

80TH GENERAL SESSION

REGULAR SESSION

MARCH 1, 1978

1. PRESIDENT:

2. The hour of 12:00 o'clock having arrived, the Senate
3. will please come to order. Prayer will be by Father Hugh
4. Cassidy of the Blessed Sacrament Church in Springfield.
5. Will our guests in the Galleries please rise.

6. FATHER CASSIDY:

7. (Prayer by Father Cassidy)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. Wednesday, January the 11th, 1978.

12. PRESIDENT:

13. Senator Maragos.

14. SENATOR MARAGOS:

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

18. PRESIDENT:

19. You've heard the motion by Senator Maragos for the
20. approval of the Journal. Is there any discussion? If
21. not, all those in favor signify by saying Aye. Opposed.
22. The Ayes have it. So ordered. Introduction of bills.

23. SECRETARY:

24. Senate Bill 1439 introduced by Senator D'Arco. Senate
25. Bill 1440 introduced by Senator D'Arco. Senate Bill 1441
26. introduced by Senator Leonard. Senate Bill 1442 introduced
27. by Senator Leonard. Senate Bill 1443 introduced by Senator
28. D'Arco. Senate Bill 1444 introduced by Senators Rock, Hynes,
29. Donnewald, Bruce and Kenneth Hall. Senate Bill 1444 introduced
30. by Senator Merlo. Senate Bill 1446 introduced by Senator
31. Clewis. Senate Bill 1447 introduced by Senator Washington.
32. Senate Bill 1448 introduced by Senators Mitchler and Sangmeister.
33. Senate Bill 1449 introduced by Senator Savickas, Lemke, Daley

HB 2506
2nd Reading
3/1/78

- 1. and Guidice. Senate Bill 1450 introduced by Senator Ozinga.
- 2. Senate Bill 1451 introduced by Savickas...Senator Savickas,
- 3. Lemke, Daley and Guidice. Senate Bill 1452 introduced by
- 4. Senator Savickas. Senate Bill 1453 introduced by Senators
- 5. Savickas, Lemke and Daley. Senate Bill 1454 introduced
- 6. by Senator Berman. Senate Bill 1455 introduced by Senator
- 7. Shapiro. Senate Bill 1456 introduced by Senator Buzbee.

8. PRESIDENT:

9. The bills just read by the Secretary be assigned to
10. the Rules Committee. Committee Reports.

11. SECRETARY:

12. Senator Smith, Chairman of the Committee on Public
13. Health, Welfare and Corrections, reports out House Bill
14. 2506 with the recommendation Do Pass as Amended.

15. PRESIDENT:

16. Senator Kosinski.

17. SENATOR KOSINSKI:

18. Mr. President and members of the Senate. I would now
19. like to ask the suspension of the rules and have the bill
20. read for the second time.

21. PRESIDENT:

22. You have heard Senator Kosinski's motion to suspend the
23. rules for the purpose of having House Bill 2506 read a second
24. time. All those in favor signify by saying Aye. Opposed.
25. The Ayes have it. The rules are suspended. On the Order of
26. 2nd reading, House Bill 2506. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 2506.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. Committee on Public Health, Welfare
31. and Corrections offers two amendments.

32. PRESIDENT:

33. Senator Kosinski, are you prepared to explain the amendments?

1. SENATOR KOSINSKI:

2. Yes, Mr. President and members of the Senate. Senate
3. Amendment 1 makes a technical change in the bill to compensate
4. for its delayed enactment because the legislation cannot be
5. passed before March...before March 1st, 1978. Compliance
6. by the Department of Registration and Education and the establish-
7. ment of the Review Board and review of the applications would
8. be...would be virtually impossible. Applicants for the renewal
9. could not meet the original deadline specified in the bill as
10. they were stated in the version which passed the House March
11. 1st, 1978. Deadlines are extended by the amendment till
12. October 1st, 1978. The amendment also inserts the immediate
13. effective date clause. Senate Amendment No. 2 clarifies
14. the intent of the bill to provide that only fully licensed
15. physicians serve on the new limited License Review Board.
16. The amendment expressly prohibits limited licensees from
17. being members. Thank you, Mr. President.

18. PRESIDENT:

19. Is there any discussion? If not, Senator Kosinski moves
20. the adoption of Amendment No. 1. All those in favor signify
21. by saying Aye. Opposed. The Ayes have it, the amendment is
22. adopted. Senator Kosinski moves the adoption of Amendment
23. No. 2. Is there any discussion? If not, all those in favor
24. signify by saying Aye. Opposed. The Ayes have it. Amendment
25. No. 2 is adopted. Any further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. Any amendments from the Floor? Senator Shapiro. For
30. what purpose do you arise?

31. SENATOR SHAPIRO:

32. Mr. President I...I just want to raise the question that
33. should the administration change their mind on the...on the

1. bill, that we'd be able to bring it back to 2nd reading
2. for further amendments because there's going to be a
3. problem involved with that March 1st and October 1st. How...
4. how you pick up the lapsed time in there.

5. PRESIDENT:

6. Senator Kosinski indicates that he is willing to bring
7. the bill back for further amendments if that is desired.
8. Are there any further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. Introduction of bills.

13. SECRETARY:

14. Senate Bill 1457 introduced by Senator Regner. Senate
15. Bill 1458 introduced by the same sponsor. Senate Bill
16. 1459 introduced by Senators Regner and Carroll. Senate
17. Bill 1460 introduced by Senator Schaffer, Graham and Mitchler.

18. PRESIDENT:

19. Rules Committee. For what purpose does Senator Rock
20. arise?

21. SENATOR ROCK:

22. Thank you, Mr. President. In light of the fact that the
23. Governor is due to address a Joint Assembly at 3:00 p.m., I
24. might suggest that the Senate stand in recess so that the
25. members can take a look at the budget book and be ready for
26. the message and that we would stand in recess until the
27. hour of 2:00 o'clock.

