Walker,

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Walker.

17. SENATOR WALKER:

18. Thank you, Mr. President, members of the Senate. In
19. the suburban area of Cook County, this legislation would be
20. of value in that when you go in to vote in the school district
21. election, either high school, grammar school or junior college,
22. you sign an affidavit there that you're a resident of the
23. district. This would do away with a certain amount of work
24. as far as the judges on the school elections are concerned.
25. You could eliminate that affidavit that they're voting on
26. now so it would be of value to the suburban area of Cook
27. County. I vote aye.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. On this question...

30. SECRETARY:

31. Welsh,

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Moore.

1. SENATOR MOORE:

2. I would like leave to postpone consideration,
3. Mr. President.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. There's been a request made for postponed consideration
6. and the bill... All in favor will say aye and the bill will
7. be placed in the order of consideration postponed and
8. Senator Knuppel and members of the Senate. Senator Knuppel,
9. for official reasons was not here the last couple of days
10. or returned too late to have attention given to a couple of
11. these bills. He has requested that we act on SB 98 and
12. later on SB 228, so, SB 98 will be read a third time.

13. SECRETARY:

14. SB 98.

15. (Secretary reads title of bill).

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Knuppel. Senator Hynes, for what purpose do
19. you arise?

20. SENATOR HYNES:

21. Mr. President, while Senator Knuppel is adjusting his
22. microphone, I might...wonder if I might acknowledge a group
23. from the Aldridge School in Chicago and Mrs. Shaw who is
24. the group leader. Wonder if they would stand and let's...
25. if the Senate will acknowledge their presence here today.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Knuppel will explain SB 98.

28. SENATOR KNUPPEL:

29. Mr. President and fellow members of the Senate, SB 98
30. is designed to remove the discrimination between the sexes with
31. respect to disfigurement under Workmen's Compensation Act.
32. Under the new Constitution, there is to be no discrimination
33. between sexes and I think this is a correction that complies
with the new Constitution under the Workmen's Compensation

1. Act where there are several of these differences. There is
2. one that Senator Sours has that deals with support. These
3. differences should be brought in line. The statutory dif-
4. ferences should be corrected to correspond to the new
5. Constitution. I appreciate a favorable roll call.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Sours.

8. SENATOR SOURS:

9. Mr. President, Senators, this is a good bill. It
10. warrants the support of everybody on this side.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Any further discussion? The question is, shall SB 98
13. pass? And on that question the Secretary will call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce,

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Bruce.

18. SENATOR BRUCE:

19. I...I would just like to vote aye. Any time Senator
20. Sours and Senator Knuppel agree on anything, it's got to be
21. a good bill.

22. SECRETARY:

23. Buzbee, Carroll, Chew, Clarke, Conolly, Course, Daley,
24. Davidson, Donnewald, Dougherty, Fawell, Glass, Graham,
25. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
26. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
27. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
28. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
30. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
31. Welsh, Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Hynes, aye. McBroom, aye. On that question, the yeas

1. are 50. The nays are none. SB 98 having received the
2. constitutional majority is declared passed. SB 228.

3. SECRETARY:

4. SB 228.

5. (Secretary reads title of bill).

6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and members of this Body, SB 228 is
11. designed to give the Highway Department control over
12. camping at rest stops and other regulations which they
13. presently do not have. There's been...there's been
14. abuses in this area. It's a good bill and I would appreciate
15. a favorable roll call. Thank you very much.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Will the sponsor yield to a question?

20. PRESIDING OFFICER (SENATOR MOHR):

21. He indicates he will.

22. SENATOR WOOTEN:

23. ...Senator, is no one currently in charge of these
24. areas? Is no one currently carrying responsibility for
25. these areas?

