

GENERAL REGULAR SESSION
of the 78th GENERAL ASSEMBLY
OCTOBER 16, 1973

25

1. PRESIDENT:

2. The Regular Session of the 78th General Assembly
3. will come to order. Reading of the Journal. Senator
4. Soper.

5. SENATOR SOPER:

6. Mr. President, I now move that the...that we
7. postpone the reading and the approval of the Journals
8. of October 22nd, 23rd and 24th pending the arrival of
9. the printed Journals.

10. PRESIDENT:

11. Senator Soper moves that we postpone further con-
12. sideration of the Journals of October 22nd, 23rd and
13. 24th until the arrival of the printed Journals. Is
14. there discussion? All in favor signify by saying aye.
15. Contrary no. The motion carries. So ordered. Mes-
16. sages from the House. .

17. SECRETARY:

18. A Message from the House by Mr. Selcke.

19. (Secretary reads Message from the House)

20. PRESIDENT:

21. You've heard the Resolution. Senator Weaver moves
22. the adoption of the adjournment Resolution. Is there
23. discussion? All in favor signify by saying aye. Con-
24. trary no. Motion carries and the Resolution is adopted.

25. SECRETARY:

26. A Message from the House by Mr. Selcke, Clerk.

27. (Secretary reads Message from the House)

28. PRESIDENT:

29. That will go on the Calendar under the heading House
30. Bills. ...concurrence in House action on...on vetoed
31. bills. We have a congratulatory resolution. Senator
32. Nimrod.

33. SECRETARY:

1. Senate Resolution 265 by Senator Nimrod and
2. it's congratulatory.

3. PRESIDENT:

4. Senator Nimrod.

5. SENATOR NIMROD:

6. Yeah. Mr. President, this resolution is for
7. Main South High School and they were awarded the
8. outstanding high school in the United States in
9. the survey that was made recently and I would
10. certainly ask that we join together here in com-
11. mending them and ask for suspension of the rules
12. and the passing of this resolution.

13. PRESIDENT:

14. Senator Nimrod moves for the suspension of the
15. rules for the immediate consideration of the resolu-
16. tion. All in favor signify by saying aye. Contrary
17. no. The motion carries. On the motion to adopt,
18. all in favor signify by saying aye. Contrary no.
19. Motion carries. Resolution is adopted...Merritt,
20. are you ready to proceed? ...All right we have not
21. called that order of business. ...Senate Bills under
22. the consideration of total vetoes. Senator Merritt
23. SB 914.

24. SENATOR MERRITT:

25. Yes, Mr. President, members of the Senate, SB 914
26. which appropriated a \$100,000 for a feasibility study
27. to accompany an application through the Department of
28. Business and Economic Development to the Federal Foreign
29. Trade Zone Board in Washington. That particular bill did
30. pass this Body without a dissenting vote 43 to nothing
31. on June 4th. I think in talking to members in our
32. Commission out of which this recommendation came, members
33. from the other side of the aisle too, that the Governor

1. was ill advised in vetoing the bill simply because
2. there are about two not to exceed four recognized
3. consulting firms in the entire United States capable
4. and qualified to prepare this information which is
5. quite lengthy takes a period of time probably nine
6. to twelve months. The Department - and that must
7. accompany the application to the Federal Foreign
8. Trade Zone Board in Washington - the Department does
9. not have the facilities and shop to do this work
10. and it's questionable if they did if it would be in
11. form acceptable to the Federal Foreign Trade Zone
12. Board in Washington. I don't believe, I'm not going
13. to make any lengthy explanation except to say in the
14. creation of such a zone that the Chicago Regional
15. Board District as well as subzones and all of our
16. other ports throughout Illinois. It will really have
17. an impact on the economy of our State because you must
18. realize that no goods are taxed, they're duty free coming
19. into that foreign trade zone. You can have manufacturing
20. there which many of our industries would do using that
21. imported product into a finished product to be used here in
22. the United States or shipped abroad. If it goes out of the
23. States then it's tax free completely but...but our many fine
24. industries manufacturing plants throughout Illinois really
25. need this because it doesn't tie up hundreds of thousands of
26. dollars of their money in these duties until such time as it
27. does move out of there. ...I think I've given a proper
28. explanation of it. It's necessary for the industrial
29. climate of Illinois and for jobs for our people and I
30. would just consider a favorable vote on the motion that
31. SB 914 Do Pass the veto of the Governor to the contrary
32. notwithstanding.