28. PRESIDENT:

29. Senator Rock has moved that the Senate stand in...what
30. purpose does Senator Mitchler arise?

31. SENATOR MITCHLER:

32. On a point of personal privilege, Mr. President. Before
33. we adjourn, I'd like to call the attention of the Senate to a

1. group of foreign exchange students from various countries
2. that are present in the Gallery. And I would ask them to
3. rise and be greeted and appreciate that courtesy from the
4. Senators. Will they please arise. The foreign exchange
5. students please arise.

6. PRESIDENT:

7. Will our guests please arise. Senator Rock. Senator
8. D'Arco.

9. SENATOR D'ARCO:

10. Mr. President, on a point of personal privilege. We
11. have within the Senate Chambers the Democratic candidate
12. for State Treasurer, Jerry Cosentino and I would ask that
13. the Senate acknowledge him. Thank you.

14. PRESIDENT:

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you Mr. President and members of the Senate.
18. I know it's been sometime since I reported the race horse,
19. Senator Sam MV. I would like to tell the members of the
20. Senate that the initial owner of the horse, which had
21. thirteen straight losses, he has sold the horse. I haven't
22. talked to the new owner yet or what he's going to do with
23. Senator Sam, but I'll give you that report sometime in April.
24. Thank you.

25. PRESIDENT:

26. Thank you, Senator. ...Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President, I would like to point out to the members
29. of the Senate that we have the Republican candidate for
30. State Treasurer, Senator Glass, and I would like the Senate
31. to acknowledge him.

32. PRESIDENT:

33. It's going to be an interesting year. Senator Rock has

1. moved that the Senate stand in recess until the hour of 2:00 p.m.
2. All those in favor signify by saying Aye. Opposed. The Ayes
3. have it. The Senate stands in recess.

4. RECESS

5. AFTER RECESS

6. PRESIDENT:

7. The hour of two having arrived, the Senate will reconvene.
8. I am reliably informed by the joint leadership that there is
9. a meeting currently going on in the Speaker's Office and
10. I have been requested to ask of the membership that the Senate
11. will stand at ease until the Call of the Chair. Now you
12. understand that the Governor is due to address both Houses
13. at 3:00 o'clock, so I would assume that the Senate will
14. reconvene somewhere around 2:45.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The Senate will come to order. Messages from the House.

17. SECRETARY:

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

19. Mr. President - I am directed to inform the Senate
20. that the House of Representatives has adopted the following
21. Joint Resolution, in the adoption of which I am instructed to
22. ask the concurrence of the Senate, to-wit:

23. House Joint Resolution 68

24. (Secretary reads HJR No. 68)

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Kosinski moves the adoption of the Joint Resolution
27. to resolve ourselves in a Joint Session with the House to hear
28. the Governor's Budget Message. All those in favor say Aye.
29. Opposed Nay. The Ayes have it. The President to wait upon the
30. Governor has appointed the following Senators. Senators Leonard,
31. Sangmeister, Vadalabene, Rupp and Grotberg. Those gentlemen
32. should wait upon the Governor at the door to the House of
33. Representatives. And the Senate is resolved into a Joint

1. Session with the House. We will return immediately after
2. the Governor's Budget Message to the Session of the Senate.
3. We stand in recess. Is Senator Leonard on the Floor?

4. PRESIDENT:

5. If the members will please go to the door of the House.
6. The Governor awaits our presence. The Senate will reconvene
7. immediately after the budget message.

8. RECESS

9. AFTER RECESS

10. PRESIDENT:

11. The Senate will please come to order. Messages from
12. the House.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate
16. that the House of Representatives has refused to concur
17. with the Senate in the adoption of their amendment to a
18. bill with the following title: House Bill 363 with Senate
19. Amendment No. 1.

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

21. Mr. President - I am directed to inform the Senate
22. that the House of Representatives adopted the following
23. Joint Resolution, in the adoption of which I am instructed
24. to ask the concurrence of the Senate, to-wit:

25. House Joint 65

26. PRESIDENT:

27. Executive. Introduction of bills.

28. SECRETARY:

29. Senate Bill 1461 introduced by Senators Lemke and Savickas.
30. Senate Bill 1462 introduced by the same sponsors. Senate Bill
31. 1463 introduced by the same sponsors. Senate Bill 1464 introduced
32. by the same sponsors. Senate Bill 1465 introduced by Senators
33. Vadalabene and Weaver. Senate Bill 1466 introduced by Senator...

1. Egan. Senate Bill 1467 introduced by Senators Guidice, Savickas,
2. Lemke and others. Senate Bill 1468 introduced by Senators Guidice,
3. Clewis and Merlo. Senate Bill 1469 introduced by Senator Demuzio,
4. Netsch, Vadalabene, Rock and others. Senate Bill 1470 introduced
5. by Senator Grotberg. Senate Bill 1471 introduced by Senator
6. Vadalabene. Senate Bill 1472 introduced by the same sponsor.
7. Senate Bill 1473 introduced by Senator Harber Hall. Senate Bill
8. 1474 introduced by Senator Sangmeister, Joyce, Walsh, Egan and
9. Bruce. Senate Bill 1475 introduced by Senators Sangmeister,
10. Shapiro, Joyce, Mitchler, Leonard and Berning. Senate Bill
11. 1476 introduced by Senators Shapiro, Glass, Weaver, Soper and
12. all Republicans. Senate Bill 1477 introduced by Senators
13. Donnewald, Joyce, Rock and Egan.
14. PRESIDENT:
15. Rules Committee. ...bills.
16. SECRETARY:
17. Senate Bill 1478 introduced by Senators Egan and Carroll.
18. PRESIDENT:
19. Rules Committee. Resolutions.
20. SECRETARY:
21. Senate Resolution 383 offered by Senator Hynes.
22. PRESIDENT:
23. Executive.
24. SECRETARY:
25. Senate Joint Resolution 65 offered by Senators Lemke, Savickas,
26. Guidice and Rhoads. Senate Joint Resolution 66 offered by Senator
27. Shapiro, Glass, Weaver, Soper and all Republicans. Senate Joint
28. Resolution 67 offered by the same sponsors. Senate Joint Resolution
29. ...
30. PRESIDENT:
31. Executive.
32. SECRETARY:
33. Senate Joint Resolution 68 offered by Senator Savickas.