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. I assume that the Highway Department, Department of
30. Transportation has control with respect to mowing and so
31. forth but I don't know what right they have to tell some-
32. body they can only camp so long. In other words, they can
33. come and stay a week. This is a...an administration bill.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Any further discussion? The question is shall SB 228
3. pass? And on that question the Secretary will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
8. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
9. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
10. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
11. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
12. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
13. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
14. Wooten, Mr. President.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Buzbee, aye. Dougherty, aye. Soper, aye. Daley, aye.
17. McCarthy, aye. Smith, aye. Soper, aye. Savickas, aye.
18. Bartulis, aye. Schaffer, aye. Carroll, aye. Senator
19. Buzbee. On that question the yeas are 47. The nays are
20. none. SB 228 having received the constitutional majority
21. is declared passed. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. Mr. President, I rise to a
24. point of personal privilege. We have some very distinguished
25. guests in our midst today. First of all, a group of Rotarians
26. from my district and a group of Rotarians from a district which
27. I do not represent, from Delhi, India. We have Mr. Henderson, Mr.
28. Holloway and Mr. Walters from my district. And then we have
29. Mr. Secree, Mr. Kapur, Mr. Narang, Mr. Sony, Mr. Seth and
30. Mr. Suet from Delhi, India. And I would like for the Senate
31. to recognize their presence here today.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President, while we're on this order
3. of business, may I take a moment and remind the Body that
4. a short while ago we unanimously passed a resolution
5. congratulating an outstanding young man from my district
6. who was recently crowned NCAA, I think I've proper
7. numerals, Champion in the 118 pound class in Seattle,
8. Washington. This young man is a resident of my district
9. and it takes, it gives me a great pleasure at this time
10. to introduce to the Body his mother who is up here in the
11. President's gallery and with her, Mrs. Sherman, is Mrs.
12. Cline, the mother of another outstanding young wrestler
13. in my district. Would they rise and be recognized by
14. this Body?

15. PRESIDING OFFICER (SENATOR MOHR):

16. SB 385, Senator Regner.

17. SECRETARY:

18. SB 385. (Secretary reads title of bill).
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Regner.

22. SENATOR REGNER:

23. ...Mr. President and members of the Senate, this is a
24. bill allowing the townships to contract with other units of
25. local government in order to provide fire protection to
26. areas in that unincorporated area that are not covered by
27. any fire protection district.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Any further discussion? The question is shall SB 385
30. pass? And on that question the Secretary will call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
33. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,

1. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Mr. President, I'd just like to recognize that in
6. glancing at this piece of legislation, I find there is no
7. referendum. This is left strictly to the county board and
8. I'd like to clear that...to the town auditors and I'd like
9. to clear that with the sponsor. And I'd also like to clear
10. about what the tax rate is that they could levy. Wonder, if...

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator, we are on roll call.

13. SENATOR LATHEROW:

14. Okay. I vote me no.

15. SECRETARY:

16. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
17. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
18. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
19. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
20. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
21. Welsh, Wooten, Mr. President.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Don Moore, aye. Mitchler, aye. McBroom, aye.
24. Saperstein, aye. Newhouse, aye. Sommer, aye. Sours,
25. no. On that question the yeas are 37. The nays are
26. 2. SB 385 having received the constitutional majority
27. is declared passed. SB 386, Senator Berning.

28. SECRETARY:

29. SB 386.

30. (Secretary reads title of bill).

31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President and members of the Body.
3. SB 386 does just what the syllabus says it does. It's
4. a very simple bill and a mandatory provision for con-
5. viction of a crime with the use of a gun. I hardly
6. feel it is necessary to remind the members of this
7. Body that crime today does seem to pay. In fact, the
8. criminal in most instances does not have to pay at
9. all. The citizens are, on the other hand, becoming
10. irate, fearful and demanding of some protection from
11. the onslaught of the criminal element. Without be-
12. laboring the Body but typical of comments, I have had,
13. let me quote one sentence from a letter I received
14. from Chicago. I'll eliminate all the foregoing amenities
15. and just cite this, please accept my expression of
16. gratitude for sponsoring a measure that is concerned
17. with the rights of the law abiding citizen and not those
18. of the criminal element. Mr. President, members of the
19. Body, I commit this bill to your tender mercies. I think
20. it is good. I would like to see the citizens have an
21. opportunity to have their day protected.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Yes, Mr. President, before making a comment, I would
26. like to address a question to the sponsor just to be sure
27. I'm correct in my assumption. Senator, do I understand
28. now that you make the sentences mandatory? Judges, juries
29. have no latitude that these sentences must be imposed?
30. Is that correct?

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Berning.

33. SENATOR BERNING:

1. That is correct.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Wooten.

4. SENATOR WOOTEN:

5. Well, it seems to me, Senator Berning, with all due
6. respect that the problem with a law like this is that
7. invariably one of the first things, it will encounter in
8. practice is the situation in which an exception seems
9. mandated by circumstances. If you impose such rigid
10. sentencing requirements on judges and juries, you really
11. place them at an extreme disadvantage in judging human
12. acts, which are various in their circumstances, in
13. their consequences and in their motivations as are human
14. beings themselves. To put this kind of rigidity into
15. law, I think would actually not serve society but perform
16. a disservice. I believe that it is a quite frankly bad
17. principle. I don't think this is the proper area in which
18. to attack a very serious problem. I believe you will per-
19. haps find it creating more difficulties or perhaps not more
20. but you certainly would create difficulties because you take
21. away from the people involved in judging a given situation,
22. the flexibility to look at all circumstances and make their
23. judgment on those circumstances as they apply to the law.
24. In setting down some kind of mandatory sentence like this
25. I actually believe that you are not serving justice at all
26. and I would oppose this bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Partee.

