

## REGULAR SESSION

MARCH 21, 1979

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of twelve having arrived, the Senate will come  
3. to order. The reading of the prayer will be by Father John  
4. R. Ossola of the Blessed Sacrament Church, Springfield, Illinois.  
5. Will those in the Gallery please rise.

6. FATHER JOHN OSSOLA:

7. (Prayer given by Father Ossola)

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Reading of the Journal. Senator Nash.

10. SENATOR NASH:

11. Mr. President, I move that reading and approval of the  
12. Journal of Tuesday, March 20th in the year 1979, be postponed  
13. pending arrival of the printed Journal.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You heard the motion. Those in favor indicate by saying  
16. Aye. Those opposed. The Ayes have it, the motion is adopted.  
17. Committee reports.

18. SECRETARY:

19. Senator Donnewald, Chairman of the Committee on Assignment  
20. of Bills, assigns the following Senate Bills to Committee:

21. Agriculture, Conservation and Energy - Senate Bill 323;  
22. Appropriations II - Senate Bill 317 and 318; Insurance and  
23. Licensed Actives - Senate Bills 321 and 322; Judiciary I -  
24. Senate Bills 301, 306, 307, 308, 314, 315, 316, 319; Judiciary II -  
25. Senate Bill 324; Labor and Commerce - Senate Bills 320, 326, and  
26. 327; Local Government - Senate Bills 302 and 303; Public Health,  
27. Welfare and Corrections - Senate Bills 304, 309, 310, 311, 312,  
28. 313 and 325; Revenue - Senate Bill 305.

29. Senator Knuppel, Chairman of Agriculture Committee, reports  
30. out Senate Bill 76 with the recommendation Do Pass. Senate  
31. Bill 114 with the recommendation Do Pass as Amended.

32. Senator Maragos, Chairman of Labor and Commerce Committee,  
33. reports out Senate Bill 115 with the recommendation Do Pass.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Messages from the House.
3. SECRETARY:
4. A Message from the House by Mr. O'Brien, Clerk.
5. Mr. President - I am directed to inform the Senate
6. that the House of Representatives has passed bills with the
7. following titles, in the passage of which I am instructed to
8. ask concurrence of the Senate, to-wit:
9. House Bill 150.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Resolutions.
12. SECRETARY:
13. Senate Resolution 78 offered by Senators Nash, Rock,
14. Savickas, Daley and others.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Executive Committee. House Bills, 1st reading.
17. SECRETARY:
18. House Bill 176, Senator Geo-Karis is the Senate sponsor.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. House Bill 252, Senator Vadalabene is the Senate sponsor.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. House Bill 263, Senator Shapiro is the Senate sponsor.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Is there leave to go back to the Order of Resolutions?
29. Leave is granted. Resolutions.
30. SECRETARY:
31. Senate Resolution 79 offered by Senator Vadalabene, it's
32. Congratulatory.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Consent Calendar. For what purpose does Senator Geo-Karis
2. seek recognition?
3. SENATOR GEO-KARIS:
4. It's been my intent this year to sponsor few bills, but
5. to cosponsor worthwhile bills and therefore I'd like to ask
6. leave of the House and I've already cleared it with the sponsor,
7. to add my name as a cosponsor on Senate Bill 139.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. You've heard the motion. Is leave granted? Leave is
10. granted. For what purpose does Senator Gitz arise?
11. SENATOR GITZ:
12. Mr. President, this is a matter of personal privilege,
13. I'd just like to recognize to the Body, Mr. Melvin Bussen
14. who is here from Galena, Illinois, who is the Jo Daviess
15. County Democratic Chairman. He's very pleased to be with us
16. today.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Introduction of bills.
19. SECRETARY:
20. Senate Bill 328 introduced by Senators Bowers, Moore,
21. Berman and others.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. Senate Bill 329 introduced by Senator Johns.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. Senate Bill 330 introduced by Senator Vadalabene.
28. (Secretary reads title of bill)
29. Senate Bill 331 introduced by Senator Walsh.
30. (Secretary reads title of bill)
31. Senate Bill 332 introduced by Senators Walsh, Bowers,
32. Donnewald and Egan.
33. (Secretary reads title of bill)

1. 1st reading of the bills.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Is there leave to go back to the Order of Resolutions?
4. Leave is granted. Resolutions.
5. SECRETARY:
6. Senate Resolution 80 offered by Senator Egan and all
7. members, it's congratulatory.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Consent Calendar. Committee Reports.
10. SECRETARY:
11. Senator Vadalabene, Chairman of the...Committee of
12. Appointments and Administration to which was referred the
13. Governor's Message of...to the Senate of February the 6th,
14. 1979 and March the 14th, 1979, reported the same back with
15. the recommendation that the Senate advise and consent to
16. the following appointments.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Senator Vadalabene.
19. SENATOR VADALABENE:
20. Yes, thank you, Mr. President. I move that the Senate
21. resolve itself into Executive Session for the purpose of
22. acting on the Governor's appointments set forth in the
23. Governor's Messages of February 6th, and March 14, 1979.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. You've heard the motion. Those in favor indicate by
26. saying Aye. Those opposed. The Senate is now resolved into an
27. Executive Session.
28. SENATOR VADALABENE:
29. With respect to the Governor's Messages of February 6th
30. and March 14, 1979, I will read the names of the salaried
31. appointments that the Committee on Executive Appointments
32. and Administration recommends that the Senate advise and
33. consent to. And after reading the names, I intend to ask

1. leave to consider all of the salaried appointments on one roll  
2. call unless any Senator has objection to any particular name.  
3. To be the Director of Agriculture for a term expiring  
4. January 19, 1981, John R. Block of Springfield. And to be  
5. the Assistant of the Department of Agriculture for a term  
6. expiring January 19, 1981, Raymond D. Lett of Springfield.  
7. And to be Director of the Department of Mines and Minerals  
8. for a term expiring January 19, 1981, Bradley N. Evilsizer  
9. of Christopher. And to be a member of the Prisoner Review  
10. Board for a term expiring January 21, 1985, Rafael Nieves...  
11. Nieves, of Chicago. To be a member of the Chairman of the  
12. Illinois Commerce Commission for a term expiring January 17,  
13. 1983, Michael V. Hasten of Chicago. To be Assistant Director  
14. of the Department of Registration and Education for a term  
15. expiring January 19, 1981, Thomas W. Ortziger of Orland Park.  
16. And to be a member of the Civil Service Commission for a  
17. term expiring John...expiring March 1, 1985, John L. Gilbert  
18. of Godfrey. And to be members of the Illinois Industrial  
19. Commission for terms expiring January 17, 1983, Calvin N.  
20. Tansor of Harwood Heights and James A. Thomas of Chicago.  
21. To be Public Administrator, Conservator and Guardian of  
22. Effingham County for a term expiring December 7, 1981, F.  
23. Ronald Ealy of Effingham. And to be Public Administrator,  
24. ...Conservator and Guardian of Iroquois County for a term  
25. expiring December 7, 1981, Roy A. Seiling of Gilman.

26. Mr. President, having read the names of the salaried  
27. appointments, I now seek leave to consider these names on  
28. one roll call, unless some Senator has objection to a  
29. specific name.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. You've heard the motion. Is there further discussion?  
32. Senator Johns.

33. SENATOR JOHNS:

1. Mr. President, in order to be consistant with my voting  
2. in Committee yesterday, the only vote, and it's not one against  
3. the man's integrity, but only because of his lack of experience.  
4. I'd like to be shown in the record as having supported all except  
5. Mr. Michael Hasten for Chairman of the Illinois Commerce Commission.  
6. PRESIDING OFFICER: (SENATOR SAVICKAS)  
7. Senator Johns.  
8. SENATOR JOHNS:  
9. ...Mr. President, if there's a technical problem as a  
10. result of my request then ignore the request and I'll just  
11. vote No...leave it as it is...okay, thank you.  
12. PRESIDING OFFICER: (SENATOR SAVICKAS)  
13. Senator Washington.  
14. SENATOR WASHINGTON:  
15. I hope I'm in proper order, Mr. President, but as to  
16. Mr. Michael Hasten, I would also like to be recorded as  
17. voting Present.  
18. PRESIDING OFFICER: (SENATOR SAVICKAS)  
19. We'll have to take Mr. Hastings out of the record and  
20. take a separate roll call on Mr. Hastings...Hastens...Hasten.  
21. Thank you, Senator Netsch. Senator Geo-Karis.  
22. SENATOR GEO-KARIS:  
23. Mr. President, are...are we in order speaking for or  
24. against Mr. Hasten's nomination at this time? ...Oh...okay...  
25. I can hold back till after it comes up.  
26. PRESIDING OFFICER: (SENATOR SAVICKAS)  
27. Senator Geo-Karis, under our Rule 11 on nominations,  
28. you would need five people to support the motion to single out  
29. Mr. Hastings...Hastens. So, at this time if there is...is there  
30. a motion? Five supporters. Senator Johns. Senator Johns has  
31. moved, joined by four other Senators that Mr. Michael Hastens,  
32. the nomination be separated from the rest for consideration.  
33. Senator Ozinga.

*Confirmation of  
Michael Hasten  
3-21-79*

1. SENATOR OZINGA:

2. Did I understand that motion right? It's just to segregate

3. Hastens, not to withhold or hold it? Just to segregate.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Vadalabene. Senator Rock.

6. SENATOR ROCK:

7. Did Senator Washington make a motion to segregate?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. No...no...Senator Johns made that motion, joined by

10. Senator Washington. Senator Washington.

11. SENATOR WASHINGTON:

12. Under no circumstances do I use that word.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, outside of the one nominee, will you put the

17. question, Mr. President.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is shall...all right, the question is, does

20. the Senate advise and consent to the nominations just made.

21. Those in favor vote Aye. Those opposed vote Nay. The voting

22. is open. Have all those voted who wish? Have all those voted

23. who wish? Take the record. On that question the Ayes are 55,

24. the Nays are 0, none Voting Present. A majority of the Senators

25. elected concurring by record vote, the Senate does advise and

26. consent to the nominations just made. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, Mr. President, thank you. Now, to be a member and

29. Chairman of the Illinois Commerce Commission for a term expiring

30. January 17, 1983, Michael V. Hasten of Chicago.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? Senator Washington.

