

77TH GENERAL ASSEMBLY

SPECIAL SESSION

JANUARY 4, 1973

1. PRESIDENT:

2. Senate will come to order. Prayer by the Chaplain,
3. Reverend Rudolph S. Shoultz, pastor of the Union Baptist
4. Church of Springfield. Pastor Shoultz.

5. PASTOR SHOULTZ:

6. (Prayer.)

7. PRESIDENT:

8. Reading of the Journal. Moved by Senator Nihill that the
9. reading of the Journal be dispensed with. All in favor signify
10. by saying aye. Contrary minded. Motion prevails. Any messages?
11. Any resolutions? We have one congratulatory resolution Senator
12. Kosinski is offering. He's asking suspension of the rules. All
13. in favor of the adoption of the resolution indicate by saying aye.
14. Contrary minded. The resolution is adopted. Senate bills on
15. 3rd Reading. Senate Bill 1. Senator Clarke.

16. SENATOR CLARKE:

17. If I could address a question to the Pro Tem, Senator Partee,
18. I think it would be desirable to have a caucus. I think we would
19. like to have a caucus prior to going into consideration of business
20. at hand.

21. PRESIDENT:

22. Senator Partee.

23. SENATOR PARTEE:

24. How long is indicated you need, Senator?

25. SENATOR CLARKE:

26. Well, I would say not more than, say, let's be conservative . . .
27. say 45 minutes.

28. SENATOR PARTEE:

29. All right. I'm conservative, too. 45 minutes is all right.

30. PRESIDENT:

31. All right. Motion for a 45 minute recess. All in favor
32. signify by saying aye. Just a moment. Senator Donnewald.

33.

1. SENATOR DONNEWALD:

2. We have to stay even. We'll also have one immediately.

3. PRESIDENT:

4. All right. Motion for a 45 minute recess. All in favor
5. signify by saying aye. Contrary minded. The Senate stands in
6. recess for 45 minutes. M-1 I'm advised is the Republican
7. caucus.

8. After Recess

9. PRESIDENT:

10. Senate will come to order. Now the understanding on the
11. Senate bills on 3rd Reading is that they can be brought back
12. to 2nd Reading on the request of any Senator for purposes of
13. amendment. Senate Bill 1. Is Senator Harris on the Floor?
14. Senator Clarke, are you handling that, or . . . Senator
15. Hors . . . Well, we better wait until the Senate sponsor is
16. here, Senator Horsley. Is Senator Harris around? Senator
17. Clarke? Well, let's just be at ease for one minute until
18. Senator Harris gets back on the Floor. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Where will we find copies of the bills we're considering?

21. PRESIDENT:

22. Are the . . . Just a moment. I'm advised they should be
23. on your desk. We'll see that you get additional copies, Senator.
24. Senator Harris is here. Senator Harris, Senate Bill 1 is being
25. brought back to 2nd Reading. Senator Horsley has an amendment.
26. Senator Horsley, you wish to explain the amendment. All right.
27. Senator Horsley has requested that the Senate be at ease for
28. just a couple of minutes. Are we ready, or . . . Do you wish
29. to just stand at ease for a moment or two yet? All right.
30. The Chair has been advised that we can move ahead on Senate
31. Bill 3. Senator Clarke. Senate Bill 3 is called back to 2nd
32. Reading for purposes of an amendment.

33.

1. SENATOR CLARKE:

2. Mr. President, Senate Bill 5 is the only bill that I have
3. an amendment for, so if we could go to that and call Senate
4. Bill 5 back.

5. PRESIDENT:

6. Senate Bill 5 is called back to 2nd Reading for purpose
7. of an amendment. Senator Clarke.

8. SENATOR CLARKE:

9. The amendment is on the Secretary's Desk and it amends
10. this bill on page 1, line 33 by inserting, "of the member
11. authorizing payment". Senate Bill 3 has this language in it.
12. We wanted the two to coincide and the idea here is to tighten
13. up a little bit the expense allowance authorization so that we
14. pin it directly to the people who are signing the voucher, the
15. member authorizing the payment. And I move for the adoption
16. of this amendment.

17. PRESIDENT:

18. Is there any discussion? Senator Knuppel has requested
19. a copy of the amendment. A copy is being brought over to you.
20. We'll just . . . Senator Partee.

21. SENATOR PARTEE:

22. I just wanted Senator Knuppel to know that we drew this
23. amendment and that it does in fact do precisely what Senator
24. Clarke just said. It coincides the language of this bill with
25. the other . . . its counterpart making them identical and
26. eliminating any doubt that a member of a family could work
27. for or authorize payment for a member of his family. It's a
28. very much needed amendment in terms of consistency.

29. PRESIDENT:

30. Is there further discussion? All in favor of the adoption
31. of the amendment indicate by saying aye. Contrary minded. The
32. amendment is adopted. The bill is returned to 3rd Reading. Senate
33. Bill 3, Senator Clarke.

1. SENATOR CLARKE:

2. This package of Senate Bill 3, 4 and 5 deal with the
3. legislative matters. Senate Bill 3 provides that each member
4. shall receive an allowance of \$32.00 per day and the 10,000
5. expense allowance for staff members and office expense. I
6. contend and I have contended for some time that this is some-
7. thing that we should have based on making the Legislature a
8. more effective body. Three years ago I sponsored the bill
9. for the Constitutional Convention and these matters were
10. included in terms of the per diem in that allowance . . . in
11. that compensation, and nobody raised an eyebrow. Everybody
12. felt it was perfectly all right both in the legislative bodies
13. and in the press and the public. I think that much of the
14. public thinks we get this today. If you'll look at the
15. recommendations of the COGA Commission over the years, they
16. have recommended this type of an approach to making legislators
17. more effective, and we're going to do a job I think we have
18. the tools and we have to be willing to vote ourselves the
19. tools to do this kind of approach. Some people have raised
20. a question as to the timing and I just suggest that regardless
21. of what has gone before or what may come in the future, we
22. are here today at the call of the Governor to consider this
23. among other matters. And therefore I think we have a perfectly
24. justifiable reason for supporting this type of legislation
25. without any criticism, because this is the business at hand. I
26. think it's justified. I think we should support it and I would
27. ask for your favorable consideration.

28. PRESIDENT:

29. Is there any discussion? Senator Graham.

30. SENATOR GRAHAM:

31. Mr. President and members, so often we . . .

32. PRESIDENT:

33. Just . . . Just a moment, please. Can we have some order

1. around the Senator there, please.

2. SENATOR GRAHAM:

3. If I have anything to do about it, that phone won't be
4. here next year.

5. PRESIDENT:

6. I think that's an excellent suggestion. I won't be
7. here, Senator, but the phone does not . . . does not assist
8. order in the Body.

9. SENATOR GRAHAM:

10. What we so often fail to do as we explain the necessities
11. of some of these things which we feel are necessities, and
12. what the media so often fail to do is to explain that the monies
13. drawn on this account is vouchered and that everyone of us sign
14. an affidavit disallowing nepotism or other devious means to
15. collect money from the State. What they fail to report, too,
16. and we fail to report, that in many, many instances the members
17. of this General Assembly now at \$6,000.00 don't draw it all
18. because you can't operate an office on \$6,000.00 so you operate
19. it with some lesser force and do the best job you can with
20. the tools with which you have to work. I particularly have
21. used, to some inconvenience to me, a secretarial service, competent
22. and capable, in their voucher as an answering service only used
23. at a time when I'm not available. Last year a lapsed somewhere
24. near \$2,800.00. Year before last about 1,900 or 2,000, somewhere
25. in that area. And I think that many people who report this type
26. of proposed legislation are assuming that everyone that signs
27. one of those vouchers is using some devious method to extract
28. from the taxpayers some additional money. Now that just isn't
29. true. What they're doing, the conscientious legislator that's
30. signing these vouchers, is in fact saying I want to get this
31. work done but I don't feel like I should pay it out of my pocket.
32. Gentlemen, report it that way once. Will you, please? Thank you
33. very much.

