

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. 1st Special Session shall come to order. Reading of the
3. Journal. Senator Wooten is recognized.

4. SENATOR WOOTEN:

5. Mr. President, I move that reading and approval of the
6. Journal of Wednesday, November 16th, Thursday, November 17th,
7. 1977 be postponed pending arrival of the printed Journal.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You've heard the motion. All in favor say Aye. Opposed.
10. The Ayes have it. House Bills, 3rd reading. House Bill 9,
11. Senator D'Arco. House Bill 9. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 9.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator D'Arco.

18. SENATOR D'ARCO:

19. House Bill 9, Mr. President, merely provides that the
20. Commission on Delinquency Prevention shall have access to
21. certain identification files from the police department
22. and various law enforcement agencies and also from the
23. juvenile courts when an adjudication is made concerning
24. a petition on delinquency and that is what it does and I
25. would ask any questions...I would answer any questions.

26. PRESIDENT:

27. Is there any discussion? Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. The bill in its original
30. form in the House was, I think, in fact, in conflict with
31. legislation that the legislature had passed during the
32. Regular Session. But that point was...Senate Bills 357 and
33. 358 and 359, I believe, were the three that we passed during

1. the Regular Session, which also dealt with the matter of
2. juvenile records and where they can and cannot be transmitted.
3. That point was corrected in the House, however, and the bill
4. is now consistent with action that we had earlier taken. In
5. fact, I think further implements it. So I think it is in...in
6. good form now.

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HICKEY:

10. I'd like to ask a question.

11. PRESIDENT:

12. Indicates he will yield.

13. SENATOR HICKEY:

14. Does this have anything to do with compilation of these
15. records or is it simply availability?

16. PRESIDENT:

17. Senator D'Aroc.

18. SENATOR D'ARCO:

19. The compilation of a...of records will be submitted to the
20. commission from law enforcement agencies on the...and they
21. only will have access to the statistical information concerning
22. arrest of juveniles. The other information concerning the
23. identification of who the juvenile is when an adjudication is made
24. in juvenile court on a petition of delinquency will be also
25. transmitted from the court file, but that identifiable information
26. will not be made available to anyone. So that the confidentiality
27. under the Act will be preserved.

28. SENATOR HICKEY:

29. Thank you.

30. PRESIDENT:

31. Is there any further discussion? If not, the question is
32. shall House Bill 9 pass. Those in favor will vote Aye. Those
33. opposed will vote Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Take the record. On that
2. question, the Ayes are 50, the Nays are None. 3 Voting Present.
3. House Bill 9 having received the constitutional majority is
4. declared passed and the bill having received the affirmative
5. vote of three-fifths of the members elected is effective
6. immediately upon its becoming a law. (Machine cutoff) 20.
7. Senator Sangmeister. Read the bill.

8. SECRETARY:

9. House Bill 20.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. Mr. President and members of the Senate. I would like
16. of the Senate to consider House Bill 20 and 21 together.

17. PRESIDENT:

18. Senator Sangmeister has requested leave to hear House
19. Bills 20 and 21 together and on one roll call. Is leave
20. granted? Leave is granted. Senator Sangmeister.

21. SENATOR SANGMEISTER:

22. Mr. President and members of the Senate. Because time
23. is of...is late, we passed this bill out of here as Senate
24. Bill 12 in the 1st Special Session. The substantive bill,
25. which I am handling, which is now House Bill 20 is absolutely
26. identical to which you voted and passed out of here. The
27. appropriation bill has been handled by Harber Hall and it has
28. been carved over by Senator Carroll in the Appropriations
29. Committee so I would say it's certainly ready to go. I'll
30. be happy to answer any questions, otherwise, I'd ask for a
31. roll call.

32. PRESIDENT:

33. Is there any discussion? If not, the question is, shall

1. House Bill...House Bills 20 and 21(machine cutoff)Don Moore.

2. SENATOR DON MOORE:

3. Parliamentary inquiry, Mr. President. Has the Secretary
4. read House Bill 21 for a second time? I don't believe he did.
5. Or for a third time?