33. PRESIDENT:

1. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Mr. President, members of the Senate, I'm in
4. agreement with Senator Merritt in asking on asking
5. for the override of this veto for the particular
6. reason that the largest port district in the State
7. of Illinois and even in the middle west is within
8. my district and further that we have passed legis-
9. lation and appropriated 3,600,000 dollars for the
10. establishment of container facilities operations
11. within the port district of the Chicago Regional
12. Port District and its area. And it's finally needed.
13. One time I passed a bill of this type a number of
14. years ago and it was lost in the House. And I passed
15. it a second time and Governor Kerner vetoed it on
16. the grounds of - practically the same grounds - that
17. the present Governor has outlined. There is a vital
18. need for this. It will be preponderate to the people,
19. all the people, of the State of Illinois. I also
20. have the largest industrial district in the State with-
21. in my district and I urge that the Senators join with
22. Senator Merritt and I in overriding this veto.

23. PRESIDENT:

24. Is there further discussion? Senator Partee.

25. SENATOR PARTEE:

26. ...As Senator Merritt would say, just briefly, the
27. need for this to move now seems to me to be almost
28. imperative. We are in a situation, worldwide, in
29. relationship to trade which just mandates that we not
30. wait until 1975 to get involved with a free trade zone.
31. A foreign trade zone is a very important thing if we're
32. going to survive economically in competition with the
33. rest of the world. In the meantime...as I look at the

1. veto the rationale of the veto seems to be that we should
2. wait until next year to determine if there should be
3. a feasibility study made which brings us then into
4. '75 or '76 before it becomes a reality. By '75 or
5. '76, you'll have one in Kansas City or some other
6. places that are now considering them. It will just
7. put Illinois at a competitive disadvantage at a
8. time when we are seeing many areas of our own country
9. purchased by foreign powers, at a time when we're
10. seeing many businesses in our own areas being purchased
11. by foreign powers. It seems to me foolhardy for us
12. not to do whatever is possible to be done to bring
13. about an increased economic...increased economic
14. impact that a foreign trade zone would bring Illinois
15. and I...for on that basis I'm going to support the
16. override on SB 914.

17. PRESIDENT:

18. Senator Hall...Kenneth Hall.

19. SENATOR KENNETH HALL:

20. Thank you, Mr. President. Would the sponsor yield
21. to a question?

22. PRESIDENT:

23. He indicates that he will. Proceed.

24. SENATOR KENNETH HALL:

25. ...Senator, I just want to clear up this point. As
26. you know I had a free trade zone bill in after yours
27. was passed; I Tabled mine and I was criticized back home
28. for saying yours didn't cover the...entire State. I
29. just want to be sure that this covers the entire State
30. of Illinois.

31. PRESIDENT:

32. Senator Merritt.

33. SENATOR MERRITT:

1. Yes, Senator Hall, you remember this morning
2. you and I had a discussion with one of the men
3. from one of your port districts, Chap Smith, I
4. believe it was. And we got out the bill at that
5. time and it's very specific it provides for a
6. Federal Foreign Trade Zone in Illinois and such...
7. and any subzones which would...which would actually
8. take in all the ports.

9. PRESIDENT:

10. Is there further discussion? The question...
11. question is, shall SB 914 pass the veto of the Governor
12. to the contrary notwithstanding. And on that question
13. the Secretary will call the 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
18. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
19. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
20. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
21. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
22. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
23. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
24. Weaver, Welsh, Wooten, Mr. President.

25. PRESIDENT:

26. Senator Berning, aye. Senator Kosinski, aye.
27. On that question the yeas are 46. The nays are none,
28. 1 voting present. Having received the required three-
29. fifth's vote SB 914 is declared passed the veto of the
30. Governor to the contrary notwithstanding. Are there
31. any other bills under the order of total vetoes that
32. a sponsor wishes to have considered? Are there any
33. other sponsors of bills under the order of item vetoes
item reductions and amendatory vetoes that wish to

1. have those bills called at this time. Senator
2. Dougherty.

3. SENATOR DOUGHERTY:

4. ...Veto on Senate Bills 447.