29. SENATOR PARTEE:

30. ...Senator Berning, I, of course, don't believe everything
31. I read in the paper but I would bring your attention to an
32. editorial which appeared in yesterday's Chicago Tribune in
33. which it is stated that a colleague said to you when you

1. were presenting this bill in the Committee that it was
2. unconstitutional and that your answer was, I don't care
3. if it is unconstitutional, the people committing these crimes
4. don't care what they do why should we consider their rights.
5. Are you properly quoted there?

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Berning, do you care to reply?

8. SENATOR BERNING:

9. As I recall at the Committee Hearing that is essentially
10. what transpired. What I had in...wanted to add to that was
11. to my esteemed colleague on the other side, he has repeatedly
12. ruled against us judging what is constitutional and what is
13. not and has informed us as a Body, let the court decide and
14. that is in essence what I wanted to add to the comments is
15. quoted in the paper. Let's don't prejudge this, let the...
16. let the Courts decide whether it's unconstitutional. Pass
17. the bill and then we'll find out.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Partee.

20. SENATOR PARTEE:

21. If I might capsulize your long and rambling answer.
22. The answer is yes, you did say you don't care if it's con-
23. stitutional or not. Right? Maybe I shouldn't give you
24. another chance to answer because you may...maybe we don't
25. have time to hear the rest of it. ...I think possibly,
26. Senator, it may well be unconstitutional but if that is
27. your attitude then I have the kind of respect for con-
28. stitution that I'm going to have to vote no.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Any further discussion? Senator Netsch.

31. SENATOR NETSCH:

32. Mr. President, I think one of the difficulties about
33. this kind of proposal it tends to create kind of illusion

1. of what its results are likely to be. It seems to me that
2. if I may use one of today's common terms it is likely to be
3. counterproductive. And there are a couple of reasons for
4. this one of which is and I think you'll find this affirmed
5. by a great many people in law enforcement area. Where you
6. have stiff mandatory sentences you are very likely to get
7. a bargaining process that results in accepting a plea on a
8. much lesser offense and the...the mandatory sentences and
9. the crimes to which they are directed therefore kind of get
10. left in the wings in the process. I think also and I do not
11. suggest that there are that many dishonest policemen or other
12. law enforcement officers abroad but where they do exist and
13. they do exist in various parts of the State and Country this
14. kind of mandatory sentence, absolutely no discretion at all
15. tends to produce a great temptation for shakedowns and indeed
16. that has been one of the objections by some people in the
17. law enforcement area to it. Finally, I would just note that
18. this goes very much against the grain of what this State did
19. when it adopted a very enlightened criminal code beginning in
20. 1961. The whole brunt of that Code was to attempt to get away
21. from mandatory sentences and especially mandatory minimum sentences.
22. The...we've been fighting this battle ever since to try to
23. retain the kernel of what was suggested in that very enlightened
24. criminal code in 1961. And in my judgment this is a step
25. absolutely in the wrong direction.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, Mr. President, members of the Body. I don't think
30. it's a step in the wrong direction, I just think it's a little
31. too long a step. I don't think there's anything wrong at all
32. with putting an additional penalty on those people who use
33. firearms to commit crimes. The general public is not in favor

1. of abolishing or...registering guns are doing away with
2. handguns and so forth, they're unilaterally opposed to this,
3. therefore, we have to punish the people who misuse these
4. weapons. We have people stand up and speak and say they want
5. to do something but they want to start someplace else and I
6. ask those people rhetorically, where? Where? They...it's easy
7. to be negative but I'd like to hear some affirmative talk. I
8. think the big thing that is wrong with this is it doesn't allow
9. for differences in the situation with respect to people that
10. ...it...it's not at all flexible. But certainly, there should
11. be some additional penalties placed on those crimes where
12. people use firearms. And we read the paper this morning and
13. every morning but just pick up this morning's daily paper where
14. six people...or five people some such matter were killed in the
15. State of Georgia. And it goes on and on and on. And the
16. weeping willows, the weeping hearts those people who feel we
17. can always be more...lenient and that the criminal will
18. automatically respond to this, ignore the fact that the
19. criminal in the first instance is...isn't subject to respond
20. to anything in the way of law and order. That's why he's
21. in trouble. I don't think I'll be voting for this bill but
22. the only reason I'm not going to be voting for it is the
23. inflexibility of it, not that it's a step in the wrong
24. direction because it is a step in the right direction. The
25. only problem is that it's too long a step.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Merritt.