6. PRESIDENT:

7. The Chair will suggest that Senator Sangmeister's explanation
8. applies to both bills. We'll simply take two roll calls. We'll
9. read 21 separately which will simplify matters. So that the
10. question is on House Bill 20. The question is, shall House
11. Bill 20 pass? Those in favor will vote Aye. Those opposed will
12. vote Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Take the record. On that question, the
14. Ayes are 55, the Nays are 1. None Voting Present. House Bill 20
15. having received the required constitutional majority is declared
16. and the bill having received the affirmative vote of three-fifths
17. of the members elected is effective immediately upon its becoming
18. a law. House Bill 21. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 21.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. There's no discussion. The question is, shall House Bill
25. 21 pass. Those in favor will vote Aye. Those opposed will vote
26. Nay. The voting is open. Have all voted who wish? Have all
27. voted who wish? Take the record. On that question, the Ayes
28. are 55, the Nays are 1. None Voting Present. House Bill 21
29. having received the required constitutional majority is declared
30. passed and the bill having received the affirmative vote of
31. three-fifths of the members elected is effective immediately
32. upon its becoming a law. House Bills, 2nd reading. House Bill
33. 26. Senator Kosinski. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 26.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor?
7. SECRETARY:
8. Amendment No. 1 offered by Senator D'Arco.
9. PRESIDENT:
10. Senator D'Arco.
11. SENATOR D'ARCO:
12. Amendment No. 1 provides that no present employee of
13. the State Board of Elections previously certified under a
14. merit plan instituted by the board shall be required to
15. qualify under the provisions of the Personnel Code in order
16. to continue his employment. The reason for this amendment
17. is that those people that are presently employed by the
18. State Board of Elections should have some vested interest
19. in continuing their employment and if this amendment isn't
20. passed a new examination will be forthcoming and everybody
21. will then be on a equal basis in taking the exam and the
22. present employees will not have any advantage over anyone
23. else that is not employed by the State Board of Elections.
24. I feel that they should have some vested interested in
25. continuing their employment and that's what this amendment
26. does. And I would seek a favorable vote on this amendment.
27. PRESIDENT:
28. Is there any discussion? Senator Rhoads.
29. SENATOR RHOADS:
30. Thank you, Mr. President and members of the Senate. I
31. rise in opposition to Amendment No. 1 to House Bill 26. The
32. clear intention of the bill as it came over from the House is
33. to have all employees of the State Board under the Personnel

1. Code. Amendment No. 1 would grandfather in approximately
2. forty employees, if I'm not mistaken, who would otherwise
3. be required to take a...an examination. I think that's the
4. intent of the legislation as it came over from the House and
5. I...I think if they had wanted to pass it that way they would
6. have put it on over here...over there, rather. So I rise in
7. opposition to the amendment.

8. PRESIDENT:

9. Is there any further discussion? The question is on...
10. Senator D'Arco.

11. SENATOR D'ARCO:

12. Mr. President, I...I would simply say that I know that
13. in order to pass this bill certain conditions have to be met
14. in order to accommodate certain people, but nobody is thinking
15. about the employees of the State Board of Elections and what
16. they're going to have to go through and they put in a lot
17. of time and a lot of effort and they've done a good job and
18. they're going to be sitting out in the cold if this amendment
19. isn't passed. And I ask your support.

20. PRESIDENT:

21. Is there any further discussion? If not, on the question
22. of the adoption, all those in favor of the adoption of the amendmen...
23. will signify by saying Aye. Opposed. The Nays have it. The
24. amendment is defeated...Has the roll call been requested?
25. Other amendments?

26. SECRETARY:

27. Amendment No. 2 offered by Senator Graham.

28. PRESIDENT:

29. Senator Graham.

30. SENATOR GRAHAM:

31. Which was the first?

32. SECRETARY:

33. You have it labelled B...I mean A, Senator Graham. It reads

1. SENATOR GRAHAM:

2. That's the one...

3. SECRETARY:

4. ...on page 2 by the deleting lines 5 through 17.