1. (Secretary reads SJR 68)

2. PRESIDENT:

3. Senator Savickas.

4. SENATOR SAVICKAS:

5. Mr. President and members of the Senate. We request this
6. extension by Representative John Vitek because we have just
7. met this past week and we'll need this extra time to bring
8. together the artists and the sculptors so that they can sign
9. a contract.

10. PRESIDENT:

11. Senator...Senator Savickas has moved to suspend the rules
12. for the purpose of the immediate consideration and adoption
13. of Senate Joint Resolution 68. All those in favor signify
14. by saying Aye. Opposed. The Ayes have it. The rules are
15. suspended. Senator Savickas moves the adoption of the
16. resolution. All those in favor signify by saying Aye. Opposed.
17. The Ayes have it, the resolution is adopted. Resolutions.

18. SECRETARY:

19. Senate Resolution 284 offered by Senators Lemke, Hynes,
20. Daley and others. It's congratulatory. Senate Resolution
21. 285 offered by Senator Regner. It's congratulatory. Senate
22. Resolution 286 offered by Senator Egan and all Senators. It's
23. congratulatory. Senate Resolution 287 offered by Senator Leonard.
24. It's congratulatory. Senate Resolution 288 offered by Senators
25. Mitchler, Vadalabene and all Senators. It's congratulatory.
26. Senate Resolution 289 offered by Senator Mitchler. It's congratu-
27. latory. Senate Resolution 290 offered by Senators Davidson,
28. Mitchler and all Senators. It's congratulatory. Senate Resolution
29. 291 offered by Senator Mitchler and Bowers. It's congratulatory.
30. Senate Resolution 292 offered by Senators Savickas, Daley, Hynes
31. and Lemke. It's commendatory. Senate Resolution 293 offered
32. by Senator Clewis. It's congratulatory. Senate Resolution 294
33. offered by Senator Guidice. It's...congratulatory. Senate

1. Resolution 295 offered by Senator Kosinski and all Senators.
2. It's commendatory. Senate Resolution 296 offered by Senator
3. Demuzio. It's a Death Resolution...
4. PRESIDENT:
5. For what purpose does Senator Kosinski arise?
6. SENATOR KOSINSKI:
7. Mr...Mr. President and members of the Senate. This is
8. an unusual resolution and it's not in the same class of other
9. resolutions. This is one that is regarding the Chicago Daily
10. News and I would like to read this resolution if I may have
11. your permission and the Body.
12. PRESIDENT:
13. Would you take that resolution out of the pile.
14. SECRETARY:
15. Senate Resolution 2...295 then will be Senators, introduced
16. by or offered by Senator Mitchler and all Senators. It's
17. congratulatory.
18. Senate Resolution 297 offered by Senator Lane and Hynes.
19. It's congratulatory. Senate Resolution 298 offered by Senator
20. Lane and Hynes and it's congratulatory. And Senate Resolution
21. 299 offered by Senator Kosinski and all Senators.
22. PRESIDENT:
23. Senator Kosinski, did you have a comment to make on Senate
24. Resolution 299?
25. SENATOR KOSINSKI:
26. If...if I may, Mr. President, to read it and it'll take
27. me about a minute and a half. As you know I'm a pretty
28. fast reader, but I think being a former news...
29. PRESIDENT:
30. Right. Right. Senator, Senator, if you wish to have it
31. read, then let's adopt the other resolutions. We'll come
32. back to this one. Senator Rock, do you have a motion with
33. respect to these other Congratulatory Resolutions? Senator

1. Rock. The Congratulatory Resolutions?
2. SENATOR ROCK:
3. Yes, I would move, Mr. President, to suspend the appropriate
4. rule so that these Congratulatory Resolutions can and should
5. be immediately considered and adopted.
6. PRESIDENT:
7. You've heard the motion. Senator Rock moves to suspend
8. the rules for the purpose of the immediate consideration and
9. adoption of the resolutions just read by the Secretary. All
10. those in favor signify by saying Aye. Opposed. The Ayes
11. have it. The rules are suspended. Senator Rock moves the
12. adoption of the resolutions. All those in favor signify by
13. saying Aye. Opposed. The Ayes have it. The resolution...
14. resolutions are adopted. Senator Kosinski has asked leave
15. to have Resolution 299 read by the Secretary. Is leave
16. granted? Leave is granted. Mr. Secretary, read...read the
17. resolution.
18. SECRETARY:
19. Senate Resolution 299 offered by Senator Kosinski and
20. all Senators.
21. (Secretary reads SR 299)
22. PRESIDENT:
23. Senator Kosinski.
24. SENATOR KOSINSKI:
25. Mr. President, it results in double sorrow because I
26. used to be a newspaper carrier in carrying the...newspaper,
27. Chicago Daily News and the American and also the Polish Daily
28. News. Mr. President, I now move for the suspension of the
29. rules and the immediate adoption of the resolution.
30. PRESIDENT:
31. Senator Kosinski moves for the suspension of the rules
32. for the immediate consideration and adoption of the
33. resolution. All those in favor signify by saying Aye.

