

80th GENERAL ASSEMBLY
SECOND SPECIAL SESSION
NOVEMBER 23, 1977

1. PRESIDENT:

2. The Second Special Session will please come to order.
3. Reading of the Journal. Senator Wooten.

4. SENATOR WOOTEN:

5. Mr. President, I move that reading and approval of the
6. Journals of Wednesday, November 16th, Thursday, November
7. 17th and Tuesday, November 22nd in the year 1977 be
8. postponed pending arrival of the printed Journals.

9. PRESIDENT:

10. Heard the motion by Senator Wooten. Is there any discussion?
11. If not, all those in favor signify by saying Aye.
12. Opposed. The Ayes have it. The motion carries. So ordered.
13. On the Order of House Bills, 3rd reading, House Bill 5,
14. Senator Davidson. Mr. Secretary, is there an amendment
15. on the Desk?

16. SECRETARY:

17. No, I don't have an amendment filed.

18. PRESIDENT:

19. Senator Davidson, do you wish the bill read a third
20. time? House Bill 5, read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 5.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. Yes, Mr. President and members of the Senate. This is the
29. appropriation bill authorizing the fifty-eight million dollars
30. for the construction of the two prisons to corrections.
31. There have been amendments which everybody wanted...one with
32. two technical amendments, one to correct the wording Marion to Clinton
33. County and it...part of recreation to receiving which was

1. Amendment 2. It was...it was line item...broke out the way
2. Senator Carroll and members of the Appropriation Committee wanted.
3. Appreciate a favorable roll call.

4. PRESIDENT:

5. Is there any discussion? Senator Donnewald.

6. SENATOR DONNEWALD:

7. Well, yes, Mr. President and members of the Senate.
8. We've cussed, discussed and rehashed and hashed this and I think
9. that finally everyone is satisfied, at least I believe
10. so at this time, so I would certainly urge a favorable roll call
11. concerning House Bill 5 in the Second Special Session.
12. Thank you.

13. PRESIDENT:

14. Is there any further discussion? Senator Washington.

15. SENATOR WASHINGTON:

16. Will the sponsor yield to a question, Mr. President?

17. PRESIDENT:

18. Indicates he will yield.

19. SENATOR WASHINGTON:

20. Yes, I have some problems here, Senator Davidson,
21. there's been a good deal of discussion emanating from the
22. Governor's Office which I've read only in the press relative
23. to how and why these sites were selected where they were.
24. The Governor indicated that those in Cook County and the City of
25. Chicago did not show an interest in these two sites. I don't
26. know this to be a fact. Do you know anything about the method
27. by which these sites were selected?

28. PRESIDENT:

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Yes, Senator Washington. When they...this decision
32. was considered, the Department of Corrections sent a letter to the
33. chairman of the county board of all hundred and two counties saying

1. that this needs to be done. Are you interested...there were
2. a set of guidelines included of things that the county or the
3. site would need to have. Cook County, as I understand it,
4. has said to me, they called and they did not receive
5. a response from Cook County and the chairman of the county
6. board was contacted and he did not say...he said...as told to me,
7. that Cook County was not interested in bidding at this time..
8. One county in the northeast...the six northeast counties,
9. Kankakee County, did submit a offer. Then withdrew
10. the offer before the public hearing and it was...no other
11. counties in the northeast area that responded to wanting to be
12. considered for a site. The one farthest north county I think
13. was Fulton or somewhere, I'm not sure just how far north, did not
14. meet the criteria that needed to be to get the prison built.

15. PRESIDENT:

16. Senator Washington.

17. SENATOR WASHINGTON:

18. Well, when were the invitations, if you can call them out...
19. call them that, sent out? And...and is this the customary
20. way of determining sites of this magnitude?

