

1. PRESIDENT:

2. The Senate will come to order. On the Secretary's Desk is
3. House Bill 802. Senator Harber Hall is the sponsor.

4. SENATOR HARBER HALL:

5. Thank you, Mr. President. Mr. President and fellow Senators,
6. after three and a half hours of lengthy, thorough debate about
7. what this deliberative Body of the Senate would do in respect
8. to this matter. It was sent to the House with passage and the
9. House summarily rejected without roll call, a matter that we
10. put quite a bit of thought, deliberation to. Now the hour is
11. late and we're tired of bickering and fighting and while I have
12. repeatedly said that every member of the General Assembly deserves
13. a reasonable and meaningful and even sizable pay increase there
14. are those who argue well and with much emotion this afternoon
15. for retaining the present salary for another two years or four
16. years or whatever. I am moved, therefore, to recommend that the
17. Body recede from Senate Amendments 1 and 3 to House Bill 802.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. I filed with the Secretary a Motion in Writing concern-
23. ing the motion just made and I would ask the Secretary to read
24. the motion.

25. SECRETARY:

26. I move to divide the question as to consider separately
27. the question of receding as to Amendments 1 and 3 of House Bill
28. 802. Signed, Senator Philip Rock, dated January the 6th, 1979.

29. PRESIDENT:

30. You've heard Senator Rock's motion to divide the question.
31. Is leave granted to consider the...the amendments separately?
32. Leave is granted. On... Senator Harber Hall moves that the Senate
33. recede from Amendment No. 1...from Senate Amendment No. 1 to

1. House Bill 802. Is there any discussion of that motion? Senator
2. Rock.

3. SENATOR ROCK:

4. Thank you...

5. PRESIDENT:

6. This is Senate Amendment No. 1.

7. SENATOR ROCK:

8. ...Mr. President and Ladies and Gentlemen of the Senate.

9. I rise in opposition to this motion. The amendment which was
10. adopted as Amendment No. 1 was that amendment filed and supported
11. by Senator Knuppel and others, which would have rolled back
12. the pay increase to...to its previous level of twenty thousand
13. dollars. I think in all consistency those who voted for that
14. should certainly resist any motion to recede from that and I'm,
15. frankly, surprised that the Senators put the motion and I would
16. in opposition to this motion.

17. PRESIDENT:

18. Is there any further discussion? Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Mr. President and members of the Body. I just want to
21. make sure that we are talking about the right amendment.
22. Amendment No. 1 was the amendment which we supported to roll
23. the pay raise back to one dollar. Is that not correct, in
24. effect? Well the twenty thousand which would be a one dollar
25. increase. No increase at all. All right. Okay. All right.
26. So we understand what we're voting on having supported that
27. in the past I think that we should, at this time, leave that
28. in its present form.

29. PRESIDENT:

30. Senator Glass.

31. SENATOR GLASS:

32. ...Mr. President and Ladies and Gentlemen. The obvious
33. reason for defeating this amendment and sustaining Senator Hall's

1. motion is that if we do not do so there will have to be
2. a Conference Committee, as to this...amendment. Amendment
3. No. 1 if we do not recede the only alternative will be to
4. request a Conference Committee on the bill. The purpose of
5. Senator Hall's motion, obviously, to recede from both of these
6. amendments is that if we do so the legislation will be sent
7. to Governor Thompson in the...in the form the original bill
8. 802 was in, and namely, with a one dollar pay raise. So that is
9. the reason for Senator Hall's motions and I think this opposition
10. to this motion simply means that that is what the Body apparently
11. wants to happen. The purpose of the motion Senator Hall raises
12. is to end all of this to send the bill to the Governor with a
13. one dollar pay raise.

14. PRESIDENT:

15. For what purpose does Senator Knuppel arise?

16. SENATOR KNUPPEL:

17. I want to speak on this...

18. PRESIDENT:

19. Senator...Senator, you will be recognized in just a moment.

20. Senator Bloom.

21. SENATOR BLOOM:

22. I think the obvious point in response to both Senator Rock
23. and Senator Sangmeister is you get the same result twenty thousand
24. by receding from Amendment No. 1 and I don't think in good
25. conscience you can say that you're fighting over a dollar as
26. a matter of principle. What you're saying is you want a Conference
27. Committee and keep this charade going on.