5. PRESIDENT:

6. Senator Graham.

7. SENATOR GRAHAM:

8. Yes, Mr. President. Mr...President and members of the
9. Senate. This amends the confirmation provisions, provides for
10. a three-fifths confirmation by the Senate for all...appointees
11. and eliminates the House three-fifths involvement in the
12. confirmation of these employees. I think that to agree with
13. the House version that they be involved to the extent that they
14. participate with a three-fifths majority vote of the confirmation of
15. the employees are setting a precedent that is first in this
16. State. I think it's something we don't need. I think it's
17. something that going to be cumbersome. I move for the adoption
18. of this amendment.

19. PRESIDENT:

20. Is there any discussion? Senator Kosinski.

21. SENATOR KOSINSKI:

22. Mr. President, the only time the House gets into the
23. picture is when the Governor chooses all eight members of the
24. board and only at that time. But if it's four and four it, then,
25. it stays the same. The Senate does act on it. Only the Senate.

26. PRESIDENT:

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr. President. I rise in support of Amendment
30. No. 2. We have another amendment, Senator Kosinski, as you
31. know, which would have the Governor appoint all eight members
32. so we wouldn't never get to that situation that you're talking
33. about. So there's no reason at all not to pass Senator Graham's
34. amendment.

1. PRESIDENT:

2. Question is, on the adoption of Amendment No. 2. All
3. those in favor will signify by saying Aye. Opposed. The
4. Nays have it. The amendment is defeated. Senator Graham
5. has requested a roll call. There will be a roll call. Those
6. in favor of the adoption...excuse me, Senator Graham, you are
7. entitled to close. Senator Graham.

8. SENATOR GRAHAM:

9. The only thing I want to say to you, Ladies and Gentlemen
10. and Mr. President, it doesn't make any difference who appoints
11. them as far as I'm concerned. The Senate should be entitled
12. to the confirmation procedures of...these employees the
13. same as they are for all the other...others of the State of
14. Illinois and why get involved. This is a bad precedent. If
15. you want to hang this amendment on, you're going to rue the
16. day you ever put it on there, I'll tell you that right now.
17. And I ask for a roll call for adoption of amendment.

18. PRESIDENT:

19. Question is, on the adoption of Amendment No. 2. Those in
20. favor will vote Aye. Those opposed will vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish?
22. Take the record. On that question, the Ayes are 28, the Nays
23. are 27. None Voting Present. Amendment No. 2 is adopted.
24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President. I request a verification of
27. the affirmative roll call.

28. PRESIDENT:

29. Senator Rock has requested a verification of the affirmative
30. roll call. The affirmative roll call will be verified. Mr.
31. Secretary, verify the affirmative votes.

32. SECRETARY:

33. The following voted in the affirmative: Berning, Bloom,

1. Bower, Coffey, D'Arco, Davidson, Glass, Graham, Grotberg,
2. Harber Hall, Hickey, McMillan, Mitchler, Moore, Nimrod, Ozinga,
3. Philip, Regner, Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer,
4. Soper, Walsh, Weaver and Wooten.

5. PRESIDENT:

6. Senator Rock.

7. SENATOR ROCK:

8. Is Soper on the Floor?

9. PRESIDENT:

10. Senator Soper on the Floor? Take his name from the roll.

11. Senator Graham, for what purpose do you arise?

12. SENATOR GRAHAM:

13. I'd like a verification of those red lights, too.

14. PRESIDENT:

15. Senator Rock, you have any other...The Secretary will
16. verify the negative votes. The affirmative votes have been
17. verified.

18. SECRETARY:

19. The following voted in the negative: Berman, Bruce,
20. Buzbee, Carroll, Clewis, Daley, Demuzio, Donnewald, Egan,
21. Guidice, Kenneth Hall, Joyce, Knuppel, Kosinski, Lane, Lemke,
22. Maragos, Merlo, Netsch, Newhouse, Rock, Sangmeister, Savickas,
23. Smith, Vadalabene, Washington, Mr. President.

24. PRESIDENT:

25. Is Senator Smith on the Floor? Senator Smith on the Floor?
26. Take...take his name from the roll. All right. The roll has
27. been verified. On that question, the Ayes are 27, the Nays
28. are 26. The amendment is adopted. Any further amendments?

