

TRANSCRIPT
77th GENERAL ASSEMBLY
SENATE FLOOR DEBATE
DECEMBER 16, 1972

1. PRESIDENT:

2. Senate will come to order. We do not have a Chaplain. I
3. would ask all the members to rise for a moment. Reading of the
4. Journal. Moved by Senator Egan that the reading of the Journal
5. be dispensed with. All in favor signify by saying aye. Con-
6. trary minded. The Motion prevails. We're in the Regular
7. Session here now. For what purpose does Senator Chew arise?

8. SENATOR CHEW:

9. I would like to get leave from this Body and you, Mr. Presi-
10. dent, to say a little prayer, insomuch, as we do not have a Chaplain
11. here, and so many things have been happening and we're going right
12. into a Holiday Season. And we're down here on important business
13. and I think we ought to have a prayer.

14. PRESIDENT:

15. Well, the Chair was suggesting a silent prayer but I think
16. it's a good idea, and Senator Chew will offer the opening
17. prayer.

18. SENATOR CHEW:

19. (Gives the opening prayer)

20. PRESIDENT:

21. Thank you, Senator. Senate bills on 2nd reading. Senator
22. Clarke, you wish to...1618.

23. SECRETARY:

24. 2nd reading of the bill. No committee amendments. One
25. Floor amendment offered by Senator Clarke.

26. PRESIDENT:

27. Senator Clarke.

28. SENATOR CLARKE:

29. Mr. President, I'm not sure that the President pro tem
30. has had time to look at this amendment. And I think maybe we
31. should give him time before we act on it.

32. PRESIDENT:

33. Why don't we come back to this order of business a little later on?

SENATOR CLARKE:

1. Yes, this, this has to do with the 2nd reading bill relating
2. to the Senate Operations Commission. Have you seen that amend-
3. ment, Senator Partee?

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. No, I understand you have a package of amendments for me.
8. I have not seen all of them yet.

9. SENATOR CLARKE:

10. I think I better wait.

11. SENATOR PARTEE:

12. I would like to see them and then we could probably do it
13. a little faster if I could see them first.

14. PRESIDENT:

15. All right, we'll hold off temporarily. Senate bills on
16. 3rd reading. Are there Senate bills on 3rd reading that any
17. Senator wishes to call at this time. Senator Harris, that...

18. SENATOR HARRIS:

19. I have 1621 if we want to act on it.

20. PRESIDENT:

21. All right. Senator Harris is recognized.

22. SENATOR HARRIS:

23. SB 1621, is a bill that appropriates to the Office of Lieutenant
24. Governor, and the figure now is 45 thousand dollars, for equipment.
25. The reason for this is that the Lieutenant Governor-elect and
26. when installed on January 8th will occupy offices down on
27. the second floor. The President of the Senate will continue to
28. occupy the existing spaces provided for the Lieutenant Governor
29. on the third floor.

30. PRESIDENT:

31. Just a moment. Gentlemen. Senator Neistein and all back
32. there. Thank you.

33. SENATOR HARRIS:

The purpose of this bill is to empower the present Office of

Lieutenant Governor to proceed with equipping the spaces of the

1. Lieutenant Governor in January in it's...in his second floor
2. space. Hopefully we can have these the support of the
3. membership of the Senate to 35 votes to make this
4. effective immediately and empower the present Office of Lieu-
5. tenant to cooperate with the incoming Lieutenant Governor
6. to proceed to be ready on installation or Inauguration Day,
7. January 8th. I'd be glad to respond to any further questions,
8. otherwise, seek a favorable roll call.

9. PRESIDENT:

10. Is there any discussion? Secretary will call the roll.

11. SECRETARY:

12. Arrington, Baltz, Berning...

13. PRESIDENT:

14. Senator Harris.

15. SENATOR HARRIS:

16. It has just been called to my attention that we probably
17. should return this bill to 2nd reading and take action in an
18. amendment fashion for the 45 thousand dollar figure which...

19. PRESIDENT:

20. All right.

21. SENATOR HARRIS:

22. The bill was introduced in blank in 1st reading so I think
23. in order to be on safe ground we should...

24. PRESIDENT:

25. All right. Let's just hold...pull it out of the record
26. right now

27. SENATOR HARRIS:

28. Yea.

29. PRESIDENT:

30. ...and then we will return to it whenever you indicate to the Chair.

31. SENATOR HARRIS:

32. I'll prepare an amendment and we should, I think, do that on
33. 2nd reading.

PRESIDENT:

1. All right. Are there...Senator Clarke, you have that series
2. of bills on 3rd reading. Senator Partee.

3. SENATOR PARTEE:

4. Just before we get to that it has been called to my attention
5. that two Representatives of the Third House, Mr. Duffy and Mr.
6. Cook are here, and they have some presentations, I think. It
7. will only take a couple of minutes. If they would come forward
8. to the rostrum down there, there are some presentations of some
9. significance and moment. One is the Speaker of the Third House,
10. the new elected Speaker, Robert Cook, and the retiring Speaker,
11. Tom Duffy, the Third House.

12. PRESIDENT:

13. I turn this over to which one of you. All right.

14. MR. DUFFY:

15. Mr. President and members of the Senate, thank you very
16. much for this privilege. We will take very little of your time.
17. I'm the retiring Speaker of the Third House and it's being...
18. the office is being taken over by the very capable hands of Bob
19. Cook. But at our meeting the other day we passed a Resolution
20. which we did think was important. We feel very strongly that
21. not enough attention is being paid to the men who retire from
22. the House and the Senate. And we're going to try to continue
23. to draw attention to some of the constructive things, some of
24. the good things that exist in our government. We hear too much
25. I think of that which is not exactly correct in every way. So
26. to start that we have prepared copies of this Resolution, for each
27. of the retiring Senators. And I would ask, if we might sir,
28. if the Clerk could just read just the one Resolution and then if the
29. Sergeant-at-Arms could pass them out.

30. (Assistant Secretary Fernandes Reads Resolution)

31. MR. DUFFY:

32. Mr. President, the reference to Senator Arrington's Reso-
33. lution is, of course, carried out in each of the others and re-
presents in toto, approximately, three hundred years of service
to the people of the State of Illinois -- almost three hundred

1. years. We think that's very significant and we do thank you
2. so much for taking the time and extending this privilege.

3. PRESIDENT:

4. Senator Baltz.

5. SENATOR BALTZ:

6. Before Mr. Duffy and Mr. Cook leaves as one of the retirees
7. I would like to express my appreciation and certainly I'm sure
8. the appreciation of other men who have served in not only this Body
9. but across the Rotunda and other government bodies. I think the
10. Resolution did express itself in portraying my feelings many
11. times by other men who I have seen that have given good service and
12. are sometimes critized for some misinterpretation of some of
13. their feelings on a particular bill. Government service has been
14. the most delightful experience that I've had in my life. The
15. finest friends I have ever made and the finest people
16. I have ever met have been in my political life. And I, for one,
17. am very appreciative that the Third House has saw fit to give
18. us a little commemoration. I will be happy to take my Resolution
19. with me and frame it in the Meade Baltz Frame Shop in Joliet
20. and hang it on the wall with pride up there and offer discount
21. prices to any other...anybody else that wants theirs framed in a
22. similar manner. Thank you very much.

23. PRESIDENT:

24. Senate bills on 3rd reading. Senator Clarke, do you wish to
25. call any of these...that series...is...Senator Partee, what is the
26. feeling on any of these Senate bills on 3rd reading. Are we
27. ready to move on any of those or should we hold off temporarily?

28. SENATOR PARTEE:

29. Senator Clarke, are you going to send me those amendments.
30. I didn't get them yet, did we?

31. PRESIDENT:

32. Let's hold off...

33. SENATOR PARTEE:

1. On the 16 series...did you...

2. PRESIDENT:

3. Well, let's not...we'll get back to that after a little bit.

4. House bills on 3rd reading. We have some House bills....

5. Senator Donnewald.

6. SENATOR DONNEWALD:

7. Why, yes, Mr. President, I have two noncontroversial bills

8. that we amended yesterday and I thought I might call them and

9. give them a run.

10. PRESIDENT:

11. What's the numbers again? What are the numbers?

12. SENATOR DONNEWALD:

13. 3768 and 4576.

14. PRESIDENT:

15. 3768 and 4576. Is it...it is agreeable to have...Just...

16. We've got to...Can we hold off on that? Should we proceed to

17. another bill right now or come...Senator Graham, you have...

18. SENATOR GRAHAM:

19. Yes, I have a bill here. I'm sure that I am going to explain

20. it, then the people that are not listening are going to ask me to

21. do it again, so I will.

22. PRESIDENT:

23. Senate 39...

24. SENATOR GRAHAM:

25. HB 4705

26. PRESIDENT:

27. 4705.

1. SENATOR GRAHAM:

2. This bill comes about as a result of the extreme flooding
3. in Cook County last year and in northern DuPage. And what it is
4. attempting to do after judgment has been made by those who are
5. attempting to correct this including the Metropolitan Sanitary
6. District, the Corp of Engineers and others. This bill represents
7. a reallocation of funds already appropriated for construction of
8. and directing its attention to flooding of various creeks and so forth,
9. and will be largely directed towards the retention basin known
10. as the Bussey Woods Retention Basin, which will in effect take care
11. of about six hundred thousand people who flooded out three times
12. last year. This is sponsored by Representative Pate Philip and
13. Bill Redmond in the House. I am sorry that Jack Knuepfer is
14. not here. His district was affected badly as was theirs and
15. mine and Harris Fawell. I ask for a favorable roll call.

16. PRESIDENT:

17. Is there any discussion? Secretary will call the roll.

18. SECRETARY:

19. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
20. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
21. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
22. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
23. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
24. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
25. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
26. Swinarski, Vadalabene, Walker, Weaver.

27. PRESIDENT:

28. On that question the yeas are 36. The nays are none. The
29. bill having received the necessary three-fifths majority is de-
30. clared passed. Senator Harris, is now ready with an amendment on
31. 1621. SB 1621. This is the amendment that was explained
32. before that...Senator Harris.

33. SENATOR HARRIS:

1. Yes, I seek unanimous consent to call 1621 from the order
2. of 3rd reading to 2nd reading, for purposes of considering an
3. amendment. The amendment would be to insert into the bill the
4. figure 45 thousand dollars.

5. PRESIDENT:

6. Is there any discussion? All in favor of the adoption of
7. the amendment indicate by saying aye. Contrary minded. The
8. amendment is adopted. We'll get back to it after intervening
9. business. Senator Donnewald indicates he is now ready on
10. those two bills, 3768 and 4576. Is one roll acceptable on
11. both bills.

12. SENATOR DONNEWALD:

13. Very good.

14. PRESIDENT:

15. Is there objection to that? Leave is granted.

16. SENATOR DONNEWALD:

17. I think that we probably discussed them at length in the
18. amendment stage yesterday, Mr. President, and members of the Sen-
19. ate. These are the effort...of the...bills that we're going to
20. vote on as to issue...have the right to issue bonds for a group
21. of municipalities, now in downstate. We amended out Cook
22. County and Chicago yesterday and I think that probably every-
23. one is aware of what the body of the bills do. If there's
24. any questions I'll certainly attempt to answer them and I
25. would request a favorable roll call.

26. PRESIDENT:

27. Is there any discussion? Secretary will call the...Senator
28. Fawell.

29. SENATOR FAWELL:

30. I simply want to say what I said yesterday, just very
31. briefly, that if these bills are doing what they allege
32. to be doing, to be of help to hard pressed tax entities which
33. are not supposedly able to acquire low interest rates in the sale

1. of G. O. bonds, that I cannot comprehend and I have not as yet
2. had any answer whatsoever given to me as to why the tax en-
3. tities of Cook County and there are many of these tax entities
4. which need this kind of help, I would assume, in fact I know of
5. some that would very definitely would stand in need of it. Why then
6. isn't it good for Cook County? Why was Cook County deleted?
7. I...I think that when things like this continue to occur in the
8. Illinois General Assembly that a lot of people have the right
9. to simply shake their heads and wonder sometimes if it is worth
10. it. Here is a bill that is presented by Al Dixon, the State
11. Treasurer of the State of Illinois. He has worked on for many,
12. many months, and has talked to many of us about the merits of
13. the bill. And yet we find that his Party, the large tax en-
14. tities of Cook County, are the very ones to say we cannot accept
15. it and must be deleted from the purview of the bill. But I sup-
16. pose the support will come from over on that side of the aisle to
17. see to it that the blessings of this legislation will be given
18. unto the rest of the State. I for one am not going to accept it
19. until such time as it is acceptable to all. And I would further sug-
20. gest that the bill be amended so that it can take within its pur-
21. view revenue bond issues when you have even more of a problem
22. all over the State of our tax entities being unable to find the
23. bond buyers who will help out in many, many areas where we
24. simply cannot have referendum approval for the actual G. O. Bond
25. issues, but where we could, if we could have that type of credit ex-
26. tended with revenue bond issues, we could do an awful lot. I think
27. we ought to address ourselves to this area. Perhaps we will be
28. able to do the job in the coming Session, and...But as for now
29. I...there are just too many questions that are unanswered
30. here, and I'd like to see a complete bill covering revenue bond
31. issues as well as G. O.'s and I would like to see it certainly
32. cover Cook County which is roughly half the population of the
33. State, or at least have some type of an answer, which I have put

now publicly on the Floor of the Senate for the second day,
1. some type of an answer come forth from the other side of the
2. aisle.

3. PRESIDENT:

4. Is there further discussion? Secretary will call the roll.

5. SECRETARY:

6. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
7. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
8. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
9. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
10. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
11. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
12. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
13. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
14. Weaver.

15. SENATOR GILBERT:

16. How am I recorded? I would like to explain my vote in
17. this. I had talked to Senator...former Senator Dixon, Treasurer, some
18. months ago and he and I were talking of this and I felt that possibly
19. it had merit. But I feel as Senator Fawell has pointed out and
20. to wait until yesterday and call the bill today taking out Chicago,
21. Cook County, makes me wonder why the bill was not originally drawn
22. that way if that was necessary. Second, we are so near another
23. Session, this is a matter that can be brought up and studied and
24. a real determination made as to whether Cook County should or
25. should not be in this or about this legislation. And for
26. that reason I also wish to be recorded as present.

27. PRESIDENT:

28. On those bills the yeas are 20. The nays are 1. Four
29. present. The measures having failed to...Cherry aye...measures
30. having failed to receive a constitutional majority are de-
31. clared defeated. Senator Harris, do you want to go back to SB
32. 1621 then?

33. SENATOR HARRIS:

Yes.

PRESIDENT:

1. 1621.

2. SENATOR HARRIS:

3. This is the bill that appropriates 45 thousand dollars
4. to the Office of the Lieutenant Governor to equip the new spaces
5. for the Lieutenant Governor-elect who will assume his office on the 8th
6. of January. I'll be glad to respond to any questions. I do seek
7. a favorable roll call. It does require 35 votes.

8. PRESIDENT:

9. Is there any discussion? Secretary will call the roll.

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
12. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
13. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
14. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
15. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
16. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
17. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
18. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

19. PRESIDENT:

20. On that question the yeas are 41. The nays are none. The
21. bill having received thecons...the necessary three-fifths ma-
22. jority is declared passed. Senator Dougherty is recognized in
23. connection with HB 4704.

24. SENATOR DOUGHERTY:

25. Mr. President, I would like to direct the attention of
26. Senator Harris to this bill. HB 4704, I really don't know how
27. I wound up handling it. It was introduced in the House by Re-
28. presentatives Hall and Madigan and Bradley. It covers a situation
29. that is peculiar to a county in Harber Hall's district and
30. Madigan's district. The bill provides that a forest preserve
31. district may lease to a county a portion of forest preserve
32. lands for the purpose of establishing a county nursing home.
33. It's peculiar to this area. They have a nursing home at the present
time; it's in a rather deplorable condition; they seek to rebuild

1. or replace it. I urge a favorable vote. It would require
2. 35 votes.

3. PRESIDENT:

4. Senator Harris.

5. SENATOR HARRIS:

6. I just want to join Senator Dougherty and thank him for
7. assisting Representative Hall in this matter. This is an issue
8. of terribly important to McClean County and it just adds this
9. authority to this Act for this purpose and hope that it could be
10. supported by the members.

11. PRESIDENT:

12. Is there further discussion? Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning Bidwill, Bruce, Carpentier,
15. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
16. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
17. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
18. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
19. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
20. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
21. Smith, Soper, Sours, Swinarski, Vadalabene, Walker...

22. PRESIDENT:

23. Senator Walker.

24. SENATOR WALKER:

25. First I intended to support this. I thought it might be the
26. opportune time to attempt, in my inimitable fashion, to straighten
27. out one of the Chicago metro dailies. The Forest Preserve was
28. good enough to grant to the Village of Lansing an easement, a
29. 99 year easement, through a corner, a swamp corner, a corner
30. of preserve that you could not get to, that was inaccessible, and
31. they gave us an easement over the corner of this particular piece
32. of property on the outskirts of Lansing, subsequently incorporat-
33. ed in the Village. One of my former colleagues in the House took

1. it upon himself to call the Daily News and as I recall it the
2. article went something like this: Preserve grants and ease-
3. ment through the center of the forest preserve to the Village
4. of Lansing, which was inaccurate as reporting at its very best or
5. very worst. Perhaps this isn't the time. I'm missing part of the
6. story. As usual my former colleague got a few more headlines
7. in the Daily News that he was going to start an investigation. Well,
8. there was nothing to investigate. It was entirely legal. The
9. meeting was open when this decision was made. There was no
10. violation of the Open Meetings Act. Senator, I'm only happy to
11. support this, because I was highly appreciative because it brought
12. an industry into the Village of Lansing to put up a building cost-
13. ing several million dollars. And I know that this particular
14. former colleague detests to be called a headline hunter, but as long
15. as he can find these metro dailies that will go along with his lib-
16. eral thinking, I suppose he'll continue to make head-
17. lines but in this particular instance he was definitely wrong. I
18. vote aye.

19. SECRETARY:

20. Weaver.

21. PRESIDENT:

22. On that question the yeas are 39. The nays are none. The
23. bill having received the necessary three-fifths majority is de-
24. clared passed. Senator Gilbert is recognized in connection with
25. HB 4698.

26. SENATOR GILBERT:

27. This is a bill that came over the other day that I asked to be advanced
28. without reference in behalf of Senator Knuepfer because he was the
29. one that was scheduled to handle it. I at that time indicated that
30. it would be called back for any amendments if anyone wished
31. them and the same yesterday when Senator Laughlin advanced it for
32. me when I was not here. This bill is an appropriation of
33.

1. \$354,964.09 to the Illinois State Scholarship Commission.
2. It is a deficiency appropriation. It requires thirty-five votes.
3. This deficiency results from the tremendous rate of increase from
4. of the Veterans' enrollment in the junior colleges and the senior
5. institutions. The program was new -- the Veterans' Scholarship Award
6. and it was impossible to estimate the number that might be coming,
7. and the rapid increase in the military discharge during the year
8. 1971, 1972 and the corresponding increase of the number of veterans
9. taking advantage of this have caused this problem. There are some
10. thirty-seven junior colleges and the University of Chicago that are
11. involved in this appropriation, and as I say it is a deficiency.
12. This is for Veterans who have already had the benefit of the school.
13. This is an indebtedness to the schools. I know of no opposition
14. to it and, as I say, because it was a new program open-ended in re-
15. lation to the junior colleges and the institutions accepting these
16. Veterans it was almost impossible to have an accurate estimate.
17. This is similar to many other problems over a period of years that
18. we have had in education where we are granting...making grants in
19. special education and matters of this type. I would appreciate
20. a favorable roll call and it takes thirty-five votes to enact
21. this legislation.

22. PRESIDENT:

23. Is there any discussion? Secretary will call the roll.

24. SECRETARY:

25. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
26. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
27. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
28. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
29. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
30. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
31. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
32. Swinarski, Vadalabene, Walker, Weaver.

33. PRESIDENT:

Fawell, aye. Carpentier, aye. Soper, aye. Hall, aye.

1. On that question the yeas are 42. The nays are none. The bill
2. having received the necessary three-fifths majority is declared
3. passed. Senator Partee is recognized in connection with 4700.
4. SENATOR PARTEE:

5. Yes, this is a bill for...on which there is absolutely no con-
6. troversy. It's a claim that arises by reason of a lapsed ap-
7. propriation and the Court of Claims has heard it on a stipulation
8. and has said that the money is due -- two hundred and ninety-nine
9. thousand dollars. I'd ask for a favorable roll call. I'll answer
10. any questions concerning it.

11. PRESIDENT:

12. Is there any discussion? Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
15. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
16. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
17. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
18. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
19. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
20. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
21. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

22. PRESIDENT:

23. McBroom, aye. On that question the yeas are 40. The
24. nays are none. One present. The bill having received the necessary
25. three-fifths majority is declared passed. Senator Newhouse is
26. recognized in connection with that series -- 4694, 4695, and 4697.
27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President. Mr. President before I proceed on
30. these I would just like to inform this Body there were no firings
31. at the Cook County Hospital yesterday and I want to say I appreciate
32. what this Body did. I think that they brought some people back to
33. their senses. Now, Mr. President, I'd like to call HB 4695, which

1. is presently on 3rd reading, back to 2nd reading for purpose of
2. an amendment.

3. PRESIDENT:

4. 4695 is brought back to 2nd reading for purpose of an
5. Amendment.

6. SENATOR NEWHOUSE:

7. Now, the Amendment is on the Secretary's desk. Mr. President,
8. there is...this is...Senator Partee...there is some opposition to
9. this Amendment. This is the Amendment that's offered by the Attorney
10. General, and what it does is this. Under the Anti-Trust Act this
11. bill would make a violation of the Anti-Trust Act a class for
12. felony which means that there is a prison provision rather
13. than simply a fine. The Attorney General has asked that this bill
14. be...that this Amendment be considered and I offer it for that
15. purpose.

16. PRESIDENT:

17. Is there any discussion? Question is on the adoption of
18. the Amendment. Senator Laughlin.

19. SENATOR LAUGHLIN:

20. Yes, Mr. President, I just have a question. I haven't got
21. it in front of me and I'm not reading. Does this apply, for example,
22. to corporate defendants that the officers can be in prison?
23. Thank you, that's all I want to know.

24. PRESIDENT:

25. Senator Neistein. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. To make certain that I have answered this question accurately,
28. Senator Laughlin, this bill reads "every person".

29. PRESIDENT:

30. Senator Neistein.

31. SENATOR NEISTEIN:

32. Where is the Amendment?

33. PRESIDENT:

1. The Secretary has received the Amendment. Copies distributed
2. to all members. We can do that. Senator Neistein.
3. SENATOR NEISTEIN:
4. Senator Newhouse, why are they making this a felony, moving
5. it up into that class from a business crime.
6. PRESIDENT:
7. Senator Newhouse.
8. SENATOR NEWHOUSE:
9. The rationale of it as I understand it, Senator, is that the fine
10. alone is not thought to be sufficient. That...that corpora-
11. tions would continue to pay the fines without abating their activi-
12. ties toward...and would therefore not really have any sanctions
13. from this bill as it presently stands.
14. PRESIDENT:
15. Senator Neistein.
16. SENATOR NEISTEIN:
17. That the fine is fifty thousand dollars isn't that enough?
18. PRESIDENT:
19. Senator Newhouse.
20. SENATOR NEWHOUSE:
21. Senator, the Attorney General's Office, apparently, thinks
22. not.
23. PRESIDENT:
24. Senator Egan.
25. SENATOR EGAN:
26. Yes, Mr. President and members of the Senate, Senator Neistein,
27. as the former Chief of the Anti-Trust Division I would recommend
28. highly that we pass this Amendment. I think it's a very good one. I
29. said that as the former Chief of the Anti-Trust Division in the Illinois
30. Attorney General's office, I recommend passage of this Amendment.
31. I think it's a good one.
32. PRESIDENT:
33. Is there further discussion? All in favor...Senator Rock.

1. SENATOR ROCK:

2. Well, I am, as Senator Newhouse knows, in full support of
3. this series of bills. These bills were introduced as emergency
4. measures to comply with the Uniform Code of Corrections, other
5. things that we had missed when the first series of bills
6. came through. You will recall we passed over five hundred bills
7. related to these. This particular Amendment I am wholeheartedly
8. opposed to. I don't think there is any reason for it and I think
9. that to move the Anti-Trust Act under the classification of Crimes,
10. as we have it now or will be effective January 1, from a business
11. offense, up into a class for a felony I think is a mistake, and I
12. would stand in opposition to this Amendment.

13. PRESIDENT:

14. Is there further discussion? All those...Senator Laughlin.
15. All those in favor of the adoption of the Amendment indicate by
16. saying aye. Contrary minded. All those in favor of the adoption
17. of the Amendment, please rise. All those opposed to the adoption
18. of the Amendment, please rise. The Amendment is adopted. If you
19. wish a roll call you may have one. Secretary will call the roll.

20. SECRETARY:

21. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
22. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
23. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
24. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
25. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
26. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
27. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
28. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

29. PRESIDENT:

30. Senator Horsley. Horsley, aye. McBroom, aye. Merritt,
31. aye. Graham, aye. Baltz, aye. Course, no. Weaver, aye. Sours,
32. aye. Latherow, aye. Cherry, no. On that question the yeas are
33. 23. The nays are 12. The Amendment is adopted. You wish to go...

1. proceed to 4694 then, Senator Newhouse? 4694. Just a moment,
2. Senator. We're going to get you.

3. SENATOR NEWHOUSE:

4. Mr. President, on SB 4694, which is presently on 3rd reading,
5. these are the amendments that make housekeeping and technical
6. amendments to the unified Code. There are no substantive changes
7. made. This simply clarifies the Code before it becomes effec-
8. tive. I'd appreciate a most favorable roll call.