21. PRESIDENT:

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Well, as to customary way, I can't tell you, Senator
25. Washington, since this is the first time it's been done.
26. As I understand it, it was chosen to send out the invitations.
27. They went out in July, I believe or late June asking the county
28. boards to respond, feeling from the fact that when they were going to
29. remodel one of the mental health areas local people had some
30. objection, in fact, some violent objection that they felt that
31. before they considered putting such a facility in a area which
32. would produce that kind of employment that the local
33. community should show some support or desire to have it.

1. And that's the procedure they went by. I'm not privy to what
2. the Governor...Department of Corrections decision why they
3. went that route but they did send out the invitations
4. and it was either late June, early July.

5. PRESIDENT:

6. Senator Washington.

7. SENATOR WASHINGTON:

8. Just briefly, Mr. President and members of the Senate.
9. The Governor speaks strongly about the failure of rehabilitation
10. in the penal system and then he does exactly that which will help
11. to destroy or make it impossible to rehabilitate inmates in the
12. various prisons. No one in his right mind knowing the
13. percentage of inmates that come from Cook County would possibly
14. build prisons in southern Illinois because you do several things.
15. One, you make it almost impossible for the parents and the loved
16. ones...those persons to visit them to give them any kind of
17. courage, morale boost, et cetera, so forth and you impose
18. on those who travel almost inordinate cost. Two, you make it
19. almost impossible to staff such a facility with the kinds
20. of people who can relate to the inmates and from which they
21. come. It's no...it's...it's common knowledge that the downstaters
22. and to a great extent cannot relate to urban inmates who come from
23. a different environment and have a different subculture, et cetera
24. and so forth and the net result is that whatever slim possibility
25. one may have of being rehabilitated in these prisons is gone as a
26. glimmer. It's just another example of the callous, uncaring,
27. inconsistent attitude that many of our chief executives
28. have toward inmates in prison. And then we make a big deal about
29. Felony X and Class Y and PDQ and sell that junk like Campbell's
30. Soup on the shelf when they could really do something meaningful
31. in terms of rehabilitating people who go to these prisons.
32. I suppose we have to vote for this darn thing or have none,
33. but I join along with the ACLU and all those fine organizations

1. who are simply looking at the Governor and saying what are
2. you all about? Do you really want to rehab prisons or do you want
3. to bolster up your political image and that's all this is about.
4. We know why these prisons are put in southern Illinois, to
5. capture these small cities down there where the whole
6. economy may depend on one installation...completely unmindful
7. of the problem which it creates. I think it's an abomination.
8. We're probably forced to go along with it but I would sincerely
9. hope that the Governor in the future does not get up and beat
10. his breast about Felony X and the failure we have when this
11. kind of legislation is designed to destroy what small glimmer
12. of hope there is.

13. PRESIDENT:

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. Mr. President, I...I don't
17. have one of these prisons coming into my district, but
18. I feel...I feel compelled to make some sort of a...of a
19. response to Senator Washington's comments just now and I'll
20. wait until Senator Washington is...is free and can hear.
21. I certainly empathize with his feelings as to why there needs
22. to be a prison built in the...in the Cook County area.
23. However, Senator Washington, you asked if this was the normal
24. procedure. Let me tell you what the procedure was the last time
25. we built a prison. It was based on something called clout and
26. a man by the name of Powell had a lot of it at that time and
27. we built one in Vienna, Illinois, which in our part of the
28. State, we're glad we've got it because it does provide a lot of
29. jobs. But it was built on clout in Vienna and clout alone
30. and this time the director...I...I quite frankly have to compliment
31. him on what I considered to be a very...as fair a procedure as
32. he could come up with. Because in case after case and I have been
33. a party to one of those cases, where it looked like a facility