28. SENATOR MERRITT:

29. ...Mr. President, members of the Senate, I certainly
30. rise in support of this legislation. Throughout my district,
31. many surrounding counties downstate, the people are vehemently
32. opposed to any type of gun registration. Any type. And their
33. constant hue and cry to me is, and I hear it wherever I go

1. throughout any community, why don't you put the handcuffs
2. on the criminal where they belong. In other words, in a
3. crime where any gun is used then let's say to the courts
4. this is our legislative prerogative. Put those mandatory
5. sentences on the criminal where it belongs and leave our
6. many fine citizens to own their own guns as is provided
7. under the constitution. I...I certainly would support this
8. legislation.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Clarke.

11. SENATOR CLARKE:

12. Mr. President, I didn't quite hear the discussion, I
13. don't know just what Senator Partee was referring to as
14. being unconstitutional, whether it was the mandatory feature
15. or what. But you may recall seeing an article in one of
16. the Chicago papers about six weeks ago that the Chicago Crime
17. Commission under Peter Bensinger who was down here the
18. other day, is now investigating the court situation in Cook
19. County and the disposition of cases. As I recall, their
20. survey that got them into this indicated that only about 3% of
21. the crimes committed in Cook County result in conviction. Only
22. 3%, something like that. And it's a very small percent even
23. that are...even apprehended and brought to trial and I think
24. that one of the problems there, obviously, is what's been
25. pointed out that if you put a mandatory provision in then they
26. go to a lesser crime but in this case you're talking about the
27. use of a firearm and I don't see how that can't be knocked
28. down to something other than what it is. And as long as we
29. have that kind of situation in our courts, I'm generally against
30. mandating sentences but I think that when it comes to firearms
31. it's a different situation. About ten years ago, I had a
32. secretary and one night her eighteen year old son was out
33. driving and a group of boys pulled up along side, the guy

1. stuck a shotgun out and killed her son. And it ruined
2. that family and the last I heard about two and a half
3. years later that kid that committed that crime was still
4. loose and running around free. I think this is a good
5. bill and it ought to be supported.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Rock.

8. SENATOR ROCK:

9. Well, less the...Mr. President, less the hue and cry of
10. law and order prevail here let me point out that I was the
11. colleague who pointed out to Senator Berning in that Committee
12. that this bill was patently unconstitutional and unconstitutional
13. on its face. We are in a situation where in Section 33 B1
14. we are setting up the fact that there are two crimes now
15. for the same...self same single act. It just cannot do it,
16. and I would urge a no vote.

17. PRESIDING OFFICER (SENATOR MOHR):

18. ...Further discussion? Senator Berning may close the
19. debate.

20. SENATOR BERNING:

21. Thank you, Mr. President and members of the Body, I
22. appreciate the great interest that has been evidenced here
23. and I'd like to respond to a few of the comments if you
24. will. Let me take the last one first. Criticizing two
25. penalties. I remind you that throughout the statutes we
26. provide for a fine and a jail sentence or both, time and
27. time and time and time again. This is two penalties, I don't
28. care how you look at it. It is still two penalties. So
29. there is really nothing new about adding an additional penalty
30. to the statutory provisions that now exist such as they are
31. for the commission of a crime with a gun. And I submit that
32. this is inflexible, yes but only insofar as it involved
33. the use of guns in the commission of a crime. It might