29. SECRETARY:

30. Amendment No. 3 offered by Senator Graham.

31. PRESIDENT:

32. Senator Graham.

33. SENATOR GRAHAM:

1. Mr. President and members of the Senate. This will
2. change the attitude of the votes that will be necessary
3. to pass this bill...it provides for an effective date of
4. April 15th, 1978. This is done for three or four very
5. specific reasons. The date was chosen to coincide with
6. the responsibilities of the board during the primary...during
7. this time of the year. March 21st is primary time. April
8. 10th political parties submit their candidates for University
9. of Illinois. April 13th, the last day for filing of the
10. board of officers for the county central political...
11. committees. May 22nd through June 19th filing by political
12. committees for the sixty day post election report and April
13. the 15th date will allow the board sufficient time to organize
14. before having to meet their official duties, that is, if
15. and when we ever get a board and I submit to you that this
16. is a good amendment and...if adopted it will...will call for
17. a thirty-six vote potential to get it out of here. But I
18. still move for the adoption of the amendment.

19. PRESIDENT:

20. Is there any discussion? If not, Senator Graham moves
21. the adoption of Amendment No. 3. All those in favor signify
22. by saying Aye. Opposed. The...the Ayes have it. The
23. amendment is adopted. Amendment No. 4.

24. SECRETARY:

25. Offered by Senator Rhoads.

26. PRESIDENT:

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr. President and members of the Senate.
30. I hope this amendment gets as favorable treatment as the
31. last one did. Amendment No. 4 would provide that the
32. Governor shall appoint all eight members of the State
33. Board of Elections. This is consistent, of course, with other

1. executive boards and commissions. We have raised the point
2. before that under the bill, as written, as it came over from
3. the House we would have a state-wide executive officer of the
4. opposite political party appointing four of the members of
5. that officer's political party. The question has been raised,
6. on occasion, what would happen if all of the state-wide
7. elected officers were of the same political party. What
8. would happen in that case? Well, in that case, under this
9. bill the Governor would appoint all eight any way. Now we
10. have just by virtue of adoption of Senator Graham's previous
11. amendment, Amendment No. 2, deleted the House confirmation.
12. So we feel that this amendment is consistent with what the
13. ...how the board should be structured. There is protection
14. for the party not that of the Governor's. There protection is
15. the three-fifths confirmation of the Senate. Certain colleagues
16. from Chicago have asked me, well, what about if a certain kind
17. of Democrat or a certain kind of Republican is appointed to this
18. board and often the name of a former Governor is mentioned.
19. Well, your...your protection is in the legislative Chamber. It's
20. in the Senate where it ought to be and you can guarantee by that
21. process that your kind of Democrat or your kind of Republican
22. will be confirmed, therefore, I urge the adoption of Amend-
23. ment No. 4.

24. PRESIDENT:

25. Any discussion? Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr...Thank you, Mr. President and Ladies and
28. Gentlemen of the Senate. I rise in opposition, obviously, to
29. Amendment No. 4. I think at this late date to get back into
30. this question, when the House has made it ineluctably clear
31. that they're not going to pass it this way, we're just playing
32. games. I understand the need to run with the administration's
33. amendment. Let's run it on a roll call, beat it and go on with

1. the business of the day.

2. PRESIDENT:

3. Is there any further discussion? If not, the question
4. is on the adoption of Amendment No. 4. All those in favor
5. vote Aye. A roll call has been requested. On Amendment No.
6. 4, those in favor of the adoption of the amendment will vote
7. Aye. Those opposed will vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Take the record.
9. On that question, the Ayes are 22, the Nays are 29. None
10. Voting Present. Amendment No. 4 having failed to receive the
11. required majority of votes cast is defeated. Are there any
12. further amendments?

13. SECRETARY:

14. Amendment No. 5 offered by Senator Davidson.

15. PRESIDENT:

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Yes, Mr. President and members of the Senate. What this
19. amendment would do is strike Section 1A-113 and leave the law
20. as it is. This would let the members of the Board of Election
21. be involved in partisan political activity. There's no one
22. that's more knowledgeable of what elections are all about
23. than people that are involved in political party activity.
24. This bill, as it is now says, no one including the member
25. who has to make decisions about elections could be involved
26. in partisan political activity. This amendment removes that
27. section. The law would then remain the same, which prohibits
28. the employee but it would allow members of the board to be
29. active in partisan political activity. Appreciate a favorable
30. adoption of a...this amendment.