2300
3/1/73

1. Opposed. The Ayes have it. The rules are suspended. Senator
2. Kosinski moves for the adoption of the resolution. All those
3. in favor signify by saying Aye. Opposed. The Ayes have it.
4. The resolution is adopted. ...

5. SECRETARY:

6. Senate Resolution No. 300 offered by Senator Mitchler,
7. Carroll, Berman and all Senators.

8. PRESIDENT:

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Yes, first of all, Mr. Secretary, if you would show Senator
12. Nimrod as the second sponsor along with Senator Berman. Mr.
13. President and members of the Senate, this is a little different
14. than a regular Congratulatory Resolution. The copies have
15. been placed on your desk. But what this resolution does, it
16. condemns the planned Nazi demonstration in Skokie and we condemn
17. the hatred and prejudice which the American Nazi Party epitomizes
18. and that we condemn the planned abuse of the sacred rites
19. guaranteed to all by the United States Constitution. And this
20. further resolves that we encourage the American Nazi Party to
21. desist in their planned demonstration and that we encourage
22. the local government in Skokie to continue to search for ways
23. to prevent the demonstration in view of the damage to human
24. life and property that is sure to occur as a result of this
25. demonstration if it is held. A suitable copy of this
26. preamble will be presented to the village officials of the
27. Village of Skokie for acceptance on behalf of the Village
28. of Skokie. Mr. President, I would move that the rule be
29. suspended and that this resolution be considered immediately
30. and its adoption.

31. PRESIDENT:

32. ...Senator Mitchler. What purpose does Senator Egan
33. arise?

1. SENATOR EGAN:

2. Yes, thank you Mr. President. I...because of part of
3. that area is in my district, I'd like to know more about
4. this resolution, Senator Mitchler. I have not had an
5. opportunity to read it, although I've had it long enough, but
6. I've been too busy to read it. Would you explain it a little
7. more carefully so that I may understand it. I'm sure that
8. I...it's...

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Yes, Senator Egan, I'll be very glad to go into detail.
13. I just...read the resolving clause. It has a number of
14. whereas clauses, but it alludes to the American Nazi Party
15. planning a demonstration in Skokie, Illinois, which is the
16. home of many of the survivors of the concentration camps of
17. Nazi Germany of World War II and is in the heart of the
18. Jewish population of the State of Illinois. Now this planned
19. demonstration contravenes the true spirit of America in the
20. Constitution which stands for the creation of the home
21. where all races and creeds are urged to live in peace and
22. harmony. America has been the haven for the persecuted
23. since the colonial period and many people sacrificed themselves
24. in the great effort to suppress the scourge of Nazism during
25. World War II and to free those peoples oppressed by its yoke.
26. And while the Constitution guarantees free speech, this right
27. ...is a limited one, it does not extend to purposes which
28. result in the incitement of riot and violence. The proposed
29. demonstration in Skokie will be an abuse of that right of
30. free speech and a deliberate effort at the provocation of
31. persecution. And therefore, this Body is resolving that
32. the Nazi party, the American Nazi Party desist in their
33. planned demonstration and we encourage the local government

1. in Skokie to continue to search ways to prevent the demon-
2. stration in view of the damage to the human life and property
3. that's certainly to occur if that demonstration is held. A
4. copy of the resolution would be presented to the village
5. officials of the Village of Skokie for acceptance on behalf
6. of the Village of Skokie.

7. PRESIDENT:

8. Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President. I suggest, Mr. President, that
11. this resolution should be properly referred to the Executive
12. Committee for a couple of reasons. One, the last resolving
13. clause encourages the Nazi Party to desist from an action,
14. and yet a suitable copy of this preamble and resolution is
15. not presented to them. I happen to think the...the village
16. officials of Skokie are well aware of this matter. They
17. do not need a resolution from us. Now, this has been a
18. subject of some quite great controversy regarding First
19. Amendment rights and I think it would be better served,
20. this Body would be better served, to have this matter heard
21. in the Executive Committee.

22. PRESIDENT:

23. Senator Mitchler, what is your pleasure?

24. SENATOR MITCHLER:

25. Well I...I have no objection...I...I don't see what...
26. what really would be resolved, Senator Rock, by having this
27. held until April 5th or there on until the Executive Committee
28. meets. The...the planned march would be over with. This is
29. just a demonstration of thought. I...I know of no objection
30. to it. I can't see where the Executive Committee would...would
31. vote down this resolution. It would ultimately pass and so
32. I would ask for immediate consideration and suspension of the rules
33. and adoption. And I also would ask for permissions to join

1. myself, Senator Berman, Senator Carroll, Senator Nimrod, who
2. are the lead sponsors to have all Senators join a sponsorship
3. of this resolution.

4. PRESIDENT:

5. Senator Mitchler has asked leave to have all Senators
6. shown as...there seems to be some, all right, I...I would suggest
7. then any Senator wishing to be shown as a cosponsor of the
8. resolution should so and come down to the desk and so inform
9. the Secretary. Senator Mitchler, you're persisting in your...
10. your motion to suspend the rules? Senator Egan.

11. SENATOR EGAN:

12. Well, I don't know, what's the answer, I...

13. PRESIDENT:

14. There's a momentary pause, Senator Egan. Did you...

15. SENATOR EGAN:

16. I'd like to ask a question if he's going to persist.

17. PRESIDENT:

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. What is the question?

21. PRESIDENT:

22. Are you...you intend to pursue your motion to suspend
23. the Rules?

24. SENATOR MITCHLER:

25. Well I...

26. PRESIDENT:

27. If we're not going forward with...with the matter today,
28. Senator Mitchler, it ought...we ought not to have any more
29. discussion. If you are going forward, then I think the
30. questions are in order.