1. for...correctional facility might go into a community
2. where the community got absolutely...figuratively up in
3. arms and the director decided that he could not successfully
4. go in and force an institution on a community that did not want
5. it. I am sure you're right, that probably there ought to be a
6. facility built in Cook County. However, he took the only
7. procedure that he could figure out that was fair and equitable
8. and that was to ask all of the local governments, the county
9. boards of the various counties if they wanted such a facility.
10. And I think Senator Davidson is right, probably about the furthest
11. one north was the one in Hillsboro, the...Montgomery County would
12. be my guess, is about the furthest one north of anybody that
13. asked for one. I don't think there was anybody north of
14. Springfield. There may have been, but not very far north.
15. We have two or three problems and two or three...two or three
16. reasons why this came out to be the ultimate solution.
17. That is the pay rates that are paid employees in prisons
18. and quite frankly, he has a fantastic problem in Joliet and
19. Statesville with keeping employees because we simply don't pay
20. the guards enough to...to keep people on the payroll. Their
21. turnover there is...is very, very high. I think the average
22. employment rate...I wouldn't want to be quoted in this because I'm
23. not positive, but I think it's something like one year is the
24. average employment rate. Whereas, in my part of the State,
25. at Chester, at Menard, if you ever talked about closing
26. Menard Penitentiary, that community would absolutely get up in
27. arms also because we, as you correctly pointed out, are
28. dependent upon that institution for at one town and in fact,
29. several other towns in Randolph County and that town being
30. Chester, for employment and I think the director took the only
31. way out that he had. Now, I quite frankly, thought that there
32. was one other...one other area where they could have put such
33. a facility because the geography was there, the community

1. support was there where they did not...they chose not to put
2. it. It wasn't in my district, but that's in the Alexander-
3. Pulaski County area. Quite frankly, Senator Washington,
4. I...I keep having trouble keeping your attention, but
5. the Alexander-Pulaski County area, I thought was an ideal
6. spot because there we have...again, it's not in my district,
7. it's in Senator Johns's district, we have forty and fifty
8. percent unemployment. We have a population of approximately
9. somewhere around fifty or sixty percent black and it would
10. have been an ideal spot...the geography was there, the transportation
11. facilities were there as far as highways and railroads.
12. And it was even further south than the ones that are here.
13. But I...I don't quarrel with the director's ultimate decision
14. as to where he decided to put them. I think he did the only
15. thing he could do, he put them in communities that wanted them,
16. he put them in communities where the employment is needed.
17. I know it creates a burden on...on families. Perhaps at some
18. time when we get ready to build another one, perhaps Cook
19. County should be given a lot more serious consideration.
20. But I think the people of Cook County have to show that they
21. really want it before we're...before the director will be able to go
22. in and try to force such an institution as this upon the people
23. if they do not want it.

24. PRESIDENT:

25. Senator Graham.

26. SENATOR GRAHAM:

27. Mr. President and members of the Senate. For some people
28. who make long speeches without very much experience in this
29. area, I'd like to enlighten the people of the General
30. Assembly as to how this has been proposed in the past.
31. When we had an idea one time that there should be some
32. community based institutions in the State, there should be a
33. possibility to have this considered by the General Assembly

1. there were about six hearings held throughout the State.
2. I was on that panel. The towns where we thought we would get the
3. best reception, we got the worst reception and where we thought
4. they would run us out of town, they welcomed us.
5. But this is not a new procedure, Senator Washington. I think
6. it's a fair procedure. And with regard to the feeling
7. of someone that we should have it located in northern Illinois
8. because there was a greater opportunity to attract minority
9. groups, if you will, as guards and personnel, I would have those
10. people carefully peruse the employment records of the Stateville
11. Penitentiary in Joliet which is only about fifteen miles
12. outside of the city limits of Chicago or less than that.
13. And you will find out that that recruitment program has been in
14. effect and we find one or two or three things, they can't
15. qualify, they don't want to work, and they don't stick around
16. or they get scared. And I can understand the latter point.
17. Now, there is no reason in the world for us to believe
18. that because we have a prison in southern Illinois, that it's
19. not going to do something...rehabilitation and while we're on that
20. kick...and it was brought up, let me suggest to you what some of the
21. plans...could I have a little attention, Senator? Maybe they...
22. I might be able to give little wisdom to some of these doubting
23. Thomases. I would suggest that with the institution of the two
24. new penal institutions, one in Centralia and one in Hillsboro
25. with the one now existing in Sheridan and one in St. Charles
26. to a lesser degree with their...smaller people, younger people,
27. that the ultimate program for the rehabilitation of those
28. prisoners who are considered minimum or medium security
29. risks, is going to be this, for your attention so if you would
30. listen, you won't be questioning it when it happens.
31. We're going to attempt to have in each one of these and at
32. Lincoln Annex, a program concentrated on one...Mr. President,
33. I can't fight the press and these people, too. Could we
get a little order. Mr. President.