9. PRESIDENT:

10. Is there any discussion? Secretary will call the roll.
11. Senator Berning.

12. SENATOR BERNING:

13. Well, this thing has got about as much energy as most of us.
14. It won't stay up anymore. I'd just like to ask a question.

15. PRESIDENT:

16. Just...Just a moment, please.

17. SENATOR BERNING:

18. For you, Burnell. There you are.

19. PRESIDENT:

20. Just a moment. Let's get some order. Senator Berning is
21. recognized.

22. SENATOR BERNING:

23. I have a question that concerns page 7. I would like to
24. know, do you have the bills, Senator Newhouse?

25. SENATOR NEWHOUSE:

26. Senator, I don't have them. I will get a copy to go along
27. with you. Let me just say, Senator, I intended to say it previous-
28. ly that the bills have been examined by the other side and Senator
29. Graham has okayed them. I have it. I have it now. You said page 7?

30. SENATOR BERNING:

31. Page 7. I am curious as to why -- it's item 2 under b, line 17 --
32. any person who has violated the conditions of his parole and has
33. been reconfined under Sections so and so shall be released on man-

1. datory release under supervision six months prior to the expira-
2. tion of the term of his reconfinement. Why is it necessary to
3. continue to give special treatment to violators. I don't see any
4. justification for any mandatory release. For one thing I have
5. always understood that the Legislature should never attempt to
6. mandate what the court does. We can suggest and set maximums
7. and minimums but we don't mandate the court action. But why we
8. mandate a release six months prior to the expiration of the term,
9. I just don't understand, particularly, in view of the continuing
10. incidents of additional violations and violence on the part of
11. parolees.

12. PRESIDENT:

13. Senator Newhouse. Just a moment. Let's...please, gentlemen.

14. SENATOR NEWHOUSE:

15. Senator, the answer to that is this: This bill contains
16. nothing substantive. This simply clarifies the law as it presently
17. stands. Now, I would suggest that if you have opposition to that
18. provision then something else has to be done. But this...there's
19. no substantive change made here. Now, ...

20. PRESIDENT:

21. Senator Berning.

22. SENATOR BERNING:

23. And it's underlined as new...

24. PRESIDENT:

25. Senator Newhouse.

26. SENATOR BERNING:

27. ...and that's substantive.

28. SENATOR NEWHOUSE:

29. Senator, there is a need to clarify some of the language
30. in the present statute and that's what this does. It changes nothing.
31. This is what the statute says presently.

32. PRESIDENT:

33. Is there further discussion? Senator Neistein.

1. SENATOR NEISTEIN:

2. I rise to support Senator Berning. Senator Newhouse, I see
3. that this was put without reference to the committee and that it
4. is emergency and requires three-fifths vote. What is the emergency
5. here and why didn't it go to Judiciary or why can't these bills go
6. in the next Session to whatever the appropriate committee it's
7. assigned to and have a thorough hearing? What's the urgency that
8. these have to be passed at once with three-fifths vote and with-
9. out reference to committee hearings?

10. PRESIDENT:

11. Senator Newhouse.

12. SENATOR NEWHOUSE:

13. Well, Senator, the urgency is that we pass the Code out. The
14. Code is incorrect and the Code is improper and ought to be cleaned
15. up.

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. I personally envision that we are going to be getting into
20. a hassle here because as I look at this bill there are some sub-
21. stantive changes. One substantive change is the amount of time
22. that a person may have to spend if he is brought in for a violation
23. of a parole. There are some rather substantive changes in this
24. bill. And if we are going to get involved with it we're going to be
25. taking some time. I'd like to, if we could, suggest that it be held
26. until we can finish the other matters that we have in that 1600
27. series and the other bill, 3906, and we can get back to this
28. because I think we're going to get involved in a hassle here on
29. this.

30. PRESIDENT:

31. Senator Newhouse.

32. SENATOR NEWHOUSE:

33. Senator, I...I'm a little amazed, but I wish...would you be

good enough to point out to me the substantive changes that have been
1. made because I have been informed otherwise and I just want to be
2. clear in my own mind.

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. I'll be happy to do that. I wouldn't want to take the time
7. of every other member here while I do that. I've just looked at
8. it and a lot of things which are underlined which are, in my humble
9. opinion, substantive changes. I'll be happy to sit down with you
10. and give you those, but I don't want to take everybody's time to
11. do that.

12. PRESIDENT:

13. Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Senator, I appreciate what you're saying, but I would like to
16. know about one right now if I can.

17. PRESIDENT:

18. Is...Senator Newhouse may close the debate.

19. SENATOR NEWHOUSE:

20. Well, there's not much debate to be closed, Mr. President. All
21. at once the bills become very difficult to pass I assume and I don't
22. really know why. I'll just withhold them for the moment and let's see
23. what happens.

24. PRESIDENT:

25. You wish to proceed with the roll call or hold off on the
26. roll call.

27. SENATOR NEWHOUSE:

28. Hold off on the roll call, Mr. President.

29. PRESIDENT:

30. All right. The bills will be held. Senator Partee has
31. suggested that we move over to the 1600 series. Senate bills on
32. 3rd reading. I assume we will start with 1609 and go right on
33. through. Is that...Senator Clarke, or...Senator Clarke.

SENATOR CLARKE:

1. 1609, 10, and 11 are on a different subject, so I think we
2. would start with...1613 is the first bill in this series.

3. PRESIDENT:

4. 1613. Senator Clarke is recognized.

5. SENATOR CLARKE:

6. This bill...I'd ask permission to have it brought back to 2nd
7. for amendment. The Amendment is on the Secretary's desk.

8. PRESIDENT:

9. 1613 is brought back to 2nd reading for purpose of amend-
10. ment. Can you explain the amendment, Senator?

11. SENATOR CLARKE:

12. This, this bill has to do with a...the appointment powers
13. to a variety of commissions -- thirty-nine commissions -- and the
14. amendment merely strikes out the section dealing with the
15. Space Needs Commission which is handled in a separate bill later
16. in the series. So it eliminates that Section, and then in a
17. second part of the amendment it details relating to the Pension
18. Board that the appointment by the Governor shall be of the same
19. political party as the vacated position, which was not in the law
20. before. I would ask for adoption of the amendment.

21. PRESIDENT:

22. Is there any discussion? All in favor of the adoption of the
23. Amendment indicate by saying aye. Contrary minded. The Amendment
24. is adopted. 3rd reading. 1614, Senator Clarke.

25. SENATOR CLARKE:

26. Let me ask whether Senator Partee would not rather we take
27. all of them. There's several bills that have to be brought back for
28. amendment.

29. PRESIDENT:

30. All right.

31. SENATOR CLARKE:

32. Maybe we should take them first and then go through the whole
33. series.

1. PRESIDENT:

2. 1616, I am advised is the next one for amendment.

3. SENATOR CLARKE:

4. Can I ask that that be brought back for 2nd reading.

5. PRESIDENT:

6. 1616, is brought back to 2nd reading for purpose of
7. amendment.

8. SENATOR CLARKE:

9. All right. Now this bill deals with the leadership com-
10. position of the Senate. It is the desire of the leader-elect
11. on this side, Senator Harris, that there be three assistants.
12. Of course, as we know, the new composition of the Constitution
13. will be that the Presiding Officer will be from the membership,
14. one of the Senators. And the Amendment here merely adds that
15. the majority leader appellation will only apply to the House. And
16. that the...there will be, rather than two, three assistant leaders
17. and two on the minority side. So that is the effect of this Amend-
18. ment. I would ask for its adoption.

19. PRESIDENT:

20. Is there any discussion? All in favor of the adoption of the
21. Amendment indicate by saying aye. Contrary minded. The Amendment
22. is adopted. 1619 is brought back to 2nd reading for purpose of
23. amendment. Can you explain that Amendment, Senator?

24. SENATOR CLARKE:

25. Sure we don't have one on 1618?

26. PRESIDENT:

27. 1618 is on 2nd reading.

28. SENATOR CLARKE:

29. Oh, that's on 2nd reading.

30. PRESIDENT:

31. You...maybe we can get to that after we go through 1619 and
32. 20.

33. SENATOR CLARKE:

1. 1619, is the bill that I referred to that pertains to the organi-
2. zation of the Space Needs Commission. And this was dealt with
3. separately because previously there was no designation as to the
4. composition and we felt that it would be desirable, certainly
5. from the minority side, that the representatives on this Commission
6. who would be appointed by the President would be divided between the
7. parties, so that this Amendment inserts four of whom shall be ap-
8. pointed by the President of the Senate and three shall be appointed
9. by the Minority Leader and likewise for the House so that we can
10. have that division. And I'm informed that this has been checked
11. out with the House and that's agreeable with them. I would move
12. for the adoption of the Amendment.

13. PRESIDENT:

14. Is there any discussion? All in favor signify by saying aye.
15. Contrary minded. The Amendment is adopted. 1620 is brought back
16. to 2nd reading for purpose of amendment.

17. SENATOR CLARKE:

18. Well, this is a...merely an amendment to conform to what I had pre-
19. viously had said in terms of the composition of the leadership that
20. there would not be a Majority Leader designation. So, that that word
21. is struck on Page 1, Line 9 and also two to three in terms
22. Assistant Leaders on Page 1, Line 10. We just want to conform, and
23. I would move for the adoption of that Amendment.

24. PRESIDENT:

25. Is there any discussion? All in favor signify by saying aye.
26. Contrary minded. The Amendment is adopted. While we're on that
27. amendment process let's take 1618 on 2nd reading, if we can.
28. Senator Clarke.

29. SENATOR CLARKE:

30. Yes. 1618, was the bill that dealt with the Senate Operations
31. Committee-Commission and it was the feeling of Senator Partee and
32. some others that this Commission should remain in effect. And there-
33. fore this Amendment strikes the entire Section and restructures the

1. Senate Operations Commission as to the membership and the functions,
2. because in one of the other bills we are eliminating the Space...
3. well...what is...what is the title of it? The Senate Chamber Main-
4. tenance, which is really not operated. And so we are putting in
5. this Amendment, the functions of the Senate Chamber Maintenance,
6. which is just the operation of the Chamber. That's the gist of
7. this Amendment and it was done at Senator Partee's suggestion, I
8. believe. I would move for the adoption of this Amendment.
9. PRESIDENT:

10. Is there any discussion? All in favor signify by saying aye.
11. Contrary minded. The Amendment is adopted. We're now ready to
12. proceed to the 3rd reading passage of stage. 1613, Senator Clarke.
13. SENATOR CLARKE:

14. Is that last bill 1618 moved to 3rd reading?
15. PRESIDENT:

16. That was advanced to 3rd reading.
17. SENATOR CLARKE:

18. Fine. 1613, as I indicated, is a omnibus bill which deals with
19. appointments to a variety of commissions. The primary purpose of this
20. bill is to delete the President pro tem designation and replace it by
21. President of the Senate with two exceptions. There are two
22. commissions in this bill, if you went through it, that are appointed
23. by the Committee on Committees -- that is the Visitation Commission
24. and the Intra-Governmental Commission -- and it is my suggestion, and we
25. discussed it in caucus that there should be uniformity in this matter
26. so that the bill would in effect indicate that the President of
27. the Senate would make these appointments as well as all of the
28. other thirty-seven commissions that are in existence. And this
29. is the only thing that this bill 1613 does.

30. PRESIDENT:

31. Is there any discussion? The Secretary will call the roll.

32. SECRETARY:

33. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,

1. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
2. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
3. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
4. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
5. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
6. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
7. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

8. PRESIDENT:

9. Baltz, aye. Hall, aye. Rock, aye. O'Brien, aye. Knuppel,
10. aye. Nihill, aye. Course, aye. Neistein, aye. ...aye.

11. On that question the yeas are 40. The nays are none. The bill
12. having received the necessary three-fifths majority is declared
13. passed. 1614, Senator Clarke.

14. SENATOR CLARKE:

15. 1614 is in relation to the State Finance Act and the vouch-
16. ering of appropriations for Senate Operations and this is changed
17. to indicate that the State Senate expenses shall be certified and
18. approved by the President. That is the only change at all in this
19. bill. In effect, from my observation, this is what the President pro
20. tem has been doing for the last couple of years.

21. PRESIDENT:

22. Is there any discussion? Secretary will call the roll.

23. SECRETARY:

24. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
25. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
26. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
27. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
28. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
29. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
30. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
31. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

32. PRESIDENT:

33. Lyons, aye. On that question the yeas are 44. The nays

1. are none. The bill having received a constitutional majority
2. is declared passed. 1615 and 1620 seem to be approximately the
3. same. Would one roll call do on those two, Senator Clarke?

4. SENATOR CLARKE:

5. I thought that the President pro tem had indicated
6. he wanted separate roll calls on each of these bills.

7. PRESIDENT:

8. Okay. 1615.

9. SENATOR CLARKE:

10. 1615

11.

12. (A FEW SECONDS LOST DUE TO CHANGING OF TAPE.)

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1. SENATOR ROCK:

2. The second section which is really more important for the
3. purpose of organization shall use the rules adopted and applicable
4. for the last Session. We don't say anything about the Senate. Well,
5. all I'm suggesting...I really don't wish to...I'm questioning is
6. all because I don't think that's necessary and if you feel it's
7. necessary, then it should be equally necessary that we also add
8. how we're going to organize.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. I think Senator Rock's point is well taken. You in one
13. instance in Section 3 add the Senate and then at a later point in
14. that Section you talk about the Rules of the House appertaining
15. at that time without concomitantly including the Rules of the Senate
16. concomitantly at that time. I don't think it really makes a great
17. deal of difference, but I think if to be consistent it ought to be
18. included.

19. PRESIDENT:

20. Senator Harris.

21. SENATOR HARRIS:

22. I would like to respond by saying that to be consistent in
23. this series of bills not to get involved with substantive change
24. that we did nothing about this existing law and left it as it is.
25. The only thing that we are doing in the amendments to this Act is
26. to implement the constitutional directive that the Governor calls
27. us to order here and the Secretary of State calls it to order over
28. there and that's all this bill does. You raise a new issue that
29. is substantive in nature and very frankly ought to be the subject
30. of the action by the 78th General Assembly and not the 77th, but
31. it is an appropriate subject to go into when the 78th Senate member-
32. ship is convened.

33. PRESIDENT:

1. Is there...Senator Rock.

2. SENATOR ROCK:

3. I don't wish to embroil us at this point. I'm going to vote
4. present.

5. PRESIDENT:

6. On that question, the yeas are 42, the nays are none, one present.
7. The bill having received the necessary 3/5ths majority is declared
8. passed. 1616, Senator Clarke.

9. SENATOR CLARKE:

10. This bill actually only pertains to the changes I talked about
11. in the amendment which were to change the composition of the leader-
12. ship and the two to three assistants. It does set out in the bill
13. as previously the additional compensation which is remaining unchanged;
14. so that the only change has to do with indicating the three assistant
15. leaders rather than the majority leader for the Senate.

16. PRESIDENT:

17. Is there any discussion? The Secretary will call the roll.

18. SECRETARY:

19. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
20. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
21. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
22. Hynes, Johns, Knuepfer, ^{Knuppel,} Kosinski, Kusibab, Latherow, Laughlin, Lyons,
23. McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
24. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
25. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
26. Walker, Weaver.

27. PRESIDENT:

28. Sours aye. Romano aye. On that question the yeas are 44, the
29. nays are none. The bill having the necessary 3/5ths majority is
30. declared passed. 1617, Senator Clarke.

31. SENATOR CLARKE:

32. 1617 is merely a one paragraph repeater of the Senate Chamber
33. Maintenance Commission. As I stated these duties are to be taken over

1. by the Senate Operations Commission.

2. PRESIDENT:

3. Is there any discussion? The Secretary will call the roll.

4. SECRETARY:

5. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
6. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
7. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
8. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
9. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
10. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
11. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
12. Swinarski, Vadalabene, Walker, Weaver.

13. PRESIDENT:

14. On that...on that question the yeas are 41, the nays are
15. none. The bill having received the necessary 3/5ths majority
16. is declared passed. Senator Knuppel.

17. SENATOR KNUPPEL:

18. I just had a question here. I was reading this bill we just
19. voted on, 1616 and we're considering it 3906 and I'm wondering if
20. there isn't language that maybe ought to come out of that 1616 on
21. line 19 and 20 and I'm asking Senator Harris if we should not take
22. out the language, "and all other incidental expenses," if we're
23. going to vote on an expense account somewhere else. It's a question
24. that makes some confusion if we do vote for expenses here later.

25. PRESIDENT:

26. Senator Harris. Just a moment. Please proceed, Senator.

27. SENATOR HARRIS:

28. This bill is on Third Reading and it's before us in this form
29. and makes no changes. It seems to me that the responsibility to
30. conform to any prior act of this Body is on the sponsor of the
31. succeeding bill unless he wants to amend it back, you see by that
32. action; so, it seems to me that we ought to leave this bill in its
33. form and anticipate those changes by our subsequent action.

1. PRESIDENT:

2. 1619, Senator Clarke.

3. SENATOR CLARKE:

4. 1618, I believe, isn't it?

5. PRESIDENT:

6. No, 1618 has just been advanced from Second to Third. We
7. cannot pass it today.

8. SENATOR CLARKE:

9. 1619 applies to the Space Needs Commission and as I indicated
10. this was deleted out of the Omnibus Bill relating to Commissions.
11. The amendment that was adopted on Second Reading defines that four
12. members shall be appointed by the President and three by the Minority
13. Leader and also that four shall be appointed by the Speaker of the
14. House and three by the Minority Leader. This is the substantive part
15. of changes as relates to this bill and relates to the Space Needs
16. Commission. I think it puts it in a better position than it has
17. been unknowingly up to this time.

18. PRESIDENT:

19. Is there any discussion? The Secretary will call the roll.

20. SECRETARY:

21. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
22. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
23. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
24. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,
25. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
26. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
27. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
28. Walker, Weaver.

29. PRESIDENT:

30. Sours aye. On that question the yeas are 44, the nays are none.
31. The bill having received the necessary 3/5th majority is declared
32. passed. 1620, Senator Clarke.

33. SENATOR CLARKE:

1. 1620 merely deals with the Section of the Statute relating
2. to Legislative Leaders' compensation for attending the National
3. Conference of Legislative Leaders and if you will recall, the
4. amendment applied to this bill conformed to the number of leaders
5. and the designation that we are aiming to have in the previous
6. bill. I would ask for a consideration favorable.

7. PRESIDENT:

8. Is there any discussion? The Secretary will call the roll.

9. SECRETARY:

10. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
11. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
12. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
13. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
14. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
15. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
16. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
17. Swinarski, Vadalabene, Walker, Weaver.

18. PRESIDENT:

19. Clarke aye. On that question the yeas are 41, the nays are
20. none. The bill having received the necessary 3/5th majority is
21. declared passed. House Bill 3906 was the...the understanding was
22. that it would be brought back to Second Reading...that amendments
23. could be offered. Senator Knuppel has offered one. If there are
24. others...Senator Egan. Just a moment, Senator Egan.

25. SENATOR EGAN:

26. Yes Mr. President and members...

27. PRESIDENT:

28. Just a moment, Senator Egan. For what purpose does Senator
29. Clarke arise?

30. SENATOR CLARKE:

31. Before we get into that subject, I'd like to ask permission of
32. the Chamber to table 1609, 10 and 11. These bills were introduced
33. several weeks ago with the serious purpose of giving compensation to

1. the legislative members that I felt they deserve that the
2. Constitutional delegates received in terms of a per diem and
3. an expense allowance that would allow them in their own districts
4. to operate officially in representing their constituents; now,
5. the way this Session has gone, it is apparent that we are voting
6. in an omnibus bill and I think that if that is the case that
7. these bills at this point and time might as well be tabled, and
8. I ask for that consideration. I move to table them. Right.

9. PRESIDENT:

10. The...the sponsor of the bill has the authority to table
11. his own bills, and the bills are tabled. Senator Egan.

12. SENATOR EGAN:

13. Mr. President and members of the Senate, the omnibus amend-
14. ment which we adopted last evening does not contain the necessary
15. raise for the Supreme Court Clerk and the Appellate Court Clerk
16. and inadvertently that was omitted. I have an amendment that will
17. correct that and I would like to ask that we adopt this amendment
18. before we go into any others just to correct the omnibus amendment
19. that went on last night. It's a \$2500 raise for the Clerk.

20. PRESIDENT:

21. Just...for what...Senator Graham.

22. SENATOR GRAHAM:

23. Mr. President, we're headed down the road to confusion now
24. because we're amending amendments, and I think we'd better give
25. consideration to an amendment incorporating the other one so we
26. can adopt and table the other one because you're...

27. PRESIDENT:

28. Senator Egan.

29. SENATOR EGAN:

30. Senator Graham, this is in proper form. If you read your
31. copy, it's in the proper form. It will bring the omnibus amend-
32. ment we adopted last evening to ^{where} it should have been had we
33. incorporated this language in it, and we can go then from there

1. and that will eliminate confusion.

2. PRESIDENT:

3. This in effect is not an amendment to an amendment. This is
4. a second amendment to the bill. Now, so that the members understand,
5. technically we can amend amendments, but it has been the tradition
6. in the Senate not to do so. I think a very wise tradition so that
7. whatever our decisions here, we may have to go through a procedure of
8. revising. We're going to have to fly somewhat below practical here
9. in determining the sentiment of the Body. Senator Egan.

10. SENATOR EGAN:

11. This is Amendment No. 2 to House Bill 3906.

12. PRESIDENT:

13. That is correct.

14. SENATOR EGAN:

15. It is not an amendment to an amendment.

16. PRESIDENT:

17. That's correct. The Chair will recognize that. Is there any
18. discussion? All in favor signify by saying aye. Contrary minded.
19. All those in favor of the adoption of the amendment, please rise.
20. The amendment is adopted. Senator Knuppel is recognized.

21. SENATOR KNUPPEL:

22. Mr. President, I have laid on the Secretary's desk and there
23. is now being distributed among the membership an amendment to House
24. Bill 3906 as amended, now on Second Reading. It does one thing. It
25. changes the proposed salary of members of the General Assembly from
26. \$19,500 back to \$17,500. I feel that it would be a mistake on the
27. part of the members of the General Assembly at this time to vote
28. themselves a pay increase, and I, therefore, feel that the sentiment
29. of the voters of my District and of the State of Illinois is such
30. and the temperament is such that it would be unwise for us to
31. undertake to increase our salaries at this time. I've heard people
32. say that maybe it wasn't even courageous for us to vote this in
33. a lame duck session. Nevertheless, I feel that the \$17,500 in view

1. of pay raises in some of the immediate preceding sessions is
2. adequate; so, I am proposing that our salaries of the members
3. of the General Assembly remain the same, \$17,500.

4. PRESIDENT:

5. Is there any discussion? Senator Clarke.

6. SENATOR CLARKE:

7. I thought we had adopted an amendment yesterday and procedurally
8. where do we stand? We've adopted an amendment yesterday. Now we
9. have it back on Second Reading and we're going to take further
10. amendments that wipe out the previous amendment before we even
11. act on the previous amendment.

12. PRESIDENT:

13. No, the previous amendment was adopted. Now, what Senator
14. Knuppel has done and the Chair has checked the form on this, is that
15. he has in fact presented a whole new amendment with the exception
16. of this one thing. Now, procedurally, we're getting into something
17. where the Chair, and I think you have to give Senator Harris and
18. future presiding officers a little bit of leeway here because as
19. long as things are in the kind of order where Enrolling and Engrossing
20. can properly process them, I think we can go ahead. The Chair is
21. just going to have to arbitrarily say, "If there's some things that
22. get too complicated, we're just not going to be able to proceed."

23. Senator Clarke.

24. SENATOR CLARKE:

25. Well, then let me ask a further question. After Senator
26. Egan's amendment, it was not brought back to Third. It is still
27. on Second and if that is the case, can I ask how many more amend-
28. ments are there before we could take it back to Third that might
29. supercede this amendment.

30. PRESIDENT:

31. One more I'm advised right now. Of course, any other Senators
32. who wish to...I haven't, frankly, examined the other one. I haven't
33. seen it yet. Senator Cherry.

1. SENATOR CHERRY:

2. I want to say to Senator Clarke that I think he's questioning
3. the adoption of the first amendment last night, and I would say
4. procedurally if we adopt Senator Knuppel's amendment then I
5. think we need a motion to table the amendment that we adopted last
6. night.

7. PRESIDENT:

8. No, no. I think we can proceed on Senator Knuppel's amend-
9. ment. I think it is clear what we're going, and there will be
10. no difficulty in Enrolling and Engrossing on this particular
11. amendment. Senator Walker.

12. SENATOR WALKER:

13. Thank you, Mr. President. I have an amendment to the same
14. Article, Article III prepared from the amendment to 3906 that was
15. on our desk last night. Now, if we adopt Senator Knuppel's amend-
16. ment, where does my amendment stand?

17. PRESIDENT:

18. Well, this is a problem we get into this whole business of
19. amending amendments. What we're going to have to do I think if
20. the...is to proceed on from one at a time to get the sense of the
21. Body and then combine everything into one amendment. Senator Partee.

22. SENATOR PARTEE:

23. So long as things are taken sequential order, there is no
24. reason for there to be any confusion. There is Amendment No. 1.
25. There is Amendment No. 2. There is Amendment No. 3. Whatever amend-
26. ment is offered is offered as against what exists in terms of
27. verbiage at the time of its offering. Now, as you say, when you shall
28. have offered all amendments and all have been voted on, if it is
29. the desire of the Body they can then be put into one amendment so
30. that there would not be confusion and then the Body could react to
31. that single amendment which would then be embrasive of every concept
32. voted on.