31. PRESIDENT:

32. Is there any...any discussion? Senator Kosinski.

33. SENATOR KOSINSKI:

1. Though...though the amendment sounds very good and I'm
2. for the two party system, but no way will this bill get any-
3. where. And I am definitely against this amendment.

4. PRESIDENT:

5. Is there any further discussion? Question is, on the
6. adoption of Amendment No. 5. Those in favor...Senator
7. Davidson.

8. SENATOR DAVIDSON:

9. I would like to close and say this is an excellent
10. amendment. The bill may not get anywhere if this amendment
11. doesn't go on and just for a matter of debate, you know,
12. many other people, like members of the Sanitary Districts
13. are...involved in partisan political activity and nothing
14. seems to be wrong with that. There's no reason why those
15. people who have to look after elections should not be involved
16. in partisan politics.

17. PRESIDENT:

18. The question is, shall Amendment No. 5 be adopted? Those
19. in favor will vote Aye. Those opposed will vote Nay. The
20. voting is open. Have all voted who wish? Have all voted who
21. wish? Take the record. On that question, the Ayes are 17,
22. the Nays are 34. None Voting Present. Amendment No. 5 having
23. ...failed to receive the required majority is defeated. Are
24. there any further amendments?

25. SECRETARY:

26. Amendment No. 6 offered by Senator Kosinski.

27. PRESIDENT:

28. Senator Kosinski.

29. SENATOR KOSINSKI:

30. Another Amendment No. 6, Mr. President and members of the
31. Senate, is a technical amendment.

32. PRESIDENT:

33. Is there any discussion? Senator Rhoads.

1. SENATOR RHOADS:

2. ...Senator Kosinski, could you identify Amendment No. 6
3. or could the Secretary by the L.R.B. number, please?

4. SECRETARY:

5. 77237.

6. PRESIDENT:

7. Is there any further discussion? If not, Senator
8. Kosinski moves the adoption of Amendment No. 6. All those
9. in favor signify by saying Aye. Opposed. The Ayes have it.
10. The amendment is adopted. Any further amendments?

11. SECRETARY:

12. Amendment No. 7 offered by Senator Kosinski.

13. PRESIDENT:

14. Senator Kosinski.

15. SENATOR KOSINSKI:

16. Mr. President and members of the Senate. Amendment No.
17. 7 permits the board members to receive a hundred dollars per
18. diem compensation for acts rendered in the service of the
19. board if they have obtained prior authorization from the board.
20. The bill presently allows the board members a hundred dollars
21. per diem compensation only for attendance at a board meeting.
22. Mr. President, I move for the adoption of Amendment No. 7.

23. PRESIDENT:

24. Is there any discussion? Senator Rhoads.

25. SENATOR RHOADS:

26. We...we've been working on this all day, Senator Kosinski.
27. How was...how does that square with Amendment No. 3, which
28. raises the per diem to two hundred dollars? Does that track
29. back and...and pick up Amendment No. 2?

30. SENATOR KOSINSKI:

31. That is the next one, Senator Rhoads.

32. SENATOR RHOADS:

33. I know, Amendment No. 8.

1. SENATOR KOSINSKI:

2. They're consistent. They're independent of one another.

3. PRESIDENT:

4. Question is on the adoption of Amendment No. 7. All

5. Those in favor signify by saying Aye. Opposed. The Ayes

6. ...the Ayes...the Ayes have it. The amendment...the amend-

7. ment is adopted. There's been a request for a roll call.

8. Those in favor of the adoption of the amendment will vote

9. Aye. Those opposed will vote Nay. The voting is open.

10. Have all voted who wish? Have all voted who wish? Take

11. the record. On that question, the Ayes are 18, the Nays are

12. 35. None Voting Present. Amendment No. 7 having failed to

13. receive the required majority is defeated. The Chair detected

14. that the vote would be much closer. Are there any further

15. amendments?