1. lead to bargaining. This, in my opinion, is one of the
2. difficulties that confronts us as a society. Bargaining.
3. Plea bargaining involves the courts and the practicing
4. attorneys in an effort to come to an agreement so that
5. it is not necessary to go through the trauma of trial.
6. Now I'm not saying that in all cases this is bad but in
7. cases such as this where it is absolute evidence that a gun
8. has been used in a commission of a crime, a plea bargain
9. would be absolutely indefensible and the Court ought to be
10. enjoined from following such a procedure. At the same time, let
11. me remind you, inflexible as it may seem, that when you're
12. driving down the highway and you exceed the speed limit that
13. fine is inflexible. The same applies if you happen to be a
14. tavern owner and you should serve a minor, that is inflexible.
15. So this again, SB 386 is not unique; it is merely expanding
16. on a procedure, a format that already exists. Now I admit
17. that I didn't expect to get too much support from the lawyers
18. since this does infringe to a degree on some of their perhaps
19. rightful prerogatives. But let me just remind you that the
20. American criminal is getting away with murder not to mention
21. rape, robbery and other things and the time has come for
22. soft-headed judges and probation officers to show as much
23. concern for the rights of the innocent victims of crime as
24. they do for the rights of the convicted criminal. Now I
25. submit that what may be the constitutional right of an
26. individual is in most cases where a criminal is released contrary
27. to constitutional rights of the rest of society. Let me
28. summarize by saying...reciting just two instances. In
29. Washington, D.C. Police Chief Jerry W. Wilson told the House
30. Select Committee on Crime that 60 to 70% of armed holdups in the
31. nation's capital are committed by persons on parole or out on
32. bail. If you need any other arguments to support this bill than
33. that, I really don't know one. Likewise from the New Orleans

1. Times Picayune here is a citizen's comment. The families
2. of victims seldom are the wives and daughters of judges
3. and if they were, you may rest assured the laws would be
4. radically changed. Mr. President, members of the Body,
5. I solicit a favorable vote on SB 386.

6. PRESIDING OFFICER (SENATOR MOHR):

7. The question is shall SB 386 pass. And on the
8. question the Secretary will call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Mr. President, in explaining my vote, I favor the
15. concept of mandatory prison sentences for people who use
16. a gun while committing a crime. In fact, I'm a co-sponsor
17. of a similar bill that's coming up later...of such a bill
18. that I think this bill goes much too far, so therefore,
19. I cast a no vote.

20. SECRETARY:

21. Carroll, Chew

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Chew.

24. SENATOR CHEW:

25. I...I've got to support this. I've listened to
26. Senator Berning and the statistics that he gave are
27. correct. We need to do something about it and quit
28. pussyfooting around down in the Legislature where the laws
29. are made. I've got a similar bill Senator Berning and I'm
30. hoping that you support mine because I'm certainly going
31. to support yours, and I vote aye.

32. SECRETARY:

33. Clarke, Conolly, Course, Daley, Davidson, Donnewald,

1. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
2. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Knuppel.

5. SENATOR KNUPPTEL:

6. I was persuaded by Senator Rock's argument to go
7. read the editorial out of the Tribune. Now 90% of the
8. time the Tribune's wrong but this one 10%...this is one
9. of the 10% of the times they're right and I'm going to
10. have to vote against you, Senator Berning. No.

11. SECRETARY:

12. Kosinski, Latherow, McBroom, McCarthy, Merritt,
13. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. Mr. President, Senators, I'd like to explain my vote
18. which is a no vote. I have...I have a good deal of sympathy
19. for what is attempted to be accomplished in this bill. I
20. think it does go much too far. I'm concerned that we completely
21. take discretion away from judges and while they at times do not
22. meet up with our expectations; the fact is that we do need to
23. rely upon some flexibility in the law. I'm concerned about
24. another aspect and that's the practical aspect of enforcement.
25. Senator you...you pointed out two areas in which you said that
26. the law was inflexible and that was the area of traffic and the
27. area of tavern business, I do believe. And what you really
28. illustrated I think was the kind of thing that may happen from
29. this bill and that is the two areas that you mentioned are two
30. of the areas of greatest source of corruption that exists. Now
31. you notice the recent scandals that we've had around this State
32. have involved the tavern business where the shakedowns occur
33. daily. And I think you...acquainted as well with the shakedowns

1. occur in the speeding business. It may very well be th
2. what we'll find is a change in the pattern of arrest and
3. conviction that relates to economic rather than anything
4. else. I'm afraid of that, Senator, and that's an additional
5. reason for me to vote no on this bill.

6. SECRETARY:

7. Nimrod, Nudelman, Ozinga, Palmer, Partee

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Partee.

10. SENATOR PARTEE:

11. It's absolutely true that we're not always satisfied
12. with the results of our court proceedings. It's absolutely
13. true that people are concerned that the courts do not function
14. at the top efficiency level at all times. The fact of the matter
15. is that this kind of mandatory law has been tried before in
16. this State and I would remind you that we had a mandatory law
17. in the field of marijuana and narcotics. I would remind you
18. that it was this Legislature that realized the hopelessness
19. of that kind of a situation which took away from the judges
20. the right to individualize cases. Judges have a right to look
21. at those cases on an individual basis. And the mandatory law
22. simply meant that in cases where the judge felt it was a small
23. matter rather than a large matter in terms of the use or the
24. possession of a narcotic, they simply found ways to get around
25. it. They found ways to obviate the plain intent of the law.
26. And I think if you take away from judges the right to have
27. discretion and to be able to individualize their cases, you're
28. only creating a chaotic situation, that of course in addition
29. to the other aspect which relates to the unconstitutionality.
30. It is absolutely axiomatic that you cannot have two penalties
31. for the same crime. I vote no.