5. PRESIDENT:

6. Under the order of amendatory vetoes, Senator
7. Dougherty wishes SB 447 called.

8. SENATOR DOUGHERTY:

9. Mr. President...

10. PRESIDENT:

11. Senator Dougherty.

12. SENATOR DOUGHERTY:

13. ...and members of the Senate, I move to accept
14. the Governor's specific recommendation for change with
15. respect to SB 447 in the manner and form as follows
16. and the manner and form is there. It's in complete
17. agreement. I've discussed with the Department of
18. Public Aid and with the Cook County hospitals, the
19. governing association and all concerned and they're
20. in agreement.

21. PRESIDENT:

22. Is there further discussion? The question is,
23. shall the Senate accept the specific recommendations
24. of the Governor as to SB 447 in the manner just des-
25. cribed by Senator Dougherty? And on that question
26. the Secretary will call the roll.

27. SECRETARY:

28. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
29. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
30. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
31. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
32. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
33. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh, Wooten, Mr. President.
4.

5. PRESIDENT:

6. Knuepfer, aye. Netsch, aye. On that question
7. the yeas are 46. The nays are none. Specific recom-
8. mendations of the Governor as to SB 447 having received
9. the required majority vote of Senators elected are
10. declared accepted. Are there any other bills con-
11. cerning which Senators have filed motions which the
12. Senators want considered at this time? Senator
13. Nudelman.

14. SENATOR NUDELMAN:

15. Mr. President, Ladies and Gentlemen, SB 793...was
16. ...had an amendatory veto to the effect that it grand-
17. fathered out certain...all existing trust companies
18. from certain requirements of...as to capitalization
19. and so forth. I think it's a good amendment, I think
20. it was just not put in originally by...by oversight
21. of the preparer of the bill and I would urge the Senate
22. to concur in the amendatory veto. Any questions I'd
23. be glad to answer.

24. PRESIDENT:

25. Is there further discussion? The question is,
26. shall the Senate accept the specific recommendations
27. of the Governor as to SB 793 in the manner and form
28. indicated by Senator Nudelman. And on that question
29. the Secretary will call the roll.

30. SECRETARY:

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

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver, Welsh, Wooten, Mr. President.

8. PRESIDENT:

9. On that question the yeas are 56. The nays are
10. none. The specific recommendations of the Governor
11. as to SB 793 having received the required majority
12. vote of Senators elected are declared accepted.
13. Are there any other bills on which motions have been
14. filed that Senators wish considered? Under Resolutions
15. Seante Joint Resolution 50. Senator McBroom.

16. SENATOR MCBROOM:

17. Yes. Yes, Mr. President, thank you, Members of
18. the Senate. Senate Joint Resolution 50, I think, is as
19. most of the Members know is the resolution that would
20. have the effect of rescinding Senate Joint Resolution 23.
21. Senate Joint Resolution 23 would...would of had the effect
22. it would have gone on the ballot next year and given the
23. voters the opportunity to decide whether they wanted to
24. revert to the old system of the election of judges by
25. party label or whether they did not. After thinking about
26. this and cogitating on it contrary to some suggestions, Mr.
27. President, that Treasurer Dixon or Governor Ogilvie or
28. someone else held a gun to my head I submit to the Members
29. that that was not the...the case. The...I would be the
30. first to suggest and feel strongly that the present system
31. is not perfect by any means. Thank you, Senator Walker.
32. ...I...walked into the President's office if I might just
33. digress for a minute this morning at 8:30 and said