33. SENATOR WASHINGTON:

1. I intend to vote Present on it and I don't, and I hope and  
2. I suppose it's rather difficult to phrase it, I don't want to  
3. cast any aspersions upon the gentleman. However, some serious  
4. questions have been raised to me relative to his conduct when  
5. he was in the Insurance Department regarding redlining. I don't  
6. have the answer to the allegations and charges, but they're  
7. serious enough for me to report a state of unreadiness and  
8. consequently I'm going to vote Present.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President and...and colleagues of the Senate. I've  
13. had occasion to work with Mr. Hasten, a...at least several  
14. times in the past year on behalf of problems arising in  
15. my Legislative District and I would like to speak in favor  
16. of his nomination because he is a very fair-minded gentleman  
17. and he does his best to do what I think is right in light of  
18. his best judgment. I...I really think he's probably one of  
19. the finer appointments suggested by Governor Thompson.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Merlo.

22. SENATOR MERLO:

23. Mr. President and members of the Senate. In Executive  
24. Appointments Committee as well as just a moment ago, reference  
25. was made about a position that Mr. Hasten had taken relative  
26. to redlining on insurance. I can only speak in favor of him  
27. for what he did for me personally and as many of you know, I  
28. did offer bills that directed themselves to redlining and zip  
29. coding. When he was Assistant Director of Insurance this  
30. gentleman assisted me in many respects to get these bills out.  
31. All of the aspersions that were made, there was not one direct  
32. accusation toward this man. I didn't hear it in committee and  
33. I haven't heard it this morning. All you hear is that someone  
34. said or this is what he did. But I think that he's very consumer

1. oriented. I think that he's going to do an excellent job  
2. after reading his background yesterday, I think so. And I  
3. think that some of the statements made, both in committee and  
4. will be made here this morning, are not well founded. I  
5. think if any of the members have anything to say they should  
6. say something that is positive rather than innuendoes and I am  
7. certainly happy to support his appointment.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Thank you, Mr. Chairman. I would like to explain one  
12. aspect of the hearing yesterday with respect to Mr. Hasten  
13. and I...I feel a double obligation to do this because he is  
14. from my district and I was officially his sponsor. I think  
15. it should be made clear that those people who testified  
16. yesterday before the Executive Appointments Committee were  
17. not directing their attack, if you will, against Mr. Hasten  
18. personally. And as a matter of fact not even the points about  
19. redlining were raised by this group. Their primary concern  
20. was twofold, I think. One, that there has been opportunity  
21. presented in the past to the Chief Executive to appoint a  
22. strong consumer voice, indeed a consumer, on the Illinois  
23. Commerce Commission, which obviously has an enormous impact  
24. on all of us and our cost of living and that opportunity has  
25. not been seized. And secondly, that too often in the past,  
26. the members of the Commerce Commission have not really been  
27. available to hear out consumers except on those rare occasions  
28. when they, in the course of an almost contested hearing, they  
29. may hear a consumer viewpoint presented. So that the objection  
30. really had to do with the process and the kinds of people who  
31. have served, rather than anything having to do with Mr. Hasten  
32. personally or his background or qualifications. The point was  
33. also made that he lacked experience in this area, but I do think

1. it fair to point out that that is in some ways a great advantage  
2. in this position, because about the only people who have experience,  
3. with respect to utility and rate regulation, are people who have  
4. come out of that industry and both the Illinois Public Action  
5. Council and I, for another, would agree that that is the worst  
6. possible thing one could do with respect to an appointee to the  
7. Illinois Commerce Commission. So that, I think that again, the...it  
8. was a philosophical argument. I believe that Mr. Hasten handled  
9. himself very well before the committee and while I don't presume  
10. to speak for those who were there testifying against his appoint-  
11. ment, I think he certainly gave them some comfort in terms of his  
12. own accessibility. I personally urged him and I will repeat this  
13. urging to him when he is confirmed, if he is, that he set a  
14. definite time every month for meeting with consumer groups  
15. completely apart from the members of the regulated industries.  
16. I think this would be good for him and it would certainly be  
17. good for all of us. And I, again I will continue to urge that,  
18. but the point is that it was not a personal attack upon Mr. Hasten,  
19. it had to do with the...the philosophy of those who should be  
20. members of the board. I think I felt sufficiently comfortable  
21. about Mr. Hasten's position before the commission and I, for one,  
22. plan to vote for him.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any further discussion? Senator Johns.

25. SENATOR JOHNS:

26. Mr. President, perhaps I was probably the only one in  
27. committee yesterday that voted No. I'm voting No today  
28. to be consistent with my philosophy that the Governor missed  
29. a wonderful opportunity to place somebody as Chairman of the  
30. Illinois Commerce Commission, a very critical area of service  
31. to the people. A commission understaffed, lacking expertise,  
32. lacking funding, a tremendous responsibility. I wanted someone  
33. with some background, at least knowing rates, not just being

1. a lawyer, aged thirty-two with a great deal of personality  
2. and appeal. I wanted someone consumer oriented. The Illinois  
3. Commerce Commission in the past has had an aloofness, an indifference  
4. to the people and the poor and the handicapped and I didn't like  
5. it, I protested many times. He...he...he told me yesterday, in  
6. hearings, that commissioners will attend hearings. I think Senator  
7. Netsch said a great deal on his behalf and it speaks well for  
8. him that he came to me after the hearings and we sit down and  
9. we had a wonderful talk and I gave him the files that I had on  
10. utilities and so forth. I think he's a fine man, his integrity  
11. cannot be questioned. And I only wish him well and I promised  
12. him one hundred percent cooperation in the job ahead for him.  
13. Thank you, Mr. President.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Thank you, Mr. Chairman. Mr. President, I stand corrected.  
18. It is...I...I don't know Mr. Hasten at all, but it has been...always  
19. been my policy since I've been here to support the Governor's  
20. appointees, whoever they may be. I'm going to vote for...for  
21. Mr...Mr. Hasten by virtue of the fact that the Executive Committee  
22. has approved him and by virtue of the fact that the...the Governor  
23. has recommended him. And perhaps if my bill to elect the Illinois  
24. Commerce Commission should pass the Legislature and be signed  
25. into law, the Illinois Senate wouldn't be in position that we're  
26. in today. Thank you.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any further discussion? Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yes, thank you, Mr. President and members of the Senate.  
31. Mr. Hasten had a very thorough hearing. It was...it was pointed  
32. out in committee that when he was in the Insurance Department  
33. that he worked toward the anti-redlining concept and will you now

1. put the question as required by our rules.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. The question is, does the Senate advise and consent to
4. the nomination just made. Those in favor vote Aye. Those
5. opposed Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Take the record. On that question
7. the Ayes are 54, the Nays are 1, 1 Voting Present. A majority
8. of Senators elected concurring by record vote, the Senate
9. does advise and consent to the nomination just made. Senator
10. Vadalabene.
11. SENATOR VADALABENE:
12. Yes, thank you, Mr. President and members of the Senate.
13. With respect to the Governor's Message of February 6th and
14. March 14, 1979, I'll read the names of the unsalaried appoint-
15. ments that the Committee on Executive Appointments and Adminis-
16. tration recommends that the Senate advise and consent to. And
17. after reading the names, I intend to ask leave to consider all
18. of the unsalaried appointments on one roll call unless any
19. Senator has objection to any particular name.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. For what purpose does Senator Donnewald arise?
22. SENATOR DONNEWALD:
23. Yes, Mr. President. In the committee hearings yesterday
24. we did consider the unsalaried along with the salaried and
25. in that group of names there were the members appointed by
26. the Governor to the newly created authority, the Illinois
27. Health Finance Authority and there were questions that some
28. of the members of the...committee wanted to ask them, but due
29. to an oversight we did vote them out to the Senate Floor and
30. I would now move, and I'm joined by four members to recommit
31. the following names to the Executive Appointments Committee
32. and they are Allison S. Davis, Kenneth C. Etcheson, Joseph
33. B. Fitzer, Charles R. Goulet, I guess that's a brother to

1. Robert, Gregory Allen Hasty, Chester M. Karol, Martin J. Koldyke,  
2. Donald R. Oder, Phyllis Perkins. I would now move that they  
3. be recommitted to the Committee on Executive Appointments.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. You heard the motion. Senator Donnewald, joined by four  
6. others for recommitting of those previous names. Those in favor  
7. indicate by saying Aye. Those opposed. The Ayes have it,  
8. it will be recommitted to the Committee on Executive. ...Com-  
9. mittee on Executive Appointments. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, Mr. President. Now to continue with the unsalaried  
12. appointments. To be members of the Kaskaskia Regional Port  
13. District Board for the terms indicated, Richard L. Guebert of  
14. Modot, term expires June 30th, 1981, Jerry L. Willis of Percy,  
15. term expiring June 30th, 1981 and Viola Ann Patterson of Chester,  
16. term expires June 30th, 1981, Carl Charlie Behnken of Chester,  
17. term expiring June 30, 1981, R. Kent Fischer of Columbia, term  
18. expires June 30, 1981 and Charles C. Asselmeier of Columbia,  
19. term expiring June 30, 1979. To be a member of the Illinois  
20. Building Authority for a term expiring January 20, 1986,  
21. Mitchell L. Murdock of Rochester. To be members of the Board  
22. of Aeronautical Advisors for a term expiring January 1981,  
23. C. Gene Seibert of Carbondale, Charles H. Wenk of Highland  
24. Park, Sam B. Gnuse of Altamont, Barbara W. Jenison of Paris  
25. and Robert H. Waddell of Illiopolis. To be a member of the  
26. White County Port District Board for a term indicated, Thomas  
27. D. Stark of Carmi, term expires June 30, 1980 and for a term  
28. ...to be a member of the Illinois Commission on Delinquency  
29. Prevention for a term expiring January 16, 1984, Barry T.  
30. McNamara of Chicago. To be members of the Illinois State  
31. Medical...Disciplinary Board for terms expiring June 10, 1982,  
32. James B. Williams, M. D. of Chicago and Jerry M. Ingalls, M. D.  
33. of Paris. And to be members of the Southern Illinois University

1. Board of Trustees for terms expiring January 21, 1985, Ivan A.  
2. Elliott, Jr. of Carmi and Dr. David F. Rendleman of Carbondale.  
3. And to be members of the Board of the Illinois State Museum  
4. Board for terms expiring January 19, 1981, Mary Ann Maclean of  
5. Libertyville, Robert H. Waddell of Illiopolis, Michael G.  
6. Schneiderman of Chicago, Donald F. Hoffmeister of Champaign,  
7. James Ballowe of Peoria and Rosalie Clark of Chicago. And to  
8. be a member of the Advisory Board to the Department of Conservation  
9. for a term expiring January 21, 1985, John T. Case of Park Ridge.  
10. And to be a member of the Bi-State Development Agency for a  
11. term expiring January 16, 1984, Carl E. Mathias of Granite City.  
12. So, Mr. President, having read the names of the unsalaried appoint-  
13. ments, I now seek leave to consider these names on one roll call  
14. unless some Senator has objection to a specific name.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. You've heard the motion. Is there any objection? Leave  
17. is granted. The question is does the Senate advise and consent  
18. to the nominations just made. Those in favor vote Aye. Those  
19. opposed Nay. The voting is open. Have all voted who wish?  
20. Have all voted who wish? Take the record. On that question the  
21. Ayes are 56, the Nays are none, and a majority of Senators elected  
22. concurring by record vote, the Senate does advise and consent to  
23. the nominations just made. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, thank you, Mr. President. I now move that the Senate  
26. arise from Executive Session.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. You heard the motion. All those in favor indicate by  
29. saying Aye. Opposed. The Senate does now...arise. Senator  
30. Grotberg.