32. SECRETARY:

33. Regner, Rock, Roe, Romano, Saperstein, Savickas,

1. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Sours.

4. SENATOR SOURS:

5. I just have this comment, Mr. President, Ladies and
6. Gentlemen, I don't think this is an unconstitutional law
7. gentlemen. Someone has mentioned this...it's a dual
8. subject. There are, for example, many examples of one
9. being indicted for conspiracy to commit murder along with
10. an actual murder indictment, by the same grand jury, heard
11. by the same States Attorney, offered by the same States
12. Attorney affecting the same individuals. My...my quarrel
13. with this bill is that it does deprive the court of proper
14. discretion. Now, if we as a...as a people are dissatisfied
15. with what the judges are doing, I think the remedy is to
16. find retirement for the judges and then have someone who
17. will be less inclined to throw tea leaves at persons committing
18. crimes with guns. Therefore, I'm simply voting present.

19. SECRETARY:

20. Swinarski.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Swinarski.

23. SENATOR SWINARSKI:

24. Mr. President, members of the Senate, I believe because
25. of the overwhelming amount of correspondence I've received
26. being a sponsor of a bill to eliminate handguns in the State,
27. the overwhelming amount of correspondence asked that please
28. don't take away our handguns and don't take away our weapons
29. but time after time they continually ask let's make mandatory
30. sentence. Let's make the law tougher. Let's take the gun
31. away from the criminal. I believe that's what this legislation
32. is doing. I, however at the same time, feel that this particular
33. bill is going to make it much too difficult. It's going too

1. far to the right. I would like and I like the philosophical
2. ideas, the thought process behind it. I feel as though the
3. people of the State of Illinois want legislation in this
4. direction. I, however, feel as though this particular piece
5. of legislation is just too difficult and it goes too far. It's
6. curious to note that there will be fourteen nations in the
7. world who have the highest crime rate the cumulative
8. amount of them do not equal the amount that we have in the
9. United States. In Tokyo where they have very, very strict
10. gun control laws, where they eliminate the handgun, they had
11. only last year with a ten million population sixty-three
12. deaths, where we in Chicago with three million population
13. had eight hundred and fifty deaths. I believe we have to move
14. in this direction to eliminate the twenty thousand killings
15. that take place in the United States per year. And I would
16. be happy to work with the sponsor perhaps in the future for
17. some other legislation in this direction and I therefore vote
18. present.

19. SECRETARY:

20. Vadalabene, Walker.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Walker.

23. SENATOR WALKER:

24. Thank you, Mr. President, members of the Senate, I think
25. I heard the name of a...the largest metropolitan daily in
26. Chicago mentioned, the Tribune. I thoroughly disagree with
27. Senator Knuppel. I'm happy I didn't read the editorial because
28. I think they're right 100% of the time especially when endorsement
29. time comes around. The reason that I'm happy that I didn't
30. read the editorial is I intend to vote aye on Senator Berning's
31. bill. Thank you.

32. SECRETARY:

33. Weaver, Welsh, Wooten

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Wooten.

3. SENATOR WOOTEN:

4. I'm casting a no vote. I would just like to admonish all
5. of us of something that occurred in the sponsors summation. I
6. think we're in danger of making softheaded judges a complete noun.
7. I would plead for a little mercy in our public consideration of
8. the function of judges. After all a lot of our constituents get
9. after us for things we do based on evidence we hear in committee.
10. Quite frankly, we are not privy to proceedings in court. I
11. would like to see us in this deliberative Body not fall prey
12. to this habit of categorizing judges as softheaded. And other
13. adjectives that go along that line. My vote is no.

14. SECRETARY:

15. Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Sen...Senator Soper.

18. SENATOR SOPER:

19. Mr. President, while they're tallying the vote, on the
20. point of personal privilege, in the President's gallery is
21. a group from the Department of Mental Health, Madden Center
22. in Chicago Reed, constituents of mine. Like to have them
23. rise and be recognized.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senators, I'm going to ask...there are several that
26. are standing for...asking for recognition. If you're not
27. going to address your remarks to the subject at hand the...
28. the roll call on SB 386, I'd ask you to just hold for a
29. minute. Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. No. I just want to know how I'm recorded. My vote is no.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Johns.