1. good morning to the President, had a paper and a cup
2. of coffee and I looked around and there was no one there
3. but the President and me. And I said well, when is the
4. caucus going to start and he said there is no caucus.
5. I was told yesterday in Executive Committee by my friend
6. Senator Walker that Senator Weaver had called a caucus
7. when I was off the Floor and I thank you for that Senator.
8. I didn't need the sleep anyway. Now going back to what
9. I was talking about if Senator Walker will permit that.
10. The present system of course is I...I feel is...is a long
11. way from perfect. Reverting perhaps to the old system
12. is not a perfect solution...is not a perfect solution
13. either. I...I think there is something inherently wrong
14. in a system when we find that not a single Member of the
15. Judiciary has ever retired but as I suggested reverting
16. to the old system is not perfect either. ...Former
17. Governor Ogilvie and Treasurer Dixon have told me both
18. privately and publicly that for whatever influence they
19. might have with members of the General Assembly of either
20. party that they would join with me in the future to block
21. any efforts of any other local officials becoming attached
22. to or a part of the retention system specifically circuit
23. clerks have attempted to become part of the retention
24. system. There have been rather covert efforts by sheriffs,
25. by superintendents of schools, by states attorneys to be-
26. come members of the...become part of the retention system
27. and I would suggest to the members of the General Assembly
28. and I hear about...political pressure on various individuals
29. there is far more reason for a State Senator to be on the
30. retention system than there is a circuit clerk. But I
31. have...I have been assured by these two gentlemen, leaders
32. in both of their parties...both their respective parties
33. that they would join with me if there were any other effort

1. I think also, Mr. President, I'm going to conclude
2. here very quickly. I think also, Mr. President,
3. it's called to the attention of the general public
4. that there have been covert efforts by other county
5. officials to become part of this retention system.
6. The other thing that occurred to me that seems
7. somewhat unfair is that reverting to the old system
8. would also encompass sitting judges many of whom only
9. sought election to the judiciary because they knew
10. if elected they would become part of the retention system.
11. Many of these men have advanced in years as we all
12. have. Have given up lucrative law practices to be-
13. come part of the judiciary and part of the retention
14. system. These are reasons that I have...am suggesting
15. to the members of the General Assembly that they join
16. with me in passing Senate Joint Resolution 50.

17. PRESIDENT:

18. Is there... Senator ParTEE.

19. SENATOR PARTEE:

20. Well, Mr. President, for a long time in Illinois, a
21. lot of people have been concerned about the length of
22. the ballot and I have been one of those that have always
23. fought for a shorter ballot. It does happen that in the
24. next election there will be another issue which the people
25. will have to decide in this fashion which relates to the
26. amendatory veto and that seems to be enough for them to
27. work on during the next election and that we won't get
28. involved with this one. ...The other thing is a lot of
29. people are confused as to whether this gets into the
30. question of merits election of judges and of course it
31. does not because I have been opposed to that from the
32. very beginning. But I think it would shorten our ballot
33. and eliminate a great deal of confusion if there was a

1. recision of this constitutional amendment and I
2. propose to support Senator McBroom's motion. I
3. was delighted to hear that a former colleague of
4. ours...Treasurer Dixon who was the leader here in
5. the Senate that was in some way persuasive in this
6. movement. Also our dear friend Governor Ogilvie
7. who was also very interested in bringing about this
8. recision. So inasmuch as you have cogitated this prob-
9. lem, Sir, I'm going to support your...the results of
10. your cogitation.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Mr. President, I'm both amazed and appalled at
15. the change in the weathervane with respect to this
16. proposed amendment. Now the fact's a very simple
17. one; it's admitted by every...even the Bar Association
18. before the Constitutional Convention and it's generally
19. acceded everywhere that this is a meaningless election,
20. this retention election because no judge in the State
21. of Illinois has ever been defeated and with even three-
22. fifths, no judge is apt to ever be defeated. Judges
23. who have been found unfit by the practicing Bar
24. Association have still won by overwhelming majorities.
25. I will tell you this that the people are not with the
26. action that...that...has been spoken in favor of here by
27. Senator McBroom and Senator Partee. All this...all
28. this resolution does is ask the people how they want
29. to elect their judges and whether they want to...to
30. have them run against an opponent or on retention. I
31. think the people in the democracy...in a democracy are
32. entitled to that expression, that's all that it does.
33. If an overwhelming majority want to retain a retention