31. SENATOR GROTBORG:

32. Thank you, Mr. President. On a point of personal privilege,  
33. I would like for the Senate to meet the Livingston County Legislative

1. team of the 38th Senatorial District, Dottie Green and Jane
2. Wonderland are in the President's Gallery right above you
3. sir and I would like to have you know that everything that
4. happens in the Senate is well known to them. Would they
5. please rise.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Will the Senate please acknowledge the presence of our
8. distinguished guests. Senate Bills 2nd reading. Senate
9. Bill 72, Senator Sangmeister. Mr. Secretary, read the bill.
10. SECRETARY:
11. Senate Bill 72.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Any amendments from the Floor?
16. SECRETARY:
17. No Floor Amendments.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. 3rd reading. Senate Bill 111, Senator Vadalabene. Senate
20. Bill 111. Mr. Secretary, would you read the bill.
21. SECRETARY:
22. Senate Bill 111.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Any amendments from the Floor?
27. SECRETARY:
28. No Floor Amendments.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. 3rd reading. Senate Bill 129, Senator Lemke. Mr. Secretary,
31. read the bill.
32. SECRETARY:
33. Senate Bill 129.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. No Committee Amendments.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Any amendments from the Floor?
5. SECRETARY:
6. No Floor Amendments.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. 3rd reading. Senate Bill 153, Senator Davidson. Senate
9. Bills 3rd reading, Senate Bill 59, Senator Grotberg. Mr. Secretary
10. read the bill.
11. SECRETARY:
12. Senate Bill 59.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Grotberg.
17. SENATOR GROTBORG:
18. Thank you, Mr. President, members of the Senate. Senate
19. Bill 59 had a rather thorough discussion on 2nd reading,
20. and it is the bill that clarifies a matter of concern to county
21. boards. Under the existing statutes, county boards in the
22. State of Illinois, may either pay themselves by salary or per
23. diem, but not both. The fact of per diems are something that
24. we know about in the General Assembly. In the General Assembly
25. we get a gross per diem check. At the county level the salary
26. that is taken by means of per diem is...they take out all their
27. deductions for IMRF and all of the things, they get a net check.
28. So that the per diems is already in the pension system as are
29. those in the salaried counties. The question around this bill
30. had to do with was there pension impact. There is none other
31. than the fact that they're responsible for the dimension of
32. their salaries. But in our counties, two of them in my district,
33. are on per diem and it gets pretty good board attendance because

1. if they don't get there they don't get their per diem. In some  
2. ...counties they don't have that and they have salaries and the  
3. attendance is very poor. That is one of the main thrusts of this  
4. legislation, it's wanted by all of the counties in Illinois at  
5. this point in time, the...Urban Counties Council in particular.  
6. And I'd be glad to answer any questions upon it, but it just  
7. authorizes them to use both systems simultaneously rather than  
8. singularly.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator J. J. Joyce.

11. SENATOR J. J. JOYCE:

12. Thank you, Mr. President. I rise in opposition to this  
13. bill. I...I have a question or two to the sponsor, if he'll  
14. yield.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The sponsor indicates he will yield.

17. SENATOR J. J. JOYCE:

18. Yes, Senator Grotberg, I'm wondering, are not County  
19. Board Chairmen now paid...with a flat salary some way or  
20. another? And then do they not receive a per diem too?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. To my knowledge, Senator Joyce, and in the case of, I know,  
25. in Kane County, he is salaried. His per diem's, he has expense  
26. vouchers, but no per diem. He recaptures automobile, et cetera.  
27. But to my knowledge no per diems.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Joyce.

30. SENATOR J. J. JOYCE:

31. Yes, well I think that...some of them are a member of  
32. the Board of Review, they also, let's see...they have the  
33. Liquor Control Commissioner for the county. So there are several  
34. ways that they can receive, the County Board Chairman, can receive

1. extra money serving in that capacity. Now I think what we're  
2. doing by this bill is perhaps permitting the county boards in  
3. the State of Illinois to have a base pay, to give themselves  
4. a base pay, and then keep their same per diem. So what we...I  
5. think that we could be accused of permitting legislation here  
6. to give pay raises to county board members. Now that may be  
7. well and good and maybe they deserve them, but I think that  
8. they ought to have to do what we do and that's vote on it  
9. at a meeting and set their per diem or their wage at what  
10. they think it should be and not come at it...the taxpayer...  
11. not to come at the taxpayer's with a double barreled effect  
12. and...and, you know, it seems like a sneaky way to...to come  
13. about a pay raise for the county boards. Thank you.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. President, it's my understanding of this bill that  
18. if the county board members wish to adopt this policy, they'll  
19. have to do it by record vote and they'll have to put themselves  
20. in the same posture that we in the General Assembly do everytime  
21. we have to vote upon an increase in compensation. I...I wish  
22. them all the luck in the world. This is a good bill, I think,  
23. because it provides a reasonable compromise to...promote an  
24. effective county board. Let's...let's tell it like it is. If  
25. you pay them a simple per diem, they have a tendency to hold  
26. meetings just for the sake of holding meetings and collecting  
27. the per diems. If you pay them a straight salary, you have a  
28. hard time getting a quorum out at the meeting. This would  
29. allow a county board to pay a base salary and I suspect it  
30. would be pretty reasonable in most counties and then a smaller  
31. per diem to encourage attendance at meetings. Seems to me to  
32. be a very reasonable...proposal that will promote the better  
33. type person serving on the county board, will prevent meetings

1. being held for the sake of meetings and at the same time, as I  
2. said, encourage good people to seek these important offices and  
3. I rise in support of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any further discussion? Senator Grotberg may  
6. close the debate.

7. SENATOR GROTBORG:

8. Thank you, Mr. President. Only in rebuttal to my distinguished  
9. colleague on Local Government Affairs, Senator Joyce. I do feel  
10. strongly that each county board is of it's own, a Legislative  
11. Body. They have...their hamstrung by thousands of statutes in  
12. the State of Illinois. The one thing they have to do is face the  
13. public as often as we do. This will certainly allow them to  
14. operate in a manner that will be the most attractive to generating  
15. a better board, a better attended board and I would urge an Aye  
16. vote for the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall Senate Bill 59 pass. Those in  
19. favor vote Aye. Those opposed vote Nay and the voting is  
20. open. Have all voted who wish? Have all voted who wish?  
21. Take the record. On that question the Ayes are 30, the  
22. Nays are 10, those Voting Present, 2, and 17 members recorded  
23. absent. Senate Bill 59 having received the constitutional  
24. majority is declared passed. Senate Bill 74, Senator Sangmeister.  
25. Read the bill Mr. Secretary.

26. SECRETARY:

27. Senate Bill 74.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Sangmeister.

32. SENATOR SANGMEISTER:

33. Mr. President and members of the Senate. The purpose,  
34. which I think you should know for the introduction of this

1. bill, is twofold. I think most of you who have been around here  
2. for awhile know the problem that we have in this State as far  
3. as any possibilities of passing any kind of a container or a  
4. beverage or bottle return bill. The reason I see the problems  
5. have been is that labor has opposed it because they're afraid  
6. of the loss of...of workers. Manufacturers have been against  
7. it because they want to continue to manufacture these containers,  
8. even the housewife is not too happy with it because she likes  
9. to have a throw away bottle. And certainly the small businessman  
10. is opposed to any kind of legislation in that area because he  
11. doesn't want to bother paying a premium and having to take in  
12. and pay out money and take all the bottles in the back room  
13. and count them and return them. So I say to you, I see no  
14. hope for any kind of a bottle bill ever to come through this  
15. General Assembly. So in the other...only other alternative,  
16. as I see it, is we're going to have to have somebody to get  
17. out on our highways and clean up the garbage pits that you  
18. and I observe every time we drive in our own locale as well as  
19. back and forth to Springfield. One other thing could be  
20. remedied with this particular bill and that is, as we all know,  
21. we are having a lot of attention in our penal institutions.  
22. By using inmates from the penal institutions, in this regard,  
23. to get out on the roads and the highways, will help relieve  
24. some of that tension and put these people to work and I would  
25. think that they would be very happy to be able to get out of  
26. there. There's been some safeguards built into this bill that  
27. Class X felons will not be used. Senator Graham saw that that  
28. amendment was put on. Also, for the benefit of labor, we now  
29. have an amendment on the bill that no one can be discharged  
30. and replaced by a prisoner or anyone is going to lose their  
31. job over this bill. I think this is well needed in the State  
32. of Illinois. There are seventeen other states that now have  
33. some form of...of convict labor, whether it deal with their

1. parks or their roads. We have also opened this bill up to  
2. include not only State roads but municipalities and villages  
3. and townships as well. I think this is needed legislation  
4. from two standpoints, we've got to do something about the  
5. trash on the highways and it's high time that we put some of those  
6. people in our penal institutions out where they can do some  
7. good for the taxpayers of this State and at the same time  
8. do some good for themselves. I'll be happy to answer any  
9. questions.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Egan.