1. SENATOR JOHNS:

2. Am I recorded, Mr. President?

3. PRESIDING OFFICER (SENATOR MOHR):

4. Not recorded.

5. SENATOR JOHNS:

6. Just a brief comment. I...I applaud Senator Berning
7. for his concept...again through all the dissertation, I
8. found that it is a little too stringent for me to buy, but
9. I certainly thank you for your efforts and I hope that this
10. message reaches a lot of people. I vote present.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Mr...Mr. President, I don't believe I'm recorded. I
15. would like to vote and I would like to vote aye. And the
16. reason I would like to vote for this, I might agree that this
17. bill goes too far. I might agree that this bill is inflexible.
18. But I think it's about time that we who are listening to the
19. voices of the public respond. And I think that there are certain
20. classes of offenses that should be changed or eliminated. I
21. think the onus ought to now fall upon the legal profession, the
22. States attorneys and those that are directly involved in this
23. to present us legislation to make it more flexible. But we
24. need a vote of aye now and I so vote.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Senator Mitchler votes aye.

29. SENATOR BERNING:

30. Thank you, Mr. Chairman, I'm not recorded and I want to
31. explain my vote, by saying to the members of the Body that
32. I am not categorizing all judges as softheaded, and I am not
33. convinced of the hopelessness of our citizens of our system

1. of government or our courts. I have the greatest admiration,
2. in fact, in my 19th Judicial Circuit, we have the finest
3. courts in the whole United States and judges. So I make
4. one last plea to you, the members of this Body, on behalf
5. of our beleaguered citizens however who want the courts
6. to know that the soft treatment of judges just cannot
7. be tolerated. We can't go too far in this control of
8. ruthless criminals. We can't go too far. Gentlemen, the
9. citizens of this State deserve your support. Mr. President,
10. I vote aye and ask that the absentees be called.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Berning requests a call of the absentees.

13. SECRETARY:

14. Donnewald, Keegna, Smith, Sommer

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Berning. Senator Berning, for what purpose do
17. you arise?

18. SENATOR BERNING:

19. Let it go.

20. PRESIDING OFFICER (SENATOR MOHR):

21. On that question the yeas are 29. The nays are 22,
22. 3 voting present. SB 386 having failed to receive the
23. constitutional majority is declared...has...has failed
24. to pass. Senator Chew.

25. SENATOR CHEW:

26. Yes, Mr. President, I'm sure all of you here in the
27. Senate are aware of the internationally known singer
28. who passed away a couple of years ago, Mahalia Jackson.
29. A school that's named for her that's in my district
30. and I'm very pleased to recognize some of the students
31. from Mahalia Jackson School and Mrs. Buckley who is
32. one of the teachers is the wife of one of our
33. police commanders of the Wabash Avenue Station.

1. I'd like for you to rise and be recognized.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Daley.

4. SENATOR DALEY:

5. Mr. President, fellow Senators, I would like to
6. introduce a group of students from my district and also
7. from my ward, St. Barbara's Elementary Grammar School and
8. also Sister Stella and other sisters and parents who are
9. up in the audience.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Swinarski. Senator Daley, have you concluded?

12. Senator Daley.

13. SENATOR DALEY:

14. Also, I would like to introduce a former Senator a
15. great friend of mine in the 11th Ward, Eddie Nihill. Ed.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Swinarski.

18. SENATOR SWINARSKI:

19. Mr. President, members of the Senate, I rise to
20. introduce a former colleague of mine, an alderman from the
21. City of Chicago, the Chairman of the Committee on Committees,
22. Alderman Tom Casey.

23. PRESIDING OFFICER (SENATOR MOHR):

24. There's another distinguished gentleman in the audience
25. too, I don't know that he's been introduced...former Senator
26. Ted Swinarski. Senator Harris.

27. SENATOR HARRIS:

28. Well, Mr. President, I just want to announce to the
29. members of the Senate that those members who have amendments
30. for SB 416, we're doing our best to reach some accommodation
31. on them where we can and I think it will save a great deal of
32. Floor time if I can receive those amendments in advance, check
33. with the department, clear them with Senator Partee and take

1. position on them rather than have them just thrust on us
2. when we recall the bill. We are not going to, of course,
3. get to the bill today. We would hope tomorrow to call it
4. to 2nd reading for the consideration of all the amendments
5. that are offered. But if we could have them in advance,
6. a copy to Senator Partee and a copy to me in advance, it
7. would conserve a great deal of time. Thank you, Mr. President.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Swinarski.