1. system they will so express themselves. I think
2. it's a shame that we keep this issue from the
3. people that the judges want so badly to keep this
4. issue from the people and if those two individuals
5. who persuaded or cajoled or talked to those to
6. change their mind were to run on that sole issue
7. next year for re-election, I'm sure they would be
8. defeated. I've spoken before a...number of clubs
9. throughout downstate Illinois and the...the feeling
10. of the people in the clubs I've talked to I've
11. asked without speaking before I spoke on the issue
12. are almost unanimous that they want to elect their
13. judges. Most people are disturbed about the softness
14. that the bench has displayed with respect to criminals
15. and others. They're dismayed by the fact that there
16. are politicians abroad who would take on to themselves
17. this law. Now I submit to you that in downstate Illinois
18. at least the people want to elect their judges. Not just
19. in the initial instance but from then on. The results
20. in the Constitutional election, I'm sure, reflect that.
21. For example in Kankakee County sixty-one percent of the
22. people - almost sixty-two - said they wanted to elect
23. their judges as opposed to the merit system. This...
24. this was one of the higher counties. For example,
25. Knox County that was sixty-six to twenty-seven percent.
26. Fayette County was seventy-three to thirteen percent.
27. Ford County was sixty-three to twenty-nine percent.
28. Fulton County was sixty-four to twenty-seven point nine.
29. Hamilton County was seventy-one point five to eleven point
30. seven. Now if that were not enough I have taken an in-
31. formal poll among the lawyers I have met downstate Illinois
32. and I realize basically that lawyers are gutless people
33. where judges confront them. As Senator Partee asked me

1. once, he said, "John, aren't you a lawyer." I said, "yes."
2. He said, "what do you want to do when you leave the
3. Senate, practice medicine?" But I am here to represent
4. the people and if you can't stand the heat you ought
5. not be in the kitchen. Here is a resolution adopted
6. by the largest county bar association in my district
7. it says the Adams County Bar Association at a special
8. meeting voted in favor of urging the Legislature to
9. not reverse itself on the matter of judicial selection
10. and to prevent the voters to determine at a statewide refer-
11. endum in the next General Election as to whether or not the
12. present judicial retention system should be retained or
13. replaced with elections every six years. Now here's
14. where they get in with the judges see. They don't have
15. the courage to come out and tell the judges what they
16. tell me, that is they want to elect their judges. The
17. judges become imperious to people and their rights once
18. they become...they get retention they get too big for
19. their britches so to speak in relation to the public
20. and other people. They think they are a kind unto them-
21. selves but here they flatter the judges by saying lawyers
22. favor going back to the original system of requiring
23. judges to stand for contested election every six years
24. combined with other lawyers who favor the merit system
25. of appointing judges and they feel the old election system
26. will need to be revised before sufficient statewide attention
27. is focused on the judicial system. Gentlemen, I'll guarantee
28. you that in downstate Illinois...yeah I know I'm hearing
29. time on my side too...and the Valhalla of all the Chicago
30. lawyers on this side is the judiciary...

31. PRESIDENT:

32. Senator.

33. SENATOR KNUPPEL:

...I don't blame them. When they get on that bench I'd like to have...

3. PRESIDENT:

4. ...will you please conclude your remarks.

5. SENATOR KNUPPEL:

6. Yeah. I realize that and I'd like to have that
7. retention too. I'd like to have it as a Senator.
8. This is not what the people want and I want...would
9. just like for each one of you to look in your own
10. district and see how the people voted. They're the
11. people who are going to elect you. They're the
12. people who are going to elect you if you're from
13. downstate Illinois next time you run.

14. PRESIDENT:

15. Senator Netsch.

16. SENATOR NETSCH:

17. Mr. President. Mr. President, unlike Senator
18. Knuppel, I am...amazed but not appalled. Let me start
19. that again. Unlike Senator Knuppel I am amazed but
20. not appalled at the change in sentiment that has come
21. about in this Body since last May or June. I think
22. it is as some of us - nine of us - suggested at the
23. time this proposal was a very bad idea. It has not
24. grown better with time and I think it is a delightful
25. prospect that hopefully it will not appear on the
26. ballot. I would like to say just very simply that while
27. retention is not a perfect system when initial selection
28. is not quite what it should be retention does have some
29. merits of its own in terms of...of protecting judges from the
30. political pressures to which judges should not be subjected.
31. Retention does not have quite as much merit as merit
32. selection but it does have some of its own and for that
33. reason we should retain that essential ingredient of our

1. judicial selection and retention of process and I
2. would hope that the members of the Senate would
3. indeed vote approving...vote yes on this resolution
4. so that we can remove this very foolhardy proposal
5. from the ballot next November.