31. SENATOR MITCHLER:

32. Put...put the question to the Body.

33. PRESIDENT:

1. All right. Senator Egan has a question of the sponsor.

2. Senator Egan.

3. SENATOR EGAN:

4. Yes, in the last where...whereas clause, you recite that
5. the proposed demonstration in Skokie will be an abuse of
6. the right of free speech and a deliberate effort of provocation
7. and persecution. Now what I want to know, Senator Mitchler, is
8. if, do you stand with those who believe that the right of free
9. speech is not absolute and do you stand with those who believe
10. that the right...because the right of free speech is not
11. absolute, that the demonstration of the swastika among the
12. marchers would be offensive to the constitutional guarantee
13. and consequently, not protected by it?

14. PRESIDENT:

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. You know that I'm a firm believer in the right of free
18. speech and all that goes with it. I am fully aware of the
19. court decision that would allow the American Nazi Party to
20. display their emblem and conduct this march. But as in the
21. fourthwhereas clause of this resolution, it is pointed out
22. and I quote, "while the Constitution guarantees free speech,
23. this right is a limited one and does not extend to purposes
24. which result in the incitement to riot and violences!" I
25. also believe in that, Senator Egan.

26. PRESIDENT:

27. Senator Egan.

28. SENATOR EGAN:

29. Well now let's...let...let, just a minute, now hold on
30. just a minute. I think it's important enough to discover
31. the meaning of the resolution and if the resolution says
32. thatthe constitutional right of free speech is not absolute.
33. And that what the Nazi Party intends to do is not protected

1. by the Constitution, then I want to support it, because I
2. believe in the dissenting opinion in the State Supreme
3. Court case. And then I'll support the resolution. If that
4. is not what it says, then let's know what we're voting
5. on.

6. PRESIDENT:

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, Senator Egan, I see nothing in the resolution that
10. would allude to your fear. And I say that sincerely, because
11. this does not say that they cannot have this right. There's
12. nothing in here that...that points it out. Now the...the
13. right to free speech is...is not just a...a right to...to
14. speak at all, in other words, the courts have pointed out,
15. you cannot shout fire in a theatre. Free speech is guaranteed
16. under the Constitution. But as pointed out in here, now this
17. does not say that this would prohibit them from conducting
18. the march. It just points out that...that we feel that it's...
19. it's a planned demonstration that incites hatred and prejudice
20. which the American Nazi Party epitomizes, and that we condemn
21. those types of activities. And I think for...I can't see any
22. objection to this...this type of thing in all sincerity and
23. I...and I appreciate and recognize your...your question whether
24. the resolution goes farther than when I presented it to you.
25. And in my opinion it does not and I don't see where you should
26. have any fear, Senator Egan.

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President. I stand in support of Senator
31. Mitchler's motion to waive the rules and for immediate
32. consideration. As a comment to Senator Egan, I've read this
33. carefully. I am...I've read it with a very critical eye

1. because it's an...in an area that I am very sensitive about
2. in consideration of the area of free speech. I think it is
3. well worded and I think it is in line with the dissent
4. the Supreme Court opinion and I agree also with the dissent.
5. I think that the majority opinion was insensitive to the
6. actual effect of the brown...brown shirts and the goose-
7. stepping and the swastika, the affect that those images
8. will have on the freedom, on the psychic image, on the
9. mental health of the residents that have, of Skokie, and
10. of other parts of our State, that have experienced the
11. terrible experiences of the concentration camps. I...many
12. of us may feel that the resolution doesn't even go far
13. enough. But I think it has been phrased carefully. I
14. think it is in recognition of our first amendment liberties
15. and yet, in my own opinion, just as one does not have the
16. right to yell fire in a crowded theatre, I do not believe
17. the Nazi's have the right to march with the swastikas in
18. Skokie. And therefore I stand in support of the motion
19. to waive the rules and for immediate consideration, adoption,
20. of this resolution.

21. PRESIDENT:

22. Senator Rhoads.

23. SENATOR RHOADS:

24. Senator Mitchler, is this controversy still at this
25. moment a matter of pending litigation or has that litigation
26. been resolved?

27. PRESIDENT:

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. To my knowledge, Senator Rhoads, that litigation has been
31. resolved.

32. PRESIDENT:

33. Senator Rhoads.

34. SENATOR RHOADS:

1. Well, if your intent was to, say, for example, sign
2. a letter urging the Nazi Party not to march in Skokie
3. because it is a provocative act, I think I would certainly
4. be willing to sign that letter and I'm...I'm sure the
5. vast majority of the members would. I wonder if really
6. this is a...an appropriate subject matter for a resolution
7. at this time, in view of the fact that the courts have
8. taken a stand. Now, that's number one. Number two is
9. that you have asked for suspension of the rules, which
10. is customarily asked in a situation like this for a
11. noncontroversial type of resolution. And I think, perhaps,
12. there are issues raised here which require further
13. investigation and further consideration by the...by the
14. total membership. I certainly don't disagree with the...the
15. motivation that you have nor do I disagree with the...the
16. conclusion that the action of...of Nazis marching in
17. Skokie is an unnecessarily provocative act and made lead
18. to a civil disturbance of some kind. I think it's...it's
19. regrettable. But Senator Egan has raised the issue of
20. free speech here, the courts have addressed themselves to
21. it and I, for one, am not ready to consider this resolution
22. at this time and I would object to the suspension of the
23. rules for immediate consideration.