1. PRESIDENT:

2. Is there further discussion? Is there objection to taking
3. on one roll call, 3, 4 and 5? Leave is granted. Secretary will
4. call the roll on Senate Bills 3, 4 and 5.

5. SECRETARY:

6. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
7. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
8. Davidson, Donnewald, Dougherty, Egan, Fawell, . . .

9. PRESIDENT:

10. Senator Fawell.

11. SENATOR FAWELL:

12. Just one comment, I'm going to support these bills and
13. I think the per diem is something that's long, long overdue.
14. The one point I wanted to bring out though is a meeting I was at
15. several nights ago, people were asking about expense accounts
16. of our federal Congressman and were surprised that I think
17. your average Illinois Congressman will have an expense allow-
18. ance to operate his office anywhere from 100,000 to \$200,000,
19. and if you look at their expense account carefully, you will
20. be surprised to find that what they spend on 8 cent stamps
21. for their franking privileges is really more than our salary
22. and expenses put together. If, as this Legislature really
23. moves toward what is becoming a full time Legislature, it
24. seems to me that the realistic approach to a expense account,
25. properly audited, is something that is just absolutely necessary.
26. I'm more than happy to support this legislation. I think that
27. in the future we are going to have to also look to the problems
28. of those of us who want to do extensive research in various
29. areas to having some type of aid in this direction, too. The
30. amount \$10,000.00 is going to help insofar as my office out
31. in Naperville is concerned. It always runs in the red and
32. which I have subsidized for a number of years. Now going
33. back to my initial salary, when I represented approximately

1. 600,000 people in the old 41st Senatorial District of all of
2. DuPage and all of Will, I was paid 6,000 per year and I think
3. I must have . . . I don't know how . . . I know I had no net
4. the first four years so that somehow if the people of Illinois
5. can realize that the average Illinois legislator has not
6. had the helps and aids that he ought to have to be able to do
7. the job. I think it would be to the betterment of all, so I
8. am very happy to vote aye.

9. SECRETARY:

10. . . . Gilbert, Graham, Groen, Hall, Harris, Horsley,
11. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
12. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
13. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
14. Rock, Romano, Rosander, Saperstein, Savickas, Smith, . . .

15. PRESIDENT:

16. Senator Smith.

17. SENATOR SMITH:

18. I want to make a blunt and frank confession here that
19. I don't know what on earth they're voting on. I heard someone
20. say Bills 3, 4 and 5. I listened to the speeches that were
21. made first by the Majority Leader, later by Senator Graham.
22. I don't whether you're voting on an amendment. Someone said
23. that Senator Horsley had an amendment, then you said we'll
24. pass it temporarily. I don't know whether you got back to it
25. or what. May I, then, ask this question. Are we voting on
26. the passage of a bill?

27. PRESIDENT:

28. We are voting on the passage of three bills--of 3, 4 and
29. 5.

30. SENATOR SMITH:

31. I vote aye.

32. SECRETARY:

33. . . . Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

1. PRESIDENT:

2. Baltz, aye. Sours, no. Mohr, aye. Request for a call of
3. the absentees. The absentees will be called.

4. SECRETARY:

5. Arrington, Bidwill, Bruce, Coulson, Course, Davidson,
6. Gilbert, Groen, Horsley, Hynes, Johns, Kusibab, McCarthy, Ozinga,
7. Palmer, Rock, Rosander, Saperstein, Savickas, Soper, Vadalabene,
8. Walker, Weaver.

9. PRESIDENT:

10. Johns, aye. McCarthy, aye. Palmer, aye. Course, aye.
11. On that question the yeas are 32; the nays . . . the yeas are
12. 32; the nays are 9; 1 present. The bill is declared passed.
13. Senator Chew.

14. SENATOR CHEW:

15. Having voted on the prevailing side I move to reconsider.

16. PRESIDENT:

17. Motion to reconsider. Motion by Senator Johns to Table.
18. All in favor of the motion to Table signify by saying aye.
19. Contrary minded. The motion to Table prevails. Are we
20. ready, Senator Horsley, on Senate Bill 1. Will . . . How
21. 'bout Senate Bill 2. Is there a problem on that or . . .
22. It has to be changed also. Senate Bill 6. Is Senator
23. Partee on the Floor? Is Senator Cherry or Donnewald, are
24. we ready to proceed on 6, 7, 8 and 9, do you know, or are
25. those . . . Should we hold off for a moment on those? All
26. right. We'll be at ease for just a few moments. Senator
27. Partee.

28. SENATOR PARTEE:

29. Mr. President and members of the Senate, if I might have
30. your attention, I would like to call Senate Bills 6, 7, 8 and
31. 9 together as a part of a package and I will make an explanation
32. as to each. Senate Bill 6 . . .

33.

1. PRESIDENT:

2. You're calling them on Third Reading and not back for Second
3. Reading for purposes of amendment.

4. SENATOR PARTEE:

5. Well, if someone wants to, we'll bring them back, but I'd like
6. to . . .

7. PRESIDENT:

8. Is there request . . . Yes, if . . .

9. SENATOR PARTEE:

10. I'd like to run them on Third. If we could get the votes in,
11. we'd have them. If not, we'll bring them back.

12. PRESIDENT:

13. All right.

14. SENATOR PARTEE:

15. Senate Bill 6 relates to judges' salaries, an increase in same,
16. and Senate Bill 7 relates to judges' salaries of the Circuit Courts
17. and Appellate Courts whereas the first relates to Supreme Court and
18. Appellate Court and Associate Circuit Judges and Senate Bill 8
19. relates to the salary of the Supreme Court Clerk and Senate Bill 9
20. relates to the salary of the Appellate Court Clerk. Now, let me say
21. first of all, that these figures did not come out of the air nor
22. did they come from Alice in Wonderland's book, but they are figures
23. which came to this Legislative Body from several responsible organi-
24. zations. This morning you were delivered a letter from one of the
25. Bar Associations and you will find that the figure set forth in these
26. bills are figures which came to us from the Illinois Bar Association;
27. from the Chicago Bar Association; and from a Special Commission set up
28. pursuant to Statute composed of three men: One former Senator John
29. Meyers from Danville who was the Chairman of this Commission; former
30. Representative Roy Small from Central Illinois; and Owen Wall, a Chicago
31. attorney who was formerly the president of the Illinois Bar Associa-
32. tion. These three men have hearings and prepared a rather substan-
33. tial in-depth report of recommendations for judicial salaries. For

1. those of you who did not read the report, the report is reflective
2. of comparisons made by this group with judicial salaries in com-
3. parable and kindred states, both in terms of population and industrial
4. character with the State of Illinois, and they point out that these
5. salaries are in line with states like Illinois. In many instances,
6. they are even below the salary in both New York and California. They
7. reflect the cost of living increases which this nation has endured
8. for the past number of years and they arrive at figures which in
9. my judgment are reasonable and viable. As to the Supreme Court
10. Justices, the recommendation as set forth in this Bill, 6, would
11. raise the Supreme Court from the present \$40,000 to \$47,500; the
12. Appellate Court from \$37,500 to \$44,000; the Circuit Court from
13. \$27,500 to \$35,000 plus in Cook County and one other County which
14. is DuPage County which is known as a single County Circuit, there
15. would be the already paid add-on reduced from \$7500 in those counties
16. to \$5000 which would mean that a Circuit Court Judge in Dupage or Cook
17. would receive \$40,000: and for the Associate Circuit Judges who were
18. what we elevated to this status from Magistrates for a person who
19. holds a law degree, the salary would be raised from \$23,500 to
20. \$26,000; for non-lawyers from \$20,000 to \$22,500, and in one
21. County Circuit there is an add-on of \$4500. Now, that is Senate
22. Bill 6. As to Senate Bill 7, it is simply. . . it makes the ap-
23. propriation to pay these differences. Senate Bill 8 raises the
24. salary of the Supreme Court Clerk from the present \$20,000 to \$25,000,
25. and Senate Bill 9 changes the salary of the First District Appellate
26. Court from the current \$20,000 to \$23,000 and Downstate Appellate
27. Court Clerks from \$18,000 to \$21,000 which is a \$3000 raise across
28. the board. Those are the bills. I'd be happy to answer any questions.
29. I see Senator Laughlin on his feet.