6. PRESIDENT:

7. Senator Johns.

8. SENATOR JOHNS:

9. Mr. President, members of the Assembly, I have
10. never in my lifetime seen shockwaves go through
11. the bastion of power of the judiciary as I have seen
12. this. I'm really concerned Senator McBroom that you
13. made such a vital pitch at one time and you made the
14. switch now, really concerned. Many of my people are
15. vehement that they are being denied this opportunity
16. to choose some people to replace those that have failed
17. them in their duties. In my lifetime I think that I
18. have and never will again see the shockwaves that I said
19. went through - never have I seen people come to me and
20. say to me are you going to vote to rescind. Letters
21. have poured into me from county chairmen of both parties
22. saying that their people are against this move. I hope that
23. in time that history will show us why and what for this
24. turnabout. I voted for it the first time as many of
25. you did over here and I think you need to examine your
26. conscience and that we're taking away something that the
27. people want. It's not asking much to put that on the
28. ballot. The length of the ballot doesn't disturb me.
29. But the taking away of possible decisions by the people
30. really disturbs me. Thank you very much.

31. PRESIDENT:

32. Is there further discussion? Senator Graham.

33. SENATOR GRAHAM:

1. Just...Mr. President and members, just to
2. comfort Senator Johns a moment under the dateline
3. of May 24th, 1972 one of our State papers re-
4. corded Walker against State lottery, just to show
5. you that people do change their minds.

6. PRESIDENT:

7. Is there further discussion? The question
8. is, shall the Senate adopt Senate Joint Resolution
9. 50 which resolves to withdraw Senate Joint Resolution
10. 23 pursuant to Article 14, Section 2A of the 1970
11. Illinois Constitution. And on that question...
12. Senator Rock.

13. SENATOR ROCK:

14. Parliamentary inquiry, Mr. President. Number
15. of required votes?

16. PRESIDENT:

17. The adoption motion requires 30 votes. If...
18. you want me to read the citation in the Constitution?

19. SENATOR ROCK:

20. No, I...I...it originally took...

21. PRESIDENT:

22. ...It takes three-fifths to adopt and a simple
23. majority as provided by the Constitution to withdraw.
24. The exact language is in Section 2, Subparagraph A
25. that...let me pick up just the whole sentence...yeah.
26. The...well, it's...yeah. "The amendments approved by the
27. vote of three-fifths of the members elected to each
28. House shall be submitted to the electors at the General
29. Election next occurring at least six months after which
30. Legislative approval unless withdrawn by a vote of a
31. majority of the members elected to each House." I think
32. the language is very clear and I rule that it requires
33. 30 votes to adopt Senate Joint Resolution 50 as I have

1. posed. On the question the Secretary will call the
2. roll.

3. SECRETARY:

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

14. PRESIDENT:

15. The music is not necessary for a waltz from time
16. to time. ...Purpose does Senator Mitchler arise?

17. SENATOR MITCHLER:

18. How am I recorded, Mr. President.

19. PRESIDENT:

20. How is Senator Mitchler recorded? You are not
21. recorded.

22. SENATOR MITCHLER:

23. I'd like to be recorded no.

24. PRESIDENT:

25. On that question the yeas are 30. The nays are 11.
26. Senate Joint Resolution 50 is declared adopted. Senator
27. Mitchler.

28. SENATOR MITCHLER:

29. Could I ask for a verification of the roll call,
30. the affirmative votes.

31. PRESIDENT:

32. You are within the rules to request verification.
33. Senators will be in their seats. Secretary will read those

1. recorded in the affirmative. Senators will please
2. be in their seats for the verification of the roll
3. call. Proceed.

4. SECRETARY:

5. The following voted in the affirmative:...

6. PRESIDENT:

7. Proceed, Mr. Secretary. Those voting in the
8. affirmative.

9. SECRETARY:

10. Carroll, Chew, Clarke, Conolly, Donnewald,
11. Fawell, Glass, Graham, Harber Hall, Hynes, Keegan,
12. Knuepfer, McBroom, McCarthy, Merritt, Howard Mohr,
13. Don Moore, Netsch, Newhouse, Nimrod, Partee, Roe,
14. Saperstein, Scholl, Shapiro, Soper, Sours, Walker,
15. Weaver, Mr. President.