24. PRESIDENT:

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. This, of course, is one of
28. those kind of issues could very easily be interpreted as
29. the General Assembly or the Senate's being pro-Jewish or
30. pro-Nazi, which, of course, it absolutely is not. It's...
31. there's not one person in this Body that is advocating a
32. pro-Nazi stance, I'm absolutely sure of that. But it is
33. a very complicated issue. And again it was my understanding

1. we kind of had a...I was just checking the rule book, it's
2. not in the rules, but...that I can find anyhow, but we kind
3. of had a gentlemen and ladies agreement that in a hurried
4. situation like this we only would take congratulatory type
5. resolutions. Other resolutions of...of more serious impact
6. or perhaps of some controversy, would be considered by the
7. Executive Committee. Now, quite frankly, we're going to
8. be back here on the 5th of April. This march is not due
9. to take place, I believe, until the 19th. I would like to
10. see the Executive Committee give due consideration to this
11. and maybe we'll all vote unanimously for it, I don't know.
12. But goodness, Senator Mitchler, you've...you've laid this
13. on our desk. It is, as Senator Egan has pointed out, the
14. question of...of the First Amendment, the freedom of speech
15. is...is...is arisen here and I think that those members of
16. the Executive Committee ought to give due deliberation to
17. this resolution before this Body as a whole has asked to
18. vote on it. I don't want to see the brown shirts march
19. in Skokie either. But I do think that we ought to give
20. additional consideration through the...through the standard
21. operating procedures that we have in this Body and that
22. is why it's reference to the Executive Committee. Let it
23. come up then onto the whole Body before that March 19th
24. slated date.

25. PRESIDENT:

26. Senator Egan for the third time.

27. SENATOR EGAN:

28. Well, I take it then that the final whereas clause
29. could be interpreted as supportive of the dissenting
30. opinion in the case and consequently I would like to be
31. added as a cosponsor to the resolution and I'm for its
32. immediate adoption.

33. PRESIDENT:

34. Senator Ozinga.

1. SENATOR OZINGA:

2. I've listened to both sides of this story and I was just...
3. it was just called to my attention just a few minutes ago that
4. Senate Resolution No. 97 which passed this Body on...was intro-
5. duced into this Body and put on the Consent Calendar on
6. April 21st, 1977 and an identical resolution was passed on
7. April 22nd. Now I think this is a duplication and at that
8. time there was not nearly as much controversy regarding this
9. subject matter. So I would respectfully suggest that it
10. does go to the Executive Committee.

11. PRESIDENT:

12. Senator Harber Hall.

13. SENATOR HARBER HALL:

14. Well, I...I was prepared to vote in favor of the
15. immediate consideration and the passage of the resolution,
16. but Senator Egan has instituted a question with which I
17. disagree with because I support the majority in the Supreme
18. Court Case...affecting this and so by his stating on the
19. Floor that the last whereas clause should be interpreted
20. as a dissention from the majority in the Supreme Court case.
21. He places me in the unfortunate position of disagreeing at
22. least with him. And if it's the interpretation of others,
23. them I would have to vote against it, but I would make this
24. additional statement in regard to the resolution. It seems
25. to me that the distinguished Body in the State Senate to
26. take any action regarding a small band of ridiculous demon-
27. strators whatever their philosophic approach to government
28. may be a...a rather interpreted as giving too much public
29. notoriety to them than they deserve. That they perhaps
30. should just be allowed to do as the Supreme Court has
31. suggested, march with their silly slogans and their swastikas
32. and...there will only be a small number of them
33. anyway and just disregard them and it will probably dis-
34. courage any future such marches.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yes, Mr. President and fellow Senators, I can't let this
5. subject come up without at least saying something on the
6. Floor since I am very vitally involved and concerned about
7. it since the President of the B'nai Brith of the Survivors
8. of the Holocaust is a very personal friend and one I've
9. been working with very closely. And as was indicated
10. certainly we did take some action in...in April on Senate
11. Resolution 97. But I do want us to know this is a real
12. problem and it is going to cause some concerns in the
13. coming month. And whatever this Body wants to do, it's
14. something that's of great, great concern to every American
15. and I think that we ought to be aware that there are some
16. real fears of...of the things that can happen. I know that
17. many of the officials in Skokie and many of the leaders
18. within the Jewish community and...and certainly those who
19. are involved, the leaders within the survivals group,
20. and are...are planned..making plans now to have some sort
21. of demonstration. I would hope that would certainly be
22. one that all Americans can join in rather than something
23. as ridiculous as that which we seemed to have preoccupied
24. the Supreme Court. I would hope that we could resolve
25. this reasonably and that we do understand what we're
26. voting on. I certainly am opposed to their presentation
27. and their appearance in the Village of Skokie and of making
28. a direct confrontation to those two or three thousand survivors
29. and claiming that it's...it's the right, the First Amendment.
30. I can tell you first of all, there will be bloodshed and
31. there will be a confrontation if this is allowed to continue.
32. And I think whatever actions take from there, have to be that
33. which we have to do in the right spirit of the American way.

1. I am very concerned about it. I think it's a serious thing
2. that we're embarking upon and that we ought to be sure of
3. what we're doing. I support the concept of the resolution
4. and if it comes to a vote, I will support it.

5. PRESIDENT:

6. Senator Shapiro.

7. SENATOR SHAPIRO:

8. Well Mr. President and Ladies and Gentlemen of the
9. Senate. I think what the point that a lot of you may be
10. missing is that a group that has been...that have been
11. victims of persecution do not understand delay, legal jargon,
12. moral arguments about why this resolution should be passed
13. or...or not passed. I personally think it's a good resolution
14. and this Senate should pass it and not sit down here and
15. fiddle while these people mentally are burning. If it does
16. nothing else, it will give aid and comfort to a small group
17. who are victims of persecution thirty and forty years ago
18. and I think the Senate ought to get about its business
19. and pass the resolution. There's nothing wrong with it.