30. PRESIDENT:

31. Senator Laughlin.

32. SENATOR LAUGHLIN:

33. Yes, Mr. President and Senator Partee, could you clarify the

1. matter of the Clerks involved. I understand the Court salaries. The
2. Clerks were elected the last time, were they not--and for how long?
3. So that, these bills say effective February 1st, now, I assume you
4. can't raise their salaries during their terms of elected terms of
5. office. Would that be correct or is that incorrect?

6. SENATOR PARTEE:

7. No, I think they're appointed rather than. . . no, no, they
8. aren't elected. You're right, they are elected as are judges
9. elected. Perhaps someone on the Judicial Advisory Committee or
10. Senator Dougherty maybe can answer this question.

11. SENATOR DOUGHERTY:

12. Mr. President, there was legislation down here last time that
13. provided that the Clerks of the Appellate Court be selected by the
14. judges of that particular court, and I would assume that this would
15. apply when their terms run out as elected judges and when they be-
16. come appointed. That would be my assumption. I am not quite sure.

17. PRESIDENT:

18. Senator Laughlin.

19. SENATOR LAUGHLIN:

20. Well, then I'll follow with the next question because I'm
21. interested in the timing on this as I was on the last bill that we
22. voted on and that is, if the Supreme Court Clerk's term expires
23. in 1974 or 5, whenever it is, I don't know when it is, when do
24. the Appellate Court Clerk's terms expire so that I'm trying to
25. find out why these bills carry an effective date of February 1, 1973,
26. if they can't possibly have any effect until a later date. What is
27. the later date?

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. I'm sorry. Something happens sometimes, Senator, when you're
32. talking and someone else says something else to me. I try to listen
33. to both and perhaps don't hear either. I'm sorry. I just really

1. didn't get the question.

2. PRESIDENT:

3. Senator Laughlin.

4. SENATOR LAUGHLIN:

5. I'm sorry, maybe I didn't state it well. What I am trying to
6. find out is that these bills carry, I think, a notation that they
7. become effective February 1, 1973. It's my understanding that the
8. Clerks of the Appellate Courts were elected at the last time they
9. came into office. Consequently, I don't think their salaries can be
10. raised during their terms of office and until later when the new
11. Constitution is, in fact, implemented by the appointment of those
12. clerks; so, I'm trying to find out when their terms expire.

13. SENATOR PARTEE:

14. We don't really know when they expire, but we do know this:
15. That if under the interpretation of the Supreme Court the money
16. commences to come after the Governor signs the bill, then they will
17. get it. If on the other hand, they are not entitled until the next
18. expiration followed by an appointment, that's when it would start.

19. PRESIDENT:

20. Is there further discussion? Senator Knuppel.

21. SENATOR KNUPPEL:

22. I had assumed that an amendment would be offered to this. I
23. feel that these increases are excessive. I believe that the judges
24. are entitled to reasonable pay increases and I supported 3956. I
25. think to run this in its present form is very risky. I think it may
26. keep us here next week working on Conference Committee Reports be-
27. cause I think there's a great number of House members who feel that
28. we cut them out of a pay raise that they wanted of \$2000, which I
29. think was responsible here in the Senate, and we've passed a bill
30. that would have given judges a pay increase of \$2500 across the board.
31. I think that's reasonable; I think they're entitled to some increase,
32. but I'm afraid that to run this over into the House in this manner may
33. result in losing the entire package, and I wouldn't blame the House

1. in that respect if we're going to increase here in the Senate from
2. \$2500 increase that we talked about in the second Conference
3. Committee Report to \$7500 and then justify ourselves with members
4. of the House that we would oppose a \$2000 increase to them. I
5. personally thought this amendment was going to be offered. I
6. think it's ready. I think if it's defeated, it will be. I don't
7. think that this Body intends or ought to intend to give judges a
8. \$7500 increase across the board. I admit that they're entitled to
9. some increase, and I'll support a reasonable increase in judges'
10. salaries, but not \$7500 per year across the board, and I would ask the
11. other members of this Body to join with me to defeat this and then
12. ask that the bill be reconsidered, amended and that we put in a
13. reasonable figure that we can send to the House with some type of
14. an assurance that maybe we'll get out of here Saturday instead of
15. having to stay here until the 10th and maybe not accomplishing
16. anything. Thank you.

17. PRESIDENT:

18. Is there further discussion? Is there objection to the use of
19. the same roll call on all four bills? We . . . it is as long as we
20. do it . . . agree to it in advance. The question is passage of
21. Senate Bills 6, 7, 8 and 9, and on that question the Secretary will
22. call the roll.

23. SECRETARY:

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

32. PRESIDENT:

33. Carpentier, no. Merritt, no. Request for a call of the absentees.

1. The absentees will be called.

2. SECRETARY:

3. Arrington, Baltz, Berning, Bidwill, Bruce, Carroll, Clarke,
4. Coulson, Davidson, Groen, Horsley, Kusibab, Mohr, Ozinga, Rosander,
5. Saperstein, Soper, Sours, Walker.

6. PRESIDENT:

7. Senator Partee.

8. SENATOR PARTEE:

9. I move, Mr. President, to postpone consideration so that we
10. don't get into a hassle, I want everybody to know that after we
11. place this bill on the order of postponed consideration, it then
12. is in a posture where it can be brought back to Second Reading
13. for possible amendments. It's a move to postpone consideration.

14. PRESIDENT:

15. Motion to postpone consideration. All in favor signify by
16. saying aye. Contrary minded. The motion prevails. Senator
17. Horsley, are we ready on Senate Bill 1, now.

18. SENATOR HORSLEY:

19. Yes.

20. PRESIDENT:

21. Senate Bill 1. Just a moment. Senator Harris is here. Senate
22. Bill 1 is brought back to Second Reading for purposes of amendment.
23. Senator Horsley is offering an amendment. Is that correct? And you
24. wish to explain that amendment at this time, Senator?

25. SENATOR HORSLEY:

26. Mr. President and members of the Senate, this amendment is more
27. or less of a compromise, and I think brings us pretty well in line
28. with the Conference Committee Report that was agreed on when we left
29. here prior, and I move the fact that although many people feel the
30. Governor of this State should be at \$50,000, he has stated he does
31. not want that salary...

32. PRESIDENT:

33. Just a moment. Please, let's have some order.

1. SENATOR HORSLEY:

2. . . . and that puts his salary at \$45,000 and brings the other
3. salaries down to \$40,000 each for the Attorney General and for the
4. Secretary of State and \$37,500 for the new Comptroller's salary
5. which has to be set because none has been set, and he will take
6. office. I move the adoption of the amendment.