16. PRESIDENT:

17. Roll having been verified, Senate Joint
18. Resolution 50...for what purpose does Senator Knuppel
19. arise?

20. SENATOR KNUPPEL:

21. I just wanted to comment to this...apparent the
22. judges have been busy.

23. PRESIDENT:

24. Senate Joint Resolution has been adopted on a roll
25. call that has been verified. Senator McBroom. Senator
26. McBroom moves to reconsider the vote by which Senate
27. Joint Resolution 50 was adopted. Senator Weaver moves
28. to Table. All in favor of the motion to Table signify
29. by saying aye. Contrary no. The motion carries. We
30. have...Senator Course. Senator Course.

31. SENATOR COURSE:

32. Thank you, Mr. President, members of the Senate, I
33. rise on a point of personal privilege. I'd like to

1. introduce a group of students, one hundred students
2. from St. Hyacinth School which is located in my dis-
3. trict and the...one of the teachers is the son of a
4. very dear friend of mine Joe Schmelick. Mr. President,
5. I'd like to conclude by saying that we can be very proud
6. of our scholarship program. Joe Schmelick is the product
7. of one of our State scholarships and he graduated with
8. honors from...Eastern Illinois University and he's
9. very interested in young children. And he's doing a
10. tremendous job.

11. PRESIDENT:

12. Resolutions.

13. SECRETARY:

14. Senate Resolution 266 by Senator Bell.

15. PRESIDENT:

16. Executive. Is there further business to come be-
17. fore the Senate? We have two death resolutions...
18. Senator Weaver. Senator Don Moore. Senator Don Moore.

19. SENATOR MOORE:

20. ...Thank you, Mr. President and Members of the
21. Senate. I would like to make a report to the Senate,
22. Mr. President, concerning the Senate Committee on the
23. Senate Elections and Reapportionment dealing with
24. the...thank you, Mr. President. Dealing with the
25. petition to contest the election for the Office of
26. State Senator in the 18th Legislative District. ...After
27. some six or seven meetings of the subcommittee which
28. cumulated last September 13 the petitioner Mr. Elmer
29. Conti, asked for leave to file a motion for the
30. petitioner for leave to file a statement of withdrawal.
31. After a discussion of this matter there was a motion
32. made by Senator Regner that the petition with a motion
33. to dismiss the notice of intention to contest the election

1. contest in the 18th Legislative District for the
2. Office of State Senator by our...filed by Elmer Conti
3. against Senator Philip Rock be accepted. ...Today
4. the full Senate Committee had a meeting and by a
5. vote of 13 to nothing the subcommittee report was
6. adopted and the various records and transcripts of
7. this proceeding will be kept in the Office of the
8. Senate Committee on Elections and Reapportionment
9. 'til the end of the Session at which time they will
10. be deposited in the Archives. I just wanted to
11. make mention of this so that it would be in the
12. Journal and the membership was aware of the con-
13. sequences of the matter that was referred to my
14. Committee. Thank you, Mr. President.

15. PRESIDENT: -

16. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President, Members, there was a resolution
19. just offered by Senator Jim Bell which really in ef-
20. fect does what could be done...or would perhaps be
21. done...anyway his resolution commence the Committee
22. on Commission Business Exam and State Institutions
23. to visting exam of the R and D Depot, Juvenile
24. Division at Joliet and make a report back on March
25. 31st. This was sent to Executive Committee. I've
26. talked with Senator Partee. I've talked with Senator
27. Course. Our Visitation Commission has no disagreement
28. with this and I move the Executive Committee that has
29. been assigned be discharged from further consideration
30. and that we suspend the rules and adopt the resolution.

31. PRESIDENT:

32. Senator Graham moves that the Committee on Executive
33. be discharged from further consideration of Senate

1. Resolution 266. All in favor signify by saying
2. aye. Contrary no. The motion carries. Now on
3. the motion to suspend the rules for the immediate
4. consideration of the adoption of the resolution.
5. All in favor signify by saying aye. Contrary no.
6. The motion carries. The rules are suspended for
7. the immediate consideration of the adoption of the
8. resolution. Is there discussion? On...Senator
9. Bell.