28. PRESIDENT:

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Well of course, this is another sophomoric attempt by the
32. Governor on the second floor. He's acting more like Governor
33. Walker every day. God bless you people. You've got him. He's

1. pulled an assinine deal in even calling this Special Session
2. and going along he's flipflopped three times on this. I've
3. got a dollar over here and it...and that dollar, you know, if
4. you steal fifty cents you're just as guilty of theft as if you
5. steal fifty thousand and if you think it ain't a matter of
6. principle any guy on that side would think he's got guts enough
7. to come over here and try to take this dollar away from me. I
8. wanted the twenty thousand dollar pay raise...rolled back this
9. afternoon. I voted for it and I sponsored it. If it's just a
10. matter of principle, boys, one of you come and get it.

11. PRESIDENT:

12. Senator Rhoads.

13. SENATOR RHOADS:

14. Thank you, Mr. President and members of the Senate. Briefly,
15. to echo what Senator Glass and Senator Bloom have so correctly
16. pointed out I supported Amendment No. 1 also this afternoon.
17. Did everything I could do to support it including demanding
18. verifications on just about every roll call that came up but
19. if we now support Senator Hall's motion to recede from both
20. Amendments 1 and 3 this bill will go to the Governor's Desk
21. at twenty thousand and he will sign it. The only responsible
22. move to do...to make at this point is to support Senator Hall's
23. motion on both amendments.

24. PRESIDENT:

25. Senator Kenneth Hall. Senator Bruce.

26. SENATOR BRUCE:

27. I guess everyone's...the question of the hour is responsibility.
28. I voted throughout the afternoon to rescind and roll back the
29. pay increase and I voted for Amendment No. 1. I think it would
30. be the heighth of hypocrisy for me now to at this late hour to say
31. ah, the Governor has cut some deal, he's late, they're going to
32. roll back, we can deny the House the right to speak on this. We
33. can do a lot of other things but I'm going to be consistent. I

1. voted for this amendment. I don't want to see it taken off this
2. bill. I think the salary is twenty thousand, that's what it is.
3. Anybody that votes to remove it ought to know that they're voting
4. to remove the twenty thousand dollar salary level for legislators
5. and that's what's going to be the roll call and that's what's going
6. to be used in your local newspapers.

7. PRESIDENT:

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Thank you, Mr. President. I believe I remember quite
11. correctly what we were fighting for all afternoon and that is
12. a third option. If you recall I said if we take the twenty-
13. eight thousand dollars that's now law, we take the twenty-eight
14. thousand dollars in the form that might make the Governor look
15. good or we can let the process work. Adopt an amendment to
16. twenty thousand so it goes to Conference Committee. That's
17. what I worked for all afternoon and that's what I intend to
18. stick by tonight.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. I remember a couple of previous
23. Senators, former Senators I guess would be a better way of
24. saying it, who used to use the term that consistency was the
25. hobgoblin of small minds, and I guess they were correct because
26. I have certainly seen a tremendous lack of consistency from the
27. other side of the aisle. I was in concert this afternoon with
28. Senator Harber Hall and others in the attempt to roll back
29. the proposed pay increase but at the same time to allow some
30. pay increase for all of us. Now I don't know if Jim Thompson
31. is going to get back on the white charger with this. I guess
32. that's the idea. I personally don't care if he's on the white
33. charger or not but I personally think that all of us deserve.