7. PRESIDENT:

8. Senator Partee.

9. SENATOR PARTEE:

10. It doesn't bring me any pleasure to oppose this amendment. It
11. brings me in one sense to a rather ticklish area. The salary of the
12. Governor, for example, is the first part of this amendment, and it
13. would decrease the \$50,000 which is in the bill to \$45,000. I
14. happen to know that the next Governor of this State who will be
15. inaugurated on the 8th of January . . . it's the 8th, please . . .
16. on the 8th of January, has made some comment concerning a desire
17. that the salary remain the same, and I appreciate that comment, but
18. I think I must point out that to be consistent with the other
19. salaries and with the present salary of the Governor, \$50,000 is
20. indicated as the only logical salary for that of the Governor and
21. let me tell you why. Would you hold it down here for just a minute,
22. please. In 1965 the salary of the Governor of the State of Illinois
23. was increased to \$45,000. From 1965 until the advent of the new
24. Constitution, that \$45,000 was augmented by a peculiar constitutional
25. provision which provided that the Governor of the State of Illinois
26. should serve as a Director of the Illinois Central Railroad and be
27. compensated by the Illinois Central Railroad for such service. Check-
28. ing with the present Governor's office, we find that the salary of
29. the Governor in the last years since 1965 has averaged between \$51,000
30. and \$6000 which means that the salary of the Governor of the State
31. of Illinois from 1965 to the advent of the new Constitution has been
32. in the aggregate between \$50,000 and \$51,000; hence, this amendment
33. would actually reduce the salary of the Governor. It would reduce

1. dollars the present salary of the Governor. It is inconsistent,
2. it seems to me, for us to say on the one hand that other salaries
3. are being raised to reflect an increase in the cost of living and
4. to reduce the salary of the Governor. Moreover, recognizing the
5. feeling of the Governor to be on this question, I think it only
6. honest and sincere that I point out that this is an office which
7. does not belong individually to an individual. The Office of
8. Governor belongs to the people of this State and in setting the
9. salary by voting for \$50,000, I do not ignore the personal desires
10. of the person who will have a four year lease on that Office. It
11. is a lease and not a contract of purchase. It is a lease by which
12. the people of this State give to a person by their votes, a four
13. year lease on the Office, and I respect his personal wishes and
14. desires, but I must point out that the Office belongs to the people
15. and we are setting the salary consistent with what the salary ought
16. to be in the entire scheme of things with other Constitutional
17. offices. I would hope that this amendment would be defeated for
18. that reason alone. In addition, it seems picayunish to me to
19. lower the salary as setup in the bill from \$37,500 to \$35,000 for
20. the Lieutenant Governor. That is another change which has come
21. about as a result of our new Constitution. As you know, under
22. our old Constitution, the Lieutenant Governor's salary was \$25,000,
23. but because of a peculiar provision under our old Constitution, the
24. Lieutenant Governor was paid on a per diem basis whenever he
25. served as Governor in the absence of the Governor. We have checked
26. with our current Lieutenant Governor and find that the salary of
27. the Lieutenant Governor over the last four years has averaged about
28. an additional \$10,000 which has meant that the salary of the Lieutenant
29. Governor for the last four years has in the aggregate been \$35,000
30. rather than the \$25,000 statutory amount as set forth. So, we're
31. only raising the Lieutenant Governor's salary, in fact, \$2500 to
32. \$37,500. As to the Secretary of State and as to the Attorney
33. General the salary is being raised from its current level to \$42,500

1. which is expressive of our knowledge of the large volume of work
2. in those two offices. I think it is particularly distressing to
3. desire to lower the salary of the Attorney General to an amount
4. less than the State's Attorney of Cook County. The State's
5. Attorney of Sangamon County receives \$32,000. The Attorney General
6. of this State with the legion of persons working under his control
7. and command with a large and increasing by larger volume of work which
8. comes to him should not be demeaned, it seems to me, by this kind
9. of a \$2500 snatch, I'll call it, from that Office. He deserves
10. \$42,500 as does the Secretary of State, and I'm thinking that for
11. those two reasons, this amendment should be defeated. Now, there
12. is another item here for the Comptroller which we have raised to
13. \$40,000, and they desire to bring it down to \$37,500, and there's
14. another item here for the Superintendent of Public Instruction which
15. is now at \$30,000 which would be brought to \$42,500. Now, you and
16. I know that the Superintendent of Public Instruction will have a
17. different kind of constitutional relationship to people after this
18. present term expires; so, we are just simply putting it in now so
19. that it will be there when we get back to it when we come in with
20. the new Superintendent rather than using that as another issue at
21. a later time. We do it now, keep it consistent, and I think con-
22. sistency is a virtue. Let's do it now and keep it consistent. For
23. those reasons, I ask Mr. President and members of the Senate that
24. this amendment be defeated and that this bill be permitted to remain
25. in its now viable, consistent posture.

26. PRESIDENT:

27. Senator Gilbert.

28. SENATOR GILBERT:

29. Senator Partee, in line with the question that Senator Laughlin
30. raised in relation to the Clerks who will be appointive and are
31. appointive under the new Constitution, we will no longer have the
32. Office of Superintendent of Public Instruction after 1974. We will
33. have a Chief State School Officer appointed by the State Board of

1. Education. Are we going to put ourselves in a position possibly
2. since that Office is to be appointive that the State Superintendent
3. of Public Instruction might be able to draw \$42,500 after February 1,
4. 1973?
5. PRESIDENT:
6. Senator Partee.
7. SENATOR PARTEE:
8. No, I don't think so, Senator.
9. PRESIDENT:
10. Senator Gilbert.
11. SENATOR GILBERT:
12. He's in the same position as the Clerks. He's elected for
13. a definite term.
14. SENATOR PARTEE:
15. But he's in the middle of his term, and I don't think we can
16. change it.
17. PRESIDENT:
18. Senator Gilbert.
19. SENATOR GILBERT:
20. So are the Clerks.
21. PRESIDENT:
22. Senator Partee.
23. SENATOR PARTEE:
24. No, no, it's my feeling and understanding that we cannot change
25. that salary in the term. Now, you're talking about the Clerks. I
26. think possibly that might also apply to the Clerks. This is the
27. answer. I gave Senator Laughlin.
28. PRESIDENT:
29. Senator Gilbert.
30. SENATOR GILBERT:
31. I think whatever applies to one would apply to the other since
32. the Office will no longer be elective but appointive, and it won't
33. even be Superintendent of Public Instruction. That won't even be

1. the title. I don't know why we're even fooling with it , but I
2. don't object.

3. PRESIDENT:

4. Question is the adoption of the amendment. Senator Horsley
5. may close the debate.

6. SENATOR HORSLEY:

7. Well, I didn't mention a while ago because I didn't think
8. it was necessary to go into the matter but in line with the
9. Superintendent of Public Instruction, we couldn't possibly raise
10. his salary because that Office will expire at the end of this
11. term. It'll be up to the Legislature to create the duties and
12. what's to be done with it and the compensation should be commensurate
13. to the duties. However, it would under this amendment raise the
14. Treasurer up to the same level as the Attorney General and the
15. Secretary of State even though he wouldn't draw it for two years.
16. It would prevent a hassle in the future; so, it would eliminate
17. the argument that we've heard so much that we come in here after
18. an election and we do this between an election and the time that
19. somebody takes office. Now, this would be a raise for an office
20. that's to be elected two years from now and would not be effective.
21. It does set the Attorney General and the Secretary of State at
22. salaries that are commensurate with the duties and represents a
23. big increase in those two Offices. Now, you mention the Lieutenant
24. Governor; at the present time the Lieutenant Governor has had to
25. serve and sit on this rostrum every time we've been in Session.
26. Those duties have been taken away from the Lieutenant Governor.
27. He now has no duties because none have actually been assigned by
28. this Legislative Body; so, we're gambling and that's why the figure
29. of \$35,000 was set as just a medium that would be fair because he
30. at the present time has no duties at all and until such time as
31. those duties are set, it's very difficult to set a more fair salary.
32. The figure of \$37,500 for the new Comptroller certainly is commensurate
33. with the Office and I believe this amendment is fair to all concerned

1. and I would urge you to support it.

2. PRESIDENT:

3. Roll call has been requested. Those in favor of the adoption
4. of the amendment will vote in the affirmative. Those opposed to
5. the adoption of the amendment will vote in the negative. The
6. Secretary will call the roll.

7. SECRETARY:

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

16. PRESIDENT:

17. Lyons, no. Senator Groen. Groen, no.

18. SECRETARY:

19. . . . Walker, Weaver.

20. PRESIDENT:

21. On that question the yeas are 18, the nays are 29. The
22. amendment is defeated. Now, Senator Harris, are we ready to proceed
23. with the passage of the bill.