12. SENATOR EGAN:

13. Thank you, Mr. President, members of the Senate. Very  
14. briefly I...I...the...the name that this bill has received, of  
15. course, comes at a time when they showed the Georgia chain gangs  
16. on a movie that happened to...to correspond with the day that  
17. the bill was heard in committee. But it can...it is, it can't  
18. be any further away from the fact than the name that...it has  
19. received. I would like to point out that I have been in touch  
20. with and have been working with members of the John Howard  
21. Association, who feel that as a program this is a sound concept.  
22. That as a matter of fact it is a good thing and with the...with  
23. the built in promise and the built in language that it will  
24. not take away from private industry. I can only say that the  
25. Department of Corrections has yet another vehicle by which they  
26. can maintain discipline and order within the prison system. I  
27. commend it to your favorable consideration.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator D'Arco. Senator...

30. SENATOR D'ARCO:

31. Hello...hello...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator D'Arco.

1. SENATOR D'ARCO:  
2.           How are you, sir? Let me ask you a question, Senator.  
3. The trash and garbage, can they fix potholes too, stuff like  
4. that?  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)  
6.           Senator Sangmeister.  
7. SENATOR D'ARCO:  
8.           Or is it just trash?  
9. SENATOR SANGMEISTER:  
10.          The bill does not direct itself to that specific problem.  
11. It's...  
12. PRESIDING OFFICER: (SENATOR SAVICKAS)  
13.          Senator Sangmeister.  
14. SENATOR SANGMEISTER:  
15.          The bill as it is presently worded, Senator D'Arco, covers  
16. trash and garbage and that kind of stuff, it's not...it's not  
17. out maintaining the highways, that was not the intent of the  
18. bill.  
19. PRESIDING OFFICER: (SENATOR SAVICKAS)  
20.          Senator D'Arco.  
21. SENATOR D'ARCO:  
22.          There was some discussion among my colleagues about whether  
23. or not they'll have to wear chains on their ankles like in the  
24. old days. Is...you know anything about that?  
25. PRESIDING OFFICER: (SENATOR SAVICKAS)  
26.          Senator Sangmeister.  
27. SENATOR SANGMEISTER:  
28.          Well now, you know, that's...that's the label that everybody  
29. likes to put on this bill for humor or for otherwise, but I  
30. would say to you that this is now active in seventeen states  
31. which I could name you, none of them that I know of use any form  
32. of chains. Obviously there's got to be some form of security,  
33. but I don't anticipate...it's awful hard to pick up garbage with

1. leg irons.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Now I notice in the bill, this will not...this will not

6. apply to...violent type criminals, it will apply to minor

7. criminal offenders more so than the...if fact, the major criminal

8. offenders are prohibited from participating in this program. Is

9. that correct?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Sangmeister.

12. SENATOR SANGMEISTER:

13. That is correct. The amendment that Senator Graham put

14. on states that persons convicted of murder, a Class X felony,

15. armed violence, aggravated kidnapping, indecent liberties, et

16. cetera, are not eligible to participate in the program. Other

17. than that we are obviously going to have to give the discretion

18. to the Department of Corrections to put the proper people out

19. there on the road.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Gentlemen, Ladies, we have the following Senators that

22. have sought recognition on this subject. Senator Collins, Berning,

23. Netsch, Hall and Grotberg in that order and now Senator Geo-Karis.

24. Senator Collins.

25. SENATOR COLLINS:

26. I'm sorry, question of the sponsor.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. He indicates he will yield.

29. SENATOR COLLINS:

30. Okay. I'm sorry, Senator Sangmeister, I didn't hear your

31. response in terms of...of to Senator D'Arco's questions in

32. reference to how would these prisoners be supervised, would

33. they, in fact.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Sangmeister.

3. SENATOR SANGMEISER:

4. That will be left to the Department of Corrections.  
5. All I can tell you is my research in the other states that  
6. are using it. Obviously, there has to be some form of  
7. security, guards have to be out there watching these men, but  
8. there is absolutely no reason to believe that we are going  
9. to use chains.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Collins.

12. SENATOR COLLINS:

13. For...selecting the inmates to participate, how would  
14. they go about doing it, would it be voluntary or would this  
15. be a forced assignment?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Sangmeister.

18. SENATOR SANGMEISTER:

19. Again, the criteria will be left to the Department of  
20. Corrections, but I would presume that if someone absolutely  
21. did not want to participate in this program, they're not  
22. going to force them out there because that would be a hard  
23. person to maintain. This program is designed for trusted  
24. inmates and any troublemakers or anybody who didn't want  
25. to participate, I'm sure the department is not going to  
26. force them into the program.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. Chairman. First I want to compliment the  
31. sponsor, I think that this is much needed legislation. It's  
32. an idea that many of us have had in the back of our mind for  
33. a long time and I intend to support it, Senator. I have a

1. question, however, and this question...
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senator...he indicates he will yield.
4. SENATOR BERNING:
5. ...this may trigger some additional recollection for you.
6. Is...is there anything in here that restricts this to any certain
7. age group?
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Sangmeister.
10. SENATOR SANGMEISTER:
11. The answer is no.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Berning.
14. SENATOR BERNING:
15. Then Senator I would say from your answer there would be
16. juveniles utilized here.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Senator Sangmeister.
19. SENATOR SANGMEISTER:
20. ...Juveniles would not be...be not using here, they're
21. not under the jurisdiction of the Department of Corrections
22. to be put out under this program. Juveniles would not be
23. used.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Berning.
26. SENATOR BERNING:
27. Are...are you saying juvenile offenders are not incarcerated?
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Sangmeister.
30. SENATOR SANGMEISTER:
31. They were deliberately not intended to be put under this
32. program. I can understand that there are people who would like
33. to see them under this program, but we've got to get the program

1. off the ground and I don't think that I want to get into the...the  
2. problems that would be involved if we start using youthful offenders.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, I had a couple of questions for the sponsor.

7. One of them Senator Collins had begun or had asked really, but

8. I...I want to pursue it a bit more. What kind of security is

9. going to be provided for prisoners who are working the streets?

10. Have you any indication of what sort of security has been

11. provided in those states which, as you indicate, have attempted

12. such a program.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Sangmeister.

15. SENATOR SANGMEISTER:

16. Well, again, as I stated, Senator Netsch, it will be up

17. to the Department of Corrections as to how the security is

18. going to be, but basically the other states that have the

19. program have perhaps seven or eight inmates working with the

20. Department of Transportation, following along with the truck,

21. putting the garbage in there and probably there is one or

22. two guards that walk behind them, possibly armed with a shotgun.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. That leads me to one of my other questions, Senator

27. Sangmeister. Is the principal purpose to clean up the highways

28. or is it to provide some form of...useful activity for people

29. who are otherwise locked up with nothing to do for long periods

30. of time?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Sangmeister.

33. SENATOR SANGMEISTER:

1. The...the purpose of the bill is really twofold. To be  
2. very honest with you, when I introduced it, by biggest concern  
3. was as I described earlier that our highways are looking like  
4. garbage pits. There's no other way we're going to get this  
5. problem resolved in Illinois, in my opinion, than a bill like  
6. this, however, out of it comes an added benefit and probably  
7. makes it equal with...as important as cleaning up the garbage  
8. and that is to give, I talked to the wardens in the penal  
9. institutions and they tell me one of the big problems with  
10. the unrest we have is that the inmates have nothing to do.  
11. And here is a...a good program where they can be beneficial  
12. to the State and I would say it's about equal, it's as  
13. important to clean up our highways as it is to get the inmates  
14. out of the penal institutions and relieve some of the tension.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you. One of the reasons why I asked that question  
19. is that I was attempting to figure out what prisoners are  
20. likely to be eligible to participate in it. Now, in the first  
21. place, the amendment that was placed on the bill by Senators  
22. Graham and Geo-Karis eliminated what I would expect to be a  
23. very substantial number of the inmates in Stateville, Joliet  
24. and possibly also in Pontiac. Because you've taken out almost  
25. all the...the heavy crimes. Not quite all, but a very substantial  
26. number of them. Then it seems to me what we might be doing is  
27. putting ourselves in a position where the only ones eligible  
28. with some exceptions, obviously, would be those who are already  
29. at the lesser security or minimum security prisons where they  
30. are more likely to have something to do already with their  
31. time. That is they've...they've got more programs, I think at  
32. Vienna than heaven knows they have at Stateville to...to  
33. keep prisoners occupied. The...I'm...I'm not necessarily  
34. challenging what you're about, I'm just trying to figure out

1. whether we really are doing anything that is going to be helpful  
2. given the concern that, I guess a few of us at least have, about  
3. the problem of the security maintained on those who are out on  
4. the roads.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Sangmeister.

7. SENATOR SANGMEISTER:

8. Well, I suppose perhaps Senator Graham as anybody is in  
9. as good a position to answer that, but obviously the reason  
10. for the amendment is there are people who because this program  
11. is new in Illinois and some people may become alarmed if we  
12. had murderers or Class X felons, people who have been convicted  
13. of armed violence and those type of crimes, out on our high-  
14. ways and we certainly don't want to alarm our citizens and  
15. we wanted to start out with a moderate program. Now, if some-  
16. where down the line after this program is in effect the Department  
17. of Corrections should come back to the General Assembly and say,  
18. look, I really think it is a good program, you ought to let us  
19. use a few more convicted of these other crimes, I think it's  
20. something we could consider at that time, but we, at this point,  
21. wanted to make sure that no one was alarmed with particularly  
22. violent type of persons out on the road.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. Just one more factual question...along that same line.  
27. Do you have any reading from the Department or from the Prisoner  
28. Review Board of what is likely to be the available pool of  
29. eligibles for the program as it is now written? Did they...were  
30. they able to give you any information on that?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Sangmeister.

33. SENATOR SANGMEISTER:

1. Very honestly, I didn't ask specifically for that information,  
2. Senator Netsch, all I can tell you is that the Department of  
3. Corrections testified in favor of the bill. And also, I should  
4. remind you, that there is nothing mandatory in this bill. In  
5. other words, we're not decreeing here that the...the...if the  
6. Department of Transportation says, I want so many men, that the  
7. Department of Corrections has to furnish them. It's strictly  
8. a voluntary program at this point, but specifically that  
9. information was not requested.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Hall. For what purpose does Senator Graham arise?

12. SENATOR GRAHAM:

13. Well, Mr. President I rise in support of Senator Sangmeister's  
14. bill and to speak to what some people...

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator, we do have a list of a half a dozen Senators yet  
17. that are in order.

18. SENATOR GRAHAM:

19. Well, my light has been on quite awhile...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. It's Hall, Grotberg, Geo-Karis, Washington, Gitz and  
22. Graham.