16. SECRETARY:

17. Amendment No. 8 offered by Senator Kosinski.

18. PRESIDENT:

19. Senator Kosinski.

20. SENATOR KOSINSKI:

21. There are days and days and days...I should have stayed

22. home with my precious wife. Mr. President and members of the

23. Senate. I'm sure that the Senate members will now agree to

24. this one. It raises the per diem compensation for board

25. members from one hundred dollars to two hundred dollars and

26. it establishes a cap of ten thousand dollars per member...

27. per fiscal year.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR KOSINSKI:

31. Mr...

32. PRESIDENT:

33. Senator Kosinski, I...I thought you'd concluded. Senator

34. Kosinski.

1. SENATOR KOSINSKI:

2. Mr. President, if we are to get members of good qualification,
3. members that will attend these meetings a hundred percent, you
4. must pay these people. I can't see how you can get members
5. for a hundred dollars a day. Mr. President, I move for the
6. adoption of the Amendment No. 8.

7. PRESIDENT:

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you, Mr. President. I think this is a much more
11. serious matter than, perhaps, the present levity of the Body
12. is indicating. I think that Senator Kosinski is right in
13. either, in the last amendment or since that one is defeated
14. in this one, we ought to face up to the fact that if we
15. want the kind and quality of board, that all of us who still
16. support the State Board of Elections feel we should have,
17. you've got to have some respectable amount of compensation
18. for them or they are simply not going to be able and willing
19. to do the job in the serious way that they ought to do and
20. as long as there is a cap of ten thousand dollars and, as
21. a matter of fact, it was just pointed out to me that that
22. would take a very substantial number of meetings and it is
23. not likely that that cap would ever be reached. It seems to
24. me that this does make a great deal of sense. We're crazy
25. if we finally have worked out a compromise, which hopefully,
26. will pass...in some form in the next twenty-four hours on
27. the State Board of Elections and, at the same time, cripple
28. the possibility of having members who will, in fact, be able
29. to do the right kind of a job. So I think the amendment is
30. a very serious one and should be treated seriously and
31. supported.

32. PRESIDENT:

33. Senator Graham.

1. SENATOR GRAHAM:

2. I want everyone to know that this probably going to
3. be a first in this time in the halls of this Senate. At least
4. one of the first, first. I agree with Senator Netsch.

5. PRESIDENT:

6. Senator Rhoads...Senator Bruce would like a copy of the
7. amendment. Senator Rhoads.

8. SENATOR RHOADS:

9. Well, I don't agree with Senator Netsch, but I agree with
10. Senator Kosinski. Actually, we'd save money over the present
11. board by adopting this amendment because the maximum we could
12. go under this amendment would be eighty thousand. We're
13. spending now about ninety thousand for the salary of the current
14. board. This probably is a desirable amendment and I rise to
15. support Senator Kosinski on this amendment.

16. PRESIDENT:

17. Is there any further discussion? If not, all those in
18. favor of the adoption of Amendment No. 8 signify by saying
19. Aye. Opposed. The Ayes have it. The amendment is adopted.
20. A roll call has been requested. Those in favor of the adoption
21. of the Amendment No. 8 will vote Aye. Those opposed will vote
22. Nay. The voting is open. Have all voted who wish? Have all
23. voted who wish? Take the record. On that question, the Ayes
24. are 36, the Nays are 14. None Voting Present. Amendment No.
25. 8 having received the majority of the votes cast is adopted.
26. Any further amendments?

27. SECRETARY:

28. Amendment No. 9 offered by Senator Kosinski.

29. PRESIDENT:

30. Senator Kosinski.

31. SENATOR KOSINSKI:

32. Mr. President and members of the Senate. Amendment No...
33. 9 amends House Bill 26, First Special Session on page 7 by
34. adding immediately below line 30 the following: Section 3.