24. SENATOR HARRIS:

25. Well, this bill is now before us as introduced. I want to say
26. that the single most significant reason for this special call is
27. the need to provide adequate and I what I honestly believe are
28. reasonable salary levels for the Executive Branch of the State Government.
29. A man of great courage called this Special Session, in my judgment,
30. primarily to respond to what is contained in this bill. The persons
31. elected to fill the Offices that will be subject of inaugural
32. activity next Monday, if we do not meet this responsibility, will be
33. prevented for an additional four years from having any adjustment

1. in the salaries for those Offices. Now, there's no question that
2. anytime we're called upon to adjust salaries for public officials
3. at all, it's one of the difficult performances that we're called
4. upon to make. I want to urge the members of this Body to think
5. in terms of the comments that Senator Partee made, which I think
6. were excellently articulated. I think, and I mean this most sincerely,
7. I introduced this bill in the form it is because I believe these
8. salary adjustments are reasonable. I don't want to be repetitious
9. now about the explanation that Senator Partee made. I was glad that
10. he was listened to carefully, and I don't think that there is any
11. politics involved whatsoever in Senate Bill 1. If it were a political
12. consideration, we'd all vote no on everything and go home. That
13. would be the process to achieve broad favor of the public. No
14. question about it, but that's not the issue here. The issue is
15. reasonable and responsible performance to make some adjustments in
16. these Executive Department Officials' salary which this Legislature
17. alone has the power to set or to change. The time is now to do it.
18. We've had an expression here of an attempt to make what are per-
19. fectly sincere amendments and a clear expression rejected that
20. effort; so, I now call upon this Body to support Senate Bill 1 in
21. the form it was introduced and to get this matter decided so that
22. it can be operative before these Offices' terms begin next week.

23. PRESIDENT:

24. The Secretary will call the roll. Now, Senator Harris, is it
25. acceptable to take the same roll call on 1 and 2? All right. Is
26. there objection? Leave is granted. The bills are . . . Senate Bill
27. 1 has been advanced from Second back to Third following the rejection
28. of the amendment. Senator Sours.

29. SENATOR SOURS:

30. Before we get into that, I misunderstood the last roll call on
31. the Horsley amendment. I thoroughly intended to support it. I
32. thought it was an amendment by Senator Partee that was being dis-
33. cussed. That's the reason I voted against it. I would like the

1. unanimous consent to change my vote to aye on the Horsley amend-
2. ment.

3. PRESIDENT:

4. It would not change the result. Is there any objection to
5. that request? Leave is granted.

6. SECRETARY:

7. Arrington . . .

8. PRESIDENT:

9. This is on the passage of Senate Bills 1 and 2.

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
12. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
13. Dougherty, Egan, Fawell, Gilbert. . .

14. PRESIDENT:

15. Senator Gilbert.

16. SENATOR GILBERT:

17. I think that the only justification for the lame ducks being
18. here, which I am one, is for this particular series of bills because
19. the other bills could have been taken care of a week from today. I
20. voted for the Conference Committee Report which incorporated most
21. of the things in this bill. The only reason I did was because I
22. wanted to have this vote for the incoming officers. I think that they
23. are entitled to the increase. I think that you can have some question
24. as to whether it might be slightly excessive or not, but certainly
25. rather than to deprive them of a just increase, I wish to cast my
26. vote aye.

27. SECRETARY:

28. . . . Graham, Groen

29. PRESIDENT:

30. Senator Groen.

31. SENATOR GROEN:

32. Mr. President, I would also briefly like to explain my vote. I
33. have long felt that lame duck legislatures and lame duck legislators

1. as we are called should not consider matters that are not of an
2. urgent nature. I, therefore, did not vote at all on the preceding
3. bills involving the members of the General Assembly, and I do not
4. intend to vote on the package of bills which would deal with the
5. Judiciary. In my judgment they are not urgent matters and rather
6. than have my vote determine either of those two measures, it seems
7. more just, fair and equitable to me, that the incoming General Assembly,
8. the 78th, and I will be one of those who will not be here, someone
9. will take the oath of office on the 10th at noon to replace me, and
10. it seems to me that those matters not of urgent concern should have
11. been held for that General Assembly and those people to deal with.
12. As far as the Executive is concerned, I consider this a part of my
13. continuing responsibility as one of the outgoing members. Unless we
14. do something in this 77th Session, nothing can be done by the incoming
15. 78th General Assembly in adjusting the salaries of the Executive
16. Branch to realistic figures. I said on this Floor earlier in
17. debate on this issue, and I have said it in my own caucus that it
18. seems to me to be unreasonable, for example, that the Attorney General
19. of the State should not receive a salary at least equal to that of
20. a member of the Supreme Court of the State of Illinois. While I do
21. not agree with all of the levels, compromise is the art of good govern-
22. ment, and I am willing to compromise the differences wherein I do
23. not agree with the schedule as outlined in these bills; so, fulfilling
24. that responsibility which I deem of an urgent nature, one that is
25. still my continuing responsibility, I vote aye on these bills.

26. SECRETARY:

27. . . . Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
28. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
29. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
30. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,
31. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

32. PRESIDENT:

33. Sours, no. On that question the yeas . . . on those two bills

1. the yeas are 40. The Nays are 4. The bills are declared passed.
2. Senator Harris.

3. SENATOR HARRIS:

4. Having voted on the prevailing side, I now move to reconsider
5. the vote by which Senate Bill 1 and 2 were passed be reconsidered
6. or did we just vote on one.

7. PRESIDENT:

8. We voted on both. The motion to reconsider those two bills.
9. Motion by Senator Baltz to table. All in favor of the motion to
10. table signify by saying aye. Contrary minded. The motion to table
11. prevails. On 6, 7, 8 and 9. Do you have a desire to take any
12. action, Senator Partee.

13. SENATOR PARTEE:

14. Yes sir, I'd like to move it from the order of Postponed Consi-
15. deration back to the order of Second Reading. I understand some of
16. the members may well have an amendment. Senator Knuepfer, I am
17. certain, has one.

18. PRESIDENT:

19. 6...Senator Knuepfer.

20. SENATOR KNUEPFER:

21. Yes, I would offer an amendment to both Senate bills...

22. PRESIDENT:

23. Just a moment, Senator. Yes, for what purpose does Senator
24. Partee arise?

25. SENATOR PARTEE:

26. I think it might make it easier for the Secretary if we
27. simply moved those bills back to the order of Second Reading where
28. there is an indication there is a possible amendment, and then
29. once we got that finalized, we could take those from postponed
30. consideration and move them back to Third Reading and we'd be in
31. a posture to vote on them.

32.

33.

1. PRESIDENT:

2. All right.

3. SENATOR PARTEE:

4. Now, you're amendment is to which one, Sir?

5. SENATOR KNUEPFER:

6. My amendments are for Senate Bill 6 and 7 only. I have no
7. amendments for Senate Bill 8 and 9.

8. SENATOR PARTEE:

9. Then the motion, of course, is to move them from postponed
10. consideration to the order of Second Reading, both Senate Bill
11. 6 and 7.

12. PRESIDENT:

13. Senate Bill 6 and 7 are brought from postponed consideration
14. to Second Reading, and Senator Knuepfer has an amendment on...let's
15. take them one at a time, Senator.

16. SENATOR KNUEPFER:

17. Let me explain the amendment to Senate Bill 6 first of all.
18. Senate Bill 6, in essence, brings the salaries of the judiciary in
19. line with the Conference Committee Report as it was on December 14th,
20. whatever that last day was. What it does is to, in the case of the
21. Supreme Court, to strike \$47,500 and go back to \$42,500. In the
22. case of the Appellate Court, it strikes \$44,000 and goes to \$40,000
23. and in the case of the (what have I lost?) Oh, in case of the Circuit
24. Court, it strikes \$35,000 and goes back to \$30,000. The Associate
25. Judges would remain exactly the same as they are now. The add-on
26. would remain exactly the same. I want to point out to this Body
27. that the members of the Judiciary, as are all of us in the State
28. Office, is subject to the 5.5% guidelines. No matter what we might
29. appropriate, we cannot and they cannot draw...We cannot pay nor
30. can they draw more than 5.5%. Senator Partee has well explained
31. the reason for the additional raise on terms of the State Executive
32. Officers because once they get the salary established and take office,
33. we can make no further changes. That is not true of the Judiciary.