23. SENATOR GRAHAM:

24. How did I get on the bottom of the list?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Your light went on late. Senator Hall.

27. SENATOR HALL:

28. Would the sponsor yield to a question please?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. He indicates he will.

31. SENATOR HALL:

32. Senator, as I drive along the highways now, I see the  
33. highway crews picking up things along the highways and all.

1. Now these highway people, I presume, are in the union, aren't  
2. they? And my concern is that I've been contacted by some  
3. people in the Teamsters and other unions that are opposed to  
4. your people because they feel that these people will be coming  
5. in taking work that's assigned to them.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. That was taken care of, Senator Hall, by Amendment No. 2  
10. which states specifically, neither the Department of Corrections  
11. nor the Department of Transportation shall replace any regular  
12. employee with a prisoner.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Hall.

15. SENATOR HALL:

16. Yes, but...the only danger is that once you get other  
17. employees there, Senator, I know your intentions are good,  
18. but the thing is when you get other employees and they're  
19. working along with these other people that there's a great  
20. fear. Now they have never gotten back to me to tell me that  
21. they were satisfied since you put the amendment on. I just  
22. wanted to know if you were aware that they were opposed  
23. to your bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Sangmeister.

26. SENATOR SANGMEISTER:

27. Well, there's no question about that because they testified  
28. in the very committee you sat in so you're as well aware of it  
29. as I am and that's the reason that I put this amendment on  
30. because I felt this went to what they were objecting to. Now  
31. there was a statement made in committee that, well, if we need  
32. additional help to clean up the highways, let's hire more  
33. employees to do that. Well that's a nice simplistic way of

1. approaching it, but you know, there's taxpayer's dollars involved  
2. in this and, you know, I don't think the answer to our problems  
3. is just to continue to hire more people, I...I don't buy  
4. the concept.

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End of Reel #1

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Grotberg.

3. SENATOR GROTEBERG:

4. Thank you, Mr. President. Very briefly, Senator Sangmeister,  
5. this is one of the best bills to come down the pike in a long time.  
6. You've solved a personal problem for me, politically. All the  
7. bottles are made in my district in Streator and Ottawa and all  
8. the glass comes from there. Now, you've provided me with a means  
9. of cleaning up my district because I have two-thirds of all of the  
10. jails in Illinois and I can't resist voting for the bill.  
11. But seriously, Ladies and Gentlemen of the Senate, there's a new  
12. breath of fresh air coming into our prison systems as we're  
13. looking at them today. Sadly, we've been forced to take a look  
14. at them. They should have been here a long time ago. This is the  
15. first of many concepts of programming of prisoners that  
16. are going to be facing this General Assembly yet this year. And I  
17. commend the sponsor and urge an Aye vote for one of the more  
18. sensible things ever to have come out of this Legislature.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. Mr. President and members of the Senate. I concur heartily  
23. in Senator Grotberg's assessment of this bill. I think it's high  
24. time to realize that the taxpayer pays plenty to put some of these  
25. vicious people in and they're not the ones who are going to  
26. go on the road and that's why the amendment that Senator Graham and  
27. I sponsored was accepted by Senator Sangmeister. This is a bill  
28. designed to clean up our highways in an intelligent fashion and I feel  
29. that we, in having...mind the...the cost of the taxpayers to keep each  
30. prisoner there, at least will get some return on our tax dollar  
31. for the ones that aren't very vicious and are appointed to serve  
32. on the outside program and that's why Senator Sangmeister  
33. is to be commended to accepting both Amendments 1 and 2. 1 takes  
care of the labor situation, the other takes care of the vicious

1. criminals who would rape and kill and commit indecent liberties  
2. with children. I think it's a good bill and I am for it a hundred  
3. percent.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Washington.

6. SENATOR WASHINGTON:

7. Mr. President, I can appreciate what the sponsor is trying to do  
8. here and his goals are...are worthy. But the thing that bothers me about  
9. the bill is that it doesn't clearly delineate or set out that  
10. the act should be...the act of participation should be strictly  
11. voluntary on the part of the inmate and I think it should be.  
12. Furthermore, even if it's voluntary, there's no insurance that there  
13. will not a penalty invoked against an inmate who didn't wish to  
14. participate. And furthermore, the thing that disturbs me most about  
15. this is that images of the chain gang are there, but it's the  
16. administration of the chain gain and the demeaning posture in which  
17. these people are put which is so...so disruptive and so brutal and  
18. so...and so discouraging in terms of positive programs  
19. which this is designed to be. I'm afraid I can't go along  
20. with your bill, Senator Sangmeister, because I'm afraid that it  
21. doesn't answer those three critical questions which to me are  
22. extremely important. On the other hand, I would imagine that  
23. there might be many inmates who...who are in jail who if they could  
24. participate in a voluntary program within your categories, and that  
25. the administration were fair and not demeaning, I daresay, you would  
26. have a lot of volunteers, but the bill doesn't give those safeguards  
27. and that's what disturbs me and I simply cannot support it.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Gitz.

30. SENATOR GITZ:

31. Question of the sponsor.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He indicates he will yield.

1. SENATOR GITZ:

2. Senator, the President of the Illinois Sheriff's Association  
3. seemed to feel that your bill is very laudable in concept.  
4. He had one question which I didn't see addressed in the bill and  
5. that's the question of good time. It seems to me that we  
6. enhance the intent of your legislation if there is some incentive  
7. given. And I was wondering does the Department have the capacity  
8. to give good time to offenders who participate?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Sangmeister.

11. SENATOR SANGMEISTER:

12. The answer is no. Under House Bill 1500, which we passed,  
13. the law now is...since February 1st, 1977, you get day for day.  
14. One day served and served properly is one day's good time. But this  
15. bill will do nothing to give anybody any additional good time.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Graham.

18. SENATOR GRAHAM:

19. Mr. President and members of the Senate. I think  
20. we have a tendency, and some that are classed as bleeding hearts  
21. have a tendency to overlook what this bill really can do.  
22. First of all, to go back over what Senator Sangmeister has said,  
23. very, very concisely, this is permissive. There is no way that  
24. ...that the inference that we have of barbaric type of corrections  
25. ...officials that will mandate these fellows to go out on the roads  
26. is going to exist. It just doesn't happen. Those who are  
27. familiar with the operations of prisons and familiar with the  
28. prisoners who are contained therein, will tell you that the worst  
29. possible time that an inmate can do is the time that he has  
30. made parole, so to speak, and where there is a contingency  
31. upon the parole where he has to have a job before he gets out,  
32. and he's doing his time in the prison. That is the hardest time they  
33. can do. We have more inmates that are ready for parole right now that

1. are asking to be put in solitary or in...in personal confinement  
2. than we can handle and why do they do that? They are doing that  
3. because, to use their language, they don't want to get messed up  
4. by some other prisoner. Now, there will be no problem, there will  
5. be no problem of having that type of inmate prepared to go  
6. out on the highways, as a matter of fact, they love to do it.  
7. We keep talking about the taxpayers. We keep talking about humane,  
8. justice and so forth and so on. There's nothing more humane,  
9. in my opinion, to an inmate that can qualify than to let him go out  
10. on a farm and work or get out and get some air rather than  
11. be locked up in a jail all day doing the time that the same  
12. bleeding hearts are complaining about. So, we don't lock them up.  
13. We don't let them out to work, what in the devil are we going  
14. to do with them? Send them home? No, we're not. This kind of a bill  
15. is a step in the right direction. It leaves the latitude of the  
16. execution of the bill with the Department of Corrections where it  
17. belongs. They should do it and if they don't do it correctly, we  
18. have...we'll have an opportunity to correct it for them.  
19. This will work. It will create a problem. It creates a little  
20. problem for the Teamsters. But I want to tell you something,  
21. the jobs that these fellows are going to do, if we get this thing  
22. through, are going to be accomplished by them and that we couldn't  
23. hire the Teamsters to do it anyway 'cause they wouldn't do it.  
24. Now, listen, let's don't get carried away here by some false  
25. pretense that these fellows can't do their job or willing  
26. to do and get in the same trap we did a few years ago when we let the  
27. AFL and CIO beat us on a bill that would allow us to make license  
28. plates in the penitentiary. So, we let our hearts get carried away  
29. that time and what happened? So, we order our license plates  
30. from Texas and they're made by the Department of Corrections  
31. of Texas. Now, let's don't...let's don't get all fouled  
32. up on this. This is something that's the right way to go and perhaps  
33. it can be improved upon and expanded and it will work.  
If it doesn't work, they can go back to the jail and I'll tell you one

1. thing, if they violate their rules and regulations and they're on  
2. their highway job, they know what they're going to get. They're  
3. going to lose their good time. And they're going back and do a  
4. Max X when the Prisoner Review Board gets through with them and  
5. the smart prisoner is not going to do that. If he's done thirteen  
6. years, he's not going to goof up so he goes back and does another  
7. year or two when he's ready for parole. Let's don't get carried  
8. away and pick a good bill like this apart on a few personal  
9. reasons that will not stand up.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President, most of the arguments, I think, have been heard.  
14. I move the previous question.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is not debatable. We do have a list of  
17. Senator Mitchler, Knuppel, Demuzio, Senator Collins and Senator  
18. Berning. So, at this time, Senator Davidson moves the previous  
19. question. Those in favor say Aye. Those opposed. Yes, we will let  
20. them talk. I wanted to get it into the record. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President. On a point of order, it's kind of  
23. been traditional around here that if people have expressed  
24. a desire to speak, that that motion would not be put.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. It was my intention to let them speak. That's why I mentioned  
27. their names. All right. Senator Mitchler. Senator Knuppel.  
28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Just one quick comment, and that is...and I think that the bill  
31. is certainly laudable and I was just wondering if Senator Sangmeister,  
32. the way that this administration is operating on the second floor,  
33. they seem to, with the Prison Review Board and Executive Clemency,  
they seem to let them out faster than we can get them in there and

1. I just wondered who in the hell is going to be left to even put  
2. anybody out on the highway to do the work.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Collins.

5. SENATOR COLLINS:

6. Question of the sponsor.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. He indicates he will yield.

9. SENATOR COLLINS:

10. Okay. I...I would like to know whether or not this program  
11. would be a part of the prerelease part of the prison...rehabilitation?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. The Department has not advised me as to whether they will  
16. be incorporating it into that part of the program or not.