1. This Amendatory Act of 1977 is intended to restructure
2. and reorganize the State Board of Elections in conformity
3. with the requirements of the Constitution in accordance with
4. the principle that the board should be independent from
5. domination by any political party. This...this principle
6. is declared to be a fundamental policy if the State...
7. in the General Assembly finds and declares that a majority
8. of the State Board of Elections whenever possible should
9. not be appointed by any single partisan official nor directly
10. or indirectly subject to appointment controlled or disappor-
11. tionate influence by any single official, political party or
12. interest group and that the appointment and confirmation
13. provisions of this amends the Amendatory Act are specifically
14. intended to promote this principle. Mr. President, I wanted
15. to read this amendment into the record and I ask now, to Table
16. Amendment No. 4 to a safe time at this late hour, I'm tired.
17. It's Amendment No. 9.

18. PRESIDENT:

19. Senator Kosinski has...moves to withdraw Amendment No. 9. Is
20. leave granted? Leave is granted...Are there any further amend-
21. ments?

22. SECRETARY:

23. Amendment No. 9 offered by Senator Bruce.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. Thank you, Mr. President and members of the Senate. On
28. page 2 of the bill, the words "and party affiliation will be
29. included. In reading the bill I notice that there were three
30. paragraphs. The Governor makes an appointment. The highest
31. Democrat will make an appointment. Where if they're all
32. from the highest executive officer all of one party the appoint-
33. ments will be made as set forth in 1 and 2 and then it goes on

1. to say the residence of the member shall be as set forth in
2. ...subparagraph 2. The only problem is that there is a problem
3. of appointing by party and I think it ought to be made clear
4. that we're not only talking about the residence of the members
5. but the residence and party affiliation of the members shall
6. be as set forth in subparagraph 2. I had a chance to talk it
7. over with Senator Rhoads and Senator Kosinski and I think there's
8. no problem with the amendment.

9. PRESIDENT:

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President. Senator Bruce is correct. That
13. is needed language. We're not sure that it...it gels with an
14. amendment, which has been previously adopted by Senator
15. Kosinski. However, Senator Kosinski assured me earlier that
16. if there are any technical errors in this bill tomorrow when
17. we look at it that he will call it back from 3rd reading to
18. 2nd for the purposes of technical correction amendments only.
19. So I support the amendment as Senator Bruce.

20. PRESIDENT:

21. Senator Kosinski indicates that he is in support of the
22. amendment as well. Senator Hickey.

23. SENATOR HICKEY:

24. Yes, Mr. President. I'd like to ask Senator Bruce if
25. there is some place in the bill a definition of what party
26. membership is?

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. No, there is not and that's why the word "party affiliation."
31. It says from such party and party is not defined. It's the...
32. it's the party that owns the Governor's Office and the party
33. that received the second highest vote for Governor and all...all

1. this would mean, it says that you would follow the same
2. affiliation under that definition. The party that captured
3. the Governor's Office and then the second highest party in
4. votes for the Governorship. And that's why the words "and
5. party affiliation" is used.

6. PRESIDENT:

7. Is there any further discussion? If not, all those in
8. favor of the adoption of Amendment No. 9 signify by saying
9. Aye. Opposed. The Ayes have it. The amendment is adopted.
10. Any further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Is there any further business to come
15. before the First Special Session? Senator Wooten.

16. SENATOR WOOTEN:

17. I simply want to remind the membership while everyone
18. is still reasonably awake the Executive Committee will meet
19. tomorrow at eight. We will consider...resolutions of the
20. Regular Session and then House Joint Resolution I in the
21. First Special Session. I would ask members of the Executive
22. Committee to please be prompt. That committee meeting will
23. start in Room 212 at eight o'clock.

24. PRESIDENT:

25. Senator Graham.

26. SENATOR GRAHAM:

27. As...as a minority spokesman of that elite committee
28. I'd like to remind you, too, that House Resolution, Joint
29. Resolution No. 1 is that famous resolution that Senator
30. Knuppel has been talking about all day. That's that
31. family relationship with the prisoners. Let's be there,
32. fellows.

33. PRESIDENT:

1. Is there any further business to come before this First
2. Special Session? If not, Senator Maragos moves that the First
3. Special Session stand adjourned until nine fifteen a.m.
4. tomorrow morning. All those in favor signify by saying Aye.
5. Opposed. The Ayes have it. The First Special Session stands
6. adjourned.

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