1. This Body can come back in January or February and again raise the
2. Judiciary. The amounts, \$2500 of the increases, approximate the
3. 5.5% guideline. We can take a new look at these every year. I
4. think it is well to let the people of the State of Illinois know that
5. we are, as well, trying to live within the 5.5% guidelines that most
6. working people and most, in fact, everybody within the State of
7. Illinois has to live within; so, I thereby offer this amendment to
8. Senate Bill 6. The amendment to 7, Senate Bill 7, simply reduces
9. the appropriation to correspond to the amounts as set forth in
10. Senate Bill 6. I would ask for a favorable consideration of these
11. amendments.

12. PRESIDENT:

13. Senator Fawell.

14. SENATOR FAWELL:

15. I have one question, Senator Knuepfer. In the Conference
16. Committee Report which I understand this amendment follows, there
17. also was the recommendation that the add-on, which now pertains to
18. Cook County, would also pertain to one County Judicial Circuits.
19. Is that in your amendment?

20. PRESIDENT:

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. The add-on in this amendment is exactly as it presently was...
24. There's nothing...no, as it presently was. It applies only to Cook
25. and DuPage, as I understand it. The add-on hasn't been changed anyway.
26. SENATOR FAWELL:

27. Well, no, let me make myself clear. The add-on heretofore has
28. been applicable only to the County. The Conference Committee Report
29. altered the existent law. That is, made a recommendation for altera-
30. tion of the existent law by adding on the wording, "and in other
31. Judicial Circuits composed of a single county." That was an inclusion
32. that was part of the Conference Committee Report. My question is
33. whether or not in your adoption of the recommendation of the Con-

1. ference Committee, have you also included that recommendation of
2. the Conference Committee.

3. PRESIDENT:

4. Senator Knuepfer.

5. SENATOR KNUEPFER:

6. I frankly wasn't aware that was a part of the Conference
7. Committee Report. That is not a part of this amendment. This
8. amendment simply addresses...it leaves the add-on exactly as it
9. was and as well, it increases the three, Appellate Judges, the
10. Supreme Court Judges and the Circuit Judges by \$2500. It does
11. not in any way effectuate whatever might have been a part of that
12. Conference Committee Report pertinent to additional add-ons.

13. PRESIDENT:

14. Senator Fawell.

15. SENATOR FAWELL:

16. As I understand it though, your intent was to have an amend-
17. ment that did coincide with the Conference Committee Report, and it
18. would seem to me that we would save perhaps quite a lot of time and
19. trouble by following the Conference Committee Report because I'm
20. sure that when this goes over to the House, there will be some
21. degree of consternation about not following the Conference Committee
22. recommendations here.

23. PRESIDENT:

24. Senator Knuepfer.

25. SENATOR KNUEPFER:

26. Senator, do you have a copy of Senate Bill 6 in your desk? Let
27. me just ask you to take a look at Page 2, the top of Page 2 and see
28. if that satisfies you. Now, that is in there. This amendment didn't
29. take that out.

30. PRESIDENT:

31. Is there further discussion? All in favor of the adoption of
32. the amendment indicate by saying aye. Contrary minded. The amend-
33. ment is adopted. On...are there further amendments? We...just...

1. Now, we've just taken care of the amendment on No. 6. We've
2. not taken care of Amendment No...on Senate Bill 7. Now, Senator
3. Berning indicates he has an amendment. Senator Berning.

4. SENATOR BERNING:

5. Thank you Mr. President. This would be Amendment No. 2
6. offered for Senate Bill 6. It's a very simple bill on Page 2,
7. line 4 Amendment No. 2 would strike the existing figure and
8. insert in lieu thereof \$1000. May I refer you to a January 3rd
9. letter of the Illinois State Bar Association which endorses increased
10. compensation for judges but also next to the last paragraph says,
11. "We also went on record with the Commission as favoring a uniform
12. salary schedule for all judges throughout the State without county
13. differential." I submit that there is no Circuit in Illinois that
14. is more diligent or carries a greater work load than the 19th
15. Judicial Circuit which is the one in which I reside. While I can
16. readily see that it would be next to impossible to remove all amenities
17. in the way of additional income. I'm willing to suggest that a
18. \$1000 difference be allowed, even though in my opinion that's not
19. even justified; but I think it is absolutely discriminatory to
20. say that one circuit is entitled to \$5000 or \$7500 because it is
21. in one county as compared to another circuit that may be in more
22. than one. For that reason, Mr. President, I offer Amendment No. 2
23. to Senate Bill 6.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. Unfortunately, Senator, your amendment comes at a time when
28. this bill has already been amended and the language which you seek
29. to change is no longer in the bill in its amended form. That is a
30. technical objection that I would make. I think though, Senator,
31. there is one other insurmountable objection to your amendment. That
32. objection is to be found in the Constitution of our State in Article
33. VI, Section 14, which, as I read, it would prohibit this Legislature

1. from diminishing the salary of a judge during the term of that
2. judge even, I am saying, if your amendment was in proper form which
3. it is not, and even if we desired to subscribe to your logic which
4. we do not, we could not do what you seek to do because it would be
5. a violation of the Constitution which you and I jointly cherish.

6. PRESIDENT:

7. If that is being raised as a point of order, I think the
8. Chair would have to rule that the point is well taken. Senator
9. Berning.

10. SENATOR BERNING:

11. I would have to yield to the President not being in a position
12. to challenge that ruling. I would, however, say to the President
13. Pro Tem that I do not cherish along with him what he reads into
14. the Constitution, but what he does say is that we are then powerless
15. to ever correct this discrimination, this unfair provision in our
16. statutory method of compensating our judges and this is deplorable.
17. It would seem to me that it also precludes the original amendment
18. under Senate Bill 6 which dropped the \$7500 to \$5000.

19. PRESIDENT:

20. The reason the original bill was constitutional is you have
21. other compensation that raises it so that in fact the judges are
22. not having their salaries reduced. For what purpose does Senator
23. Soper arise?

24. SENATOR SOPER:

25. I just wonder, where are we? Now, is the amendment bad? If
26. it's bad, let's go on. If it's good, let's vote it up or down, and
27. let's get on with the business.

28. PRESIDENT:

29. The Chair has ruled that the amendment cannot be presented unless
30. there is an appeal from the decision of the Chair. That amendment
31. cannot be considered by this Body. Are there further amendments?
32. Third Reading. Senate Bill 7 is brought back to Second Reading for
33. purpose of amendment. Senator Knuepfer offers Amendment No. 1.

1. Can you explain the amendment, Senator?

2. SENATOR KNUEPFER:

3. Yes, all the amendment does...this is the appropriation and all
4. it does is to reduce the appropriation in line with the salaries
5. determined...that we just determined in Senate Bill 6, and I would
6. move the adoption of Amendment No. 1 to Senate Bill 7.

7. PRESIDENT:

8. Is there any discussion? Senator Knuepfer...Senator Neistein,
9. do you wish the Floor? Senator Neistein.

10. SENATOR NEISTEIN:

11. I have no further questions?

12. PRESIDENT:

13. All in favor of the adoption of the amendment, indicate by
14. saying aye. Contrary minded. The amendment is adopted. Are
15. there further amendments? Third Reading. Are there amendments
16. to be offered to either Senate Bills 8 or 9? Senator Partee.

17. SENATOR PARTEE:

18. I move then that the Senate Bills 8 and 9 be taken off the
19. order of Postponed Consideration and placed on the order of Third
20. Reading.

21. PRESIDENT:

22. The Chair did receive a request from Senator Soper that 8 and
23. 9 be voted on separately from 6 and 7. Is there objection to voting
24. on Senate Bill 6 and 7 together as a unit? Leave is granted. Is
25. there further discussion? The Secretary will call the roll. Roll
26. call is for passage of Senate Bills 6 and 7.