33. PRESIDENT:

1. Let me make this suggestion to Senator Walker. Senator Walker,
2. if I may have your attention and to anyone else who may wish to
3. offer amendments. Please offer these amendments by section number
4. rather than by line because then I think we can also take...we'll
5. know where we're going. Proceed now to Senator Knuppel's amendment,
6. Amendment No. 3. What Senator Knuppel has done incidentally is
7. written a whole new Section so there can be no misunderstanding and
8. it's not a bad idea for anyone who wants to offer an amendment. Senator
9. Knuppel is recognized.

10. SENATOR KNUPPEL:

11. Well, all I wanted to say was the point what you've just said that
12. I've taken the entire bill as amended or the amendment and rewritten
13. it with just that one change in it so that the whole thing is com-
14. prehensive. You've already called this to their attention.

15. PRESIDENT:

16. Senator Egan.

17. SENATOR EGAN:

18. Yes, Mr. President and members of the Senate, having offered
19. Amendment No. 1 last night which contains a provision for legislative
20. pay increase of \$2000, I want it very clearly understood that I
21. support Amendment No. 3 which now reduces that and eliminates that
22. \$2000 increase. Thank you.

23. PRESIDENT:

24. Is there further discussion? Senator Horsley.

25. SENATOR HORSLEY:

26. I would merely call Senator Knuppel's attention to the fact
27. that his amendment is inconsistent with a bill we've already passed
28. here today on the number of Minority and Majority leaders and those
29. figures, I say that'll have to be cleared up because that is in-
30. consistent.

31. PRESIDENT:

32. Senator Knuppel or Senator Egan, either one.

33. SENATOR EGAN:

1. SENATOR EGAN:

2. Senator Horsley, this bill having passed when it will sub-
3. sequent to that bill, this will supercede.

4. PRESIDENT:

5. Well, Senator Harris.

6. SENATOR HARRIS:

7. Well, members of the Senate, I just want to respond that we
8. are mindful of that subsequent effect and what we will be prepared
9. to do is to, when we get the sense of the Senate on all of these amendmen
10. then I think the suggestion has been to step back, incorporate
11. everything into a single amendment and reconsider the previous
12. amendments adopted and put it all into one so that we don't have
13. these conflicts. I don't see any other practical way of getting
14. out of it, but in the meantime, we have to measure the sense of
15. the Senate on these separate considerations.

16. PRESIDENT:

17. I think that's precisely what we must do. Let's proceed.
18. Is there any discussion of Senator Knuppel's amendment? Senator
19. Walker.

20. SENATOR WALKER:

21. Will the Senator yield to a question?

22. PRESIDENT:

23. He indicates he will.

24. SENATOR WALKER:

25. I have been rapidly trying to enumerate the leadership in each
26. House and I know but I missed it. Thanks Senator Carroll. How
27. many spots in the Leadership does your amendment provide for, Senator
28. Knuppel?

29. PRESIDENT:

30. Senator Partee is recognized, a point of order.

31. SENATOR PARTEE:

32. The Senator probably hasn't taken time to read the bill, but if
33. he had, he wouldn't have to ask the question, but more than that

1. that question is not germane to the point under consideration.
2. It's out of order. The point under consideration relates to a
3. diminution of the amount of money in a raise from \$19,500 back
4. to \$17,500. That's all that's under consideration and let's not
5. get off on a tangent on something else.

6. PRESIDENT:

7. The Chair will rule the point is well taken, and I think if
8. we can keep our discussions narrowed to the point at question, it
9. will expedite matters. Is there further discussion of the point
10. at question? All in favor of the adoption of the amendment indicate
11. by saying aye. Contrary minded. All those in favor of the adoption
12. of the amendment...roll call has been requested. The Secretary will
13. call the roll. So there is no misunderstanding, the question is
14. simply this: Shall the salary for legislators be reduced in the
15. proposed bill from \$19,500 to \$17,500, the present salary? The
16. Secretary will call the roll on that question.

17. SECRETARY:

18. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
19. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
20. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
21. Horsley...

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. I want to merely state my reason for voting no on this bill.
26. The first thing that Senator Knuppel says it reduces the salary part
27. of it, but it takes out the concept of so much for day for certain
28. number of days and leaves the matter wide open on page 2 of the
29. amendment by stating that each member shall receive allowances
30. for lodging, meals, travel and all other incidental expenses incurred
31. while on official business; allowance shall be paid at rates set by
32. joint resolution of the Senate and the House which can be changed
33. week by week, day by day, no limit whatsoever, and I think it's just

1. simply wrong to open this door wide as this matter would do it,
2. and I want to be recorded no.

3. SECRETARY:

4. ...Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
5. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,
6. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
7. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
8. Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. On that question the yeas are 35, the nays are 6, 1 present.
11. The amendment is adopted. Now, we have a ...presented by whom?
12. Senator Walker has offered Amendment No. 4. Now, so there's no
13. misunderstanding again, Senator Walker explain clearly what this
14. would do if it is adopted; then we will consolidate this into one
15. final amendment that will be offered on the bill. Senator Walker
16. is recognized. Has the amendment been distributed to...

17. SENATOR WALKER:

18. They're being prepared. Would you want to hold this and take
19. another amendment for the time being?

20. PRESIDENT:

21. I think this is the only other amendment pending right now. Can
22. you explain very briefly what it does?

23. SENATOR WALKER:

24. I think I can. This amends Section 3.1 of House Bill 3906 and
25. briefly this is what it does. It gives the House a Speaker, a
26. Majority Leader, an Assistant Majority Leader and a Majority Whip.
27. They will also have a Minority Leader, an Assistant Minority Leader
28. and a Minority Whip. It cuts out the first assistant, Majority and
29. Minority Leaders and one Majority and one Minority Whip and the net
30. result is only a saving of \$15,000 per year. That is not the intent
31. and purpose of this bill. When I first, along with a number of the
32. rest of you, went to the House in 1957, we had three people in the
33. Leadership over there: the Speaker, the Majority Leader and the
Whip, and I thought they did a rather commendable job. From

1. there, the House Leadership went from three to four. Three of
2. those received additional compensation, one did not. That was
3. the Assistant Whip. It's gone from four to seven over there
4. with all of them being compensated, and it's getting to be where
5. there's more chiefs than there are indians over there. I actually
6. don't think the Leadership wants it. I think that Leadership
7. over there should be one as it has been in the past, excluding
8. myself, starting with Warren Wood coming down through Paul Powell,
9. John Lewis, Ralph Smith. On the basis of merit, not the basis of
10. being promised or making promises rather for votes for the
11. Speaker's position. They've got enough Chairmanships, Vice-
12. Chairmanships. They don't need these additional positions.
13. There's nothing personal in this, I assure you. In fact, the
14. way we appropriate money here, \$15,000 a year over a two year
15. period is only \$30,000; but frankly, I don't feel that this
16. number in the Leadership over there is necessary. That's the
17. reason I offer the amendment, and I would urge its adoption.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Mr. President and members of the Senate, and believe me,
22. Senator Walker, there's nothing personal in this either. It
23. seems to me this is a matter for the House to consider, and I
24. would move that this amendment lie on the table.

25. PRESIDENT:

26. Motion to table this amendment. That motion is not debatable.
27. All those in favor of the motion to table, signify by saying aye.
28. Contrary minded. The amendment...a roll call...roll call has been
29. requested. He is entitled to a roll call. The Secretary will
30. call the roll.

31. SECRETARY:

32. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
33. Cherry...

1. PRESIDENT:

2. Senator Cherry.

3. SENATOR CHERRY:

4. I want to say to Senator Walker there's nothing personal
5. in my vote in opposition to his proposal to amend this bill in
6. the manner and nature in which he's doing. I was one of the
7. fellows thrown off of the House Floor too by Speaker Blair, and I
8. don't know if that's one of the reasons that Senator Walker
9. has proposed this amendment, but I think as Senator Rock says,
10. "We ought to let them do their thing in their own House." And
11. if that's what they want, I think that we should give it to them
12. as we should get the kinds of things that we want in our Leadership.
13. I vote no. Table the amendment.

14. SECRETARY:

15. ...Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
16. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
17. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
18. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
19. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
20. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
21. Swinarski, Vadalabene, Walker...

22. PRESIDENT:

23. Senator Walker.

24. SENATOR WALKER:

25. I realize it's not debatable, but I want to explain my vote.
26. I've heard this too often here on the Floor of the Senate, most
27. recently from my good friend, Senator Rock, that this is a decision
28. for them to make. Well, if you feel that way about it, why don't
29. we go into a unicameral legislature here. That's the purpose of a
30. bicameral--for one House to ride herd on the other, and as long as
31. we're going to sit here on the Floor of the Senate and let them
32. make decisions adverse to these taxpayers that I'm hearing...that
33. we're to befriend down here and aren't doing a thing about, as I

1. say, this wasn't for the purpose of saving. It's too minute an
2. amount, but as long as we're going to go along and say, "Let the
3. House do what they want to do. Let the Senate do what they want
4. to do," I can't agree with that line of reasoning. I don't think
5. it's going to surprise anyone. Will you please case my vote, Mr.
6. Clerk, as nay.

7. SECRETARY:

8. ...Weaver.

9. PRESIDENT:

10. Senator Walker, in case I have to break a tie here, which way
11. should I...

12. SENATOR WALKER:

13. Thanks Mr. President. I've had a bill over there since last
14. May or June. Chuck Campbell got it off the table yesterday, passed
15. it from Second to Third. Now, will someone scurry over there and
16. tell them to move it back to Second. The only one who wants it is every
17. Mayor in the State of Illinois and my good friend, Steve Sergeant
18. of the Illinois Municipal League, and I told Chuck I'd do anything
19. I could over here today to help him pass that bill.

20. PRESIDENT:

21. On the motion to table the yeas are 39, the nays are 2. The
22. motion to table prevails. Are there further amendments? The bill
23. is advanced to Third Reading. Senator Newhouse is recognized.

24. Senator Newhouse.

25. SENATOR NEWHOUSE:

26. Thank you, Mr. President. Mr. President, in these Correction
27. Code bills there are two bills 4694 and 4697 which I take it are
28. noncontroversial and I'd like to call them at this time. Senate
29. Bill 4694...

30. PRESIDENT:

31. 4694. Is one roll call on the two acceptable?

32. SENATOR NEWHOUSE:

33. Yes.

1. PRESIDENT:

2. 4694 and 4697. Is there objection to that? Leave is granted.

3. Senator Newhouse is recognized. Yes. Senator Latherow.

4. SENATOR LATHEROW:

5. On 4697, I have some questions that I would like to ask on
6. that, but I've been trying to get a hold of the Department this
7. morning, and I have some questions on 4697.

8. PRESIDENT:

9. Let's just take them one at a time. 4694, Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Mr. President, 4694. This is a series of housekeeping and
12. technical amendments to the Unified Code of Corrections. It is
13. my understanding that no substantive changes have been made. It
14. clarifies the Code before it becomes effective, and it has been
15. inspected by Leadership on both sides. I'd appreciate a most
16. favorable roll call.

17. PRESIDENT:

18. Is there any discussion? The Secretary will call the roll.

19. SECRETARY:

20. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier...

21. PRESIDENT:

22. Just a moment. Senator Berning.

23. SENATOR BERNING:

24. Yes, thank you Mr. President. On 4694, let me say that I've
25. had an explanation of the bill as it now stands and while I dislike
26. like the provisions in the bill, it is a reenactment of what is or
27. a restating of what is now the existing law, and so rather than take
28. issue with this bill, I'm going to vote aye hoping that we can get
29. some realistic change by means of another bit of legislation in
30. the next Session.

31. SECRETARY:

32. ...Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson,
33. Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,

1. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
2. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
3. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
4. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
5. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

6. PRESIDENT:

7. On that question the yeas are 42, the nays are none. The bill
8. having received a constitutional majority...the necessary 3/5th
9. majority is declared passed. 4697, Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Thank you, Mr. President. I wonder if we could...I notice
12. that there's conversation going over there which may clarify some
13. things for the Senator. I hope so. If you could hold it for just
14. a second, I'd...

15. PRESIDENT:

16. All right. We can get back to it. Now, on 3906, Senator
17. Egan, are we ready to move on that now? 3906. On 3906 because
18. the only amendment that was adopted was Senator Knuppel's, and it
19. went into...it listed the whole Section. I don't think there is
20. any problem. I think it's clear what the situation is. Is there
21. any discussion on the bill? Senator Egan.

22. SENATOR EGAN:

23. Yes, Mr. President and members of the Senate, I would like to point
24. out that as House Bill 3906 having been amended by three amend-
25. ments is in final form thusly: Everything as contained in the first
26. two amendments remains the same with the exception that the legis-
27. lative increase from \$17,500 to \$19,500 is deleted, and I would ask
28. for a favorable roll call.

29. PRESIDENT:

30. Senator Gilbert.

31. SENATOR GILBERT:

32. Senator Egan, the way the bill is now amended, what is the per-
33. diem or is that still left open to be set by the Joint Rules as I

1. interpret it. Is it 32.5 or is it whatever they want to do.

2. SENATOR EGAN:

3. As it is now, Senator, it's set by Joint Resolution.

4. PRESIDENT:

5. Is there further discussion? Senator Sours.

6. SENATOR SOURS:

7. How many votes does it take?

8. PRESIDENT:

9. 35. Senator Harris.

10. SENATOR HARRIS:

11. Well, Mr. President, I certainly want to add this Senator's
12. reaction to the question just raised by Senator Gilbert now and
13. brought into consideration by Senator Horsley in the first place
14. and that is that I can't support this bill in its present form which
15. does not make specific the provision in the statutes of the question
16. of a dollar limit by law. I just...and I'm...I think there might
17. be a good many other Senators that feel the same way. I can't support
18. the bill in this form.

19. PRESIDENT:

20. Senator Partee.

21. SENATOR PARTEE:

22. I had some questions with members of my staff about this because
23. I too was concerned, and I think it is their feeling that it would
24. have to be \$32. If, however, there is any question about it so that
25. we can eliminate and obliterate any question, I think perhaps we
26. ought to pull it back and make absolutely certain by way of an amend-
27. ment that that would be the amount so that no change could be forth-
28. coming except by a statutory change. I think that's what's indicated
29. here. I think the membership doesn't understand it in any other way.
30. I think it isn't necessary. I really think it isn't, but I think if
31. it has to be we ought to do it so that there won't be any doubt about
32. it.

33. PRESIDENT:

1. Is there further discussion...

2. SENATOR PARTEE:

3. Here, Mr. President, why don't we...would you...how would this
4. strike you? Leave it right as it is except by Joint Resolution not
5. to exceed \$32 a day and that would accommodate what everybody wants
6. without...wait a minute, please...without having to redo it in any
7. long structured fashion.

8. PRESIDENT:

9. Senator Gilbert.

10. SENATOR GILBERT:

11. Senator Partee, if you do that, you'd also better take a look
12. back at the mileage provision that have been stricken at .15 a mile
13. and all, and if you do it that way, the way the bill is worded, you'd
14. end up with an allowance of lodging, meals and travel of only \$32 a
15. day. I think that you ought to put back the .15 per mile just the
16. way it is in the present law if you're going to limit it to \$32 a day.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Some of the members are asking about other things that have not
21. yet been mentioned publicly. One of them is the mileage. Let's
22. bring it all out. Nobody is attempting to do anything other than
23. what has existed. The mileage would remain the same. The \$32
24. would be the same. So, now what I'm saying, Senator, is that
25. perhaps this language or the form of this language is to some
26. confusing, to others distressing. Perhaps we ought to change a...
27. this amendment and pass an amendment which expressly sets forth
28. all of the things that trouble all of the people involved when
29. which expressly delimits the per diem to the amount on which we
30. feel we can agree. Could I have some expression from some members
31. on that subject?

32. PRESIDENT:

33. Senator Gilbert.

1. SENATOR GILBERT:

2. Senator, the reason that I brought up the question of
3. mileage that the amendment that I have offered by Senator
4. Knuppel which we've adopted strikes lines 3 through 16 and the
5. first half of 17 which deals solely with mileage, and if you
6. take that out and then you put your \$32 in to take care of
7. lodging, meals and travel, I think you're going to find yourself
8. without any mileage legislation unless it's somewhere else in
9. some other bill. Page 2, lines 3 through 16 and the first half
10. of 17 are stricken and they deal with the 15 cents a mile.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. Senator Gilbert, what Senator Knuppel's amendment does is
15. allow the Joint Resolution to set mileage rates along with per
16. diem allowance.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Gilbert.

19. SENATOR GILBERT:

20. I feel that we ought to have the mileage rates set here and
21. to make that a matter of law and not let it to a Joint Committee.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Harris.

24. SENATOR HARRIS:

25. Well going back to the dilemma that we had about the separate
26. issues, getting the sense of the Senate. It does seem to me now that
27. it's reasonably clear that the sense of the Senate was on the amend-
28. ments considered today to reduce the amount of annual salaries and
29. no more. Now, earlier today we amended this same Section of the
30. Statutes in connection with adding an Assistant Majority Leader
31. effective January 10. Now, it seems to me that what we should do
32. at this point now that Senator Gilbert has raised the question that
33. the form of the amendment that was adopted in its form, I think

1. eliminates the provision for mileage that we should reconsider
2. the adoption of Amendment No. 3 and table it and prepare Amendment
3. whatever it is, 4 or 5, incorporating these three things leaving
4. into existence present mileage providing for the third Assistant
5. Majority Leader and leaving the salary at \$17,500, and then we
6. would get at the three issues that I think there is agreement on
7. in a single amendment for House Bill 3906 and we're in business.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Partee.

10. SENATOR PARTEE:

11. I would agree except I would add this: We're going to have
12. to move to reconsider and table all three amendment and then
13. incorporate the sense of this Body in one single amendment, and
14. on that basis, I think maybe it's indicated that we ought to
15. take maybe a fifteen or twenty minute break, get it down and come
16. back.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Harris.

19. SENATOR HARRIS:

20. That's an excellent idea. Why put pressure on the Staff to
21. prepare it. Let's give them an hour and incidentally during that
22. hour, a bite.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Laughlin. Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Senator Partee, why not an hour so it can be done right and
27. meanwhile, we can get something to eat. I don't understand the
28. fifteen minute bit.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Walker.

31. SENATOR WALKER:

32. Senator Partee, while we're taking this break, I think there
33. is something else that could be delved into that shouldn't take

1. too long. The Executive salary here, I see no reason why we
2. should increase the Governor \$5000 if he's going to give us a
3. grandstand play and then return it. I think we should find out
4. whether he's going to accept that or not. That's point number
5. one. Point number two, point number two is to the duties or to
6. the Lieutenant Governor's salary. You're increasing that from
7. \$25,000 to \$37,500 and we've had a working Lieutenant Governor
8. here for the last two years...

9. PRESIDING OFFICER: (SENATOR ROCK)

10. What is your point of order, Senator Cherry.

11. SENATOR CHERRY:

12. Point of order is that Senator Walker is not addressing
13. himself to the issue that is being discussed. We've...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. The point of order is well taken. There is a motion that the
16. Senate stand in recess until 2 o'clock this afternoon. All in
17. favor of that motion indicate by saying aye. The Senate stands in
18. recess.

19.

20. R E C E S S

21. PRESIDENT:

22. The Senate will come to order. Senator Egan, are you...your
23. amendments...Is Senator Newhouse on the Floor? We're just taking
24. care of some routine business until the other matter gets here.
25. Senator Sours, on 1569, I understand you're handling that. Is that
26. correct? This is on the Secretary's desk.

27. SENATOR SOURS:

28. Yes, Mr. President and Senators, but I think we'd better wait
29. until we get about 35 here and I don't seem to count that many. Maybe
30. I'm...

31. PRESIDENT:

32. Does it need 30 or 35? I was thinking this needs...

33. SENATOR SOURS:

1. I have the notion it's 35.

2. PRESIDENT:

3. It needs 30 unless there's some specific language causing it
4. to need 35.

5. SENATOR SOURS:

6. I filed two motions. I filed one erroneously so Senator
7. Partee has concurred in what we propose to do or what I propose to
8. do. I might mention that so the other side will not become
9. apprehensive.

10. PRESIDENT:

11. I think if it requires 30 votes, I think we have it. If it
12. takes 35, you're in trouble right now.

13. SENATOR SOURS:

14. Shall we proceed then?

15. PRESIDENT:

16. I think we...Pardon? Well, I think we can proceed. There is
17. no earlier...It takes 30 votes. The Chair is going to rule and
18. Senator Sours is recognized.

19. SENATOR SOURS:

20. If we have enough then, I have filed one motion, a very brief
21. one which I desire to withdraw and then I think there's a rather
22. lengthy one there, Mr. President.

23. PRESIDENT:

24. Can you explain it?

25. SENATOR SOURS:

26. Yes. House Bill 1569 passed both the House and Senate in the
27. '71 Session and near the end of the Session, in 1972, it was given
28. the Amendatory Veto by the government...by the Governor. Now, in
29. this bill, the Commercial Law League and other interested parties
30. intervened and there was worked out an agreed requirement that a
31. nonresident collector, and we're talking now about collecting agencies
32. collecting in Illinois, either maintain an office or a registered
33. agent in this State or, and these are all disjunctives, be required

1. to sign some kind of a document at the time of applying for his
2. license to be a collecting agent which would designate the Director
3. of Financial Institutions of Illinois his or its attorney in fact
4. for the service of legal process and who would agree to return all
5. the books and all the records to this State to the office of the
6. Director of Financial Institutions for examination simply upon a
7. written request. Now, the Governor agreed to make an amendatory
8. veto of this bill in the respects that he would approve the bill
9. as enacted. Now, further, I believe the proper motion is that we
10. concur in this amendatory veto. I think the bill is in final
11. form and if the Chair considers that 30 is necessary, only 30 on
12. final passage, I presume that ought to be it, and I so move...

13. PRESIDENT:

14. It takes 30 votes. The...Senator Partee.

15. SENATOR PARTEE:

16. So that I don't take advantage of an earlier conversation that
17. I had with Senator Sours, you may well have 30 bodies, but this does
18. not necessarily mean that you have 30 aye votes, although I said to
19. you that I was going to vote with you. In the intervening period
20. there are members on this side who take a different view which may
21. well be resolved in a few moments. I would suggest that you hold it
22. until we find out.

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. I shall hold it then and then consider what I've said to be the
27. prefatory note then.

28. PRESIDENT:

29. Senator Newhouse, do you want to want to take up 4697 now?

30. SENATOR NEWHOUSE:

31. How many votes are required on 4697, Mr. President?

32. PRESIDENT:

33. 3/5ths and I think if it is a matter of controversy, you would...

1. might not have them. If it's not a matter of controversy, there
2. are more than 35 here.

3. SENATOR NEWHOUSE:

4. Let's try it, Mr. President. It's not a matter of controversy.
5. 4697, Senator Latherow had some questions and those questions were
6. resolved. I don't see him on the Floor just now, but...Mr. President,
7. may we go with 4695 instead. Let me tell you what I'd like to do
8. with 4695.

9. PRESIDENT:

10. Senator...

11. SENATOR NEWHOUSE:

12. Senator Latherow is here now. Let's go with 4697, Mr.
13. President. 4697 as 4694 is a...are amendments that are not sub-
14. stantive. They are conforming amendments only, and I would
15. appreciate the same roll call as on 4694.

16. PRESIDENT:

17. Is there any discussion? The Secretary will call the roll.

18. ACTING SECRETARY: (ED FERNANDES)

19. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
20. Cherry, Chew, Clarke...

21. PRESIDENT:

22. Just a moment. The Chair would just remind the membership
23. that it takes 35 votes for passage. Continue the roll call.

24. ACTING SECRETARY: (ED FERNANDES)

25. ...Collins, Coulson, Course, Davidson, Donnewald, Dougherty,
26. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes,
27. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,
28. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
29. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
30. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
31. Walker, Weaver.

32. PRESIDENT:

33. On that question the yeas are 39, the nays are none. The

1. bill having received the necessary 3/5th majority is declared
2. passed. Senator...for what purpose does Senator Chew arise?

3. SENATOR CHEW:

4. Having voted on the prevailing side, I move that the vote
5. be reconsidered.

6. PRESIDENT:

7. Motion to reconsider. Motion by Senator Newhouse to table.
8. All in the favor of the motion to table signify by saying aye.
9. Contrary minded. The motion to table prevails. 4695, Senator
10. Newhouse.

11. SENATOR NEWHOUSE:

12. Now, Mr. President, on 4695 an amendment was added and it's
13. obvious we're not going to get the votes to pass the bill with
14. that amendment on. What I propose to do is that the amendment
15. has been offered on fairly short notice and I would take cognizance
16. of that fact, but I would like the Body to know that I will prefile
17. that amendment. I think it's a good one, but I too need to study
18. it more. So, what I'd like to do, Mr. President and gentlemen,
19. is to reconsider the motion by which that bill was passed in the
20. hopes that we could take the amendment off and then pass the bill
21. out. So, I'd like to at this time, Mr. President, make the motion
22. to reconsider the vote by which the amendment to 4695 was adopted.

23. PRESIDENT:

24. 4695 is brought back to Second Reading. Senator Newhouse having
25. voted on the prevailing side moves to reconsider the vote by which
26. Amendment No. 1 was adopted. Is there any discussion? Senator
27. Newhouse.

28. NEWHOUSE:

29. I wonder if the Chair would explain now, an aye vote to re-
30. consider the amendment will have the effect of taking the amendment
31. off. Is that correct?

32. PRESIDENT:

33. The aye vote is to reconsider it, and then you will make a

1. motion to table the amendment and then the amendment will be tabled
2. and then it can...we can go back to Third Reading and consider the
3. passage of the bill.