1. PRESIDENT:

2. May we have some order. Will the members please be in their
3. seats.

4. SENATOR GRAHAM:

5. We have a program and a plan that will allow each one of
6. these institutions named to have a specific program directed
7. toward a specific vocational training area so that those
8. people in their screening process that are interested in this
9. particular program will be sent to this particular institution
10. rather than to have to attempt to crowd all of these
11. into one. Now, this may be called specialized vocational
12. training but Ladies and Gentlemen, it's better than we have now
13. and I think it will work. When I sat in some of the hearings
14. that were conducted with regard to acceptability of these
15. two sites, and I want to tell you the farthest north
16. county that had in a initial request was Knox and this committee
17. will never forget their night in Galesburg. If they would have had
18. rails, they would probably used that to get them out of town.
19. Fulton County finally was in and out and didn't qualify
20. Edgar County, Kankakee and some others initiated a proposal and
21. couldn't qualify or became disinterested and there's another
22. thing that we haven't forgotten about either, or we have
23. forgotten about perhaps. On the maintenance and keeping up of a
24. penal institution, there was a lot of difference in expense
25. involved in northern Illinois than there is in southern Illinois
26. in heat alone. I defend thoroughly the program initiated by the
27. Department of Corrections...by the Governor with regard to
28. the selection of these sites. I wouldn't want to have had to
29. made the final determination but I think they did a good job
30. and I urge a favorable roll call on this bill.

31. PRESIDENT:

32. Senator Kenneth Hall.

33. SENATOR KENNETH HALL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. In response to Senator Graham, Senator Graham, when you
3. say that minorities don't want to work, Senator Washington
4. and I paid a visit to the penitentiary in Chester, Illinois.
5. We found there was a great majority of minorities and others
6. from upstate, Chicago area, exactly what he's talking about.
7. Now, for you to say that they don't want to work, I want to tell
8. you that we...we questioned...we questioned the wardens
9. about this...

10. PRESIDENT:

11. For what purpose does Senator Graham arise?

12. SENATOR GRAHAM:

13. On a point of personal privilege. I didn't say that,
14. Senator Hall. I said check the employment record at Stateville
15. and see what the occurrence of...leaving their employment and
16. the reasons for doing it. I didn't say they didn't want to work.
17. I said only check the record.

18. PRESIDENT:

19. Senator Kenneth Hall.

20. SENATOR KENNETH HALL:

21. ...that they quit, that they were afraid to be there and you
22. said they did not want to work, I heard you very clearly.
23. Now,...now, I want to tell you...I want to tell you the reason
24. that was given to us why minorities were not hired there was that
25. they could not find any place for them to live. And I...I
26. resent you getting up here saying that they do not want to work.
27. We have a lot of people that want to be guards in these
28. institutions. And this was the reason given to us by the
29. warden there at that time.

30. PRESIDENT:

31. Is there any further discussion? If not the question
32. is shall House Bill 5 pass. Those in favor will vote Aye.
33. Those opposed will vote Nay. The voting is open. Have all voted

1. who wish? Have all voted who wish? Take the record. On that
2. question the Ayes are 46, the Nays are 7, 1 Voting Present.
3. House Bill 5 having received the required constitutional majority
4. is declared passed and the bill having received the
5. required constitutional majority is declared passed.
6. and the bill having received the affirmative vote of three-fifths
7. of the members elected is effective immediately upon its becoming
8. a law. House Bill 6, Senator Sommer. Senator Sommer.