20. PRESIDENT:

21. Senator D'Arco.

22. SENATOR D'ARCO:

23. I remember when Martin Luther King marched in Cicero
24. and there was a big ado about then, there was much throwing
25. of rocks and debris around and it was a very dangerous
26. volatile situation. But I don't think anybody in the liberal
27. environment was saying at that time that he should be denied
28. that right to march in Cicero for whatever cause he thought
29. was just and right at that particular time. And I think as
30. soon as we start making distinctions about whether a group
31. has a right to march in a particular area as opposed to
32. another group not having a right to march because one
33. groups cause is right and the other groups cause is not right,

Sen. Carroll's Remarks on SR 300

1. we get into a very fuzzy area, that I for one, am not able
2. to pinpoint it to what is right and what is not right. And
3. I think the First Amendment right to free speech is there for
4. that particular reason. That we as individuals can't make
5. that decision as to what we think is right or what we think
6. is not right. So I would rather see this resolution go to
7. Exec, have it heard and come back and vote on it. Thank you.

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. While we seem to have had an enlightened debate
13. on the Floor of the Senate today on this resolution, which
14. in my opinion would thereby now obviate the need of this
15. resolution to go to committee, since we have functioned
16. as a Committee of the Whole and because of some of the
17. comments made. I think that my rising is now in total
18. support of the resolution. Not only as a cosponsor, as
19. I had originally indicated, with no opposition, to a
20. full hearing. But I think some points must be made.
21. There is a difference of opinion on what the First Amend-
22. ment means. We all recognize that. It has been tried in
23. the courts. It is my understanding and hope that the
24. Village of Skokie will be appealing that decision in the
25. Federal Courts. So that the opinion rendered by the
26. Illinois Supreme Court and the Federal District Court is
27. not the final word of the law in the land on what is the
28. rights of the people to free speech and to peaceably assemble
29. and to have their own libery protected. What you're asking
30. though is not only the six million who died, who happened to
31. have been Jewish, what about the six to ten million who weren't
32. Jewish, who also died during the holocaust of World War II.
33. Ask anyone who has been to any of these camps. Ask anyone

1. who served in the Armed Services who saw the results of these
2. camps. About the eighteen to twenty-five million people, Jew
3. and non-Jew alike, who died as a result of the activities of
4. what was then the Nazi Party of Germany. What we're really
5. saying here, we have asked these people who came to our land,
6. the survivors of the holocaust, Jew and non-Jew alike.
7. And we have met with the priests and ministers of Skokie.
8. The mayor of Skokie and other village officials who happened
9. to be non-Jews. Ask these people who were told once, oh,
10. ignore them, let them march, let them walk around, they don't
11. mean anything, and who then lost their families and were
12. lucky enough to come to this country and start new families and
13. you're asking them again to ignore that which they ignored
14. thirty and forty years ago, with the same assurances, the
15. same assurances that they received thirty and forty years
16. ago, so that their second families and their minds possibly
17. could be destroyed again. They were sure in the 30's
18. that the goose step meant nothing, that the Nazi Party was
19. nothing, would not be a...a form of terror to them. They
20. were sure of that when they were captured. You're asking
21. them again to turn their backs. They won't. We should not
22. either. I think we have the obligation now to say, as
23. Senator Mitchler has said to the Village of Skokie, we
24. stand behind your administration in attempting to protect
25. all of the seventy thousand residents of Skokie and all of
26. the people of the State of Illinois in saying there is a
27. right to peaceably live. Live without terror. Live without
28. fear. Yes, there's a right to redress your grievance. Yes,
29. there's a right to peaceably assemble, but there is some
30. limits on free speech where the obvious intent is to incite
31. a riot. I think we, as the elected people of the State of
32. Illinois, have to speak on this issue and have to speak now
33. and I would urge adoption of the resolution.

1. PRESIDENT:

2. Senator Mitchler has moved for the suspension of the
3. rules for the immediate consideration of Senate Resolution 300.
4. All those in favor...Senator Rock.

5. SENATOR ROCK:

6. Well, Mr. President, I persist in my suggestion. I think
7. the proper place to hear the debate is in the Committee on
8. Executive. We do, in fact...we are, in fact, involved with
9. the rights under the First Amendment. And while I certainly
10. will stand in disagreement with Senator Carroll and certainly
11. not the feelings of those persons involved. The fact of the
12. matter is that the Supreme Court of our State has ruled that
13. these persons are well within their rights to have this kind
14. of demonstration. And to adopt this at this time without
15. the kind of hearing that should and could be had under not
16. so limited circumstances, I think is a better course. And
17. I would urge that the Motion to Suspend the Rules be defeated.
18. This kind of resolution can fly under these kinds of circum-
19. stances. I suggest to you that many other members are going
20. to have a lot of other kinds of resolutions dealing with
21. these kinds of subject matters and it's just not good practice.
22. I think this should go to Executive.

23. PRESIDENT:

24. Senator Mitchler, you persist in your motion? Senator
25. Mitchler has moved to suspend the rules for the immediate
26. consideration and adoption of the resolution. All those in
27. favor of the motion to suspend the rules signify by saying
28. Aye. Opposed. The Ayes have it, the rules are suspended. A
29. roll call has been requested. Those in favor of the Motion
30. to Suspend the Rules will vote Aye. Those opposed will vote
31. Nay. The voting is open. Senator Rock, is my voting apparatus
32. working? Someone has removed the key. I wish to be recorded
33. Aye.