4. SENATOR NEWHOUSE:

5. Thank you, Mr. President.

6. PRESIDENT:

7. All those in favor of the motion to reconsider, indicate by
8. saying aye. Contrary minded. The amendment is reconsidered. Motion
9. by Senator Newhouse to table Amendment No. 1. All in favor signify
10. by saying aye. Contrary minded. All those in favor of the motion
11. to table signify by saying aye. Contrary minded. Motion to table
12. prevails. Since we're not adding language, we can move it to Third
13. Reading and we can proceed immediately to the substance of the bill...
14. passage of the bill. 4695, Senator Newhouse is recognized.

15. SENATOR NEWHOUSE:

16. Mr. President and Senators, this is a series of amendments
17. which act to conform the penalties within the Code to the Unified
18. Code of Corrections. Now, this follows a schedule adopted in the
19. Code and conforms those penalties passed after the Code. So, that's
20. all it does. No substantive changes and I'd appreciate...I'd accept
21. the same roll call as on 4697.

22. PRESIDENT:

23. Is there any discussion? The Secretary will call the roll. 4695.
24. That is the correct number.

25. ACTING SECRETARY: (ED FERNANDES)

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
27. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
28. Dougherty, Egan, Fawell, Gilbert, Graham...

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President, I would like to find out from Senator Newhouse
33. on 4695 how we got involved with the parimutuel handled racetracks.

1. PRESIDENT:

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. What page are you reading from, Senator?

5. SENATOR GRAHAM:

6. I'm reading House Bill 4695 on page 7.

7. SENATOR NEWHOUSE:

8. Of the bill...just a second, please. Senator, can we hold
9. the question just a second. Let me check with my...

10. PRESIDENT:

11. Senator Graham.

12. SENATOR GRAHAM:

13. I think you'd better. Now, we started out with these bills
14. and I subscribed to what had been told to me by Larry Pusitari and
15. others that we were cleaning up the statutes with regard to the

16.

17.

RECORDER PROBLEMS

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33.

SENATOR CHEW:

1. the sponsor of the bill requests ah, postponement so in a roll call
2. you can only explain your vote you cannot question the sponsor. You
3. can do that prior to the bill coming to the floor.

4. PRESIDENT:

5. Senator Chews correct. Proceed with the roll call.

6. SECRETARY:

7. Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,
8. Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,
9. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
10. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
11. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

12. PRESIDENT:

13. Senator Horslev.

14. SENATOR HORSLEY:

15. Mr. President I haven't voted yet on this because I've been
16. trying to find the bill. I've had people running around here,
17. pulling over the back rail on my coat tail, telling me one thing and
18. somebody else telling me another one but I still would inquire has
19. this bill been printed and on our desk. I don't have it in my bill
20. book. It's not in my bill book.

21. PRESIDENT:

22. The....Senator Merritt is holding up a copy of his.

23. SENATOR HORSLEY:

24. I don't care what Senator Merritt has, I don't have one in
25. my bill book and I'd like to know...

26. PRESIDENT:

27. I'm advised by the Secretary that it should be on your desk,
28. Senator. I'm advised that it has been placed on all Senators desks.

29. SENATOR HORSLEY:

30. For the moment I want to vote no on this until I get a chance
31. to look at it now I....

32. PRESIDENT:

33. Senator Horsley votes no. Romano aye, Johns aye. Senator

1. Newhouse.

2. SENATOR NEWHOUSE:

3. Mr. President I move to postpone consideration.

4. PRESIDENT:

5. Motion to postpone consideration. All in favor signify
6. by saying aye, contrary minded. Motion to postpone consideration
7. prevails. 3906. Chair recognizes Senator Egan.

8. SENATOR EGAN:

9. Mr. President and members of the Senate. I would like to
10. table amendments 1 through 3.

11. PRESIDENT:

12. Alright, just a moment. 3906 is brought back to second
13. reading for purposes of amendment. Senator Egan moves....

14. SENATOR EGAN:

15. Let me move to adopt amendment number 5 and then I'll table
16. the others.

17. PRESIDENT:

18. Now we'll have to...Senator Egan moves to reconsider the vote
19. by which amendment 1 through 4 were adopted. 1 through 3 were adopted.
20. Is there any discussion? All in favor signify by saying aye. Contrary
21. minded. Motion prevails. Senator Egan moves to table amendments 1
22. through 3. Is there any discussion? All in favor signify by saying
23. aye. Contrary minded. Motion to table prevails. Senator Egan offers
24. amendment number 5. Senator Egan is recognized.

25. SENATOR EGAN:

26. The amendment Mr. President and members has been passed out
27. and is on each desk. Amendment number 5 does what amendments number
28. 1, 2, and 3 which have already been adopted did.

29. PRESIDENT:

30. Is there any discussion? I understand that it has just been
31. placed on your desk and the Chair is just going to take a...we're just
32. going to pause for a moment while you have a chance to glance through
33. it. If they're are any questions. Senator Carpentier.

1. SENATOR CARPENTIER:

2. Will Senator Egan yield to a question? What with the new
3. constitution and everything what will the duties of the Lt. Governor
4. be to raise it from \$25,000 clear up to \$37,5000 other than taking
5. the Governor's pulse what else is he going to do?

6. PRESIDENT:

7. Senator Egan.

8. SENATOR EGAN:

9. Well you'll have to ask Governor Walker. I'm not equipped
10. to answer your question.

11. PRESIDENT:

12. If, if, Senator Gilbert.

13. SENATOR GILBERT:

14. It is my understanding after talking with you just before lunch,
15. Governor that under the old constitution the Lt. Governor when he
16. assumed the duties of the Governor was paid the Governor's salary
17. during that period. In recent years as an average the Lt. Governor
18. you yourself I believe indicated to me you did receive something in
19. the neighborhood of \$10,000 each year on an average for your duties
20. as Governor. It's my understanding now under the new constitution
21. there is no change in salary that the Lt. Governor acts as Governor
22. he is still receiving only the salary of Lt. Governor and therefore
23. he will have no opportunity for the sum of approximately \$10,000
24. a year which previous Lt. Governors have enjoyed as a result of
25. serving in the office of Governor when he was out of the state.

26. PRESIDENT:

27. Senator Gilbert is correct in that if the Chair and I don't
28. like to enter into discussions here and I have not done that but I
29. might just point out that in fact under the old constitution the
30. salary of the Lt. Governor was approximately \$35,000 because of the
31. acting Governor thing. Under the new constitution that \$10,000 a
32. year was eliminated. So what in fact this bill does it raises, it
33. brings it back to the old salary plus an additional \$2,500. Senator

1. Knuppel. Just a moment, Senator Carpentier still has the floor.

2. SENATOR CARPENTIER:

3. But I still...are we going to leave the duties up to the
4. new Governor on...really under the new constitution and everything
5. its my understanding he's not even assured of an office. He will
6. be absorbed someplace on the second floor I think. That was our
7. understanding in Space Needs Commission. But for \$25,000 a year
8. when you presided over the Senate as Lt. Governor and that was your
9. main duty plus being Governor when the Governor is gone. I'm
10. trying to figure out how we can justify going up to \$37,500 for a
11. fella that's going to sit on the second floor with an office and
12. just hope and exist and call every day to see that the Governor is
13. well. I mean this doesn't even make sense to go clear up to \$37,500.

14. PRESIDENT:

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. I yield to Senator Partee.

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. At first blush when you look at the existing statute which
22. says that the Lt. Governor shall be paid \$25,000 and then look at
23. the recommendation of \$37,500 it seems as though it is a very large
24. increase. The fact is the current salary including what existed
25. under the old Constitution as you've just enumerated it is about
26. \$35,000 that's what the Lt. Governor has been making. So this
27. increase Senator Carpentier is but \$2,5000 that's all it really
28. amounts to. Now what the Lt. Governor is going to be doing
29. I think prespectfully I think none of us know. I would assume
30. that the Lt. Governor inasmuch as he is not now to preside over
31. the Senate will have diverse and sundrg assignments given him by
32. the Governor. The Government gets larger and larger every day and
33. I'm sure there will be plenty of work for the Lt. Governor to

1. perform when he does not have the duty of presiding over the Senate.
2. So this isn't any large raise at all. \$2,500.

3. PRESIDENT:

4. Senator Chew.

5. SENATOR CHEW:

6. Yes, Mr. President. With all respect to Senator Carpentier
7. I think it's an ill wind that blows to say that the Lt. Governor will
8. just be on the second floor calling to see how the Governor is
9. doing every day. This is one of the largest states in this union
10. and I think the problem that we find here is always based on re-
11. election. We come down here and we wonder about whether we're going
12. to be re-elected. Wonder if we can give this person a raise or
13. whether we should. You know the time has come for us to face up
14. to our responsibilities. The Governor has a right to appoint people
15. at \$35 and 40 thousand dollars and then they get assistants with that
16. kind of salary and here we're talking about a little small amount to
17. give the Lt. Governor a raise. The Lt. Governor of this state would
18. have responsibilities comparable to yours. You are still the Lt.
19. Governor and I know how much you have worked. I know all of the
20. things that you have been involved in and we know that you've been
21. underpaid. Now if we can give Judges \$40 or \$50 thousand dollars
22. cater to every whim that somebody else is asking for when are we going
23. to face up to our own responsibilities and say look. We work all the
24. time you've got to get paid, why can't we get paid because if you were
25. to go into waste of Government you'd find all the money we can't
26. appropriate. So what I'm saying is, when you came into the office
27. you decided to drive a Ford instead of a Cadillac that the former
28. Lt. Governor drove. I can understand that. I wouldn't have done it,
29. however. Yeah, now what I'm saying is the salary can be justified
30. and we should just go on and justify it and make the appropriation.
31. Because when we get to the place where our Lt. Governor has to sit
32. around and call the Governor and say, how you doing then we ought
33. to be big enough to eliminate the position cause he has tremendous

1. responsibilities.

2. PRESIDENT:

3. Senator Egan.

4. SENATOR EGAN:

5. Senator Carpentier, I may just add that if the Governor does
6. not prescribe enough duties for the Lt. Governor then the Legislature
7. can even if the Governor doesn't or does, the Legislature can
8. back up the Governor prescribes his duties to be. So I, as a practical
9. matter, we don't know precisely what he's going to do but if he
10. doesn't do the right thing, the Legislature can make sure he does.

11. PRESIDENT:

12. Senator Sours.

13. SENATOR SOURS:

14. I'll defer to . . . I don't think Senator Carpentier had
15. finished yet, Mr. Governor.

16. PRESIDENT:

17. I'm sorry. Senator Carpentier.

18. SENATOR CARPENTIER:

19. Well, Mr. President, and to answer Senator Chew and Senator
20. Partee, I go along with the idea that we don't quite know yet
21. what the Lt. Governor is going to do but I have also served under
22. two previous Lt. Governor's who have had to be on the Floor, who
23. have had to conduct this Body, who have worked and worked diligently
24. all of the 10 years that I've been down here and now we are saying
25. the Governor may be out of the State; therefore, you're not going
26. to be compensated under the new Constitution but by the same token
27. we don't even know yet what he's going to do and we can delegate
28. powers to him. What if the Governor vetoes our powers and takes
29. it back and says he is just going to sit at his desk, he's going
30. to do this or that. We don't know. I think this should be up to
31. the prerogative of the new administration that's coming in before we
32. go jump \$2,500 they say. We're going up \$12,500 . . . We're not
33. going up \$2,500 and we know when my father was alive he was Governor

1. one day because everybody else as the procedure goes down, was out
2. of the State at one time and the Secretary of State was Governor for
3. a day and he received his check and he turned it over to the Cub
4. Scouts because his grandson was in the Cub Scouts. By the same token
5. he was Secretary of the State. He was being paid for it as Lt.
6. Governor, he is being paid to do this or that and when the Governor
7. is gone he is still going to be the number one ranking Governor and
8. I just can't, I can't justify the idea of \$12,500 to go up . . .

9. PRESIDENT:

10. Just . . . Just a moment.

11. SENATOR CARPENTIER:

12. I will now yield to Senator Sours.

13. PRESIDENT:

14. Just . . . Just . . . Senator Knuppel has a point of order.

15. SENATOR KNUPPEL:

16. I think it's over. I was wondering how many times a person
17. got to speak on the same bill here.

18. PRESIDENT:

19. Well, the . . . Senator Carpentier had ask some questions
20. and the Chair thought he was through so the Chair will rule that he
21. was in order. Senator Sours.

22. SENATOR SOURS:

23. Mr. President, Senators, I have a couple of inquiries I should
24. like to direct to the sponsor if he'll accede. Senator Egan, I'm
25. interested primarily in the capabilities and the experience the
26. background of Lt. Governor. Now correct me if I'm wrong and in the
27. interum, Mr. President, would you kindly silence the raucous noise
28. on my right here.

29. PRESIDENT:

30. Gentlemen, if we can . . . Senators Harris and Clarke, your
31. colleague has asked for some order.

32. SENATOR SOURS:

33. As I view the work product of the old gentlemen's convention

1. sometimes referred to as the Constitutional Convention, I know
2. of no earthly duties the new Lieutenant Governor has to perform.
3. The Governor is the Governor whether he is in Eastern, Southwestern
4. Outer Mongolia or in Bolivia. He's still the Governor. Now until
5. we fix his duties, I presume his principal occupation will be in
6. breathing and that the only excuse for the office at the present
7. time, Senator Egan, is the heartbeat. That's item one. Here's
8. item two: I've never been convinced that this new man that your
9. talking about has had very much experience in Governorship or any
10. kind of government and what dazzles me is what role did he play in
11. the Apollo Savings and Loan Association. I am not about to fatten
12. up what could be nonfeasance, malfeasance or misfeasance.

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. A matter of inquiry. Could anybody tell me if George Washington
17. ever had any presidential experience before he was President?

18. PRESIDENT:

19. Well...Just...All right. Senator Sours is correct. He has
20. asked a question of the sponsor...the sponsor. The Chair recognizes
21. Senator Egan.

22. SENATOR EGAN:

23. Senator Sours, you're talking about Neil Hartigan. Neil Hartigan
24. is a very dear friend of mine, and I want to tell you that I know
25. he's got a tremendous amount of experience in government because I
26. have followed it. I have been with him on many occasions while he
27. served as the Assistant Mayor in the City of Chicago. He is the
28. Attorney for the Park District of the City of Chicago. He's a very
29. capable lawyer. He's a very capable man. I think his campaign
30. demonstrated his ability and his honesty and his sincerity and I
31. could go on and on, but I can tell you that your fears are, I think,
32. a little farfetched and I just wanted to calm you, Senator Sours,
33. with those simple thoughts.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. Do you have any comment on his role or connection with the
5. Apollo Savings and Loan? Just yesterday...

6. PRESIDENT:

7. The Chair is going to rule...I happen to be able to answer
8. the gentleman, but the Chair is going to rule that that is not in
9. order at this time. That's not germane to the question at hand.
10. Senator Sours.

11. SENATOR SOURS:

12. I have one other question that doesn't concern your close
13. acquaintance. I noticed in the Press this morning there was...
14. or yesterday, a spread about a certain Circuit Judge named Dolezal
15. who had his wife, no less, as a bodyguard, and I'm wondering if
16. in your honest opinion that man is worth \$7,500 more than any
17. Circuit Judge anywhere in the State of Illinois?

18. PRESIDENT:

19. Unless there is a point of order on the part of...Senator
20. Knuppel.

21. SENATOR KNUPPEL:

22. I fail to see where that's germane to 3906. That's a different
23. proposition. This add'on has nothing to do with this bill. It's
24. not...

25. PRESIDENT:

26. Just...just a moment. Senator Sours.

27. SENATOR SOURS:

28. Then I should like to refer this gentleman from wherever he's
29. moved to recently to Page 2, Section 3-2, line 9, whereby this
30. Circuit Judge had his wife as his bodyguard, now there's a real
31. daisy at \$7500 or something a year and now we're going to reward
32. him with another \$7500, and I ask you the question, Senator, if
33. he is worth as much as \$7500 more than any other Circuit Judge

1. in Menard County, Adams County, wherever you may be living today.

2. PRESIDENT:

3. Senator, are you directing a question to Senator Egan?

4. SENATOR SOURS:

5. Mr. President, I don't care who answers it.

6. PRESIDENT:

7. Senator Egan.

8. SENATOR EGAN:

9. Mr. President and members of the Senate, I think that we
10. can have a little fun here for the rest of the day. I'd like
11. to go home, Senator Sours. If I were a judge and I had a wife
12. that could perform on a target range with a pistol the way she
13. did, I suppose I might even do the same thing as he. It has
14. nothing to do with his ability as a judge and albeit, he has
15. good taste in bailiffs. I think that situation is being corrected,
16. if that's the proper word, and I'd like to get on with it if we
17. can, please.

18. PRESIDENT:

19. Senator Sours.

20. SENATOR SOURS:

21. I'll conclude with this one comment that the preacher always
22. says the best prayer for himself first.

23. PRESIDENT:

24. Senator Horsley.

25. SENATOR HORSLEY:

26. Senator Egan, I wonder if you would yield to a question on this.
27. As I read this amendment, you're leaving the salary for the legis...

28. PRESIDENT:

29. Just a moment, please. Senator Latherow. Please, gentlemen,
30. if we can have some order back there.

31. SENATOR HORSLEY:

32. Now you're leaving the mileage for the legislature the same
33. and in addition to the mileage and the salary, they're going to get

1. \$32 a day, but before I get to that, you're adding \$4000 on the
2. expense allowance for rent, secretarial hire. Is that correct?
3. PRESIDENT:
4. Senator Egan.
5. SENATOR EGAN:
6. Yes.
7. SENATOR HORSLEY:
8. That still is in your amendment.
9. SENATOR EGAN:
10. Yes.
11. SENATOR HORSLEY:
12. So now the increase actually amounts to \$4000 plus the \$32
13. per day, and my question, and I have two of them on that, No. 1:
14. If their expense is less than \$32 and there are many of course who
15. do like myself for example if I were here, I would still get \$32?
16. PRESIDENT:
17. Senator Egan.
18. SENATOR EGAN:
19. If you apply for that amount of money, Senator Horsley, you
20. will receive it. If you have spent it, you then apply for it.
21. So, first of all, you must spend it; then you must apply for it,
22. and then you are granted it.
23. PRESIDENT:
24. Senator Horsley.
25. SENATOR HORSLEY:
26. Senator, you're not answering my question. The way your
27. amendment is drafted, if I live in Petersburg or Iceland and I
28. drive back and forth every night and have no hotel, I still get
29. \$32 a day under your amendment because it says that I shall receive
30. an allowance of \$32. Is that correct?
31. PRESIDENT:
32. Senator Egan.
33. SENATOR EGAN:

1. Well, it says \$32 for lodging, meals and all other incidental
2. expenses incurred while in attendance at Sessions of the General
3. Assembly or while on official business. So, that means that if
4. you do not have any expenses for lodging, for meals or all other
5. incidental expenses, you can't apply for them, but if you do, you
6. can get up to \$32 a day.

7. PRESIDENT:

8. Senator Horsley.

9. SENATOR HORSLEY:

10. Senator, I'm sorry but I've drawn a lot of bills in my 26
11. years and a lot of amendments, and when you talk about actual
12. expenses incurred that's one thing, but when you talk about an
13. allowance, that's something else, and I think that you check with
14. the Reference Bureau, and I would doubt that they drew this amend-
15. ment, if you would check with them, you would find that that is
16. an absolute allowance. Now, my last question is this: And that
17. is in lines 12 and 13 on Page 4 where you talk about incurred while
18. in attendance at Sessions or while on official business. Now, will
19. you please define for me when I'm an elected member of this Body,
20. everyday of my life I'm on official business because I'm attending
21. the functions of my office every day. Will you please define for
22. me what you mean by official business?

23. PRESIDENT:

24. Senator Egan.

25. SENATOR EGAN:

26. If I may, I would give you an example. First of all, let me
27. say this, Senator Horsley, that we disagree on our interpretation
28. of the language the word "for" after \$32 per day. \$32 per day
29. for lodging, meals and incidental expenses means just that. If you
30. don't spend it, you can't get it. That's my interpretation. Now,
31. for the explanation of the words "official business," I can only
32. give you examples such as the committee work out of Springfield
33. in Chicago or out of Chicago in Springfield depending on where this

1. committee work were held. This happens all the time. That's
2. official business. Now campaigning wouldn't be and everything
3. you do while you're arguing a case in the Appellate Court for your
4. own personal clients, that's not official business.

5. PRESIDENT:

6. Senator Horsely.

7. SENATOR HORSLEY:

8. That, Sir, is not my question. My question is when I go to
9. make a speech in connection with the Senate, to a luncheon, I'm
10. on official business. Isn't that true? Will you please define
11. what you mean in your amendment by the words "official business."

12. PRESIDENT:

13. Senator Partee.

14. SENATOR PARTEE:

15. Well, first of all, Senator, I think you have to return to
16. reality and reason for a moment. It's quite éasy to conjure up
17. notions and ideas about what can be and what isn't, but we just
18. aren't bereft of common sense yet, I hope. When I'm in Chicago
19. and any Commission meets in Chicago where I live, I may spend
20. the entire day there, and I wouldn't think for one moment about
21. submitting a voucher for meal or for anything else in that City
22. where I live. I think all of us have some common sense and judg-
23. ment, and when we commence to forget it, we commence to create for
24. ourselves all kinds of conjured problems. Secondly, the President
25. of the Senate has the responsibility of signing the vouchers, and
26. he, of course, will look at them with a great deal of care and he,
27. of course, will make a determination, and if you went to speak on
28. something somewhere that is not official business, you simply wouldn't
29. get paid for it, and I don't think anybody in this Body would
30. attempt to be paid for something which was not official business.
31. If you say anything to the contrary, I think you do all of us a
32. disservice. We're not stupid.

33. PRESIDENT:

1. Senator Horsley.

2. SENATOR HORSLEY:

3. Senator Partee, as to anything to do with the operation
4. of the Senate, the President of the Senate would sign it, but
5. as to expense vouchers here on the daily, the President of the
6. Senate has no authority over those and there is not a single
7. bill or pending piece of legislation that would do what you say.
8. If there is, I'd like to ask you now to quote it or tell us.
9. There is not one iota of legislative authority that gives anybody
10. the right to question the item the way it's worded here. It
11. would be an automatic payment, and I would ask you to submit
12. evidence or a quotation to prove your point.

13. PRESIDENT:

14. Just a moment. Senator Horsley has the Floor. Senator Partes.

15. SENATOR PARTEE:

16. Mr. President. Senator, on that same page where you read
17. just enough to confuse yourself, if you would get down to line
18. 19 on Page 4, you will read this language: "Such portion of the
19. pay and allowances and mileage allowed to each member of the
20. General Assembly shall be certified to by the President of the
21. Senate and Speaker of the House of Representatives and entered
22. upon the Journals and published at the close of each Session.
23. Now, this is calculated to prevent someone from foolishly or
24. mistakenly saying they're on official business when, in fact,
25. they aren't. It'll be a matter of record after it has been
26. certified to by the presiding officer of the House in which
27. that person serves.

28. PRESIDENT:

29. Senator Horsley.

30. SENATOR HORSLEY:

31. Senator, you know that. You're a better lawyer and you're
32. a better legislator than you're now pretending. You know that's
33. been in the law from time immemorial, and you know it's automatic

1. for the approval of the mileage and the paycheck and you know the
2. allowance, the mere word that's added there, is a \$32 day that
3. will go on every day of the year and it's automatic and the
4. President has no right to do other than to approve it. I'm
5. asking you to show any authority that would say that the President
6. would have the right to require proof of expenditures. Answering
7. a roll call in this Body is automatic mileage, and you know it;
8. and on the first day of the Session when I answer here, I'm
9. entitled to my paycheck and it's automatic for him to sign it
10. whether I come back another day or not is another matter.

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. I don't want to belabor this. I think I see where you're
15. going, Senator. I think you want to express opposition to it and
16. you're looking for some picayune reason to do so. That, of course,
17. is your privilege, but the language we are talking about here that
18. you are complaining about is already the language of the Statute
19. and this is just a change to include the mileage. This is the language
20. under which you have worked all these years which you now find some-
21. thing wrong with. It's the same language.

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. You're absolutely right. The mileage is what I've worked
26. under all of these years, and it's automatic, the approval. That's
27. what I've just said. There's no proof in that. There's no change.
28. Now, I'm telling you here that you're opening up the door for a
29. blank check and the people of this State are going to resent it,
30. and rightfully so.