17. I...I...I really can't answer that question. I have not asked them  
18. directly that question and they haven't indicated. But that will be  
19. a discretion that they will have.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Collins.

22. SENATOR COLLINS:

23. I guess what I want to say is in the form of a comment. I'm  
24. ...you know, I think the concept is good and although I have the  
25. reservations I raised when I spoke before that Senator  
26. Washington and Senator Netsch expanded upon, I think this concept  
27. before we talk about moving out into the Department of Transportation,  
28. into other departments, I think the Department of Correction itself  
29. is in serious financial trouble and there is a tremendous need for  
30. all kinds of Capital Development programs within the institution.  
31. I see this concept being expanded there to make sure that it work  
32. first before you talk about going out into the Department of  
33. Transportation. Because you can save if the Department would do that,  
I can see a tremendous amount of money saved in the Capital

1. Development Fund that is traditionally been going out to private  
2. contractors. Why can't the prisoners work in these kinds of  
3. programs and provide a...incentives for them to do that in terms of  
4. good time behavior and other times of incentives and...and therefore,  
5. we can save money with the Department of Corrections itself.  
6. before we move out.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator D'Arco.

9. SENATOR D'ARCO:

10. This...this bill started out as a laudable idea. Senator Berning  
11. got up and said what a laudable idea it was and I kind of  
12. facetiously made fun out of the bill by talking about chain gangs  
13. and that but you know, I think if anybody has a bill, George  
14. Sangmeister is...is one who is very crime conscious about  
15. criminal behavior and he's very prone to be prosecution  
16. oriented and for him to come out with a bill like this with all  
17. the safeguards in it, labor doesn't oppose it because no one can  
18. be fired and it doesn't apply to violent criminals and the  
19. Department of Corrections needs some discretion in who  
20. and who will not participate in the program. You know, I don't  
21. really understand the objections to it. The only objection I see is  
22. maybe it doesn't go far enough. Maybe you know, picking up trash and  
23. garbage isn't enough work for them to do, but it is a first step  
24. in the right direction and I would ask Mark Rhoads to support it.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Any further discussion? Senator Hall.

27. SENATOR KENNETH HALL:

28. I have to apologize for asking the second time, but I knew  
29. there was something I was going to ask the Senator at the time.  
30. Senator, you know that my...that there is compensation given to  
31. prisoners who work. Is there anything in your bill that  
32. covers that?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Sangmeister.

2. SENATOR SANGMEISTER:

3. No, but the testimony in committee was is that, I believe,  
4. there is eight dollars per day. They have their regular  
5. stipen that they pay inmates for doing this kind of work and  
6. ...and they will be receiving...I don't know what that figure is  
7. but whatever it is, they will be receiving for this kind of work.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Hall.

10. SENATOR KENNETH HALL:"

11. Yeah.

12. SENATOR SAVICKAS:

13. I'm sorry. It is eight dollars a week. Did I say a day?  
14. Eight dollars a week.

15. SENATOR KENNETH HALL:

16. Well, where does this money come from? I mean, who is going  
17. to pay for that? Isn't that additional money the State will have to  
18. pay?

19. SENATOR SANGMEISTER:

20. No, there's no additional money. As far as the cost factor on this  
21. bill is concerned, I don't see where there should be any additional...  
22. whatever money that they've got, they've got set aside for that already  
23. in their regular budget. I see no reason why the Department of  
24. Transportation should, I hope, have enough trucks to go along with  
25. this. The guards that are going to have to be used out on the roads  
26. to guard these men that are doing the work are already  
27. hired. I really see no cost plus to this bill at all.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Hall.

30. SENATOR KENNETH HALL:

31. There's just one other question. You know, I say that the  
32. Teamsters were opposed. You told me that you had satisfied  
33. them when you put the amendment on but did they ever...did you ever

1. get any notification that they withdrew their objection?

2. PRESIDING OFFICER: (SENATOR SAVICKAS:

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. Let me respond to that so it is very clear because Senator  
6. D'Arco also said that labor is not opposed to the bill. The only  
7. labor that...that opposed the bill in committee was the...was  
8. the Teamsters. I asked them to come back with some language that  
9. they could live with and have their attorney or whatever draft the  
10. proper thing to put in the bill to protect them. I received nothing  
11. from them, so on my own volition, I went ahead and put in the  
12. terminology which I...I previously told you, which I think clearly  
13. takes care of the situation. But to say did the Teamsters withdraw  
14. their original objection, they did not.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any further discussion? Senator Sangmeister may close  
17. the debate.

18. SENATOR SANGMEISTER:

19. It seems...I have a few things to say, but they want a roll call.  
20. I suggest we take one.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is shall Senate Bill 74 pass. Those in favor  
23. vote Aye. Those opposed vote Nay. And the voting is open.  
24. Have all voted who wish? Have all voted who wish? Take the record.  
25. On that question the Ayes are 49, the Nays are 0, 5 Voting Present.  
26. Senate Bill 74 having received a constitutional majority is declared  
27. passed. Senate Bill 110, Senator Davidson. Read the bill,  
28. Mr. Secretary.

29. SECRETARY:

30. Senate Bill 110.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

1. SENATOR DAVIDSON:

2. Yes, Mr. President and members of the Senate. This is a bill  
3. from the Motor Vehicle Commission which was worked out with the  
4. Secretary of State and the Illinois State Police to do two things.  
5. One is strike the words "mysterious disappeared" to make application  
6. for the plates and that they may make the application. It removes  
7. all reference to gender and also establish uniform legal line of  
8. succession. Appreciate a favorable vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any further discussion? The question is shall Senate  
11. Bill 110 pass. Those in favor vote Aye. Those opposed vote Nay.  
12. And the voting is open. Have all voted who wish? Have all  
13. voted who wish? Take the record. On that question the Ayes are  
14. 55, the Nays are none, those Voting Present are none. Senate Bill 110  
15. having received a constitutional majority is declared passed.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. ...Senator Nimrod arise?

18. SENATOR NIMROD:

19. Mr. President, point of personal privilege. We have with us in the  
20. President's gallery, the Illinois Federation for Right to Life Committee  
21. and they are here with their President who is Nancy Sosono and  
22. Felicia Gagan who is the State Director to the National Committee.  
23. Might ask you if they might be recognized, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Will our guests please stand and be recognized by the Senate.  
26. Senate Bill 149, Senator Berning. Senate Bill 160, Senator Rock.  
27. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 160.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Rock.

SB 242  
3rd Reading  
3/21/79

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the  
3. Senate. Senate Bill 160 is an appropriation for the F...FY '79  
4. appropriation to the Judicial system to the General Assembly and to  
5. the Executive Branch to fulfill our obligation which we incurred  
6. in November of last year when we voted a pay increase. The amount  
7. is four and a half million dollars and I would solicit a favorable  
8. vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? The question is shall Senate Bill 160  
11. pass. Those in favor vote Aye. Those opposed vote Nay. The  
12. voting is open. Have all voted who wish? Have all voted who wish?  
13. Take the record. Sponsor has requested that further consideration  
14. of Senate Bill 160 be postponed. It will be placed on the  
15. Order of Postponed Consideration. House Bills, 3rd reading.  
16. Senator Wooten on House Bill 242. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 242.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Wooten is recognized.

23. SENATOR WOOTEN:

24. Thank you, Mr. President and colleagues. This bill was passed  
25. in the House to add an additional four days forgiveness for those  
26. sections of Illinois that had been covered in the President's  
27. emergency proclamation. Since that clearly did not cover some  
28. counties which needed relief by amendment, it now applies to the  
29. entire State. We have also, by amendment, a compromise worked out  
30. between Senator Davidson and myself and the Education Committee,  
31. have increased the number of days to eight. These days have to be  
32. certified by the superintendent of the school district involved and  
33. in addition by the regional superintendent. This is a matter of some

1. import to, I think, many of us in this Chamber. It does not  
2. impact on urban schools the way it does on rural schools. I don't  
3. think there's an urban school district in...in my district that  
4. has this difficulty. But in the rural areas, they have already  
5. lost, in several districts, thirteen days of schools. That's the  
6. five that they are normally granted, the eight which this bill  
7. contains and they're now facing the potential loss of  
8. school because of floods. They are going to use their spring  
9. vacation for sandbagging. So, it is a serious situation. We wanted  
10. to move this bill rapidly to get it on the Governor's desk so  
11. that the schools know what they are facing. I will be glad to answer  
12. any questions and solicit your Aye vote on this bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Shapiro.

15. SENATOR SHAPIRO:

16. Well, Mr. President and Ladies and Gentlemen of the Senate.  
17. If you will recall yesterday, I raised some questions concerning  
18. whether scheduled vacation time in a school district would have  
19. to be used up prior to allowing the additional eight days  
20. to be used as snow days or weather days. And the answer was,  
21. and correctly so, that they would not have to be. Now, I think if  
22. you really take a look at this bill, as it is now amended,  
23. I don't think anyone really begrudges our school districts having the  
24. additional snow days because a lot of them have missed school  
25. due to adverse weather conditions for at least thirteen days  
26. and even more. The thing that bothers me about this is that  
27. there are some school districts who are right on the verge of the  
28. thirteen days. Now, without this bill, if I could just explain the  
29. situation to you and how it works, if a school district loses  
30. more days due to snow or other weather conditions beyond what they  
31. have already scheduled, and in northern Illinois it's usually  
32. five days, then in order to get their State aid for the days beyond  
33. five that they had missed, they usually use up scheduled vacation time.

1. The way this bill is drafted and it is only for the one year, but it  
2. still has a gross error in it, as far as I am concerned, the way this  
3. bill is drafted, they will get the days that they have  
4. scheduled, it's usually five days in northern Illinois, they will  
5. receive another eight days for a total of thirteen days of snow days.  
6. Now, if they are just right on the verge of having used  
7. days or have used thirteen days, they are still entitled to take  
8. vacation time. And I think that that is wrong. I think if they  
9. have vacation time scheduled, that those days should be used  
10. before we go into the extra eight days. And what I am trying to tell  
11. the Assembly is that I am more than...I would be more than happy  
12. to support the additional snow days, the eight days, but I will not  
13. support the bill unless there is provision made that vacation day  
14. time...scheduled vacation time has to be used first.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Davidson.