27. SECRETARY:

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

31. PRESIDENT:

32. Senator Gilbert.

33. SENATOR GILBERT:

1. I'm going to vote aye on this bill although I would have to
2. confess that a number of the Circuit Judges in my area would like
3. to see us take no action at this time. They are very interested
4. in seeing that something be done about the Add-on that their salary
5. be brought into closer proximity of that of the Cook County and now
6. DuPage County judges. As I stated before on relation to the lame
7. duck situation that I find myself in, this likewise is another bill
8. that should have waited, but inasmuch as it is now before us in
9. an amended form, I vote aye.

10. SECRETARY:

11. ...Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,
12. Knuppel, Kosinski, Kusibab, Latherow, Laughlin...

13. PRESIDENT:

14. Senator Laughlin.

15. SENATOR LAUGHLIN:

16. Mr. President and members of the Senate, I'm going to vote for
17. this bill, but I think I must explain my vote, and this is the last
18. time fellows so don't worry, I won't take anymore of your time after
19. this particular time. In 1971, you will recall that this Body passed
20. a bill, and I helped pass it and I voted for it which made and placed
21. the Supreme Court salary at \$2500 more than it had been or \$42,500.
22. If my memory tells me correctly it raised the Appellate Court salaries
23. to either \$39,000 or \$39,500 at that time, and it raised the Circuit
24. Judges basic salary from \$27,500 to \$29,000. The Governor vetoed
25. that bill because of the provisions made in it for what were then
26. known as Magistrates; so, I ordinarily wouldn't vote as a lame duck.
27. I vote present, but I find this so close, so close to what I voted
28. for eighteen months ago that I think in good conscience I cannot do
29. nothing except vote for it today and should you get into a hassle, I'd
30. like to make it abundantly clear that if I am not present here on
31. Saturday that not one more dime in Judicial salaries would I vote;
32. so, if it comes back higher and I'm here, nothing will be lost.

33. SECRETARY:

1. ...Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
2. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee...

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. Just briefly let me say that I was prepared to support 6
7. and 7 in the form prior to the amendment. It is obvious to us
8. that 6 and 7 as we had prepared them cannot pass this Senate. I'm
9. going to vote aye for this rather modest increase in the salaries
10. of the judges with the full recognition that in this State we have
11. a large number of very fine and dedicated judges who in my opinion
12. deserve what was in the original bill. I am a person of practicality,
13. I think. I think I realize when one has obtained as much as can be
14. obtained under those circumstances; hence we accepted this amend-
15. ment, and I'm voting aye on this bill in its new amended form.

16. SECRETARY:

17. ...Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
18. Sours...

19. PRESIDENT:

20. Senator Sours.

21. SENATOR SOURS:

22. Mr. President and Senators, I have a comment on the Judicial
23. salaries.

24. PRESIDENT:

25. Just a moment. Senator Harris and Mohr.

26. SENATOR SOURS:

27. I think most of the lawyers in the Chamber here appreciate a
28. good able jurist anytime. I like to think most of the judges whom
29. I have known, before whom I have practiced and expect to practice are
30. pretty good citizens. I have a schedule here of the salaries as
31. they existed scarcely eleven years ago. The Supreme Court was \$30,000,
32. the Appellate was \$25,000, Cook County had a supplement there of
33. \$4500, Circuit, Downstate supplement...the Downstate was \$20,000,

1. Chicago a \$9000 supplement and so on down to the Magistrates
2. who were receiving \$10,000. Now, what disturbs me probably
3. has no materiality here today because it's in the selection of
4. the judges, but when I notice what has happened to Judge Dolezal
5. and then I read Mike Royko on this other judge who has a cigar in
6. his hand and not a gun in his belt, it seemed to me that we're
7. wasting some pearls on some swine. I'm nevertheless going to vote
8. aye.

9. SECRETARY:

10. ...Swinarski, Vadalabene, Walker, Weaver.

11. PRESIDING OFFICER:

12. Senator Berning.

13. SENATOR BERNING:

14. Not having voted, Mr. President, and before I cast my vote,
15. I want to make another comment on the add-ons and I regret that
16. my amendment was not in proper form. I didn't construe the earlier
17. amendment as having obviated the amendment I offered. I call to
18. the attention of the Body that on Page 2 we are creating an indefensible
19. and discriminatory practice. We are extending an indefensible
20. and discriminatory practice because and I read line 1, "And in other
21. Judicial Circuits composed of a single county." I submit that
22. this is absolutely unfair to other Circuits which are embraced in
23. more than one county. What we will be doing will be galvanizing
24. other circuits into seeking single county boundaries. That may
25. not be too bad, but what we have done and will do with this measure
26. is say to the judges in my Circuit, "Simply because your Circuit
27. extends over a county line, you are second class circuit judges
28. and do not merit an additional \$7500 compensation, and I submit
29. that is indefensible, absolutely discriminatory and I don't know
30. how it can be defended by anybody, lawyer, judge, layman, commission
31. or otherwise. I am placed in a very, very difficult position of
32. having to oppose a whole bill because of an inequitable phrase
33. or accept a highly discriminatory bit of legislation in order to

1. provide the total good, and I must admit this is a bitter pill.
2. No one has been able to defend this in my opinion and I don't
3. know how it can be. I'd certainly be interested in comments on
4. it. Consequently, I cast a very reluctant aye.

5. PRESIDENT:

6. On those bills the yeas are 41, the nays are 2. The bills
7. having received the constitutional majority are declared passed.
8. Senate Bills 8 and 9. 8 and 9. Is there objection to taking those
9. two bills together? Leave is granted. Is there any discussion?
10. The Secretary will call the roll.

11. SECRETARY:

12. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
13. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
14. Dougherty, Egan, Fawell, Gilbert...

15. PRESIDENT:

16. Senator Gilbert.

17. SENATOR GILBERT:

18. This is definitely a series of bills that there's no reason
19. to be acting upon now and particularly when there is confusion as
20. to what the effect might be. This is something that can be taken
21. up next week, next month when it is determined exactly what effect
22. these bills would have. For that reason, I vote present.

23. SECRETARY:

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

29. PRESIDENT:

30. Knuppel aye. On those measures the yeas are 37, the nays are 2,
31. 2 present. The bills are declared passed. Is there further business
32. to come before the Senate? Is there further business to come before
33. the Senate? Senator Harris.

1. SENATOR HARRIS:

2. Mr. President and members of the Senate, sometime ago
3. Senator Partee and I were visiting about the unique circumstance
4. of so many of our skillful and experienced colleagues retiring
5. from State service and we felt that this occasion ought to be
6. recognized by some presentation from their colleagues so that as
7. they continue to meet their responsibilities as private citizens
8. there would be some bond of memory, in a tangible way, of their
9. eternal relationship to this Body, the Illinois State Senate.
10. We hope that the decision, that Senator Partee and I joined in, to
11. provide a fine leather portfolio with the Senator's name and state
12. seal thereon will fill that most sincere expression from all of
13. your colleagues to you. We wish you the very best. We will miss
14. you all, and we want you all to know that in the days and years
15. ahead that the Senate of Illinois extends a welcoming hand to you
16. to return and share friendship with your colleagues. I know Senator
17. Partee wants to add some additional remarks here and others are
18. certainly encouraged to join and at the conclusion of the good
19. wishes to you all, Senator Partee and I wish to distribute to the
20. retiring Senators this meaningful and sincere token of our love
21. and affection for you all.

22. PRESIDENT:

23. Senator Partee.

24. SENATOR PARTEE:

25. I suppose really the thing that I should say is "ditto" to
26. those remarks because I subscribe to them wholeheartedly, and we
27. are, in fact, going to miss those of you who will be departing our
28. ranks. It has been pleasurable and enjoyable working and debating
29. and arguing and cogitating your next move and trying to understand
30. your last one. We shall miss you and I hope and wish for each of
31. you who are retiring good health, long life, and may you enjoy in
32. your next pursuits, whatever they are, that which you desire to
33. enjoy. In other words to put it another way, I wish for you what

1. you wish for yourselves.