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. We rejected some mileage checks. We've rejected some mileage.
2. I can go back a few years, Senator, when it was pointed out that
3. some members in the same town in the House when I served there
4. were certifying different miles and that was caught and was
5. corrected. We've rejected some mileage checks since I've been
6. sitting here with a pen in my hand. We've rejected some other
7. matters, too, that were certified to, and you have to say, I
8. think, finally that when the Senate or whether in the House of
9. Representatives reposes in a particular person as the leader of
10. that House and gives him the pen to sign or reject vouchers that
11. some confidence must be reposed in that person.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I just want to say a few things. First of all, we've
16. lived with this language for these people could draw their salaries
17. all the first day and might not come back. In fact Senator Horsley's
18. lived with it for 26 years and nobody ever raised the question as
19. to whether he would be dishonest enough not to come back he was and
20. I assume all the members of this Body are that honest and that we've
21. always lived with this kind of language and we do have some safe-
22. guards on it. Now Petersburg and Ashland were brought out here and
23. if they'll check the Constitutional Convention they'll find that I
24. didn't draw the full \$32.00 every day in any sense of the word.
25. Nor did some of the other members. And I don't intend, and I've
26. said this many times, that this per diem would not be of great benefit
27. to me in this Body because I sleep at home about all but about two or
28. three nights when we have bad weather in the Session I might stay in
29. here. We stay extremely late. I don't expect to put in for a hotel
30. room and I expect to shave my allowance accordingly. This \$32.00
31. allows some kind of an adjustment for those people who have to come
32. and live here for those, as opposed to those of us who are fortunate
33. enough to have districts where we can go home and eat a decent meal

1. and sleep in a warm bed. I wouldn't be so selfish as to deny the
2. expense money actually incurred and the word incurred is in here.
3. Now we're wondering who is going to interpret this. Well we've
4. got an Attorney General and legislation should not always give the
5. legal decisions. That's up to the courts of the Attorney Generals.
6. They can determine these things to what has actually incurred and
7. what this means and whether somebody's entitled to \$32.00 a day.
8. I don't think they are entitled to \$32.00 a day unless they actually
9. incur it. The language is clear and you've got somebody to safe-
10. guard it and certainly it's always been my intention and I'm one of
11. the people that's going to be living close to the Capital here not
12. to claim the full \$32.00. It allows for the adjustment of some
13. inequities which have existed between those of us that live near
14. here and those of us who live far away. Now, as to this expense
15. account it was the desire, hope, and intention of the members of
16. the Constitutional Convention that the Legislature would take the
17. steps necessary to provide itself with the means whereby they could
18. staff themselves and do a decent job. I'm talking about the
19. \$10,000 allowance, also the \$32.00 per day and I don't think when
20. they put that provision in the Constitution that allowed this that
21. they had any other intention but we found that the people from the
22. General Assembly who came over were very bold about many matters
23. but one thing they were timid about was spending money to pay them-
24. selves the salaries they ought to have and the expenses they ought to
25. have to staff and do the job they ought to do. If we come here and do
26. that job I don't think the people would object to being reasonably com-
27. pensated. I think everybody objects to us spending time doing nothing.
28. They do object to some of us maybe who make asses of ourselves in the
29. bars and with women and otherwise, speaking very frankly, but they don't
30. mind us paying a decent salary to ourselves for what we do here. Now
31. I, I personally feel that if to the Attorney General, as to the Lt.
32. Governor salary. All those people were making speeches about how dif-
33. ficult it might be if we had a Democratic Governor . . . maybe that

1. \$37,500 for that person that has to wait there we got to have
2. somebody, they've got to be capable to take up the reins of government
3. and to select and to choose a man who's capable, I think, the salary
4. has to be in this vicinity. Now I see no reason in any degree that
5. services or jobs can be found for the Lt. Governor commensurate with
6. that salary when we've approved all kinds of salaries here for adminis-
7. trative assistants over the last few years in excess of \$30,000. Now
8. if you want to find something to vote against on this bill, I'm
9. sure you could find it but this bill has been here since yesterday.
10. I disapproved of something, I offered an amendment and you gentlemen
11. had that same opportunity. If you didn't like the Lt. Governor's
12. salary as proposed, if you didn't like any other of the salaries or
13. anything else about this bill, you had that opportunity. If you're
14. just opposed to the bill in principal then vote against it.

15. PRESIDENT:

16. Senator Chew.

17. SENATOR CHEW:

18. Thank you, Mr. President. I don't want to get into a great
19. discussion, I merely want to say that we come down here and we do
20. encounter a lot of expenses. Now I'm going to pose this question
21. and I want somebody to answer it. Now I understood that the days
22. that you were in Session and present, I want to repeat, in Session
23. and present that you would have an allowance of \$32.00. Now are
24. we going to be big enough to go on and do it or are we going to
25. just stick around here and argue for the benefit of the next elections.
26. And it should be that the days you're in Session you are paid that
27. expense. Now, we take a lot of heat from the newspapers. We take a
28. lot of heat from ourselves, running for reelection. That's all we're
29. doing. But that doesn't matter. I think the people feel that we
30. ought to be here to take care of business and now you're going into
31. annual sessions. We're in them. We spent a lot of time down here. When
32. the press is down here they are compensated for the days they are away
33. from their home office. I've checked that out and I've found it to be

1. true, so don't get hung up on what the newspapers print. They print
2. good stories so they can get some readers. Now we're down here and
3. we ought to be compensated and if we're going to sit back and allow
4. the newspapers to say no, then are we running a Legislature for
5. the newspapers? My answer is no. They get paid, they stay in the
6. best hotels, they're on an expense account. We know this. When we
7. go on committee hearings and it's out of town as Senator Partee said,
8. then we're compensated, but I've attended many committee meetings
9. and commission meetings in Chicago and I never get one dime and
10. sometimes it takes two and three days. Senator Knuppel knows that
11. because we've been on them together. Now why don't we just stand
12. up and be men and quit running for reelection today. That's the
13. problem politically. We're too weak to do the job we're supposed
14. to do and I'll point out again, if you don't do your job, gentlemen,
15. the alternative is to be defeated the next time and I'm going to
16. vote for the \$32.00 and I'm going to vote that it should be that
17. every day roll call is when you are here.

18. PRESIDENT:

19. Senator Neistein.

20. SENATOR NEISTEIN:

21. I'm not going to belabor the point, but, Senator Horsley, you
22. mentioned about a check on what expenses are incurred and that it's
23. an automatic draw and someone mentioned that the Attorney General
24. can review the vouchers of the validity of this Act. I want to
25. point out to you that the Internal Revenue Service has ruled on
26. this point and every check that's drawn and every voucher you better
27. have a receipt to back it up, because that's their ruling. And I
28. don't think any member of this Body is going to submit and take
29. \$32.00 or \$30.00 unless they have the receipts for the hotel or
30. meals, et cetera. Because when Internal Revenue checks what you've
31. drawn from the State or vouchers as against what's been spent, you
32. have to back up and that's their ruling. There's a directive that's
33. out that you've got to back up with the receipts what you've drawn.

1. PRESIDENT:

2. Senator Groen.

3. SENATOR GROEN:

4. Well, Mr. President and members. I, too, have expressed some
5. concern over the wording of this portion of the amendment. I've
6. talked to Senator Partee about it, I've talked to Senator Harris
7. about it, I've talked to Senator Horsley about it. As I read it,
8. I think it's mandatory. It says, each member shall also receive an
9. allowance. It does not say of up to or a maximum of, it says he
10. shall, not he may. It says he shall receive an allowance of \$32.00
11. per day for lodging, meals and all other incidental expenses incurred
12. while in attendance at Sessions of the General Assembly or while on
13. official business. If he does not submit a voucher for that amount
14. I'm not at all sure that if he is present for example that he must
15. not be paid it automatically and that the President of the Senate
16. has no choice but to pay the amount to which this bill would say he
17. is entitled mandatorily, \$32.00 per day, not \$20.00, \$18.00 or \$16.00
18. or voucher supported, expense receipt supported, it's \$32.00 and I
19. don't think my long time good friend and colleague sitting on my right
20. would have any choice but to approve vouchers giving to each member
21. \$32.00 per day for every day he's here whether he drives 5 miles,
22. whether he stays overnight, whether he is on a diet and doesn't eat
23. or whether he spends the full amount of \$32.00. Now my next concern
24. about it is this matter of while on official business. Now let's
25. assume an example. Suppose the Senator lives in Cairo. I don't
26. believe we have anyone from there, that's why I take that place.
27. I'm not referring to anyone specifically. But let's assume that
28. someone in this Body is from Cairo. He is a member of a commission
29. that meets in Springfield or Chicago. While attending that commission
30. meeting he is on official business. I am sure that that commission
31. under the rules and regulations recommended by the Legislative Council
32. has adopted expense provisions for the members of that commission. Now
33. he finds himself in a position where he, I don't know. This says he

1. gets \$32.00 per day because he is on official business. Can he say
2. I don't . . . It's mandatory. Can he say I don't want that \$32.00.
3. I would prefer to take what the commission authorization would give
4. me. Does he take that amount less \$32.00. I don't know and this
5. certainly does not spell it out. I just might add this one thing.
6. I have just suggested to my friend, Bill Harris, sitting on my right
7. that one of the first things that I would suggest he do if he becomes
8. President of this Senate that it will be a full time job alone to
9. study, scrutinize, examine and approve vouchers that may be submitted
10. for payment. And I've suggested to him that he hire on his staff a
11. qualified accountant to take care of this one function alone because as
12. this is worded I, if I were sitting in his shoes, would not want the
13. responsibility that I think might well result if you leave this language
14. in its present form.

15. PRESIDENT:

16. Senator Palmer.

17. SENATOR PALMER:

18. Move for previous question.

19. PRESIDENT:

20. Motion for the previous question. All in favor signify by
21. saying aye. Contrary minded. Motion prevails. Senator Egan may
22. close the debate.

23. SENATOR EGAN:

24. Well, Senator Groen, to answer that remark I would like to be
25. very brief, but I would like to say in closing that the language is
26. specific. It says that each member shall also receive an allowance
27. of \$32.00 a day for meals, lodging, et cetera incurred. Clearer
28. than that it cannot be. If you don't spend the money you can't be
29. reimbursed for it. It's that simple. If you want to cheat you can
30. do that, but somebody's going to catch you someday. That's all I
31. have, Mr. President.

32. PRESIDENT:

33. Question is the adoption of the amendment. Roll call has

1. been requested. The Secretary will call the roll.

2. SECRETARY:

3. Arrington, Baltz, . . .

4. PRESIDENT:

5. Just a moment. The question is the adoption of amendment
6. number 5. It's a vote directly on the amendment.

7. SECRETARY:

8. . . . Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry,
9. Chew, . . .

10. PRESIDENT:

11. Just a moment. For what purpose does Senator Soper arise?

12. SENATOR SOPER:

13. Parliamentary inquiry. Now is this the majority of the members
14. voting on this that will adopt the amendment?

15. PRESIDENT:

16. That is correct. Majority of those voting on the question
17. will either adopt or defeat the amendment.

18. SECRETARY:

19. . . . Clarke, Collins, Coulson, Course, Davidson, Donnewald,
20. Dougherty, Egan, Fawell, . . .

21. PRESIDENT:

22. Senator Fawell.

23. SENATOR FAWELL:

24. In explaining my vote, I've got some reservations here only in,
25. really in regard to one part, and that is the executive salary and
26. that is only because I have indicated to a number of people that I
27. think that there is some question of propriety when the Legislature
28. alters a salary of any individual, including legislators, when the
29. Constitution forbids the alteration of that salary during the term
30. of the person in concern. And I think most of us have taken the
31. view that we ought not to do that in regard to our own salary. And
32. insofar as the judiciary is concerned here is that does not apply.
33. There is no constitutional inhibition about changing or altering their

1. salaries during the term for which they are elected so that would not
2. apply there but it does apply insofar as the executive branch is
3. concerned. Not that I don't believe that some of them are underpaid.
4. I think that the salary schedule is not reasonable, but I do have
5. a serious question in my mind as to whether we should alter these
6. executive salaries at this time, admitting as I have indicated
7. that there is a question in my mind about reasonableness at least
8. of some of the compensation. I think insofar as the judiciary is
9. concerned \$2,500 increase is not at all unreasonable and especially
10. referring to my own home base where we have the Associate Judges now
11. making \$500 more than the Circuit Judges it simply is not a fair
12. situation and it does exist. So I think it's very reasonable that
13. that type of an increase ought to be forthcoming. I think, too,
14. that insofar as the per diem is concerned that it is long overdue.
15. It's something that is reasonable that any businessman coming to
16. Springfield would expect to be compensated for expenses actually
17. incurred. I would assume that reasonable regulations will be worked
18. out so that there are differentials between the over-night expenses
19. that we all have coming from long distances and those such as Senator
20. Horsley or Senator Knuppel or others that do not have over-night expenses
21. and lodging involved. But . . . and I think also that insofar as the
22. increase from \$6,000 to \$10,000 for secretarial expense, I would hope
23. that the news media when reporting that will bring out the fact
24. that none of this money ever even comes into the hands of the legislator,
25. that it is all vouchered by third parties who voucher directly to
26. Springfield. We have to approve it but at no times does it come into
27. our hands. Insofar as my own situation is concerned, I have a secre-
28. tary in an office in Naperville and all the expenses that go with it
29. and \$6,000 per a year, if I expect to do any type of a competent
30. job insofar as my secretary is concerned and the office expenses
31. \$6,000 is not reasonable so I look upon this amendment as being a
32. fairly rational approach, I think. I simply have that problem
33. which is one of principle that we ought not to be altering that

1. executive branch insofar as their salaries are concerned because
2. in effect I think we are circumventing the Constitution in that
3. regard. At least for the time being, I'm simply going to vote present.

4. SECRETARY:

5. . . . Gilbert,

6. PRESIDENT:

7. Senator Gilbert.

8. SENATOR GILBERT:

9. Well, I have talked to many people and have told many legislators,
10. I've told many of the people in my community and my area that I feel
11. that the question of per diem is long overdue. But I am not happy
12. with the manner in which this is worded. I feel that it should be
13. handled in a similar way as we do our expense accounts on commissions.
14. In other words, if you stay overnight, why you're allowed a certain
15. amount for overnight; you're allowed a certain amount for incidentals.
16. Many times I fly to Chicago and back in one day and I certainly don't
17. take any overnight. I merely take my expense and the incidentals,
18. the meals and all, but I think there ought to be something in here
19. that would say that they don't get \$32.00 a day while on official
20. business when they might be only on official business a few hours or
21. less on any particular day. I want to support this legislation. I
22. also favor some of these other increases that are being put in. I
23. think that it is certainly an injustice, particularly to the Attorney
24. General, Secretary of State that their salary is less than many of
25. the people that we have appointed who don't even run for office. It's
26. much less than the judges and they certainly have more responsibility
27. than the judges do, particularly the Circuit Judges. I want to vote
28. for this legislation but I would like to see something done with this
29. provision about or while on official business. I think it is too
30. broad in its scope. I will vote aye, though, on the amendment because
31. I think the overall amendment probably deserves passage.

32. SECRETARY:

33. . . . Graham, Groen, Hall,

1. PRESIDENT:

2. Senator Groen.

3. SENATOR GROEN:

4. Mr. President, in explaining my vote I am concerned about
5. one other provision and it's on lines 14, 15, 16 and 17 on page
6. 4. It is my understanding, and I had an occasion to research
7. this at one time as a member of the Pension Laws Commission, that
8. the case law of this State and by historic precedent of both Bodies,
9. a member for this purpose is considered to be a member at the time
10. of his election and certification and that he does not have to be
11. sworn in and actually take the oath of office to be a member under
12. this provision. As it is worded here, I think you are requiring,
13. and this may be the statute as it now exists, I do not know, but
14. if it is I think this also should be clarified, if that be the case,
15. if the individual has not received one-half of the amount payable as
16. compensation then there would be no unpaid balance. Maybe you want
17. it this way. If you do, fine. But I think it's another thing that
18. ought to be looked at and considered with possible rewording so
19. that it does reflect precisely what you want to do. Mr. President,
20. I have no, no allusions that this is the final structure upon which
21. we will be required to vote dealing with all of these matters. I
22. would agree with Senator Gilbert's statement that I think the
23. Secretary of State and the Attorney General are grossly underpaid in
24. this State. I think that the Attorney General should be paid at
25. least the salary that the Supreme Court gets. This doesn't bring
26. him up to that figure and I think that it's too low. I would suggest
27. that that be considered in conference committee and with full
28. assurance that this is not the final draft of this legislation.
29. That we will have it presented to us in somewhat different form
30. perhaps by a conference committee, I, too, am going to vote present.

31. SECRETARY:

32. . . . Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
33. Kusibab, Latherow, Laughlin, . . .

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. Mr. President, I might say that in looking through this bill
5. there might be several objections to me and one particular page I
6. was able to very quickly decide how I was going to vote on this
7. piece of legislation. When people with appointive powers make the
8. decision for their judgment of appointment and totally disregard the
9. desires of the people of any particular county or governmental jurisdic-
10. tion of their appointments. I think it's become time to get
11. their attention. You have always heard the story about to get his
12. attention hit him in the head, and I think probably now is the
13. time to get the attention of some of the judicial system of the
14. State of Illinois is to hit them in the pocketbook. I won't vote
15. for any bill that gives a raise to the Judicial system of the State
16. of Illinois. I vote no.

17. SECRETARY:

18. . . . Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
19. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
20. Rock, . . .

21. PRESIDENT:

22. Senator Partee.

23. SENATOR PARTEE:

24. Just this word. This subject of raises across the areas
25. involved in this amendment has been the subject of several independent
26. groups, some more independent than others. The Bar Associations for
27. example have offered to give us their version of what Illinois judges
28. should be paid by comparing them with other industrial states or
29. states of a kindred type of population, and so forth, and they have
30. come up as high as \$55,000 for Supreme Court Justices. We have
31. looked carefully at all of these recommendations by the Illinois Bar
32. Association, by the Chicago Bar Association, and by an independent
33. group chaired by former Senator John Myers and others who looked at

1. these salaries across the board and made some in depth comparisons.
2. You will find that the figures in this amendment are in most instances
3. less than the amounts which were suggested by either the Bar Associ-
4. ations or by this independent arm of government which was statutory
5. which made these recommendations. I don't have the fears that many
6. of you have about how it's going to be spent or the \$32.00 a day
7. consideration. The last two years it has been a part of my duty to
8. look at the vouchers as submitted by the members, both for their
9. regular vouchers and the \$6,000 which was then allotted. I found
10. that some of them have almost been what might have been described as
11. penurious in their approach to those persons who were employed by
12. them and I didn't see any instances of waste nor did I see any
13. instances of wrongdoing. I think sometimes in discussing matters
14. as relates to our Body we are inclined to give people a bad impression
15. of people with whom we work each. And I found during the two years
16. I've had the experience that this is an honorable body and that the
17. amounts that were vouchered were, in fact, amounts to which those
18. persons were entitled. The expenses or if there is any way to more
19. carefully word this statute I'm certain that we can accomplish that
20. in the other House. I, too, am concerned that we are expressive in
21. complete detail of what we mean and that the expressions which we
22. employ will mean precisely what we are agreeing on here by our votes
23. today. And if it has to be done at another point in the other House
24. I'll certainly see that it's done there. This is a good amendment;
25. it's a reasonable kind of compromise. As a matter of fact, there are
26. people who served in the Governor's cabinet with one of whom I was on
27. a program with who was under the impression and said so to an audience
28. of 500 people that we were already receiving expense allowances on a
29. per diem basis. There are many people in this State that think that
30. the legislators are on an expense allowance on a per diem basis and
31. all of you know that we are not and will not be unless this bill
32. passes. I vote aye.

33. SECRETARY: .

1. . . . Rock, Romano, Rosander, Saperstein, Savickas, Smith,
2. Soper, Sours, . . .

3. PRESIDENT:

4. Senator Sours.

5. SENATOR SOURS:

6. Mr. President and Senators, very briefly. I cannot support this
7. in its present form and I think so there's no misunderstanding I ought
8. to probably state a reason. I don't think the Governor is worth
9. \$50,000 a year. I don't think the Lt. Governor, who at the present
10. time, at least until his duties are defined is nothing more than a
11. fact totem, whoever he may be. I don't think he's worth what the
12. schedule is either. I shy away from rewarding Judge Dolazal who,
13. I think, goes into the catalog as a Republican, but nevertheless may
14. or may not be that. Now as for the \$32.00 a day, I want to disagree
15. with some of the legal opinions here today. I think I, who go home
16. every night except the last three or four days in the long Session, I
17. think I'd be privileged to draw that, and I don't think the Treasurer
18. could deny me that \$32.00 a day. All I would have to do would be to
19. report that and call that reportable income and offset it with my
20. actual expenses. I don't need it. I don't want it. It won't help
21. me. It won't hurt me, but I'm telling you what I could do if I wanted
22. to. I could draw \$32.00 a day and go home every night. I vote no.

23. SECRETARY:

24. . . . Swinarski, Vadalabene, Walker, Weaver.

25. PRESIDENT:

26. Senator Horsley.

27. SENATOR HORSLEY:

28. Mr. President, I haven't voted yet. I held up my vote
29. purposely because I sent and got a report of the Constitutional
30. Convention and in view of the remarks that were made here a while
31. ago, I thought it would be quite interesting to see what the delegates
32. did to that Convention. Because the language contained herein is
33. very similar to the language in their bills and for these people

1. who traveled short distances apparently every cotton-picking one
2. of them collected up every buck that he could get his hands on
3. because the amount came to \$75.00 times 100 days, time 114. The
4. appropriation was \$855,000 and the amount expended was \$854,850.
5. There's \$150.00 lost somewhere in the shuffle out of nearly a
6. million. I don't know didn't claim it. Out of the meals, lodging
7. and incidentals, allowable expenses, but somehow they managed to
8. spend \$431,541. Now I wish somebody would tell me when you have
9. language like this that says here it is boys, come and get it.
10. Well you're not going to take it because the proof is right here
11. of the people under the same language who took advantage of every
12. dollar that they could get their hands on and overspent.

13. PRESIDENT:

14. Well, Senator Knuppel may be recognized on a point of personal
15. privilege. He may not respond to a question. Senator Knuppel is
16. recognized on a point of personal privilege.

17. SENATOR KNUPPEL:

18. He's talking about the gross of appropriations. There were
19. some mistakes here in the legislative Body. We make some sometimes
20. here you know, in the amount of appropriation. I think if he checks
21. he'll find that that delegate Scott, Maurice Scott from Springfield,
22. did not claim his \$32.00 per day. He'll find that Matthew Hutmacher
23. from Quincy did not claim any of his expense money for some reason
24. unbeknownst to me, because he was here. There was part that he
25. didn't claim. And he'll find that I did claim some expense money
26. but that it was greatly reduced over what was allowed. I think I
27. claimed only two or three nights out of the whole time and it was
28. reduced to where I was claiming about 13, 14 or 15 dollars a day
29. most of the time. And the mere fact that in the gross figures they
30. used all you appropriated may be something else, but I'll guarantee
31. you that you do Maurice Scott and some of the rest of us a disservice
32. when you say we took every cotton-picking dollar we could get because
33. it's not true and I have no intention of taking all of this \$32.00.

1. I certainly intend to take part of it because when I'm in here and
2. buy meals I'm entitled to buy those meals and to put in a claim the
3. same as anyone else. But you do your own delegate to the Constitu-
4. tional Convention a disservice when you say that Maurice Scott claimed
5. that money, because he did not.

6. PRESIDENT:

7. We are on roll call and unless it's a point of personal
8. privilege we're going to proceed with the roll call. Senator Sours.

9. SENATOR SOURS:

10. A point of personal privilege, Mr. President. I think this would
11. be an appropriate time to recount a Latin aphorism, (states Latin
12. phrase), where you find the honey, there you'll find the bees.

13. PRESIDENT:

14. Is this...where...For what purpose does Senator Baltz arise?

15. SENATOR BALTZ:

16. How am I recorded?

17. PRESIDENT:

18. How is Senator Baltz recorded?

19. SENATOR BALTZ:

20. Mr. President and members of the Senate, in explaining my
21. vote, I guess we have enough order. In explaining my vote, I'd like to
22. point out that this amendment probably isn't perfect in any shape or
23. form. There are certain people that I know that would like to have all
24. of the pay raises embodied in this bill or expenses that are embodied in
25. this bill in separate bills so that they could pick and choose. At least
26. that's some of the indication that I have had in the arguments that I've
27. heard in explaining votes. It probably isn't the best vehicle in the
28. world to treat this most important subject . . .

29. PRESIDENT:

30. Just a moment. Please. Let's . . .

31. SENATOR BALTZ:

32. It probably isn't the best vehicle in the world to treat this
33. most important subject because it does give many people a reason for

1. not voting on the bill because they have a particular reason for
2. not voting. For instance for judges' salaries or they may choose
3. to feel that executives should not be raised or that the legislators
4. are not entitled to per diem and the inference being that if these are
5. in separate bills that all of them then may pass or an amendment of
6. some kind might be adopted. It kind of reminds me of when I was Chair-
7. man of the Community Chest Drives back many years ago that people would
8. say that I would give to the Community Chest but I don't like the Boy
9. Scouts. And someone would say that I have no objections to the other
10. 27 agencies in the Community Chest but I don't like the Guardian Angel
11. Home. But, what I think we're doing here is we have to realize we are
12. behind in executive salaries and in comparison to other states of com-
13. parable size we are behind in the payment of salaries to judges in
14. comparison of other states of comparable size. We do feel that, I
15. think, that legislators are entitled to a per diem when they are down
16. away from their homes on State business just as we pay per diems to
17. the more lowly State employees that are working for 7 or 8,000 dollars
18. a year, draw a car out of the automobile pool every day, and travel
19. to Peoria or Joliet or what have you, and they are allowed per diem
20. for their expenses. So I think that it's long overdue that legislators
21. of this State should have a per diem as many other states have had.
22. Certainly with the work load of the legislators here and had resulted
23. back home that you're entitled to a reasonable amount to pay for
24. your office and secretarial salaries back home. Now, as I mentioned
25. before, it might not be satisfactory to everyone to have all of these
26. pay raises and other emoluments in the same bill. I think that they
27. are all reasonable, however. I could take some exception to some of
28. the pay raises in the executive branch but I could only take exception
29. to like \$2,500 or at the most \$5,000 of those raises. And this is
30. for only one person. This isn't applying to 150, 200 or 300 jobs...