9. SENATOR SOMMER:

10. Mr. President, I would ask leave to return this bill to the
11. Order of 2nd reading.

12. PRESIDENT:

13. Heard the request of Senator Sommer. Is leave granted?
14. Leave is granted. The bill is on the Order of 2nd reading.
15. Would you read the amendment, Mr. Secretary.

16. SECRETARY:

17. Amendment No. 4 offered by Senator Carroll.

18. PRESIDENT:

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. After discussion since last night with CDB and the others
23. involved, it appears that rather than fourteen million, the amount
24. of authorization necessary to comfortably get them through
25. the remainder of the fiscal year including hopefully, that they
26. work extra fast, is twenty-two million and that's a figure that
27. they are comfortable with and I would therefore, move the adoption
28. of Amendment NO. 4.

29. PRESIDENT:

30. Senator...is there any discussion? Senator Carroll moves the
31. adoption of Amendment No. 4. All those in favor signify by saying
32. Aye. Opposed. The Ayes have it. The Ayes have it.
33. The amendment is adopted. Any further amendments?

1. SECRETARY:

2. Amendment No. 5 offered by Senator Carroll.

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. This is in the education category to add 2.1 million to cover the
8. anticipated total educational appropriation, after discussions
9. with Senator Shapiro and others and I would ask for
10. the adoption of Amendment No. 5.

11. PRESIDENT:

12. Is there any discussion? If not, Senator Carroll
13. moves the adoption of Amendment No. 5. All those in favor
14. signify by saying Aye. Opposed. The Ayes have it. The
15. amendment is adopted. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. On the Order of Consideration Postponed,
20. is House Bill 2. Senator Bruce. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President. I would ask leave of the Body
23. to return House Bill 2 to the Order of 2nd reading.

24. PRESIDENT:

25. You've heard the request. Is leave granted? Leave is
26. granted. House Bill 2 is on the Order of 2nd reading.
27. Mr. Secretary...for what purpose does Senator Wooten arise?

28. SENATOR WOOTEN:

29. Mr. President, having voted on the prevailing side,
30. I would like to move that the vote by which Amendment No. 1
31. to House Bill 2 was adopted, be reconsidered.

32. PRESIDENT:

33. Senator Wooten has moved to reconsider the vote by which

1. Amendment No. 1 to House Bill 2 was adopted. Is there any
2. discussion? Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. I was the offerer of Amendment
5. No. 1 to House Bill 2. It was an amendment that I felt was
6. an equitable one and a fair compromise to give additional
7. funds to the community colleges throughout the State of Illinois.
8. We had the votes to put on the amendment, but we did not have the
9. votes to pass the bill. I think that we would be doing an
10. injustice if we stood by at this late hour on a point of
11. principle....a point of...of pride of authorship, so to
12. speak, to prevent all of the schools from receiving the money
13. that has been appropriated in the past. So, on that basis,
14. I am rising in support of the motion to reconsider the vote
15. by which Amendment No. 1 was adopted.

16. PRESIDENT:

17. Is there any further discussion? If not, all those in
18. favor of the motion to reconsider signify by saying Aye.
19. Opposed. The Ayes have it. The vote is reconsidered. Senator
20. Wooten now moves to Table Amendment No. 1. All those in
21. favor signify by saying Aye. Opposed. The Ayes have it.
22. The amendment is Tabled. Any further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. Senator Bruce.