10. SENATOR SWINARKI:

11. ...To Senator Harris that's what we asked for yesterday.
12. And we asked for the same time and the same availability to consider
13. the amendments that he proposed.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Ozinga.

16. SENATOR OZINGA:

17. Announcement. Senate Executive Committee will meet
18. at 2:15 Room 212. A big load about thirteen confirnees,
19. so be there on time. Thank you.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Gentlemen, we have one more order of business. Senator
22. Course would like to bring SB 689 back to 2nd reading for
23. the purpose...I'm sorry. Senator Course.

24. SENATOR COURSE:

25. It's on 2nd reading, Mr. President, and I have...I would
26. like to offer three amendments to SB 689. You have the
27. amendments up there, I have the copies.

28. SECRETARY:

29. SB 689.

30. (Secretary reads title of bill).

31. 2nd reading of the bill. No Committee Amendments.
32. Amendments No. 1, 2 and 3 offered by Senator Course.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Course moves the adoption of Amendment No. 1.
2. All those in favor signify by saying aye. Opposed? Amendment
3. No. 1 is adopted. Amendment No. 2. Senator Course moves the
4. adoption...
5. SENATOR COURSE:
6. Move the adoption.
7. PRESIDING OFFICER (SENATOR MOHR):
8. Moves the adoption of Amendment No. 2. All those in
9. favor signify by saying aye. Opposed? So ordered.
10. SECRETARY:
11. Amendment No. 3.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Amendment No. 3. Senator Course.
14. SENATOR COURSE:
15. Move the adoption, Mr. President.
16. PRESIDING OFFICER (SENATOR MOHR):
17. Senator Course moves the adoption of Amendment No. 3.
18. All those in favor signify by saying aye. Opposed? Amendment
19. No. 3 is adopted. Senator Walker.
20. SENATOR WALKER:
21. Thank you, Mr. President, members of the Senate...SB 393
22. is on 3rd and I'd like to request leave to return it to 2nd
23. reading for purposes of amendment.
24. PRESIDING OFFICER (SENATOR MOHR):
25. Is there leave?
26. SENATOR WALKER:
27. The Clerk has the amendment and the amendment has been
28. placed on the desk. It changes on line 12 on page 2, it strikes
29. county clerk and inserts board of election commissioners. That's
30. all the amendment does. I move the adoption of the amendment.
31. PRESIDING OFFICER (SENATOR MOHR):
32. Senator Walker moves the adoption of the amendment.
33. All those in favor signify by saying aye. Opposed? Amendment

1. is adopted. 3rd reading. One congratulatory resolution.

2. SECRETARY:

3. Senate Resolution No. 161 by Senators Graham, Schaffer,
4. Mitchler and Harris and it's congratulatory.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. ...This is a congratulatory resolution for one Charles
9. Flora. Copies of the resolution have been given to the
10. Majority and Minority Leadership. It is noncontroversial. I
11. see no reason to have it read. I'd make the appropriate
12. motion to suspend the rules.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Schaffer moves the...Body, suspend the rules.

15. All those in favor signify by saying aye. Rules are suspended.

16. Senator Schaffer now moves the adoption of the resolution.

17. All those in favor signify by saying aye. Opposed? Resolution

18. is adopted. One announcement from the Chair. On your desk

19. is a Committee notice for next week. Would like you to pay

20. attention to it, look at the announcement, carry it with you

21. so you know when the Committees are meeting next week. The

22. schedule has been altered considerably and we'd rather have

23. you look at it now than ask questions later when we're going

24. to meet and so on. It is on your desk. Notices will be

25. sent out accordingly. Any further announcements? Senator

26. Shapiro moves the Senate stand adjourned until 10 a.m.

27. tomorrow morning. Senator Newhouse asks leave to introduce

28. a group. Is there leave?

29. SENATOR NEWHOUSE:

30. Mrs. Long. Mrs. Long. I wonder if you'd bring my

31. students up here with me please? Gentlemen, those of you who

32. are left after the adjourned Senate, I'd like to introduce

33. a class from Mahalia Jackson School and I'd like to bring some

1. of my students up here on the podium with me and the
2. President's podium. They are accompanied by Mrs. Ruth
3. Long, Mrs. Leslie Alvinia, Mrs. Helen Barnett and Mr.
4. Jason Smith and I wonder if they would rise and be recognized
5. by the Senate?

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