1. some limited pay increase and I...I'm really aghast that some-
2. how or other the Governor has been able to convince a considerable
3. number apparently, on that side of the aisle that you don't
4. deserve any pay increase at all. Now maybe he doesn't deserve
5. a pay increase but we do. I think if we can get this thing
6. to Conference Committee. The thing we ought to do is cut out
7. his pay increase all together and put ours at some limited
8. figure and go ahead with the business of the State because I
9. deserve a pay increase. I don't know about the rest of you. I
10. support a pay increase, a limited pay increase and I don't care
11. what Mr. Quinn says or anybody else. Mr. Quinn does not have
12. a vote in this Legislature. The Governor does not have a vote
13. in this Legislature. We make the laws of this State and the
14. Governor can then either approve or veto it. I've heard the
15. term responsibility as used by Senator Mark Rhoads. Let's be
16. responsible he said and follow the action of Senator Harber
17. Hall now asks us to. Well I'm being responsible, Senator. I
18. deserve a pay increase albeit a limited one and I intend to
19. vote for a limited pay increase. Apparently the only way to
20. do that at this point is to throw this bill into a Conference
21. Committee and so, therefore, that's what I'm going to vote to do.
22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. Just one comment, Mr. President and Ladies and Gentlemen
26. of the Senate. I find it interesting that the sponsor of the
27. legislation who sponsored numerous attempts at amendments to
28. raise the level is now saying that it's pure and pristine
29. form is the way he wanted to go. That could have been done
30. twenty-five thousand dollars ago by having called the bill
31. in the position it was in on 3rd reading at noon on yesterday
32. when we came in Friday for this Special Session. Having now
33. gone into another legislative day and some twenty-five or more

1. thousand dollars later he now is trying to say that his original
2. position should have been to have not offered his amendment
3. several times and keep the bill in its original form and I
4. think those who felt there should not have been an increase
5. and who wanted to roll it back and supported those amendments
6. because Senator Hall was offering higher prices should be allowed
7. now to be consistent with that position. I think Senator Hall,
8. in doing this, is showing the inconsistency of their side and
9. to say otherwise is not look at the two legislative days we've
10. been here.

11. PRESIDENT:

12. Senator Hall may close the debate.

13. SENATOR HARBER HALL:

14. Mr. President, you have decided that these two...these
15. two actions should be handled separately and I would...

16. PRESIDENT:

17. Excuse me, Senator, I have not so decided...

18. SENATOR HARBER HALL:

19. ...well...all right. The...the rules on what?

20. PRESIDENT:

21. And the Body as a whole.

22. SENATOR HARBER HALL:

23. The Body as a whole has tonight decided they should be
24. separated and...heard separately. If this motion of mine to
25. recede passes I...I will call the other one immediately. If
26. it fails to pass I will not call the subsequent one and I
27. would remind those of you who voted for and sincerely spoke
28. in favor of no pay raise, a twenty thousand dollar pay that
29. they can do that by supporting my motion at this time.

30. PRESIDENT:

31. The question is, shall the Senate recede from Senate
32. Amendment No. 1 to House Bill 802. Those in favor will vote
33. Aye. Those opposed will vote Nay. The voting is open. Have

1. all voted who wish? Have all voted who wish? Take the record.
2. On that question, the Ayes are 18, the Nays are 28, none Voting
3. Present. The motion having failed to receive the required
4. constitutional majority...the Senate refuses to recede from
5. Senate Amendment No. 1 to House Bill 802 and requests that
6. a Committee of Conference be appointed and the Secretary shall
7. so inform the House. Senator Harber Hall with respect to
8. Amendment No. 3.
9. SENATOR HARBER HALL:

10. In view of the foregoing action on Amendment 1, I would
11. now move that the Body refuse to recede in respect to Amend-
12. ment No. 3 and that a Conference Committee be appointed.

13. PRESIDENT:

14. You've heard the motion by Senator Harber Hall that the
15. Senate refuse to recede from Senate Amendment No. 3 and that
16. a Conference Committee be appointed. All those in favor
17. signify by saying Aye. Opposed. The Ayes have it. The
18. motion carries and the Secretary shall so inform the House.
19. We will be awaiting the action by the House on the message
20. sent by this Body and in the meantime the Senate will stand
21. at ease subject to the call of the Chair. The Senate will
22. please come to order. Resolutions.

23. SECRETARY:

24. Senate Joint Resolution No. 1.
25. (Secretary reads SJR No. 1)

26. This is offered by Senator Rock.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Senate Joint Resolution No. 1 is the Adjournment
32. Resolution calling for the 4th Special Session at the close
33. of business today to adjourn sine die and I would move for the

1. suspension of the rules and the immediate consideration and
2. adoption of this resolution.

3. PRESIDENT:

4. You've heard the motion. Is there any discussion? If
5. not all those in favor signify by saying Aye. Opposed. The
6. Ayes have it. The rules are suspended. Senator Rock moves
7. for the adoption of the resolution. All those in favor
8. signify by saying Aye. Opposed. The Ayes have it. The
9. resolution is adopted. On the Secretary's Desk is the First
10. Conference Committee Report on House Bill 802. Senator
11. Harber Hall.