27. SENATOR BRUCE:

28. Thank you, Mr. President. As I mentioned last evening, this is
29. the bill which established the rates for credit hour grants for
30. community colleges throughout the State of Illinois. We did not
31. pass a bill in both Houses. In June we passed an identical
32. bill, Senate Bill 830 to House Bill 2 twice in this Chamber
33. and unfortunately the House did not concur. They have now
concurred with us. They have sent us House Bill 2 in the form of

1. Senate Bill 830 without some amendments that they added,
2. we got into controversy with them. The bill is...meets the
3. approval of the Illinois Community College Board, the Board of
4. Higher Education, the community colleges throughout the State
5. of Illinois. I would ask for a favorable roll call.

6. PRESIDENT:

7. Senator Bruce, just to avoid any problems and the parliamentarian
8. has been taxed over the past couple of days, we are going to go to
9. House Bill 6 and then we will return to this. Your explanation
10. will stand and we...have our...on the Order of House Bills,
11. 3rd reading, is House Bill 6. Senator Sommer.
12. Read the bill.

13. SECRETARY:

14. House Bill 6.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Sommer.

19. SENATOR SOMMER:

20. Mr. President and members. This is the authorization
21. for the bonding of the new prison project and it's at
22. an adequate level and has been agreed to at this point
23. in time.

24. PRESIDENT:

25. Is there any further discussion? If not, the question
26. is shall House Bill 6 pass. Those in favor will vote Aye.
27. Those opposed will vote Nay. The voting is open. Have all voted
28. who wish? Have all voted who wish? Take the record. On that
29. question the Ayes are 53, the Nays are 1, 1 Voting Present.
30. House Bill 6 having received the required constitutional
31. majority is declared passed and the bill having received the
32. affirmative vote of three-fifths of the members elected is
33. effective immediately upon its becoming a law.

1. On the Order of House Bills, 3rd reading, is House Bill 2,
2. Senator Bruce. The bill has been read a third time.

3. SENATOR BRUCE:

4. Thank you...thank you, Mr. President. It's been
5. read a third time. I've given your comments. Anyone that
6. would like to hear them again I will mail you a copy
7. after we've adjourned. I would ask for a favorable roll call.

8. PRESIDENT:

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, Mr. President and Ladies and Gentlemen of the Senate.
12. House Bill 2 is now in the form that is acceptable both
13. to administration and all the boards involved in education.
14. And I would seek leave to be shown as a principal cosponsor
15. with Senator Bruce and ask for a favorable roll call on this
16. particular bill.

17. PRESIDENT:

18. You've heard the request. Is leave granted? Leave
19. is granted. Is there any further discussion? If not,
20. the question is shall House Bill 2 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question the Ayes are 55, the Nays
24. are 1, none Voting Present. House Bill 2 having received the
25. required constitutional majority is declared passed and the bill
26. having received the affirmative vote of three-fifths of the
27. members elected, is effective immediately upon its becoming a law.
28. The Second Special Session will stand in recess subject to the
29. call of the Chair.

30. RECESS

31. AFTER RECESS

32. PRESIDENT:

33. The Second Special Session will please come to order.

1. Messages from the House.

2. SECRETARY:

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

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

8. House Joint Resolution 3.

9. (Secretary reads HJR 3)

10. PRESIDENT:

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. This again, is the adjournment resolution for the Second
15. Special Session calling for us to reconvene on January 11 at the
16. hour of 12:30. I would move for the suspension of the rules
17. and the immediate consideration and adoption of this joint resolution.

18. PRESIDENT:

19. Senator Rock has moved to suspend the rules for purposes of
20. consideration of the resolution. All those in favor signify
21. by saying Aye. Opposed. The Ayes have it. The rules are suspended.
22. Senator Rock moves the adoption of the adjournment resolution.
23. All those in favor signify by saying Aye. Opposed. The Ayes have
24. it. The resolution is adopted. Is there any further business to come
25. before the Second Special Session? Senator Hall moves that the
26. Second Special Session stand adjourned until January 11, 1978
27. at 12:30 p.m. All those in favor signify by saying Aye.
28. Opposed. The Ayes have it. The Second Special Session stands
29. adjourned.

30.

31.

32.

33.