10. SENATOR BELL:

11. Well, Mr. President, Members of the Senate, I
12. thought maybe I was going to get off free here...
13. having adopted the resolution now being called on
14. maybe to explain it a bit. I...I do think an
15. explanation is in order here. The...well, I know
16. I...I...like to bring it to the attention of the
17. Senate what...what brought this about. It's a
18. crying need in my area, the City of Joliet and the
19. 42nd District, concerning the situation at the
20. Diagnostic Facility there for...for young people,
21. the Illinois Youth Commission, where we were faced with
22. a situation of approximately 30 escapees in a
23. two-month period. The residents of the area were
24. greatly incensed and very much concerned and so I
25. felt it was necessary for me as a member of the
26. Senate in the area involved to go out and take a look
27. at the situation. After exploring the situation
28. thoroughly, I have discussed it with Senator Graham
29. and I think this resolution will help us move to
30. address the problem. Thank you.

31. PRESIDENT:

32. Is there further discussion? On the motion
33. to adopt Senate Resolution 266. All in favor signify

1. by saying aye. Contrary no. Motion carries.
2. Resolution is adopted. Will the Senators please
3. be in their seats? Senator Donnewald.
4. SENATOR DONNEWALD:
5. Yes, Mr. President, prior to the death resolutions
6. I think that on this side the time of the Regular
7. Session should be clarified. It's at 12 o'clock is
8. that correct?
9. PRESIDENT:
10. That is correct, Senator Donnewald.
11. SENATOR DONNEWALD:
12. ...Special Sessions of course follow later.
13. PRESIDENT:
14. Yes, but...
15. SENATOR DONNEWALD.
16. 12 o'clock, Monday.
17. PRESIDENT:
18. The Regular Session will convene at 12. The Special
19. Session follow it at 2...2:30 and 3. The Regular Session
20. will convene at 12 noon Monday the 29th. We have two
21. death resolutions. Proceed.
22. SECRETARY:
23. Senate Resolution 267 by Senator Sours.
24. (Secretary reads Death Resolution
25. of Jerome Finkle)
26. PRESIDENT:
27. ...Senator Sours.
28. SENATOR SOURS:
29. I'm certain every member in this Chamber will want
30. to join in this death resolution. And before I make the
31. motion to suspend the rules and move the immediate
32. adoption, I just have a few comments and they're very
33. brief. Over the worldly waste of political fortune and

1. the vagaries of public employees that we in govern-
2. ment see it is a rare occasion that one encounters
3. such a dedicated person as Jerry Finkle, lately de-
4. ceased. He was always ready, able and willing to
5. help a new man and the...and the very excellence of
6. the work product we see there today is attributable
7. directly to his keen eye and his thorough mastery
8. and understanding of the constitutional principles
9. under which we operate and under which, on which,
10. based upon...the legislation we pass, all of which
11. has to pass constitutional tests. It was regretted
12. when he left the Bureau and I know those of you
13. sitting here today who knew him intimately will cer-
14. tainly agree that one doesn't encounter everyday a
15. public servant like Jerry Finkle.

16. PRESIDENT:

17. Senator Donnewald.

18. SENATOR DONNEWALD:

19. I can only echo the remarks of Senator Sours.
20. Mr. Finkle some twenty-odd years ago taught many
21. subjects in law school over here in Lincoln Law.
22. I had the very, very highest regard for him and
23. certainly I and all of the people on this side of
24. aisle would want to join in that resolution.

25. PRESIDENT:

26. Senator Sours moves to suspend the rules for
27. the immediate consideration of the resolution. All
28. in favor signify by saying aye. Contrary no. The
29. motion carries. Senator Sours moves that the Senate
30. adopt the death resolution concerning our friend
31. Jerry Finkle. All in favor of the motion please rise.
32. The resolution is adopted.

33. SECRETARY:

Senate Resolution 268 by Senator Harris and all

1. members of the Senate.

2. (Secretary reads death resolution

3. of Ruth Brown Arrington)

4. PRESIDENT:

5. The Chair seeks leave of the Senate to suspend
6. the rules for the immediate consideration of the
7. resolution. Is there leave? On the motion to
8. adopt and before I put it I do just want to make
9. these very brief remarks. Those of us who knew
10. Mrs. Arrington knew her to be a strength and a true
11. understanding helpmate to a man that we all have
12. worked with and respect and admire. Truly her loss
13. is immeasurable to our friend Senator Arrington.
14. On the motion to adopt those who favor please rise.
15. Motion is adopted. The Senate stands adjourned
16. until 12 noon Monday, October 29.

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