17. SENATOR DAVIDSON:

18. Yes, Mr. President and members of the Senate. I rise in support  
19. of this bill as amended. The amendment does two things. One, it's  
20. limited only to this school year. Two, it has to be for adverse  
21. weather conditions. Three, it has to be certified by the local  
22. superintendent through the regional superintendent. This is a  
23. necessity in many areas of the State. The bill, as it came over  
24. from the House, did not apply to any of us through this whole  
25. central Illinois area. Many of you here in the Senate had school  
26. districts that did apply under the one ruling and the other.  
27. And I urge a favorable roll call. If the Superintendent of  
28. Education wants to exercise the prerogative which he has, and  
29. take care of these snow days or adverse weather conditions, the bill  
30. would become unnecessary and in the process as we go through the  
31. legislative effort, that may happen. But at the moment, there is no  
32. recourse for these school districts who are down the tube losing funds  
33. over something they had no control whatsoever. I urge a favorable roll  
call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Nimrod.

3. SENATOR NIMROD:

4. Mr. President. Question of the sponsor.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Indicates he will yield. Senator Nimrod.

7. SENATOR NIMROD:

8. Senator Wooten, why can't the schools stay open and teach the  
9. children for those days that they have missed? I don't  
10. ...what...what is the reasoning behind not staying open?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Wooten.

13. SENATOR WOOTEN:

14. You must bear in mind that this will impact principally  
15. on rural schools. As I said, it's not going to affect most  
16. urban schools at all unless there are unusual conditions.  
17. And I think if you are familiar with rural schools, you know that  
18. those closing dates of school are followed by the youngsters going  
19. to work, you will disrupt farm families operations by extending the  
20. school calendar, particularly if you have to do it an additional  
21. two week, which is what we are talking about. And this obviates the  
22. necessity of doing that. In...in the practical world we all  
23. inhabit, those kids are not going to be in school if you prolong  
24. the school those additional two weeks.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. It seems to me, Mr. President and Ladies and Gentlemen of the  
29. Senate, that the only losers in this whole transaction seem to be  
30. our children who are going to lose education. And the fact is that  
31. what we're really doing is probably providing money here for teachers  
32. so that they don't have to work those extra days. And it's come  
33. to my attention that I think most of the school district contracts  
are written for a twelve month period. And we certainly shouldn't

1. be adjusting our schedule each year to adjust for any acts of  
2. God that happen when we have three months to play around with. Now,  
3. I know our...my own particular school district had decided to give  
4. up that spring vacation and take other steps that would require  
5. and would make sure that the children get their education.  
6. I think this is the wrong approach. I think we're doing the wrong  
7. thing even if it's for one year. I think...I know that Rockford  
8. teacher's contract is limited by days and that's too bad.  
9. Now, they're the ones that probably will get hurt by this.  
10. But, contracts in general, and it has been the policy and the practice  
11. that we accept the teachers...on a twelve year contract and they  
12. are paid for...during the nine months for the twelve year work  
13. and this is nothing but a bill, it seems to me, that ignores the  
14. education of the children and emphasizes the pay of the teachers  
15. and I would oppose this particular bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Wooten may close.

18. SENATOR WOOTEN:

19. Well, just to respond to Senator Nimrod, if you think only  
20. teachers are pushing this, you are badly misreading it. The  
21. entire educational community is pushing for this kind of help.  
22. Also, let's bear in mind that this has application in those  
23. districts where they're already missing twelve and thirteen days.  
24. It's nobody's fault. The Legislature didn't make it snow. This  
25. just happened this year. And it's a serious matter. If, as is  
26. going to occur in some of our rural areas, we are faced with  
27. floods, and the schools don't use their spring vacation for that,  
28. they're going to have some difficulty getting the Superintendent  
29. of Public Instruction to forgive them under the Act of God Clause.  
30. It seems to me that this is...this faces realistically, the problem  
31. that is at hand this year. And it's not just to pay teachers,  
32. it's the entire educational establishment. Where they're affected  
33. is asking for this bill. It has appropriate safeguards in it and I  
would urge your affirmative vote on the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall House Bill 242 pass. Those in favor  
3. vote Aye. Those opposed vote Nay. The voting is open.

4. Have all voted who wish? Have all voted who wish? Now, have  
5. all voted who wish? Take the record. On that question the Ayes  
6. are 43, the Nays are 12, 2 Voting Present. House Bill 242  
7. having received the required constitutional majority is declared  
8. passed. On the Order of Resolutions...leave is granted.  
9. Resolutions.

10. SECRETARY:

11. Senate Joint Resolution 24, offered by Senator Philip,  
12. Constitutional Amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Executive. For what purpose does Senator Vadalabene arise?

15. SENATOR VADALABENE:

16. Yes, to Table a bill. Is this the appropriate time?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Yes, Senator. It's always appropriate.

19. SENATOR VADALABENE:

20. It seems like I'm in a rut in the last three days, I guess.  
21. Senate Bill 25 is presently reposing in Agriculture, Conservation  
22. and Energy Committee, Mr. President.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Vadalabene now moves to discharge the Committee  
25. on Agriculture from further consideration of Senate Bill 25.  
26. All in favor say Aye. Opposed Nay. The Ayes have it. The bill is  
27. discharged. Now, Senator Vadalabene moves to Table Senate Bill  
28. 25. Those in favor say Aye. Opposed Nay. The Ayes have it and  
29. the bill is Tabled. Senator Nash, for what purpose do you arise?

30. SENATOR NASH:

31. Mr. President, will you let the record show Senator Nega  
32. is absent because he is hospitalized.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Daley, for what purpose do you arise?

2. SENATOR DALEY:

3. Mr. President, I ask leave to have Senator Martin as cosponsor  
4. of Senate Bill 309, 310 and 316.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there leave? Leave is granted. For what purpose does  
7. Senator Buzbee arise?

8. SENATOR BUZBEE:

9. Thank you, Mr. President. I move to suspend the Six Day  
10. Posting requirement and have House Bill 186 heard  
11. this afternoon in Appropriations II Committee in Room 212.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. You've heard the motion. Is there discussion? All in favor  
14. say Aye. Opposed Nay. The Ayes have it. The motion prevails.  
15. Senator Netsch, for what purpose do you arise?

16. SENATOR NETSCH:

17. Thank you. Mr. President, I would like to address a question  
18. really in the form of a ruling to the Chair. This is something that  
19. has come up recently and I think for the sake of all of us, it  
20. needs to be clarified. It has to do with the meaning of the paragraph  
21. in Rule 8 that reads "a bill or resolution referred to a  
22. committee and not set for hearing within sixty days of assignment  
23. shall be reported from the committee with the recommendation Do Not  
24. Pass at which time unless a motion to recommit is made, supported  
25. by a majority vote of the members elected, such bill or resolution  
26. shall be considered as finally Tabled or stricken." It's the  
27. "not set for hearing within sixty days of assignment" that has raised  
28. some questions among members of the Senate. The first question  
29. really, is when do you start counting the...the sixty days and  
30. what action will stop the tolling of the sixty day period?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The sixty days begins to run upon the assignment of the bill  
33. to the committee and the Assignment of Bills Committee, to my knowledge,  
is always on a daily basis. Very seldom do we not assign on the same

1. day a bill is introduced and so that sixty days would begin to run  
2. and would terminate upon the setting of the bill for a hearing.  
3. The House and Senate Rules do not...are not similar that requires  
4. a bill to be heard in the House. It only requires that the bill be  
5. set in the Senate, to be set, and postponed and be heard after the  
6. sixty days as long as it is initially set for hearing prior  
7. to the sixty day period running. For what...Senator Netsch.

8. SENATOR NETSCH:

9. Yes. In that connection, does the date selected for the hearing  
10. have to be within the sixty days or is it enough if the sponsor  
11. takes action to request that the bill be heard before the sixty  
12. days has run? In other words, this becomes important, obviously,  
13. if you have committees which are not meeting every week and let's  
14. say sixty days is about to run on a bill, the sponsor requests that the  
15. bill be set for hearing and makes that request within the sixty  
16. day period but because of a delay in committee dates, the next  
17. committee date does not actually occur until after sixty days.  
18. Has that sponsor complied with Rule 8?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Yes, it would be the ruling of the Chair that the committee  
21. chairman's official notice where the bill is set for a hearing would  
22. have to occur before the sixtieth day. That notice would have to  
23. appear before sixty days had run.

24. SENATOR NETSCH:

25. You're saying that the hearing itself does not have to be within  
26. the sixty days as long as the sponsor has made the request or the  
27. chairman has...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, no, Senator, I didn't say made the request. My ruling was  
30. that the chairman, in his official notice of hearings, would have to  
31. have published a notice of hearing prior to the sixty day tolling.

32. SENATOR NETSCH:

33. All right.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Netsch.

3. SENATOR NETSCH:

4. All right. Then...well, let me just go on to one other  
5. point and there may be some more questions about that.  
6. What you have also said though, in your initial ruling, was  
7. that as long as the bill has been set, as you have now defined it,  
8. within the sixty day period, the bill need not have action taken  
9. on it at the time of that hearing. That is, it could be postponed  
10. or witnesses could be heard and it could be postponed at that  
11. point, whatever action is desired by the sponsor and/or the  
12. chairman of the committee at that time.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Right. And that point was discussed in the Rules Committee  
15. and the decision was made not to follow the House Rule which requires  
16. that the bill be heard within a set period. It only has to be set for  
17. hearing within a designated period.

18. SENATOR NETSCH:

19. All right. Thank you.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Wooten, for what purpose do you arise?

22. SENATOR WOOTEN:

23. To seek clarification on a...on your ruling, Mr. President.  
24. My understanding is that if we post a bill, it...for example, I'll  
25. tell you what we have been doing in Executive, we've been posting  
26. bills for a particular date and then holding them for hearing at a  
27. future date. That would meet the...the technical requirement of the  
28. rule, would it not?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. It meets the Rule to its letter.

31. SENATOR WOOTEN:

32. All right. Thank you.

33. PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rhoads arise?

1. SENATOR RHOADS:

2. Further clarification on the same ruling. Mr. President, I  
3. introduced Senate Bill 4 on January 31st. Under the sixty day  
4. rule, it would have to be heard by the end of March. There has  
5. been no meeting of the Elections Committee to which it was assigned  
6. and will not be any meeting until April the 5th. Now, by virtue  
7. of that committee simply not holding a meeting, does the sixty  
8. day rule kill the bill?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The...the bill, if it is not posted for hearing prior to the  
11. sixty day period would be dead. For what...Senator Rhoads.