1. PRESIDENT:

2. Have all voted who wish? Have all voted who wish?
3. Take the record. On that question the Ayes are 22, the Nays
4. are 11. None Voting Present. The motion to suspend the rules
5. having failed to receive the requisite 30 votes is lost and the
6. bill will be assigned to the Committee on Executive. (Machine
7. cutoff)...the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate that
11. the House of Representatives has adopted the following Joint
12. Resolution, the adoption of which I am instructed to ask concurrence
13. of the Senate, to-wit:

14. House Joint Resolution 75.

15. (Secretary reads HJR 75)

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. Might I ask the Secretary to change the board? Thank you.
20. This is the Adjournment Resolution calling for us to return when
21. we leave this afternoon calling for us to return at April 5th
22. after a joyous primary and a joyous Easter. April 5th at the
23. hour of noon. I would move for the suspension of the rules and
24. the immediate consideration and adoption of this resolution.

25. PRESIDENT:

26. Senator Rock has moved to suspend the rules. All those in
27. favor signify by saying Aye. Opposed. The Ayes have it. The
28. rules are suspended. Senator Rock moves for the adoption of
29. the Adjournment Resolution. All those in favor signify by saying
30. Aye. Opposed. The Ayes have it. The resolution is adopted.

31. SECRETARY:

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

33. Mr. President - I am directed to inform the Senate that

1. the House of Representatives has adopted the following
2. joint resolution and adoption of which I am instructed to
3. ask concurrence of the Senate, to-wit:

4. House Joint Resolution...71.

5. (Secretary reads HJR 71)

6. PRESIDENT:

7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President. With leave of the Body you
10. are the sponsor of that commission bill. This calls for an
11. extension of the reporting date for that commission from
12. March until June. I would move for the suspension of the
13. rules and the immediate...consideration and adoption of
14. House Joint Resolution No. 71.

15. PRESIDENT:

16. Senator Rock has moved to suspend the rules. All those
17. in favor signify by saying Aye. Opposed. The Ayes have it.
18. The rules are suspended. Senator Rock moves the adoption of the
19. resolution. All those in favor signify by saying Aye. Opposed.
20. The Ayes have it. The resolution is adopted.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate that
24. the House of Representatives adopted the following joint
25. resolution and the adoption of which I am instructed to ask
26. concurrence of the Senate, to-wit:

27. House Joint Resolution 74.

28. (Secretary reads HJR 74)

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President and members of the Senate. With
33. leave of the Body I think this was the resolution that originally

1. came over from Representative Daniels sponsored...cosponsored
2. by Senator Philip and Senator Savickas. It calls for the reporting
3. date concerning the investigation of unemployment compensation
4. to be extended to June 1. I would, again, move the suspension
5. of the rules and the immediate consideration and adoption of
6. House Joint Resolution 74.

7. PRESIDENT:

8. Senator Rock moves...to suspend the rules for the purpose
9. of the immediate consideration and adoption of the resolution.
10. All those in favor signify by saying Aye. Opposed. The Ayes
11. have it. The rules are suspended. Senator Rock moves the
12. adoption of the resolution. All those in favor signify by
13. saying Aye. Opposed. The Ayes have it. The resolution is
14. adopted. We do have a...a matter...Message from the House.

15. SECRETARY:

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

17. Mr. President - I am directed to inform the Senate
18. that the House of Representatives has accepted the Governor's
19. Specific Recommendations for Change which are attached to a bill
20. with the following title and the adoption of which I am instructed
21. to ask concurrence of the Senate, to-wit:

22. House Bill 2435.

23. PRESIDENT:

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, thank you, Mr. President and members of the Senate.
27. As you know the staggered registration and legislation, House
28. Bill 2435 passed the General Assembly as part of the multi-year
29. license plate concept, which is now law. This bill has received
30. bipartisan support in the General Assembly and in addition to
31. the Secretary of State's Office it also has been supported by
32. the Department of Transportation and the Bureau of the Budget.
33. The Secretary of State's Office has no major objection to the

1. Governor's amendatory action regarding House Bill 2435. So
2. Mr. President and members of the Senate I move to accept the
3. Specific...Recommendations of the Governor to House Bill 2435.

4. PRESIDENT:

5. Is there any discussion? If not, the question is shall
6. the Senate accept the Specific Recommendations of the Governor
7. as to House Bill 2435 in the manner and form just stated by
8. Senator Vadalabene? Those in favor will vote Aye, those
9. opposed will vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Take the record. On that
11. question, the Ayes are 44, the Nays are None. None Voting
12. Present. The Specific Recommendations of the Governor as to
13. House Bill 2435 having received the required majority vote
14. of the Senators elected are declared accepted. Resolutions.

15. SECRETARY:

16. Senate Resolution 304...offered by Senators Buzbee,
17. Kenneth Hall, Vadalabene, Donnewald, Demuzio and all Senators.
18. And...it's congratulatory.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Is...is this the resolution that congratulates the
23. Independent Voters of Illinois? If it is, I wish it would go
24. to Executive.

25. PRESIDENT:

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. No, Mr. President. As a matter of fact, this is a
29. resolution that...that congratulates one of the independent
30. colleges of Illinois. And...so I would ask that all Senators...

31. PRESIDENT:

32. It's getting pretty close. Senator Rock has moved to
33. suspend the rules for the purpose of the immediate consideration

1. and adoption of the resolution. All those in favor signify
2. by saying Aye. Opposed. The Ayes have it. The rules are
3. suspended. Senator Rock moves the adoption of the resolution.
4. All those in favor signify by saying Aye. Opposed. The Ayes
5. have it. The resolution is adopted...further business to come
6. before the Senate? There's no further business to come before
7. the Senate, Senator Guidice moves that the Senatè stand
8. adjourned until April 5, 1978 at 12:00 o'clock noon. All
9. those in favor signify by saying Aye. Opposed. The Ayes
10. have it. The Senate stands adjourned.

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12. (End of Reel)

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