31. PRESIDENT:

32. The Senator will conclude his remarks.

33. SENATOR BALTZ:

1. As we reviewed this situation in our committee study, we found
2. that there were some 290 appointed officials in this State that were
3. making more than \$30,000 a year than some of our elected officials
4. here that we're trying to bring up to a reasonable compensation. So
5. I think that we ought to view the bills in the broad manner and say
6. yes, they may have some flaws in them. They may have one particular
7. category that I don't like or that you don't like, but in general they
8. are good. They're reasonable and they will be governed by the guide-
9. lines set down by the Federal government on the 5.5 percent and it's,
10. it's my interpretation that each and every one of these expenses that
11. are incorporated in this amendment are sound. This amendment is a
12. so called agreement that we had earlier in the day that we would
13. get all the feeling of the Legislature together and I would be glad
14. to support this amendment and vote aye.

15. PRESIDENT:

16. Senator Collins.

17. SENATOR COLLINS:

18. Mr. President, I don't believe I am recorded. I'd like to
19. vote aye.

20. PRESIDENT:

21. Senator Merritt.

22. SENATOR MERRITT:

23. Mr. President and members of the Senate, I'm not recorded am I,
24. Mr. Secretary? Just very briefly in explaining my vote, much has been
25. said by many in the Body that are far more articulate than I. I just
26. wonder sometimes who's kidding who. We say we're voting on the amend-
27. ment to the bill. As I read the amendment, we strike everything
28. and begin all over anew, so in reality, if you're voting for the
29. amendment, you're almost in total voting for the bill. Again, I
30. wonder who's kidding who. In 1970 many of us stood in this same
31. Body a half hour before a new Session was to start and did the very
32. same thing we're doing today. It wasn't acceptable to the people then
33. any more than it is today. I think it's about time we began to take

1. some stock of just what we're doing here so that my people back
2. home and yours, too, will know exactly what you're doing with
3. only about a couple of weeks yet remaining before you're going
4. to be sworn into Session and not giving any of the people any
5. tax relief. I consistently throughout the campaign, I voted for
6. the . . . I voted against the pay raise the last time. I consistently
7. said in this campaign I would vote for no increased pay for myself.
8. It's no more palatable by giving me \$32.00 per day and increasing
9. allowances back home. Yes, I think we're entitled to them but by
10. the same token I think that the timing is bad. Why don't we do this
11. the right way when we come back in January or some time in the next
12. Session so that the whole world knows that we're doing it rightly.
13. I would vote no.

14. PRESIDENT:

15. For what purpose does Senator Chew arise?

16. SENATOR CHEW:

17. A point of personal privilege. And I would merely say those
18. that voted against the increase when it was awarded to the Legislature,
19. and there is no record that they made a refund and didn't accept it.

20. PRESIDENT:

21. The Chair . . . We . . . On a matter of personal privilege is
22. not a matter for debate on the issue and the Chair . . . It's not the
23. length . . . On the amendment, the yeas are 31; the nays are 9; 5
24. present. The amendment is adopted. Senator Groen is recognized.

25. SENATOR GROEN:

26. Mr. President, on a point of personal privilege, I would just
27. very briefly like to put this whole problem in a sense of perspective.
28. When it was decided to make an omnibus bill covering all three of
29. these matters before us, I was disappointed. We really have one
30. critical problem facing us at this moment in the dying days of the
31. 77th General Assembly and that is simply this. If we are going
32. to provide the incoming elected public officials with increased
33. compensation, we must do that job before the end of this 77th

1. Session. And I think we are all in accord that some adjustments
2. should be made. If nothing happens to the judicial salary or
3. if nothing happens to the legislative compensation, that can be
4. done by the 78th General Assembly. Now when we talk about the
5. General Assembly I would add this one additional comment. I
6. don't know with one-third of this membership changing on January
7. 10th whether it is wise for us to finally determine this matter
8. of compensation for that incoming one-third. It seems to me that
9. we might well separate before final action these matters so that
10. those of us who have strong feelings about one phase of it might
11. in good judgment and in good conscience exercise that vote and deny
12. it where we do not deem it necessarily expedient at this point.
13. If we reach the point in a conference committee where disagreement
14. is obvious I would hope that they would separate these matters
15. so that we can address ourselves to the salaries of the incoming
16. elected officials and do justice by them and perhaps then delay
17. the two remaining subjects of the judicial salaries and that of
18. compensation of the General Assembly to the next General Assembly
19. which I feel might be better qualified to assess the situation
20. at that time in the light of anticipated revenues that might be
21. received during the period of their terms of office. Thank you.

22. PRESIDENT:

23. The . . . The bill is advanced to Third Reading. Do we have
24. any intervening business to come before the Body at this time?

25. Senator Groen.

26. SENATOR GROEN:

27. Mr. President, I don't know if this is intervening business.
28. I hope that it is. Yesterday I caused to be placed on the desk
29. of each of the members a letter from me making some very serious
30. and, I believe, well considered suggestions for your consideration
31. of changes in organization and operations of the coming General
32. Assembly. I hope that you will give that letter serious consideration.
33. At the end of it, I expressed to each of you my heartfelt admiration

1. and wishes for the well-being of each of you in the future. It's
2. sort of my swan song to you. I bid you all adieu with nothing
3. but kindness and gratitude in my heart, a feeling of great warmth.
4. Yes, some accomplishments, yes, some disappointments. I wish
5. you all Godspeed and I ask unanimous consent, Mr. President, that
6. the letter which was distributed to you might be spread upon the
7. record and made a part of the Journal of these proceedings of
8. this day.

9. PRESIDENT:

10. Is there objection? The leave is granted. The Chair would
11. simply add, I think there are some excellent suggestions in that
12. letter. Senator Gilbert has suggested, although we have intervening
13. have had intervening business, I think Senator Gilbert has requested
14. 4469. I think it's not a matter of controversy and we can dispose
15. of it. It's on the bottom of your Calendar. Recommendation for
16. change by the Governor. Senator Gilbert is recognized.

17. SENATOR GILBERT:

18. House Bill 4469 deals with the manner of taking care of the
19. board of a charter school district when they elect to abolish the
20. charter school district and come under the School Code under the
21. regular system. The Governor in his veto, amendatory veto, pointed
22. out that although House Bill 4469 provides and in any districts
23. in which any members of the Board of Education were appointed, the
24. members shall continue to serve until the expiration of their
25. existing terms and thereafter members shall be elected. Now that's
26. speaking of the charter district. However, the bill did not contain
27. a similar provision in case of elected members of the Board of
28. Education and moreover it deletes the present statute in the
29. existing provision for new election to be held after proposition
30. to change from a special charter school district to a school district
31. operating under the general school laws that have been adopted.
32. When this matter was returned to the House as a House Bill, the
33. House prepared a substitute for the Governor's amendment of House

1. Bill 4469. This took care of the objections of the Governor.
2. There's not . . . It's basically the same, except they changed
3. the wording from the way that the Governor had put it and put it
4. in two sections rather than one. It is the intent, the basic
5. intent, of this bill which was a School Problems Commission recom-
6. mendation in its origin and at this time, I would move that the
7. Senate concur in the substitute for the Governor's Amendment to
8. House Bill 4469. I would ask for a roll call.

9. PRESIDENT:

10. Is there any discussion? Secretary will call the roll.

11. SECRETARY:

12. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
13. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
14. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
15. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
16. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
17. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
18. Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
19. Sours, Swinarski, Vadalabene, Walker, Weaver.

20. PRESIDENT:

21. . . . aye. Donnewald, aye. On that question the yeas are
22. 39; the nays are none. The Senate concurs in the House action.
23. Senator Gilbert.

24. SENATOR GILBERT:

25. Mr. President, on a matter of personal privilege. I believe
26. that this is probably the last piece of legislation that I will
27. handle in this Senate. I want to personally thank the present
28. members and those who have served with me and are no longer in the
29. Senate in absentia of the wonderful cooperation I have received
30. in the field of education. I have tried to never misrepresent
31. anything to you. I've tried to present the problem as I saw it or
32. as I thought it was in the bill. If everyone could have the cooperation
33. and help from each other that you have given to me, we would have a

1. much more wonderful legislature. I do personally thank all of you
2. from the bottom of my heart.

3. PRESIDENT:

4. Thank you, Senator. And the Chair just might add I've been
5. around here 18 years and John Gilbert has been one of the finest
6. members of the General Assembly in that period. 3906, Senator Egan.

7. SENATOR EGAN:

8. Mr. President, members of the Senate. I had prepared a speech
9. which would last about 15 minutes on this Bill but I think I'm going
10. to put it aside and ask that you all vote for it. Thank you.

11. PRESIDENT:

12. Is there any discussion? Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
15. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
16. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
17. Hynes, Johns, Knueofer, Knuobel, Kosinski, Kusibab, Latherow, Laughlin,
18. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
19. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
20. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
21. Walker, Weaver.

22. PRESIDENT:

23. Savickas aye, Newhouse aye, Romano aye. Senator Egan. Baltz
24. aye .

25. SENATOR EGAN:

26. Yes, Mr. President. I have withheld my vote and I would like
27. to vote aye.

28. PRESIDENT:

29. Egan aye. Request for a call of the absentees. The absentees
30. will be called.

31. SECRETARY:

32. Arrington, Berning, Bidwill, Bruce, Clarke, Coulson, Davidson,
33. Fawell, Graham, Knueofer, Mohr, Ozinga, Saperstein, Swinarski.

1. PRESIDENT:

2. On that question the yeas...Senator Egan.

3. SENATOR EGAN:

4. Mr. President, I would like, because this Bill contains an
5. effective date, I would like...I've been told we cannot send it to
6. the House, however, I'm also told that the rules automatically call
7. for reconsidering the vote at which time I would like to ask for
8. a roll call on that and then bring it back to the order of Second
9. Reading. I have an amendment to remove the effective date. I'd
10. like to have that voted on, put back on Third, voted again and
11. then send it over to the House.

12. PRESIDENT:

13. Well the rules were set up under the old Constitution. The rules
14. say that when, the rules say when a two-thirds vote is required
15. then it will automatically be up for reconsideration when an
16. amendment may be applied. The Chair would rule that the same
17. general provision applies to the three-fifths requirement. So
18. that if the Chair announces the decision here now and the votes
19. that I have tallied here are not 35 then it would automatically
20. be deemed ready for amendment, reconsidered...if you have an amendment
21. ready you could apply one at that point. On Third Reading. This
22. does not need to come back to Second Reading. On the question the
23. yeas are 31; the nays are 12; 2 present. The Bill does not receive
24. the necessary 35 votes. Senator Egan.

25. SENATOR EGAN:

26. Now Mr. President I would like to offer Amendment Number 6
27. which merely strikes out Article 4 which is the enacting clause.

28. PRESIDENT:

29. Since this is being recorded I think you better correct
30. yourself.

31. SENATOR EGAN:

32. Strikes Article 4 which is the effective date of the Act.

33. PRESIDENT:

1. Motion is to adopt the amendment striking the effective date
2. on the Act. All in favor of the adoption of the amendment indicate
3. by saying aye. Contrary minded. The amendment is adopted. The
4. measure is now up for a vote. It requires 30 votes now for passage.
5. The...we will have to have another roll call. The Secretary...

6. Senator Egan.

7. SENATOR EGAN:

8. ...business.

9. PRESIDENT:

10. There is no necessity for intervening business.

11. SENATOR EGAN:

12. I would ask for the same roll call.

13. PRESIDENT:

14. We have to take another roll call. The Secretary will call
15. the roll. We are voting on the identical bill minus the effective
16. date. Senator Gilbert.

17. SENATOR GILBERT:

18. Parliamentary inquiry. Now what is the effect of this bill?
19. Without the effective date in it with the amendment put on by the Senator
20. of it passes the Senate here with 30 or more votes and goes to the House
21. and they accept. Now what happens? Do we have the people starting
22. to get these salaries in July 1st or is there no effect at all in this
23. bill?

24. PRESIDENT:

25. The effective date of the bill is July 1, 1973.

26. SENATOR GILBERT:

27. Then the officers, the state officers would not benefit by
28. this bill. They would not be paid. They would not get the increase.

29. PRESIDENT:

30. The Chair cannot answer that question frankly.

31. SENATOR GILBERT:

32. Well I know the point I'm making is the people that are most
33. entitled to anything are certain elective officers who had no control

1. over this matter being brought up at the last minute. They appeared
2. before this Legislature, asked that this be done before the election.
3. It was not done and it was not their fault. And I don't want to
4. preclude them from having a chance some way to have an increase.
5. The other group that I am interested in, of course, I think the
6. boys are entitled to per diem and I would like to see that stay.
7. But I don't want to do something here that's going to say that
8. the elected officials aren't going to have any chance to get
9. any money and then give the legislator something cause I won't
10. vote for that when the legislators themselves can do it in the
11. next Session, but if it's combined together, then I can and I
12. want to know what I am voting on.

13. PRESIDENT:

14. Right. Well, the Chair simply isn't in a position to be
15. able to give you an answer on that. I think it's a question
16. for the courts or the Attorney General. The Secretary will call
17. the roll.

18. SECRETARY:

19. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
20. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
21. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
22. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab.
23. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
24. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
25. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
26. Swinarski, Vadalabene, Walker, Weaver.

27. PRESIDENT:

28. Sen . . . Vadalabene, aye. For . . . Groen, no. Graham,
29. no. Senator Egan.

30. SENATOR EGAN:

31. Yes, Mr. President, I haven't voted yet, but I would like
32. the Secretary to record me as voting aye.

33. PRESIDENT:

1. A request for a call of the absentees the absentees should be
2. called.

3. SECRETARY:

4. Arrington, Berning, Bidwill, Bruce, Carroll, Coulson, Davidson,
5. Fawell, Gilbert, Knuepfer,

6. PRESIDENT:

7. Gilbert, aye.

8. SECRETARY:

9. Mohr, Ozinga, Saperstein, Swinarski,

10. PRESIDENT:

11. On that question the yeas are 31. The nays are 14. The
12. bill having received the Constitutional majority is declared
13. passed. Senator Johns moves to reconsider. Senator Neistein
14. moves to table. All in favor of the motion to table signify by
15. saying aye. Contrary minded. The motion to table prevails.
16. Senator Neistein.

17. SENATOR NEISTEIN:

18. Is Senator Clarke on the floor? Mr. President, so we won't
19. have to move Christmas back two weeks. I'm going to make the
20. following motion. I'm going to move now that the following
21. bills should be stricken. All Senate Bills on Third Reading not
22. previously passed or tabled. All House Bills on Third Reading
23. not previously passed or defeated except House Bill 4656, 58, 59,
24. and 4675. House Bill on Second Reading, 4713. On postponed
25. reading all bills except Senate Bill 654 and on the Secretary's
26. desk all bills except Senate Bill 890. House Bill 1569 and 4469.

27. PRESIDENT:

28. Is there...Senator Clarke.

29. SENATOR CLARKE:

30. As the Senate sponsor of Senate Bill 890. Are you suggesting
31. that we should keep a second pay board bill alive Senator Neistein?

32. PRESIDENT:

33. Senator Neistein.

1. SENATOR NEISTEIN:

2. I didn't hear him I'm sorry.

3. SENATOR CLARKE:

4. As the Senate sponsor of Senate Bill 890. You know we
5. gutted that last June and we have a second pay board in that
6. bill. Why do you want to keep that alive. Just in case the
7. first board doesn't give the right answers?

8. PRESIDENT:

9. Senator Neistein.

10. SENATOR NEISTEIN:

11. As sponsor of that bill I'd like to put that in the group
12. to table it.

13. PRESIDENT:

14. You wish to include that?

15. SENATOR NEISTEIN:

16. I wish to include Senate Bill 890.

17. PRESIDENT:

18. All right that will be added. Now... technically we can't
19. debate this but I think practically we 're going to have to have
20. some discussion. Senator Horsley.

21. SENATOR HORSLEY:

22. Did you exempt from your motion 1569?

23. PRESIDENT:

24. He did. Senator Hynes.

25. SENATOR HYNES:

26. I believe that House Bill 4713 was accepted from the
27. motion. Was it? It was.

28. PRESIDENT:

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Mr. President, I've got no objection to that motion. I
32. would go along with it. I would like to suggest though that
33. House Bill 4695 which we considered and went on postponed con-

1. sideration may now be in the condition where there will be the
2. members to vote for it who will pass it, and if that's true, I think
3. it ought to get out. I'm willing to go up or down with it and if
4. we can make that one exception I'd vote for the package.

5. PRESIDENT:

6. Senator Neistein.

7. SENATOR NEISTEIN:

8. In deference to Senator Newhouse we can add House Bill 4695.

9. PRESIDENT:

10. 4695.

11. SENATOR NEISTEIN:

12. All right.

13. PRESIDENT:

14. Senator Dougherty.

15. SENATOR DOUGHERTY:

16. I have a bill on Second Reading. I would like to have it
17. held. It's 4719 and it covers a very dangerous situation in
18. Chicago.

19. PRESIDENT:

20. Is that...Senator Neistein you're making the motion and...

21. SENATOR NEISTEIN:

22. That's the last that's the last bill I'll accept. 4719. No
23. more exceptions. I'm going to stick to my original motion from
24. here on out.

25. PRESIDENT:

26. Senator Graham.

27. SENATOR GRAHAM:

28. Mr. President, what we're doing here as a fail to consider
29. 46 and 95 which sets up the schedules for penalties under the
30. new Correction Code.

31. PRESIDENT:

32. Well, Senator, he is exempting that.

33. SENATOR GRAHAM:

1. You're leaving the bill on? Oh, I'm sorry, I'm sorry Bernie,
2. I apologize.

3. PRESIDENT:

4. Is there anything else? The motion is, I think everybody
5. understands the motion. All in favor signify by saying aye.
6. Contrary minded. The motion prevails. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Mr. President, if it's in order now, I'd like to call Senate,
9. House Bill 4695 about which both I spoke and Senator Graham
10. spoke and let's go up or down with it. If that's the wish of
11. the Chair then I'd like to have a brief explanation.

12. PRESIDENT:

13. Real frankly, Senator Newhouse, that's on postponed consideration.
14. We have some other requests I think I ought to who haven't had
15. a chance at their at bat yet. I think we ought to give them
16. a chance. Senator Hynes, House Bill on Second Reading 4713.

17. SENATOR HYNES:

18. I would offer amendment A amendment Number 1 to House Bill 4713.
19. This bill authorizes ...

20. PRESIDENT:

21. Just a moment please. Let's have some order. We're on House
22. Bills on Second Reading. Senator Hynes offers Amendment Number
23. one. Can you explain the Amendment briefly?

24. SENATOR HYNES:

25. Well first let me the bill itself allows municipalities
26. to enter into agreement which under which one municipality would
27. supply water to others within a 25 mile radius of its corporate
28. limits. This amendment in essence provides that first the
29. act itself shall not in any way diminish the contractual powers
30. and powers of association granted by the Constitution to
31. municipalities and secondly, that the amendatory act shall not
32. limit the power of any home rule unit. I know of no objection
33. to the amendment and I would move its adoption.

1. PRESIDENT:

2. Is there any discussion? All in favor of the adoption of
3. the amendment indicate by saying aye. Contrary minded. The amend-
4. ment is adopted. Any further amendments? Third Reading. Senator
5. Dougherty, do you want 4719?

6. SENATOR DOUGHERTY:

7. 4719.

8. PRESIDENT:

9. 4719.

10. SECRETARY:

11. Second Reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? Third Reading. 46, Senator
14. Newhouse, are you ready now on 4695. Senator Newhouse.

15. SENATOR NEWHOUSE:

16. Mr. President, I'm not sure that I see enough votes on the
17. Floor to pass anything, Mr. President.

18. PRESIDENT:

19. Well, if there's any question I think you're wiser to hold
20. off right now. Is there . . . We have some resolutions. The . . .
21. We have some resolutions. Just . . . We'll be at ease for just one
22. moment. We have some resolutions. If the Senator . . . we can have
23. the attention of the Body.

24. SECRETARY:

25. Senate Resolution 442 by Senator Partee. WHEREAS our highly
26. astute colleague . . .

27. PRESIDENT:

28. Just a moment. It's a resolution concerning one of our
29. colleagues. Senator Neistein, Senator Cherry, Senator Heinecke,
30. Senator Hynes, gentlemen. Let's break up the caucuses. Senator
31. Latherow, Merritt and McBroom. Please, gentlemen, let's take the
32. caucuses off the Floor.

33. SECRETARY:

34. WHEREAS, our highly esteemed colleague, Senator Edward A. Nihill

1. celebrates his birthday on Monday, December 18th...

2. PRESIDENT:

3. Just a moment. Senator Nihill is not paying attention here
4. I'm afraid. Senator Hall and others, can you begin again?
5. Mr. Secretary.

6. SECRETARY:

7. WHEREAS our highly esteemed colleague, Senator Edward A.
8. Nihill celebrates his birthday on Monday, December 18th and
9. WHEREAS Senator Nihill ably and conscientiously represents the
10. citizens of Chicago's twenty-third district. The area in which
11. he was born and reared. And WHEREAS he was widely he is widely
12. respected by his colleague, the media, lobbyists in the general
13. public as a highly principled moral individual who has devoutly
14. religious and a solid family man. And WHEREAS the good Senator,
15. whose excellent taste is evidenced by his dress and by his choice
16. of cigars possessés a warm sense of humor and consistent thought-
17. fulness for others. And WHEREAS Senator Nihill's generous attitude
18. extends to all people not just the wealthy and powerful as demon-
19. strated by his kindness to the Senate pages and other employees.
20. And WHEREAS Senator Nihill has served with pride and distinction
21. during his six years in the General Assembly and has worked extremely
22. hard for his constituents including the Mayor of Chicago, Richard
23. Daley. And WHEREAS Senator Nihill is retiring at the end of his
24. present term and will be genuinely missed by his colleagues on both
25. sides of the aisle. Therefore be it resolved by the Senate of
26. 77th General Assembly that we extend to an outstanding American,
27. Senator Edward A. Nihill, our warmest and heartiest congratulations
28. upon his birthday. That we wish him many happy years of retire-
29. ment and be it further resolved that a suitable copy of this
30. preamble and resolution be presented to the Honorable Edward A.
31. Nihill so that the years ahead in the years ahead he can be reminded
32. of the respect and esteem in which he is held by his colleagues
33. in the Senate.

1. PRESIDENT:

2. Senator Nihill you're not recognized yet until we've adopt this
3. resolution. Senator Partee is recognized.

4. SENATOR PARTEE:

5. I move that the resolution be adopted immediately and the
6. rules be suspended for that purpose.

7. PRESIDENT:

8. Motion for the adoption of the resolution. All in favor
9. signify by saying aye. Contrary. The resolution is adopted.
10. Senator Nihill we'll recognize you now.

11. SENATOR NIHILL:

12. Mr. President and ladies and gentlemen of the Senate, I
13. enjoyed my stay here the last six years. I worked for a law
14. firm many years back and I was telling Senator Swinarski one
15. day over in the St. Nicks. I remember when I came down here
16. I worked for Kelly, Murphy and Burns. They were Polish, you know.
17. We had approximately 35 lawyers in that office and I came down
18. here and I was telling them about the horse and buggies being
19. tied up around down here and I want to say this. I've been
20. down here many, many days during the year prior to the time
21. I served here and I say this the bottom of my heart I appreciate
22. the kindness of everybody who extended to me here. The Senators,
23. the Lt. Governor, Governor, the Senators and all the fine ladies
24. and gentlemen, including the press. As they made the statement
25. here I made a lengthy talk one day you know when you come from
26. the Mayor's ward you get up and talk five minutes they say you
27. make a lengthy talk. These things happen. I wish you all good
28. health, Merry Christmas a Happy New Year. Thanks all.

29. PRESIDENT:

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. I wondered if this was killing time period.

33. PRESIDENT:

1. We have some more resolutions but your're certainly
2. recognized. Senator McBroom.

3. SENATOR McBROOM:

4. Mr. President and members of the Senate, I'd like to suggest
5. to Senator Nihill now that he will have more free time. He's been
6. telling me for about four years that he's going to drive down to
7. Kankakee and buy my lunch and buy a cadillac. Senator Nihill,
8. you don't have to buy the cadillac but I would like that free
9. lunch some time.

10. PRESIDENT:

11. Senator Horsley.

12. SENATOR HORSLEY:

13. I'd like to call 1569 on the amendatory...

14. PRESIDENT:

15. Just...before we move on to other things let's get the
16. resolutions out of the way. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President I am the second sponsor on a resolution I
19. believe you have up on the desk. That addresses itself to the
20. list of Senators who are retiring. And in the absence of Senator Ozinga
21. I would like to have the Secretary read this resolution and then we'll act
22. upon it. It addresses itself to all of the retiring Senators.

23. SECRETARY:

24. Senator Resolution number 443 by Senators Ozinga, Graham,
25. Berning, Bruce, Chew, Clarke, Course, Donnewald, Dougherty,
26. Fawell, Hall, Harris, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
27. Latherow, McBroom, McCarthy, Merritt, Mitchler, Mohr, Newhouse,
28. Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith, Soper,
29. Sours, Vadalabene, Walker and Weaver. WHEREAS the list of
30. 21 Senators representing 326 years of service and 163 sessions
31. of the General Assembly are retiring after the current session
32. having represented their respective parties and constituents
33. in each House as indicated. Honorable W. Russell Arrington,

1. PRESIDENT:

2. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President and colleagues, there isn't much more that
5. one could say that has not been stated before on this floor
6. or in this resolution that would indicated our feelings for those
7. who sometimes I agree were smart enough not to be here anymore.
8. Others didn't choose that route. I think this is self-explanatory
9. and to you gentlemen I think I can speak on behalf of all the
10. Senators that we're hopefully going to adopt this resolution
11. with a great feeling of admiration in our heart for all of you
12. and with that thought in mind, Mr. President, I would like to
13. ask for the immediate suspension of the rules and adoption of
14. this resolution.

15. PRESIDENT:

16. I'm sorry. Motion for the adoption of the resolution.
17. All in favor signify by saying aye. Contrary minded. The
18. resolution is adopted. Well all Senators not involved will
19. be shown as sponsors. Right. Okay.