12. SENATOR RHOADS:

13. Well, Mr. President, if we're going to be able to kill bills  
14. under the sixty day rule simply by chairmen not calling committee  
15. meetings, I think that we ought to give serious consideration to  
16. revising that rule, post haste. I think I will. I will file a motion.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator, you understand that the Chair is only interpreting the  
19. rules of the Senate as adopted by this Body. It is not my decision  
20. that that...the rule be put in. That is the way the rule reads and  
21. that is the way the Senate is operated. It could be changed by the  
22. will of thirty members of the Body. For what purpose  
23. does Senator Ozinga arise?

24. SENATOR OZINGA:

25. Question. Is there a mandate upon the chairman of a committee  
26. to post a notice regardless of whether the date, even if it's a  
27. blank date, so that the rights of the holder of the bill could be  
28. preserved?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Ozinga, would you go through that one more time?

31. SENATOR OZINGA:

32. In other words, is there a mandate in the rules somewhere  
33. ...I don't know where, but is there a mandate upon a chairman that he  
post, that he has been requested for a hearing of a certain bill

1. even though the date may not be determined?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. No, Sir.

4. SENATOR OZINGA:

5. In other words, that would comply with what you are  
6. saying. It has been posted, it has been requested for hearing,  
7. but the hearing date is an uncertainty.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator, that is not within our rules. There are no rules  
10. specifying the duties of a committee chairman. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Mr. President, a point of personal privilege.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. State your point, Senator.

15. SENATOR SHAPIRO:

16. Ladies and Gentlemen of the Senate, I think if you look  
17. around the Senate Floor, you should be able to discern who  
18. is celebrating his fifty-fourth birthday today and I would like for the  
19. rest of the Senate to join him in celebrating it. Senator  
20. Grotberg's birthday is today.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Happy birthday, Senator. Senator Grotberg, five members have  
23. asked that you keep your comments to less than a minute.

24. SENATOR GROTEBERG:

25. Well, I was hoping, Mr. President...I'm glad it was clarified.  
26. I thought a lot of people thought I may have died and this was that  
27. occasion. And I'm pleased for every birthday I get, so I'm  
28. really celebrating, but what I did want to say was that everybody in the  
29. Senate and everybody that can hear, there's enough birthday cake  
30. over in my office to go around for anybody that shows up from  
31. here on throughout the afternoon. We'd be delighted if you would come  
32. over and share it with us. Thank you, very much.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. ...you. For what purpose does Senator Netsch arise?

2. SENATOR NETSCH:

3. I...I have one more question to ask pursuing the point that  
4. Senator Rhoads raised. Is there any mechanism in the Senate  
5. rules by which members of a committee or members of the Senate  
6. who have a bill languishing in a committee, can bring about  
7. a meeting of that committee?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. To answer your question, no, obviously, though, there are  
10. three rules that would allow you to take action. One is to suspend  
11. the rules, which would require thirty votes and you can do anything  
12. you want with the bill at that point and the committee and the chairman  
13. of that committee. You can also file a motion to discharge the  
14. committee from further consideration and that would allow you to  
15. bring the bill before the full Senate.

16. SENATOR NETSCH:

17. I would like to point out still another defect in our rules,  
18. then, in that respect. What that does is to put members  
19. in a position where the only way that they can get a  
20. hearing on their bill is by resorting, in effect, to a discharge  
21. motion. All of us in this Chamber know that there are members  
22. who, at least, when it is convenient, take the position that they  
23. will never vote for a discharge motion which means that even those  
24. members who might support your bill in substance, on the merits,  
25. will not help you to get a hearing on that bill. It seems to me that  
26. Senator Rhoads and I think I am in that position and I suspect some  
27. others are put in an absolutely unconscionable, untenable  
28. position by this combination of the way our rules work and it...and  
29. I would strongly urge the Rules Committee to take some action  
30. to see that we are not put to that kind of a choice.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Demuzio.

33. Further discussion on...on this point? Senator Demuzio.

1. SENATOR DEMUZIO:

2. Yes, Mr. President, on a matter of personal privilege.

3. Seated in the President's gallery, I'd like to acknowledge several  
4. coal miners that are here today that are in support of Continuation  
5. of Illinois Coal. They are in the President's gallery and I would  
6. like to have them stand and be recognized by the Senate.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Would our mining friends please rise and be recognized.

9. Senator Joyce.

10. SENATOR JEROME JOYCE:

11. Yes, Mr. President. Thank you. I would like leave to discharge  
12. committee on Senate Bill 303. Senator Sommers has a...it's the  
13. Committee on Local Government. Senator Sommers has a problem in his  
14. district. It has to do with the park district election  
15. which will be held in April and we need to get this bill on the...  
16. on the Floor and heard.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. You've heard the motion to discharge. Is there leave?

19. Leave is granted. The motion to discharge prevails. And the bill will  
20. be discharged from the Committee on Local Government.

21. ...action relation to Bill No. 303. Further business to come before  
22. the Senate? Senator Netsch.

23. SENATOR NETSCH:

24. Thank you. I have an announcement to make. Is this the  
25. appropriate time?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Yes.

28. SENATOR NETSCH:

29. The Committee on Government Reorganization will meet next  
30. Tuesday at 5:00 o'clock in Room 400. Notices will be sent out to the  
31. individual members, but I wanted to alert them beforehand  
32. to that meeting next Tuesday, March 27th, I believe it is,  
33. at 5:00 o'clock in Room 400 to consider the Governor's Executive  
Reorganization Order No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Joyce. Senator Joyce, was your motion to place that  
3. bill...not only to discharge it, but to place it on the Order of  
4. 2nd reading? That is the motion. It will be placed on the Order of  
5. 2nd reading. Senator Sommer, did you wish to have that bill  
6. read a second time today? All right. As soon as the Secretary has it  
7. we will read it a second time. Stand at ease a moment while  
8. we have 303 brought up. We will read it a second time.  
9. Is there leave to go to the Order of Introduction of Bills?  
10. Senator Buzbee. Senator Buzbee is recognized.

11. SENATOR BUZBEE:

12. I just wanted to announce, Mr. President, that Senate Appropriations  
13. Committee No. II will be meeting ten minutes after our demise here  
14. today.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. Leave to go to the Order of Introduction? Leave is  
17. granted. Introduction of Bills.

18. ACTING SECRETARY: (MR. FERNANDES)

19. Senate Bill 333 offered by Senator Philip.  
20. (Secretary reads title of bill)

21. Senate Bill 334 by Senators Egan, Berning, Merlo and D'Arco.  
22. (Secretary reads title of bill)

23. 335 by Senators Berning, Shapiro, Mitchler and others.  
24. (Secretary reads title of bill)

25. 336 by Senator Rupp.  
26. (Secretary reads title of bill)

27. Senate Bill 337 by Senators Regner, Sommer, Savickas and others.  
28. (Secretary reads title of bill)

29. 338 by Senators Regner, Buzbee, and Sommer.  
30. (Secretary reads title of bill)

31. 339 by Senators Regner, Keats, Rhoads and others.  
32. (Secretary reads title of bill)

33. 340 by Senators Buzbee, Rock, Donnewald and Bruce.

1. Senate Bill 341 by Senators Bloom, Sommer, Schaffer and others.
2. (Secretary reads title of bill)
3. 342 by Senators Hall, Rock, Donnewald, Bruce and Savickas.
4. (Secretary reads title of bill)
5. 343 by Senators Berman, Maragos, Newhouse and Daley.
6. (Secretary reads title of bill)
7. 344 by Senators Grotberg, Rock, Shapiro and Moore.
8. (Secretary reads title of bill)
9. 345 by Senators Grotberg, Netsch, Regner and others.
10. (Secretary reads title of bill)
11. 346 by Senator Grotberg.
12. (Secretary reads title of bill)
13. 347 by Senators Rupp, Shapiro, Weaver, Walsh and Philip.
14. (Secretary reads title of bill)
15. 348 by the same sponsors.
16. (Secretary reads title of bill)
17. 349 by the same sponsors.
18. (Secretary reads title of bill)
19. 350 by Senators Becker, Shapiro, Walsh, Weaver and Philip.
20. (Secretary reads title of bill)
21. 351 by Senators Geo-Karis, Shapiro, Weaver, Walsh and Philip.
22. (Secretary reads title of bill)
23. Senate Bill 352 by the same sponsors.
24. (Secretary reads title of bill)
25. 353 by Senators Rupp, Shapiro, Walsh, Weaver, and Philip.
26. (Secretary reads title of bill)
27. 354 by Senators DeAngelis, Shapiro, Walsh, Weaver and Philip.
28. (Secretary reads title of bill)
29. 355 by Senators Bloom, Shapiro, Weaver, Walsh and Philip.
30. (Secretary reads title of bill)
31. 356 by Senators Rhoads, Shapiro, Weaver, Walsh and Philip.
32. (Secretary reads title of bill)
33. 357 by Senator DeAngelis, Shapiro, Weaver, Walsh and Philip.
- (Secretary reads title of bill)

1. 358 by Senators Newhouse, Moore, Ozinga, Washington and  
2. Schaffer.  
3. (Secretary reads title of bill)  
4. 359 by the same sponsors.  
5. (Secretary reads title of bill)  
6. 360 by Senator Vadalabene.  
7. (Secretary reads title of bill)  
8. 361 by Senators...Senator D'Arco.  
9. (Secretary reads title of bill)  
10. 1st reading of the bills.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Is there leave to go to the...leave to go to the Order of  
13. House Bills, 2nd reading? Leave is granted. Leave to go to the  
14. Order of Senate Bills, 2nd reading? Leave is granted.  
15. ACTING SECRETARY: (MR. FERNANDES)  
16. Senate Bill 303.  
17. (Secretary reads title of bill)  
18. 2nd reading of the bill. No committee amendments.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Any amendments from the Floor? 3rd reading. Any further  
21. business to come before the Senate? Senator Berman moves  
22. that the Senate stand adjourned until 11:00 o'clock tomorrow.  
23. All in favor say Aye. Opposed Nay. The Ayes have it. The Senate  
24. stands adjourned until 11:00 o'clock. Senator Berman, did you have  
25. any announcements about the Education Committee. Make that so they  
26. can hear it over in the State Office Building? Senator Berman is  
27. recognized.  
28. SENATOR BERMAN:  
29. Thank you, Mr. President. The Committee on Elementary and  
30. Secondary Education will meet immediately in Room 400.  
31.  
32.  
33.