12. SENATOR HARBER HALL:

13. Thank you, Mr. President. The First Conference Committee
14. Report on House Bill 802, Ladies and Gentlemen of the Senate,
15. makes minor changes from what we had considered and passed
16. in this Body earlier. I don't know if it was today or
17. yesterday but whenever. It increases the...it decreases the
18. raise from twenty-eight thousand per year for legislators to
19. twenty-five thousand dollars in the first year and three
20. thousand dollars in the second year. Percentagewise this
21. is not a great change. It...for...for legislators and it
22. does this roughly the same thing for the Executive...two
23. increases for the Chief Executive and other State Officials
24. in a similar manner. It makes certain minor reductions in
25. secondary executive level...administrative heads at the same
26. time. I am informed that the passage of this Conference
27. Committee Report and the signature by the Governor would
28. meet the national standards in that a letter would be forth-
29. coming stating that because of the changes we've made here
30. they would not, nevertheless, violate the President's guide-
31. lines for wage increases. Because it encompasses a great
32. number of individuals and there were certain reductions made
33. in here so with that in mind I have...I'm disposed to make

1. the recommendation. I hope I've explained it satisfactorily
2. to you what this is and I would move that the Body concur
3. in the First Conference Committee Report on 802.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President and Ladies and Gentlemen of the
8. Senate. To just amplify some of Senator Harber Hall's comments
9. let me state that is our humble opinion that this is clearly
10. within the guidelines set by the President of the United
11. States as he enunciated by his representative, Alfred Kahn.
12. The reason for this is simply. We are, in fact, reducing our
13. salaries to those of you who get it, and I am not one of those,
14. by some three thousand dollars the first year of the new
15. biennium. That reduction when looked at the class or group
16. that we have been grouped with, the Employee Management Unit
17. Group of one thousand three hundred and seventy people amounts
18. to, at most, some two hundred and fifteen or so thousand dollar
19. increase over the way the Governor had presented to...it to us
20. for year one and some hundred and ninety-five thousand dollar
21. increase over the way the Governor had proposed it to us for
22. year two. But in both of those years he had included a category
23. of in excess of a thousand State employees who earn over
24. thirty thousand per year whose salaries are not set by Statute
25. and are set by his recommendation in the budget message and
26. by our accounting for that by actually providing those dollars
27. that he has suggested in his Governor's Message. It is there-
28. fore, today clearly within the guidelines set for the manage-
29. ment group of no more than ten percent the first year and no
30. more than six percent the second and subsequent years and
31. only would a message from the Governor in his budget increasing
32. those thousand and twenty-nine people above the 6.1 percent pay
33. increase levels that we suspect him to recommend with that throw

1. it over that level and that would only happen if we accepted
2. the figures through our appropriations process and passed the
3. bills to his Desk in that manner. So today, we are clearly
4. within the guidelines set for the management unit and we
5. will be in year two as well. I would suggest, therefore,
6. that this is consistent. It is a phase in and it is a roll-
7. back and I would urge everyone's support.

8. PRESIDENT:

9. Senator Wooten.

10. SENATOR WOOTEN:

11. Mr. President, very briefly this third alternative is no
12. better than alternatives one or two. We need a fourth. I
13. would recommend the defeat of this and the Second Conference
14. Committee Report.

15. PRESIDENT:

16. Is there any further discussion? If not, the question is,
17. shall the Senate adopt the Conference Committee Report on
18. House Bill 802. Those in favor will vote Aye. Those opposed
19. will vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question,
21. the Ayes are 33, the Nays are 10, 1 Voting Present. The
22. Senate does adopt the Conference Committee Report on House
23. Bill 802 and the bill having received the required constitutional
24. majority is declared passed. The Senate will stand at ease
25. for a moment till we determine the outcome of this matter in
26. the House. Any further business to come before the Senate?
27. If not, Senator Egan moves that the Fourth Special Session
28. pursuant to the Adjournment Resolution stand adjourned, sine
29. die.

30.

31.

32.

33.