20. SECRETARY:

21. Senate Resolution 444 by Senator Newhouse.

22. PRESIDENT:

23. Senator Newhouse.

24. SENATOR NEWHOUSE:

25. Mr. President, I don't need to expand on that kind of
26. eulogy. This was a fine young man, a personal friend from my
27. district who was a victim of that tragic plane crash and
28. I move for the immediate suspension of the rules for the immediate
29. adoption of this resolution and ask all Senators to join me in it.

30. PRESIDENT:

31. All Senators will be shown as co-sponsors. All in favor of the
32. adoption of the resolutions please rise. The resolution is adopted.
33. Senator Horsley on 1569 on the Senate Calendar.

1. SENATOR HORSLEY:

2. Mr. President and members of the Senate, we passed that
3. bill in the regular Session and as passed it had a home rule
4. amendment in it which took out of the effectiveness of the
5. bill a lot of the people that were sought to be regulated by the
6. bill, and also had a bill regulating out of state people. And
7. the Governor by his veto has amended it after conferences with
8. the out of state people, and as I understand it, out of conferences
9. with the people who are involved with the home rule amendment
10. so that it is now as I have been led to believe agreed upon by
11. the people who were involved. Now this is a very important bill
12. regulating the collection agencies in the State of Illinois so
13. that they will, in effect, be able to police not only themselves,
14. but let the State police them. And I think there's a great
15. step forward and I would appreciate very much if everybody would
16. support the amendatory veto as rendered by the Governor.

17. PRESIDENT:

18. Is there any discussion? The Secretary will call the roll.

19. SECRETARY:

20. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
21. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
22. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
23. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibat,
24. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
25. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
26. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
27. Swinarski, Vadalabene, Walker, Weaver.

28. PRESIDENT:

29. Harris, aye. Request for a call of the absentees. The
30. absentees will be called.

31. SECRETARY:

32. Arrington, Baltz, Berning, Bidwill, Bruce, Cherry, Chew,
33. Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Hall,

1. Horsley, Hynes, Johns, Knuepfer, Kosinski, Lyons, McCarthy,
2. Merritt, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
3. Palmer, Rock, Romano, Saperstein, Savickas, Smith, Soper,
4. Swinarski, Vadalabene, Walker

5. PRESIDENT:

6. Walker aye. For what purpose does Senator Horsley arise?

7. SENATOR HORSLEY:

8. I desire to explain my vote.

9. PRESIDENT:

10. The Senator is entitled to three minutes to explain his
11. vote.

12. SENATOR HORSLEY:

13. I have a memorandum here by Mr. Bob Brunzman a very fine
14. man who has handled this bill who is a local man who brought it
15. to me and asked me to handle it in the Senate. I don't quite
16. understand the significance of what he says in the written
17. memorandum and what has happened here today. I might say that
18. there'd be no benefit in postponing this matter and if people
19. want to go back upon their word as I've been led to believe
20. it was given of course that's their privilege. This affects
21. a very serious industry in the State of Illinois. It affects a
22. lot of people and their rights. I think it's a very important
23. bill. It's one that's been thought up for a long long time. I
24. think it's a bill that's much needed in the State of Illinois.
25. I don't understand what's going on but I can assure you this
26. going to be the last roll call on the matter as far as I'm con-
27. cerned. If you want to vote on it all right if you don't that's
28. entirely up to you. Let the people who are interested in this
29. legislation know where you stand. Mr. President, I want to be
30. recorded aye on this matter.

31. PRESIDENT:

32. On that question the yeas are 22 the nays are none. The
33. Senate does not concur in the amendatory language offered by the

1. Governor. Senator Cherry.

2. SENATOR CHERRY:

3. Mr. President, I now move that the Senate resolve itself
4. into Executive Session for the purpose of considering the
5. Governor's message of November the 26th.

6. PRESIDENT:

7. Motion that the Senate resolve itself into Executive Session.
8. All in favor signify by saying aye. Contrary minded. The Senate
9. is resolved into Executive Session. Senator Cherry.

10. SENATOR CHERRY:

11. And now, Mr. President, on the Secretary's Desk is a report
12. of the Executive Committee action with respect to the Governor's
13. message and I'd like that report of the Executive Committee read.

14. SECRETARY:

15. Senator Cherry, Chairman of Executive Committee, reports on
16. the Governor's message of November 27th, 1972, with recommendation
17. do not advise and consent.

18. PRESIDENT:

19. Senator Cherry.

20. SENATOR CHERRY:

21. Mr. President, we had quite a discussion in the Executive
22. Committee with respect to the Governor's recommendation of November
23. the 26th. As of this moment, there are approximately 23 days left
24. to the present executive's administration of this State. In the
25. dialogue and the consideration of these appointees it was . . .
26. Well, strike that. It was considered by the majority who voted on
27. the issue that these appointments should be made by the Governor-
28. Elect who will take his oath of office on the 8th of January. Those
29. of us who voted against the confirmation of these appointees felt
30. that the responsible thing to do with these appointees would be to
31. let the incoming Governor make the selection. He will be responsible
32. for the administration of the State of Illinois, our State govern-
33. ment for the next four years. And under those circumstances, he

1. should have the right to make his selections and appointees
2. because he will be responsible for the actions of these men.
3. Most of these men, there's no question about their capabilities
4. or abilities to serve in the capacities that the present Governor
5. has nominated them. Perhaps, some of these or many of these men
6. will be appointed by the incoming Governor and I'm certain he
7. will consider their appointment to these very important positions
8. to which our present Governor has made his recommendation. And
9. under those circumstances, Mr. President, I would ask the support
10. the report of the Executive Committee and follow through in the
11. same concept that we follow through in our ultimate recommendations.
12. That the Senate do not advise and consent to these appointments.

13. PRESIDENT:

14. I'm sorry. What is your motion again, Senator Cherry?

15. SENATOR CHERRY:

16. I think the proper motion someone would have to move that the
17. Governor's recommend . . . that the Senate advise and consent. I am
18. not so moving. I am asking the membership, the members of this
19. Senate, to support the recommendations of the Executive Committee
20. that this Senate Body do not advise and consent to these appoint-
21. ments.

22. PRESIDENT:

23. All right. Senator Harris.

24. SENATOR HARRIS:

25. Well, Mr. President, I didn't attend the Executive Committee
26. meeting. I'm not a member of that committee. It happened that
27. the day that committee met I was not in attendance in the
28. Senate at all. But I have some very strong feelings about
29. this action that's been recommended by the Chairman of the
30. Committee on Executive, and I certainly want to express them to
31. this Body. And I have in mind a motion, since none has been
32. put, let's get to that point in a few minutes. I really was stunned
33. when I learned that the Committee on Executive took the action

1. action it did, and certainly now in the light of the Chairman's
2. comments that these people are qualified people and that was not
3. the question involved. This Senate is going to be here for four
4. years and the Governor-elect is going to be here for four years,
5. and when we come into our responsibilities on the 10th of January
6. as a Senate, we are going to be very, very evenly balanced and
7. we're going to have to work together. And I am in no way suggesting
8. insofar as the 78th General Assembly, retribution or retaliation.
9. I am calling attention to the fact that on important considerations
10. and Senate approval of executive nominations is one of the most
11. important of our responsibilities. Underlying that responsibility,
12. particularly in a unique state like Illinois, marginal in the total
13. expression of delegating legislative and executive responsibility
14. evenly on balance over the years, and courtesy and understanding
15. and extension of responsibility on a continuing basis to people
16. who are in a position of responsibility to keep government
17. functioning is something that I think was not a part of the action
18. of the Committee on Executive when it made the determination
19. to reject these nominations. I just don't understand it. The
20. next four years I honestly look forward to with a great deal of
21. enthusiasm to see how this Body can meet its responsibilities. And
22. I suggest that as a preamble to that, this Body reject the con-
23. clusion of the Committee on Executive, determined in my judgment,
24. of just looking at it on a cursory basis. And having no discussion
25. with anyone about it, and I conclude that not very many people
26. of real capacity, to think everything through, was consulted.
27. And I don't want to say the decision was made in haste, but
28. I don't think it was thoroughly and carefully thought out. And
29. I urge this Body to support a motion to advise and consent these
30. nominations of adequately qualified people to keep the role of
31. government in the executive department functioning without
32. question and without sully and all kinds of opportunity obtained
33. in the next four years, for this Body to continue to show that

1. it cares about making the executive department operative when
2. qualified people have been nominated by the executive. If it's
3. appropriate, and I certainly want to withhold the motion, but
4. since no motion is before us, I intend to move that the Senate
5. do advise and consent in the list of nominations contained in
6. the letter that the Secretary has read and which the Committee
7. on Executive has acted.

8. PRESIDENT:

9. Senator Harris moves that the Senate do advise and consent.
10. Senator Partee.

11. SENATOR PARTEE:

12. Mr. President and members of the Senate, I listened with
13. a great deal of care to what Senator Harris had say, but I
14. want him to know that the position we are taking here is not an
15. arbitrary position. It is not a well thought out position, but
16. instead, Senator, it is a very consistent position. You will
17. perhaps remember that during the course of the last four years
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1. under Governor Ogilvie's administration, not one single person
2. that he wanted as a person to run the executive department, did
3. he not get with one rather notable exception. That was a
4. gentleman who bore the name Simpson, who came here from a
5. Federal Agency under circumstances where we questioned his
6. ability to perform his function while still maintaining a
7. direct connection with several governmental agencies and
8. agency functions. Among them pension rights and other things
9. too minuscule to mention. And only after, the Federal
10. Government, through its Justice Department determined that
11. we were correct in our evaluation of his status, did the
12. Governor withdraw him. It is to be pointed out, I think
13. perhaps pridefully, that every other governmental agency in
14. the United States had blithely accepted this governmental help
15. without examining the differences that we found necessary to
16. examine. He was withdrawn. You will recall that a gentleman
17. who bore the name Blazer, was appointed to the EPA, Environmental
18. Protection Agency, and explained one day what he knew about the
19. subject in perhaps some rather unfortunate terms and we withheld,
20. but only momentarily, our support of him. Within a fortnight,
21. we said that despite what he had said by way of personal
22. evaluation, that we would, nonetheless advise and consent to
23. his taking on that job because the Governor had the final
24. responsibility for the actions and activities of those persons
25. who worked within the executive department. That feeling,
26. Senator, still obtains. We feel that it would be unfair, unwise
27. and unjudicious for us to saddle an incoming Governor with the
28. appointments of an outgoing Governor, some of which appointments
29. will last for another four years. Hence, Gov . . . hence,
30. Senator, our position has not one iota of rancor, not one
31. scintilla of malice, it simply is a position which we have
32. always taken. It is a consistent position. It does not bring
33. to me any joy or happiness to join in the defeat of your motion.

1. Because among the persons who are in that list, are many people
2. who have made outstanding contributions to government. I am
3. not unaware of the position, for example, of a person like
4. George Hallis, that Senator Walker is concerned about. I am
5. not unaware of the many personalities who are on this list.
6. Some of whom have been former members of the House or Senate.
7. Some of whom have shown on a day to day basis their absolute
8. dedication to good government and their competence. I say to
9. you, gentlemen, that some of these people may well be re-
10. appointed by the new Governor or by the Govenor elect. But
11. it ought to be a decision made by him because it is he who
12. has the responsibility of seeing to it that the executive
13. functions are carried out. By a large number of votes the
14. people of this State have given him that responsibility. It
15. would be almost unbelievable if I should permit myself to say
16. to him, well you have the responsibility but we're going to
17. let you carry out that responsibility by and through intermediaries
18. and agents appoint by someone else. That would be wrong in my
19. opinion. Hence, I will tell you Senator, that I must oppose
20. your motion.

21. PRESIDENT:

22. Senator Walker.

23. SENATOR WALKER:

24. I just want to get my timing right for once today. I'm
25. sure the Clerk has on the desk there, Mr. President, two motions
26. in writing. One to discharge, and one to non concur. And I
27. would just like to make an inquiry as to when the proper time
28. is to proceed. This only applies to one appointment. Is this
29. the proper time to proceed?

30. PRESIDENT:

31. Well the motion before the Body is the motion by Senator
32. Harris. Now, if Senator Harris wishes to withdraw that motion
33. so you can make a motion on one individual you have . . . you

1. would have the right to do that. Senator Harris.

2. SENATOR HARRIS:

3. Well, I rise on a point of parliamentary inquiry. I
4. listened to the Chairman of the committee on executive make
5. his statements, but he did not make a motion. Now my inquiry
6. is, in the event that no motion on this letter from the Governor
7. is put, what is the effect of the action of the committee on
8. executive?

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. Not to prejudge what you're going to say, I might just
13. say to the Senator that the answer to that question would be
14. of no moment for this reason. If you withdraw the motion, I
15. will then make the same motion but no one would support my
16. motion, nor would I. So as a matter of actual happenings if
17. you make it or if you don't make it, I'm going to make it so
18. it won't make any difference.

19. PRESIDENT:

20. Well, the answer . . . let me read the Constitution to you.
21. Any nomination not acted upon by the Senate within sixty session
22. days after the receipt thereof shall be deemed to have received
23. the advise and consent of the Senate. The question is, what
24. does the Constitution mean when it says, "acted upon by the
25. Senate." Now I think the Attorney General or the courts would
26. ultimately have to make that ruling and I just can't give you
27. an off the top of the head answer. Senator Harris.

28. SENATOR HARRIS:

29. Well, as I would understand it, the sixty days would run
30. from the date of the mess . . . receipt of the message, would
31. it not? Or the date of the appointment?

32. PRESIDENT:

33. The date of receipt of the message.

1. SENATOR HARRIS:

2. That's what I would imagine and would I . . . could the
3. Secretary refresh our memory on the actual date?

4. SECRETARY:

5. November the 27th.

6. SENATOR HARRIS:

7. Fine. Okay. Well, I very frankly believe that these
8. interim appointments, and it's my understanding that they are
9. operating now, these appointments. There are persons performing.
10. Let me just give you an example of the kind of sincerity
11. involved. Representative Don Hence resigned his commission
12. in the General Assembly in complete good faith, and is, in fact,
13. since his appointment serving as a member of the Pollution
14. Control Board. That kind of performance I think is excellent
15. and demonstrates what's involved here of the entire list of
16. nominations and as far as I'm concerned, the . . . the single
17. most sensible thing that the Senate could do would be to take
18. no action and leave those unconfirmed persons performing their
19. responsibility which would ultimately achieve the same thing
20. you are attempting to arrive at. But to reject these people I
21. find a completely unacceptable or indefensible act on the part
22. of that side of the aisle.

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. I have a few comments on this, Mr. President and Senators.
27. According to Senator Cherry there is no question about the
28. capability, the background the experience, the worthiness or
29. the appointees. Now, so we have to ultimately . . . well I
30. don't know what adjectives you used, but at least there are
31. no social or physical or mental or moral implications involved.
32. Therefore, it has to be purely political and the trouble with
33. deciding these matters on purely political basis is simply this,

1. gentlemen. If we were to follow that rule to logical conclusions,
2. we could name every single person in authority on your side
3. of the aisle on the 10th day of January. We could name your
4. Minority Leader, we could name your whole staff. Let's go
5. a little farther. We could hire as your Administrative
6. Assistants people you defeated in the primary. Now you play
7. with that little proposition for a while then you'll see what
8. we're talking about. Whenever a matter is resolved solely on
9. raw politics, I say look out.

10. PRESIDENT:

11. Senator Walker.

12. SENATOR WALKER:

13. I haven't received an answer yet, Mr. President. When
14. would be the time for me to proceed on the motion that I've
15. submitted on the appointment of George Hallis?

16. PRESIDENT:

17. Well, if . . . if Senator Harris is making his motion
18. here, the Chair would have to rule that covers all appointees.
19. Now, if the Senator withdraws that motion and you wish to make
20. a motion with regard to only one appointee, you would have
21. that right.

22. SENATOR WALKER:

23. Bill, let's try on one first and see what happens. We
24. get a roll call.

25.

26. PRESIDENT:

27. Senator Harris.

28. SENATOR HARRIS:

29. Well, I'm not certain that I completely understood the
30. President pro tem's recital of precisely what motion he would
31. make if I withdraw mine. Is he going to make a motion supporting
32. the action of the committee or is he going to make a motion to
33. recommend that the Senate advise and consent? I did not

1. understand how you were going to express it.

2. PRESIDENT:

3. Senator Partee.

4. SENATOR PARTEE:

5. I would make the motion, Senator, the identical motion which
6. you have just made if you withdraw that motion to advise and
7. consent to the appointment of the persons involved. It's only
8. fair that I say to you that although I would make that motion,
9. I would not support that motion and would encourage those on
10. this side, in the interests of permitting the Governor to
11. select his own, to not support that motion either. I want
12. to be fair with you and tell you before, what the purpose
13. would be.

14. PRESIDENT:

15. Senator . . . Senator Harris. Senator Soper.

16. SENATOR SOPER:

17. Mr. President . . . Senator Partee, don't you think in
18. the interest of allowing this thing to go along if we just
19. let it the way it is. The new Governor comes in, he can
20. appoint who he wants if we don't advise and consent, these
21. people would stay in in the interim and then you wouldn't
22. have . . . you wouldn't have the . . . the vacan . . . vacancies
23. would be there in affect, for him to appoint but still at
24. the same time government would go on and we wouldn't advise
25. and consent at this time and we . . . and he'd be able to do
26. what he wants . . . what you want hime to do and he'd be able
27. to do it. In the meantime, these people that are in there
28. they wouldn't be embarrassed by being thrown out, in other
29. words with the stigma. Don't you think that would be
30. advisable?

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. There is no stigma involved in not being advised and
2. consented to. When one accepts an appointment he takes it
3. with that understanding, that he either will or will not be
4. advised or consented to. I'm certain that many of the persons
5. who are in this group knew that there was at least a possibility
6. that the person appointing them might not be re-elected, which
7. happened and that's a part of life. Now, I'm not going to do
8. anything other than what I have suggested here. Now, there
9. are persons that I could perhaps feel would do precisely what
10. you're suggesting. But there have been some other rather
11. vindictive and necessary expressions made here. Not by the
12. persons who is to be the leader on your side next time, that
13. causes me to take a rather forthright and adamant position in
14. view of what I've just said.

15. PRESIDENT:

16. Sen . . . Senator Soper.

17. SENATOR SOPER:

18. Mr. President . . . Senator Partee, Pro Tem, if . . . if
19. this does come to pass that you do make the motion and the motion
20. is then defeated to advise and consent, couldn't the Governor
21. the Governor that is now in office, couldn't he just submit the
22. list again, the same list and keep then on until the new
23. Governor came in or until we met?

24. SENATOR PARTEE:

25. I think . . . I think that the question is in Section IX
26. of the Constitution. Section IX, subparagraph (c) which says,
27. no person rejected by the Senate for an office shall except
28. at the Senate's request, be nominated again for that office at
29. the same Session or be appointed to that office during a recess
30. of that Senate. I think that's a pretty clear answer to that
31. question. I think not, Senator.

32. PRESIDENT:

33. Senator Soper.

1. SENATOR SOPER:

2. In other words, if we . . . if we did adjourn sine die
3. and we killed this Session and we didn't come back five
4. minutes before . . . before . . . before we adjourned, I
5. mean before we . . . before we come into the next Session,
6. then . . . then he could . . . he could . . . or he could
7. appoint some other people, couldn't he?

8. PRESIDENT:

9. Senator Partee.

10. SENATOR PARTEE:

11. I see nothing here that would restrict him in any way
12. from appointing some other people. I don't see anything that
13. would restrict him from doing that.

14. PRESIDENT:

15. Senator Clarke.

16. SENATOR CLARKE:

17. Mr. President, just as a matter of inquiry, if you will
18. recall, Mr. President pro tem, that when this matter came up
19. on the 27th of November, there was a question as to the actual
20. functioning of these bodies and of course, this is the 16th
21. of December and January 10th is some time off. Maybe you have
22. resolved this question, but of course, the entire Capital Bond
23. Development Board is included in this list and you're saying
24. that they should go out of business between now and the 10th
25. of January or whatever time thereafter appointments are made,
26. you're saying that the Racing Board, and if you will recall
27. on that day in the papers appeared, I'm not just sure what the
28. timing was, but it was almost the same day we were about to
29. report out these nominations in negative sense that would have
30. precluded a majority on the Racing Board and precluded the
31. awarding of the dates that were subsequently awarded. And I'm
32. wondering if really the timing is such that this couldn't
33. better be done on January 10th at 11 o'clock in the morning or

1. some such time.

2. PRESIDENT:

3. Senator Groen.

4. SENATOR GROEN:

5. Mr. President, I respectfully call you attention to Rule
6. 9 of the Senate Rules dealing with nominations and it reads
7. as follows: On considering the report of the Executive
8. Committee on a nomination, the presiding officer shall put
9. the following question. Does the Senate advise and consent
10. to the nominations just made. Whenever a group of names has
11. been submitted together, upon the request of five or more
12. members, the question shall be put and the vote taken upon
13. each of the individuals of said group, provided however, that
14. the Senate may determine by a majority vote after having voted
15. upon the question of one or more such nominees, individually,
16. to act upon the question of the remaining nominees in that
17. group as a unit. I would submit to the Chair that it is not
18. properly, under our rules, though it has been the custom
19. perhaps, for a member to make that . . . not make that
20. motion. The Rules are clear. This recommendation of the
21. committee was placed upon the Secretary's desk and I am
22. advised, has been there for some time. It has now been called
23. for consideration by the Chairman of that committee and I
24. submit that the Rule is clear, it is up to the Chair to present
25. the question required under the Rules.

26. PRESIDENT:

27. By . . . Senator Partee.

28. SENATOR PARTEE:

29. Is it the contention, Senator, that no matter who put it,
30. whether it is the obligation of a member or Chair the the
31. requisite number of votes is any different.

32. PRESIDENT:

33. The question is just a matter of procedure I think

1. by Senator Groen, is that correct?

2. SENATOR GROEN:

3. My . . . my point, Senator Partee, is that it is not up
4. to Senator Cherry, up to Senator Harris or up to you to make
5. any kind of a motion. The responsibility for that at this
6. point in our parliamentary procedure rests with the Chair.
7. The matter has been called for consideration and the question
8. has already been decided upon insofar as procedural requirements
9. are concerned. The question has been called by the Chairman
10. of the committee. That question being consideration of the
11. report of the Executive Committee and I think the rule is
12. crystal clear that it is up to the Chair to present the motion
13. called for in our Rules.

14. PRESIDENT:

15. The tradition in the Senate has been to move to advise
16. and consent. I don't see an inconsistency between that
17. provision and this Rule. It seems to me you can have a motion
18. made by a member of the Senate and then the presiding officer
19. puts the following question: Does the Senate advise and
20. consent to the nomination just made. Which is the procedure
21. we have followed. But in any event, I have the obligation to,
22. as Senator Groen has pointed out, to ask that question and the
23. vote is taken on that question. We will proceed then. Senator
24. Harris.

25. SENATOR HARRIS:

26. Now in recollection, I just want to make a closing comment
27. here. You will recall that I said that at the appropriate time
28. I intended to make the motion. At the conclusion of my remarks
29. and thought that there were going to be additional people make
30. comments. I frankly, thought I was going to express the
31. motion at a subsequent time, but you stated, Mr. President,
32. that Senator Harris moves that the Senate advise and consent,
33. immediately responding to my remarks. Let me just say in

1. closing that it is a matter of great concern with me that
2. this action rejecting these appointments will be an act that
3. the Senate should not take. The Senate ought to take no
4. action on these nominations. The Senate should take no
5. action on these nominations. This is not a suggestion to
6. embarrass anybody, but it's an urgent appeal to appreciate
7. that the continuing operation of the Executive Department on
8. an interim basis ought to be permitted to function and from
9. January 8th on the then Governor can replace every one of these
10. nominees forthwith, and it makes sense to me. And so that
11. there can be no direct responsibility on my part, I do seek
12. leave of the Senate to withdraw the motion that the President
13. said I had made.

14. PRESIDENT:

15. Well, in compliance with Rule 9 then, the Chair will put
16. this question to the Body. Does the Senate advise and consent
17. to the nominations just made and following discussion the Senate
18. will vote on that question. Senator Walker.

19. SENATOR WALKER:

20. Mr. President, pursuant to Rule 9 I hope I'm going to be
21. joined by five more members that the vote shall be put and
22. the vote taken upon each of the individuals in said group.

23. PRESIDENT:

24. Senator Soper.

25. SENATOR SOPER:

26. Before . . . before this . . . before he finds five
27. fellows, I'd like to move that consideration be postponed on
28. the . . . on the . . . on the Executive Committee's report.

29. PRESIDENT:

30. Motion to postpone action . . . you want to make it to a
31. specific time, Senator?

32. SENATOR SOPER:

33. To January 10th at 11 o'clock.

1. PRESIDENT:

2. Motion to postpone action until January 10th on the
3. Executive Committee's Report. Senator Groen.

4. SENATOR GROEN:

5. Well, Mr. President, I'd like to throw out a thought here
6. that I have just presented to the other side. One, I hate to
7. see this Session close with animosities that might carry
8. over into the 78th General Assembly. It seems to me that
9. everyone involved here could do a service both to Governor
10. Ogilvie and to Governor elect Walker by simply doing nothing
11. at this time. I think Senator Harris' point is well taken.
12. Let us assume that we do nothing. The sixty days will not
13. expire until around the 27th of January or 26th of January.
14. The incoming Governor takes office on the 8th. He has that
15. interim period in which he can withdraw this letter of
16. recommendation for these appointments as submitted by Governor
17. Ogilvie and submit his own recommendations if that be his
18. choice. He can include numbers . . . names that have been
19. submitted by Governor Ogilvie, he can reject those persons that
20. he does not desire to nominate. Seems to me that by taking
21. the action that has been suggested we are unnecessarily
22. slapping someone in the face. We are taking action that I
23. think, as I stated earlier, may well carry over into the
24. next Session. We will be giving the Governor elect his
25. prerogative, the authority which is given to him under the
26. Constitution to make these nominations and everyone has saved
27. face. I ask you to consider this proposition very carefully
28. and very conscientiously. Nothing will be lost if we do
29. nothing and much, a great deal, a great deal if for no other
30. reason, than harmony and simply courteous consideration to
31. the incumbent Governor and the Governor elect. I think this
32. is the action we should take and I recommend it to you.