2. PRESIDENT:

3. Senator Neistein.

4. SENATOR NEISTEIN:

5. I'm not going to look a gift horse in the face. I haven't
6. seen these leather gifts.

7. PRESIDENT:

8. Are these alligator?

9. SENATOR NEISTEIN:

10. ...but I want...you think you've stolen my thunder, but I
11. want to know if these leather cases are made out of turtle leather,
12. alligator or crocodile leather because we don't to run afoul of
13. the law with the Endangered Species Act.

14. PRESIDENT:

15. Senator Soper.

16. SENATOR SOPER:

17. Well, Mr. President and for the benefit of Senator Neistein,
18. I wish to say that you know of Russian Roulette when you put the
19. one bullet in the chamber and you twist it around and most of you
20. know of Bohemian Roulette where you put one toadstool in the mush-
21. room bag and now this is going to be Senate Roulette--there's one
22. alligator bag and when you open it up on the way out, I hope that
23. you've missed the alligator bag.

24. PRESIDENT:

25. Senator Knuepfer.

26. SENATOR KNUEPFER:

27. Senator Neistein, Senator Berning has informed me that these are
28. made of the north end of a horse going south.

29. PRESIDENT:

30. Senator Cherry..

31. SENATOR CHERRY:

32. Mr. President and members of the Senate, as I depart from
33. this Body where I've been serving for eighteen years, I want to

1. take this opportunity to express my deep gratitude to every
2. member of this Body whom I consider my friends. The experience
3. that one has as serving as a legislator, particularly for the
4. number of years that I've been here, has been the most rewarding
5. experience of my life. I'm grateful to have been sent here by
6. those people that sent me here over these years, and all I can wish
7. my colleagues who remain that they continue on to serve as they
8. have served in the past, and I want to say good-bye to all of you
9. and say thank you for an experience that I shall forever remember.

10. PRESIDENT:

11. Well, the two gentlemen can disburse the alligator bags there.
12. It appears that they have all been distributed.

13. PRESIDING OFFICER: (SENATOR PARTEE)

14. The Chair recognizes Senator Harris for an announcement or
15. Senator Clarke. This is in reference to the other...all right.

16. SENATOR HARRIS:

17. I don't want to be presumptuous, but arranging for some of
18. the details in connection with the inaugural activities of the
19. Senate next Wednesday has befallen to me to implement. I've dis-
20. cussed them all with Senators Clarke and Partee and one thing that
21. we have all agreed to try and do next Wednesday, which we think will
22. produce an overall better effect than we've experienced in the past,
23. is to provide for admission of our guests for the inaugural ceremonies
24. by ticket. Now, we've counted the physical spots available on the
25. Floor and in the President's gallery and each member of the Senate,
26. each Senator elect will receive two tickets for attendance on the
27. Floor and we will have chairs for those guests. Each Senator will
28. receive a ticket of a different color. I'm sorry, two tickets of
29. a different color for the seats in the balcony and this works out
30. as far as we can go. We're going to provide for standing privilege
31. in our side corridors for guests for each Senator. Now, not every
32. Senator is going to have this many guests and a few, of course, will
33. have the problem of a few more. The tickets will be available to

1. be received by the Democrat Senators elect in Senator Partee's
2. office. They'll be available by next Monday and the Republican
3. Senators elect will pick theirs up in what is now Senator Arrington's
4. office, and we hope that the orderliness of this process will become
5. apparent because we have had the very frustrating matter, in the
6. past, of those who get here early having position and those Senators
7. elect did not receive the word being disappointed and not well
8. served in some of our inaugural experiences in the past. The
9. thought further is that the public gallery to our rear should be
10. just that. Those from the public who want to come early and get
11. a seat should be afforded that privilege. Now, I assume that we
12. could debate the wisdom of this decision, but I think that this
13. should be in the form of an announcement of what will take place
14. and we hope that it produces a better overall effect of giving
15. orderliness and lack of confusion to our inaugural activities and
16. we would encourage you all to try and make this work and for those
17. who know that you won't need all of your tickets, if you could
18. set up a communication system in the two offices which we intend
19. to do on this side, we'll do our best to take care of those Senators
20. who need maybe one or two extra tickets to find a line of demarca-
21. tion, but that's our program. I might say further that we intend
22. to meet only on Wednesday of next week, a profunctory on Thursday
23. and we will continue to meet on Wednesday each week through January.
24. That communication will reach you all by written missal, hopefully
25. it'll be on your desk in your homes on Monday, but each of the two
26. offices here have this information insofar as the schedule is con-
27. cerned.

28. PRESIDING OFFICER: (SENATOR PARTEE)

29. For what purpose does Senator Knuppel arise?

30. SENATOR KNUPPEL:

31. I want to ask a question. I assume it's just Wednesday throughout
32. January.

33. PRESIDENT:

1. Senator Harris:

2. SENATOR HARRIS:

3. The anticipation is that when we need a second day, we will
4. know that that week. I would suggest that the first two weeks
5. that we probably will not meet more than Wednesdays and by the
6. first two weeks I don't mean calendar weeks. I mean the first
7. two weeks of January, counting the week of Wednesday, the 10th,
8. as the first week.

9. PRESIDING OFFICER: (SENATOR PARTEE)

10. Senator Knuppel.

11. SENATOR KNUPPTEL:

12. Well, hopefully we won't have to use more than one day any
13. week before...through January and February because history has
14. taught us, I've been here only one term that we don't get it done
15. until June anyway; so I hope to Christ we don't waste that time.

16. PRESIDING OFFICER: (SENATOR PARTEE)

17. Any further quiet comments. Senator Smith.

18. SENATOR SMITH:

19. I merely want to ask a question of Senator Harris.

20. PRESIDING OFFICER: (SENATOR PARTEE)

21. Senator Harris will yield.

22. SENATOR SMITH:

23. You've made the announcement, of course, but few Senators
24. present hear. I'm wondering how the Senators elect, new Senators,
25. know that the procedure will be as you have explained to us.

26. PRESIDING OFFICER: (SENATOR PARTEE)

27. Senator Harris.

28. SENATOR HARRIS:

29. We are sending a communication to all of them about our plans
30. for next week.

31. SENATOR PARTEE:

32. And that Senator also will be done on your side of the aisle also.
33. We will also send messages to the members who are not now members

1. of this General Assembly. Senator Clarke.

2. SENATOR CLARKE:

3. Mr. President, I believe we have finished our business and
4. I understand that there is a Joint Resolution, adjournment
5. resolution up on the Speaker's desk and also a resolution to
6. recess until a Session tomorrow, a Perfunctory Session tomorrow
7. or is that just by announcement?

8. PRESIDING OFFICER: (SENATOR PARTEE)

9. That'll just be by announcement.

10. SENATOR CLARKE:

11. Just the announcement. Well, do you want me to speak to that?

12. SENATOR PARTEE:

13. Yes, would you please.

14. SENATOR CLARKE:

15. Actually, we've talked to the leadership in the House and we
16. feel that per the agreement we have done our duty in these three
17. days. The House is coming in today and will take action starting
18. today on these matters. We obviously cannot adjourn until they are
19. ready to adjourn which would be Saturday so we are going to adopt
20. a resolution today, an Adjournment Resolution, and obviously that
21. this resolution is to adjourn Saturday at the same time that the
22. House adjourns Saturday so that as of right now, we're going to in
23. effect stand at ease as the House has been standing at ease for the last
24. couple of days. You have the Resolution. Do you want to read it
25. or what...I'll move the adoption.

26. PRESIDING OFFICER: (SENATOR PARTEE)

27. Senator Harris moves the adoption of the Joint Resolution.

28. Will you read the Resolution, please.

29. SECRETARY:

30. ADJOURNMENT RESOLUTION - Senate Joint Resolution No. 2

31. PRESIDING OFFICER: (SENATOR PARTEE)

32. All in favor. Opposed. The Resolution is adopted. We will
33. adjourn until 10 o'clock tomorrow morning for Perfunctory on the

1. motion of Senator Smith.
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