33. PRESIDENT:

1. Senator Partee.

2. SENATOR PARTEE:

3. I think the motion that's now pending is a motion that
4. is made by Senator Soper.

5. PRESIDENT:

6. That is correct.

7. SENATOR PARTEE:

8. I don't mean to just not listen to what you say, I listen
9. to what you said, but there is a motion pending by Senator
10. Soper. I move to Table that motion.

11. PRESIDENT:

12. Motion to Table the motion by Senator Soper. All in favor
13. of the motion to Table signify by saying aye. Contrary minded.
14. All those in favor of the motion to Table please rise. All
15. those opposed to the motion please rise. The motion to Table
16. prevails. If you wish a roll call Senator Soper you may have
17. it. Roll call is requested. The Secretary will call the
18. roll.

19. SECRETARY:

20. Arrin . . .

21. PRESIDENT:

22. Just a moment. The motion was made by Senator Soper to
23. postpone the matter until January the 10th. The motion was
24. then made by Senator Partee to Table that motion. The question
25. before the Body is Tabling that . . . the motion by Senator
26. Soper. Those in agreement with Senator Partee will vote in
27. the affirmative. Those in agreement with Senator Soper will
28. vote in the negative.

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
31. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
32. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen . . .

33. PRESIDENT:

1. Senator Groen.
2. SENATOR GROEN:
3. A point of parliamentary inquiry. Under the rules, how
4. many votes does it take to carry this motion?
5. PRESIDENT:
6. A majority of those voting on the question.
7. SECRETARY:
8. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
9. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
10. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
11. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
12. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
13. Weaver.
14. PRESIDENT:
15. Horsley, no. On that question the yeas are 22, the nays
16. are 19. The motion to Table prevails. The question before
17. the Body is does the Senate advise and consent to the nominations
18. just made. Senator Walker.
19. SENATOR WALKER:
20. I again renew my request that the names be submitted
21. individually.
22. PRESIDENT:
23. Senator Partee.
24. SENATOR PARTEE:
25. Senator, why don't you vote on the one you are interested
26. in first, cause if I know you you want them all to vote on
27. individually, after the first two or three you may not be here
28. anyway. Why don't we vote on the one you want first, which is
29. George Hallis, and let's you know, run that one by. That's
30. what you're interested in. Let's not be devious here. You're
31. not fooling anybody. Let's go.
32. PRESIDENT:
33. Senator Gilbert.

1. SENATOR GILBERT:

2. I . . . they talked about it and discussed this matter,
3. I . . . I thought some way by the grapevine I had the idea that
4. this situation was going to be let ride until the new Governor
5. came in and he'd get these appointments. Is there any reason
6. why that we need to cripple these agencies that are going to
7. now lose the second that we take this vote. No matter what
8. happens those people are out and some of those organizations
9. as I am told cannot operate. What is to be gained by doing
10. this in a three week period. I . . . I don't get it. I
11. don't understand the why. There is no one going to be put
12. in to replace them in the meantime and if I'm correctly
13. informed, that some of these agencies will not have enough
14. members to even have a quorum and the Governor, as I understand
15. it, is certainly not going to be precluded from making all of
16. these appointments, the Governor elect. Why, that's what I
17. want to know.

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. John, sometimes we overly complicate things and I don't
22. think you intended to over complicate this, but I have a
23. solution which is a very easy solution. In as much as the
24. incoming Governor has the responsibility to the people of seeing
25. that these executive branches operate as he desires them to
26. operate, and in as much as the present Governor has the opportunity
27. to make the appointments knowing which ones the new Governor
28. would want, a very simple solution would be for one of them to
29. put a dime in a phone and call the other. I think Walker could
30. call Ogilvie and say the Senate has rejected the persons you
31. appointed, many of them are persons I desire to keep, would
32. you reappoint these particular people, naming them. It's as
33. simple as that. And then we would agree with them you see.

1. Then they both would have accomplished what they wanted to
2. accomplish. The new Governor wants his people. Some of those
3. people are people that the old Governor has already appointed.
4. The new Governor wants to appoint them. Now what's so wrong
5. with that. Sometimes government gets so complicated that
6. they lose the common touch and common sense and a telephone
7. call can solve this whole thing.

8. PRESIDENT:

9. Senator Gilbert.

10. SENATOR GILBERT:

11. Well, I don't know about those people, Senator Partee
12. because I've had no discussion with anyone about it. But
13. certainly under no circumstance if we delay this is the
14. Governor elect going to be deprived of appointing and filling
15. every one of these vacancies. Now, in my experience under
16. three Governors, I have never known the time when the outgoing
17. Governor called the Governor elect or the Governor elect called
18. the called the incumbent Governor and said I want you to appoint
19. the people I want to this office and I just never heard of
20. this happening before. And it certainly does not prevent
21. Governor elect Walker from appointing whomever he wishes and
22. every one of these people, whether they are some that he
23. might retain and some not, if those that he is going to retain,
24. they will have been there anyway. So nothing is lost, there's
25. no reason why those people should have to be reappointed now,
26. because they will already be there in the position.

27. PRESIDENT:

28. Sena . . . Senator Partee.

29. SENATOR PARTEE:

30. My recollection is that a man named Don Adams, who was
31. appointed the head of the Illinois Liquor Control Commission
32. was appointed by the then Governor Shapiro at the request
33. of the Governor elect Ogilvie. Now that's my recollection.

1. So there is a precedence for this. There is nothing wrong
2. with this. Each Governor has his responsibility and we
3. ought to give it to him under the terms which the people
4. have given it to him.

5. PRESIDENT:

6. Senator Harris.

7. SENATOR HARRIS:

8. Well, a totally addition . . .

9. PRESIDENT:

10. Just a moment. For what Senator . . . purpose does
11. Senator Chew arise?

12. SENATOR CHEW:

13. Well I wouldn't say a point of personal privilege but
14. I . . .

15. PRESIDENT:

16. Well, unless it's a point of order, Senator Harris has
17. the Floor.

18. SENATOR CHEW:

19. Well, it's a point of order . . .

20. PRESIDENT:

21. All right.

22. SENATOR CHEW:

23. not a point of personal privilege. Why is it that every-
24. body can speak four and five times on this subject and I have
25. sat here and you have allowed it to happen. Senator Harris
26. has spoken several times, Senator Gilbert, lets resolve it.
27. I'm gonna move the previous question.

28. PRESIDENT:

29. Well, the point or order is well taken and that some have
30. spoken more than twice. You are not recognized for a motion
31. but the point of order and we'll try to refrain from speaking
32. more than twice on the . . . Senator Gilbert.

33. SENATOR GILBERT:

1. Parliamentary . . . a matter of parliamentary inquiry.
2. When a person is involved in a dialogue in a series of
3. questions to a particular Senator involving a certain piece
4. of legislation and he has two or three questions that is
5. only one speaking . . .

6. PRESIDENT:

7. That is correct.

8. SENATOR GILBERT:

9. . . . it is not more than one, Senator Chew.

10. PRESIDENT:

11. That's correct. Sena . . . Senator Harris is recognized.

12. SENATOR HARRIS:

13. Well, this question of precedent for reacting to requests
14. of incoming Governors, in my judgment, has nothing to do with
15. this letter of nomination to the Senate to be acted upon by
16. the committee on executive in the Senate. It is so perfectly
17. clear to me, and I just absolutely cannot understand why we
18. if we take final action here today and reject these appointments,
19. it's just inconceivable to me that this is responsible and
20. appropriate action for us to take with so little time involved
21. and so clearly sensible action for us to take no action and
22. provide for the opportunity for the Governor on January 8th
23. to place before us every nominee he wants for the list contained
24. in the letter of nominations that's before us. Man that's
25. simple and man that makes sense. And the . . . the only
26. sensible thing for us to do is to do nothing today.

27. PRESIDENT:

28. Senator Newhouse.

29. SENATOR NEWHOUSE:

30. A point of procedure, Mr. President. I really don't
31. understand what's going on. Let me ask you this question.
32. In each one of these appointments that is before this Body
33. today, can those individuals be replaced by the incoming

1. Governor or will . . . that's his prerogative to replace each
2. one of these individuals?

3. PRESIDENT:

4. Well, if . . . if the Senate does not advise and consent
5. today then the incumbent Governor will make temporary appointments.

6. SENATOR NEWHOUSE:

7. And each one of those appointments will be subject to
8. the wishes on the incoming Governor on January 8th who can
9. then replace each one of these appointments?

10. PRESIDENT:

11. I . . . that would be my understanding. Senator Rock.

12. SENATOR ROCK:

13. Well, Mr. President again as just a point of personal
14. privilege or something, I'd like to ask Senator Harris because
15. I frankly I do not agree with him. It seems to me that under
16. Sec . . . Article A of Section IX of our Constitution it says,
17. any nomination not acted upon by the Senate within sixty session
18. days after the receipt thereof, shall be deemed to have
19. received the advise and consent of the Senate. We do not in
20. fact have even sixty sessions days left in the 77th General
21. Assembly and therefore if we do not act they will have . . .
22. pardon me. Now wait a minute, Senator, you're not listening
23. to me. If we do not act, those appointments shall be deemed
24. to have received the advise and consent of the Senate and
25. they are locked in. Yes Sir.

26. PRESIDENT:

27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Mr. President, I don't think my question has been
30. answered yet and I would like to know the answer to it because
31. in the absence of an answer I don't know what this is all
32. about and I'm terribly confused. Now, I don't want to
33. participate in an action that I don't . . . I can't read.

1. If we're talking about appointing people to posts who will
2. serve at the pleasure of the incumbent until such time as
3. the incumbent leaves office and who will then be subject to
4. the wishes of the incoming Governor, then that's one kettle
5. of fish. If we're talking on the other hand, about confirming
6. appointments that will go over the next four years, that's
7. another kettle of fish. And to my satisfaction, I'm not
8. sure what is going on and I wish someone would explain to
9. to me.

10. PRESIDENT:

11. Senator Cherry.

12. SENATOR CHERRY:

13. Just to explain the situation to Senator Newhouse, some
14. of these appointments run all the way to 1977. Not only for
15. the next four years, they go the next five years.

16. PRESIDENT:

17. Senator Newhouse.

18. SENATOR NEWHOUSE:

19. The Senator . . . the Senator said some words, but he
20. didn't answer my question. The question part of it was,
21. does the incoming Governor have the prerogative to replace
22. these individuals no matter what the term is?

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. If I understand your question, your question is, if
27. these persons are affirmed or if they are locked in by
28. virtue of Section IX, can the incoming Governor remove them.
29. Is that your question? No, I want to know, is that your
30. question? All right, well the answer is in Section X. The
31. Governor may remove for incompetence, neglect of duty or
32. malfeasance in office any officer who may be appointed by
33. the Governor. Which means that except for those conditions,

1. he could not remove them.

2. PRESIDENT:

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Then the answer then is that a confirmation vote on
6. today would . . . would leave the incoming Governor with
7. those appointments that were made by the incumbent. That
8. correct? The result of a no action today, would be that
9. the incoming Governor would be able to exercise his
10. prerogative . . .

11. PRESIDENT:

12. Senator Laugh . . . Senator . . . Senator Cherry.

13. SENATOR CHERRY:

14. Mr. President, I move the previous question. I think
15. we have had enough dialogue and consideration to what may
16. happen and I think our position is clear as it could possibly
17. be what position we are going to take on this, so I make
18. the motion that I've just previously stated.

19. PRESIDENT:

20. Motion for the previous question. All in . . . for
21. what purpose does Senator Soper arise?

22. SENATOR SOPER:

23. A point of inquiry. That takes three-fifths.

24. PRESIDENT:

25. It does not. Two-thirds of those voting on the question.

26. SENATOR SOPER:

27. Two-thirds of those voting on the question.

28. PRESIDENT:

29. That is correct.

30. SENATOR SOPER:

31. It takes two-thirds.

32. PRESIDENT:

33. That is correct.

1. SENATOR SOPER:
2. All right.
3. PRESIDENT:
4. The motion is . . . there is a motion for the previous
5. question. All in favor signify by saying aye. Roll call
6. has been requested. The Secretary will call the roll.
7. SECRETARY:
8. Arrington, Baltz . . .
9. PRESIDENT:
10. Just . . . just . . . Senator Partee.
11. SENATOR PARTEE:
12. Would Senator Laughlin object to a division on the
13. question? Oh you want a . . .
14. PRESIDENT:
15. Roll . . . roll call has been requested.
16. SECRETARY:
17. Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,
18. Clarke, Collins, Course, Davidson, Donnewald, Dougherty, Egan,
19. Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes,
20. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin . . .
21. PRESIDENT:
22. Senator Laughlin.
23. SENATOR LAUGHLIN:
24. Mr. President and members of the Senate, no Senator Partee
25. I do not care to filibuster. But, I'd like to, in explaining
26. why I'm voting no, call Senator Newhouse attention to the
27. language quoted by Senator Rock . . .
28. PRESIDENT:
29. Just a moment. Just a moment, please.
30. SENATOR LAUGHLIN:
31. . . . because while Senator Rock knows of my tremendous
32. regard for his abilities, this time he and I do not agree.
33. Now, Section IX, Subsection A, in part reads: Any nomination

1. not acted upon by the Senate within sixty session days after
2. the receipt thereof, which was on November 27th, shall be
3. deemed to have received the advise and consent of the Senate.
4. So that you have a sixty day period which will not expire
5. until after January 8th. I don't intend to filibuster. Earlier
6. I wanted to get up, and I will yet if given an opportunity to
7. express my appreciation and thanks for the service that I've
8. had an opportunity to render here and your fellowship. I'm
9. saying that this is a cruel, unkind, but most of all, un-
10. necessary political exercise and I'd say again that when
11. you say there is no stigma attached, you read the rest of
12. Article IX, and you read the part about how no one shall
13. again be presented that's once been turned down, I say to
14. you there is stigma attached to it and I think it's unfair.
15. I vote no.

16. SECRETARY:

17. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
18. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
19. Rock . . .

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Mr. President in explaining my vote, which is aye,
24. Senator Laughlin knows that I have high regard for him also
25. and any time you get lawyers, two or more, you will get two
26. or more opinions. As I read Subsection A of Section IX, you
27. are correct and you quoted it correctly. If we don't act
28. within sixty days, they receive the advise and consent of
29. the Senate. Now what I point out, is that this letter of
30. nomination, which is in the Journal of November 27th, is
31. addressed to the honorable members of the Senate of the
32. 77th General Assembly. And if the 77th General Assembly does
33. not act within sixty days, these fellows are locked in.

1. PRESIDENT:

2. We . . . we are on roll call. We will have to proceed.

3. SECRETARY:

4. Romano, Rosander, Saperstein, Savickas, Smith, Soper,

5. Sours, Swinarski, Vadalabene, Walker, Weaver.

6. PRESIDENT:

7. On that question the yeas are 22, the nays are 21, 1

8. present. The motion for the previous question does not

9. prevail. The ques . . . it requires two-thirds of those

10. voting on the question. Senator Laughlin.

11. SENATOR LAUGHLIN:

12. Mr. President, I'd like to go back and address, if I may

13. and I don't know whether I'm a point of personal privilege

14. or what I am. I'm not in any way by my vote trying to prevent

15. the Governor elect from selecting his own people. Not for

16. one minute. But I'm saying that when you had a chance to

17. move and postpone consideration of further action on this

18. until 11 o'clock on the morning of January 10th or 8th, I've

19. forgotten, you beat it. And if Senator Rock is right, and I

20. am in fact wrong, then for the purpose, let's assume that

21. of this statement, you could have done that and it still

22. been the 77th General Assembly. You wouldn't have left

23. these people with stigma. You wouldn't have disrupted

24. government and you would have done a christian thing.

25. PRESIDENT:"

26. Senator Clarke.

27. SENATOR CLARKE:

28. Mr. President, I earlier posed a question to the Pro

29. Tem and it was ignored. I think it's of vital importance

30. regardless of the personalities, regardless of the issue, if

31. he wants to say it's politics and it's done every time and

32. so be it, but is he suggesting that for the extended vacation

33. between now and January 10th, or thereafter, whenever the new

1. Governor elect gets around to making appointments, that the
2. Racing Board should go out of existence because you don't
3. have a quorum. That the Pollution Control Board should go
4. out of existence because they don't have a quorum. That
5. the Capital Development Board in its entirety go out of
6. existence. I think this is a pertinent question in terms
7. of whether we discuss it today or discuss at some future time
8. before the end of this Session.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. Well, the first one you started with was the Racing Board,
13. don't tempt me to answer that. But let me just say to you,
14. there was only one person in the group on the Racing Board.
15. So one person out of seven does not affect its viability or
16. its life. There is only one out of seven. That's all there
17. was on that Board. And the other part of it is, so that we
18. don't get accused of trying to disrupt government, it's very
19. simple for the incoming Governor to advise the current Governor
20. who he wants appointed. There are several people as I said
21. in that list that he wants to appoint and there is nothing
22. that prevents these two men from intelligently having an inter-
23. change of ideas and notions as to who shall be working for the
24. new Governor. It's as simple as that. Why you want to hang
25. on to these people, there not going to lose any respect for
26. their original appointee. The Governor who appointed them
27. in the first instance, he won't lose, I take it, there
28. or their loyalty or their respect or their friendship. The
29. second Governor has the right to appoint them. They will not
30. be working for the man who appointed them originally. That
31. seems hard to get accross. They will be working for a
32. different Governor, but he will be appointing them. There is
33. no . . . nothing wrong with them sitting down and determining

1. who of this group do you want. They ought to know that
2. because maybe some of these people that you are so tenderly
3. caressing are not people who want to work for the second
4. Governor. How do we know that even. We don't even know
5. whether some of these people that Ogilvie appointed want
6. to work for Walker. We don't know that. Let them sit down
7. and determine which one want to and which one don't and which
8. ones he wants. There is nothing wrong with that.

9. PRESIDENT:

10. Senator Clarke.

11. SENATOR CLARKE:

12. Would you mind . . . would you mind speaking to the
13. Capital Development Board. The entire Board is named in these
14. nominations. Are you suggesting a three week hiatus in that
15. Board?

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. It may be that the new Governor doesn't want a single
20. person that Governor Ogilvie wanted on that Board. That may
21. be. It may also be that Governor Walker wants every single
22. person appointed by Governor Ogilvie on that Board, but we
23. cannot make that judgment. We cannot make that determination.
24. Only the two of them can, by an inter-change, make that
25. decision.

26. PRESIDENT:

27. Senator Clarke.

28. SENATOR CLARKE:

29. Mr. President pro tem, I'm not a lawyer. I . . . you
30. know, ask a question and I expect and answer. I'm not asking
31. about whether these two fellows had lunch together yesterday
32. or tomorrow, or can agree or cannot agree. I'm merely saying
33. that your action today put an organization out of business

1. that has hired an executive director, that has hired staff,
2. and you're saying eliminate that Board and if the two
3. Governors, both outgoing and incoming, can agree that
4. Capital Development Board is out of business for the next
5. three weeks or more. And I'm suggesting that is not a very
6. responsible attitude. That . . . I'm not suggesting you have
7. to lock somebody in, I'm suggesting to put them out of
8. business for three weeks is irresponsible.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. How often does the Capital Development Board meet? Every
13. day?

14. PRESIDENT:

15. Senator Clarke.

16. SENATOR CLARKE:

17. I think that if you don't have a Board, then Mr. Moore
18. who is the Executive Director, has no job. I think that the
19. other staff that is a continuing body that is working day in
20. and day out, has no authority if you have no Board and the
21. entire Board is in this list of recommendations.

22. PRESIDENT:

23. Senator Partee.

24. SENATOR PARTEE:

25. I don't know if you know this, but the Capital Development
26. Bond group that . . . Board that you're talking about will be
27. out of business. Cancelled, yes, cancelled their December
28. meeting for lack of business. They didn't even have a meeting
29. in December and cancelled it because they had no business.
30. Now you are crying crocodile tears because they are going to
31. be out of business. Now let's face it and talk about it like
32. it is. You can't keep men in a position who have been appointed
33. by one man when another man is coming in. Now let's just face it.

1. PRESIDENT:

2. Senator Groen.

3. SENATOR GROEN:

4. Senator Partee, you are an extremely articulate individual
5. and for that reason, every since we have served together in
6. this Body I have always given very careful attention to your
7. remarks on this Floor. And I have gathered from what you have
8. said today, that you are predicating your whole position on
9. the right of the incumbent Governor to make appointments on
10. the basis of his responsibility to the people for his
11. administration and I concur completely in that analysis. Why
12. do you want to deny . . .

13. PRESIDENT:

14. Just . . . just . . . for what purpose does Senator
15. Partee arise?

16. SENATOR PARTEE:

17. A point of parliamentary inquiry. When a question . . .
18. when one desires to call a question does one have to wait during
19. debate while the other side walks out of the Chambers,
20. obviously to prevent there being a quorum at the time the
21. question is put?

22. PRESIDENT:

23. Well . . .

24. SENATOR PARTEE:

25. And the next question is, when . . . if there is a lack
26. of a quorum, when do we reconvene?

27. PRESIDENT:

28. The . . . the second part of the question . . . the Chair
29. would just to have to arbitrarily have to suggest a time.
30. I'll . . . unless I'm advised by the parliamentarian that
31. less than a majority may recess from time to time and if there
32. is no other time set, we would reconvene at ten in the
33. morning. Senator Groen.

1. SENATOR GROEN:

2. Well Mr. President, Senator Partee if that allegation
3. of your's is true, I know nothing about it. I was never more
4. sincere in my life, as I talk to you at this moment. Why
5. do you want to deny to the incumbent Governor his responsibility
6. to the people of this State, that you are asking us to give
7. the incoming Governor of this State. Both can fulfill their
8. obligations to the people and on January the 8th, when Governor
9. elect Walker takes office, he can withdraw these nominations
10. and these recommended appointees of Governor Ogilvie will have
11. carried out the end of his administration and will have been
12. his responsibility and when Governor Walker recalls those
13. names, they are out and they are no longer his responsibility
14. and he can then make his own nominations, upon which this Body
15. must then act, and they become his responsibility. Senator
16. Partee, doesn't that seem to you to be a fair, just and
17. decent way to resolve this issue.

18. PRESIDENT:

19. Just a moment. For what purpose does Senator Cherry
20. arise?

21. SENATOR GROEN:

22. I'd like to have the question answered.

23. PRESIDENT:

24. Just . . . just a moment.

25. SENATOR CHERRY:

26. I wish to move at this moment that we adjourn until
27. 10 o'clock tomorrow morning.

28. PRESIDENT:

29. Well, the Chair is going rule that is out of order since
30. Senator Groen has the Floor right now. Unless you . . .
31. Senator Cherry asked for the Floor while another Senator was
32. speaking, unless it's for a point of order the Chair will
33. rule that Senator Groen has the Floor. Senator Groen.

1. SENATOR GROEN:

2. I am perfectly willing to yield to Senator Cherry's Motion
3. to adjourn until 10:00 o'clock tomorrow morning. It might just
4. be a wise choice before a very serious mistake is made here. And
5. the seriousness of that mistake and its result carries over to the
6. 78th General Assembly and effects every decent honorable person
7. that Governor-elect Walker might submit for nomination to an office
8. of responsibility. I wouldn't want that to happen.

9. PRESIDENT:

10. I understand that Senator Groen has yielded to Senator
11. Cherry.

12. SENATOR CHERRY:

13. Now move we adjourn until 10:00 o'clock tomorrow morning,
14. Mr. President.

15. PRESIDENT:

16. All right. We will return Executive Session, the same
17. order of business tomorrow on in the connection with the Motion to
18. adjourn. I might add there is . . . We have a Special Session immedi-
19. ately after this. Motion to...for what purpose does Senator Clarke
20. arise?

21. SENATOR CLARKE:

22. Aren't we in Executive Session? I mean can we adjourn out
23. of Executive Session or do we go back into the Regular Session to
24. adjourn?

25. PRESIDENT:

26. We can adjourn in Executive Session, but we return Executive
27. Session tomorrow morning at 10:00 o'clock.

28. SENATOR CLARKE:

29. Oh, we just remain in the Executive.

30. PRESIDENT:

31. That is correct. That is correct. Motion to adjourn until
32. 10:00 o'clock tomorrow morning. All in favor signify by saying
33. aye. Contrary minded. Motion to adjourn prevails. Just a

1. moment we have a Special Session yet. For what purpose does

2. Senator Groen arise?

3. SENATOR GROEN:

4. Point of parliamentary inquiry. I had the Floor at the time
5. of the adjournment. I yielded to Senator Cherry for this Motion
6. and I have the Floor upon our return.

7. PRESIDENT:

8. Well, the, the ...

9. SENATOR GROEN:

10. We return to the same....

11. PRESIDENT:

12. ...We'll return to the same order of business, and the
13. Chair will extend every courtesy to Senator Groen. I don't think
14. the Rules mandate that you are the first person to speak. The...
15. I don't know that the Journal will show that Senator Savickas...

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