

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The First Special Session shall come to order.

3. Senator Wooten is recognized. Reading of the Journal.

4. Senator Wooten.

5. SENATOR WOOTEN:

6. Mr. President, I move that reading and approval of the
7. Journals of Wednesday, November 16th, Thursday, November
8. 17th and Tuesday, November 22nd in the year 1977 be postponed
9. pending arrival of the printed Journals.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Heard the motion. All in favor say Aye. Opposed Nay.
12. The Ayes have it. The motion prevails. Committee Reports.

13. SECRETARY:

14. Senator Wooten, Chairman of the Committee on Executive
15. reports out House Joint Resolution No. 1 with the recommendation
16. that the Senate Do Not adopt.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. On the Order of House Bills, 2nd reading, is...House Bill
19. 26 which is placed on the Calendar on the Order of 2nd reading
20. should...should have been placed on the Order of 3rd reading
21. and that is where the bill is properly placed. Senator
22. Kosinski is recognized. May I have you...may we have some...
23. may we have some attention, Gentlemen and Ladies.

24. Senator Kosinski.

25. SENATOR KOSINSKI:

26. Mr. Chairman and members of the Senate, we have an amendment
27. to be brought back on this bill, 26. I now yield to Senator
28. Graham for his move.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right. Senator Kosinski has asked leave to return the
31. bill to the Order of 2nd reading for the purpose of amendment.
32. Is there leave? Leave is granted. For what purpose does Senator
33. Graham arise?

SENATOR GRAHAM:

1. Didn't think you...I didn't think you were with me,
2. but I see you are. I'm informed that we have another amendment
3. that's about to be presented that will be in conflict with my
4. Amendment No. 2 which was adopted yesterday which took the House
5. out of the three-fifths consideration and I move now, Mr.
6. President, and members of the Senate to Table that Amendment
7. No. 2.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Graham moves to reconsider the vote by which
10. Amendment No. 2 to House Bill 26 was adopted. Is there discussion?
11. All in favor say Aye. Opposed Nay. The Ayes have it.
12. And the motion is reconsidered. Senator Graham now moves to
13. Table Amendment No. 2. Is there discussion? All in favor say Aye.
14. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled.
15. Senator Rhoads, for what purpose do you arise?

16. SENATOR RHOADS:

17. I was just going to explain on Senator Graham's amendment,
18. what we're doing here is Tabling three amendments, 2, 6 and 9
19. and the reason Senator Kosinski couldn't move that is because
20. he wasn't on the prevailing side.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Kosinski.

23. SENATOR KOSINSKI:

24. Mr. President and members of the Senate. I now move to
25. Table Amendment No. 6. And then next year's...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Kosinski moves to reconsider the vote by which
28. Amendment No. 6 to House Bill 26 was adopted. All...is there
29. discussion? All in favor say Aye. Opposed Nay. The Ayes
30. have it. And the...the adoption of Amendment No. 6 is
31. reconsidered. Senator Kosinski now moves to Table
32. Amendment No. 6. Is there discussion? All in favor say Aye.
33. Opposed Nay. The Ayes have it. Amendment No. 6 is Tabled.

1. Senator Kosinski on Amendment No. 9, would you make the
2. appropriate motion.

3. SENATOR KOSINSKI:

4. Yes.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Kosinski.

7. SENATOR KOSINSKI:

8. Mr. President and members of the Senate. I now move to Table
9. Amendment No. 9.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Kosinski moves to reconsider the vote by which
12. Amendment No. 9 to House Bill 26 was adopted. Is there discussion?
13. All in favor say Aye. Opposed Nay. The Ayes have it.
14. The motion to reconsider prevails. Senator Kosinski now moves to
15. Table Amendment No. 9. Is there discussion? All in favor
16. say Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is
17. Tabled. Senator Kosinski is recognized.

18. SENATOR KOSINSKI:

19. Mr. President and members of the Senate. I now yield to
20. Senator Rock.

21. SECRETARY:

22. Amendment No. 10 offered by Senator Rock.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rock is recognized.

25. SENATOR ROCK:

26. Thank you, Mr...pardon me, thank you, Mr. President,
27. Ladies and Gentlemen of the Senate. Amendment No. 10
28. is an agreed amendment which incorporates the best features
29. of Amendments 2, 6, and 9 which just have been reconsidered
30. and Tabled. That is to say that it is a...it incorporates the
31. technical changes which were contained in Amendment No. 6
32. which was yesterday adopted pursuant to Senator Kosinski's
33. motion. It spells out who are, in fact, the constitutional

1. officers. It incorporates also the amendment which you,
2. Mr. President, offered concerning the political party
3. affiliation. It deletes the pairing and takes out any activity
4. by the House in...in the confirmation of the members of the
5. board. I...I know of no objection and I would move the adoption
6. of Amendment No. 10.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Heard the motion to adopt. Is there discussion? Senator
9. Rhoads.

10. SENATOR RHOADS:

11. Thank you, Mr. President and members of the Senate.
12. I rise in support of Senator Rock's Amendment No. 10.
13. Just to briefly recap, what we now have is a hybrid of
14. many different bills as they've been working through the
15. General Assembly during the Session. An eight member board,
16. four appointed from upstate, four from downstate, four from
17. each party, four appointed by the Governor and four appointed
18. by the...another State-wide officer of the opposite political
19. party. Three-fifths confirmation of the Senate, except when the
20. Governor appoints all eight and then two-thirds confirmation
21. by the Senate. The Governor's position has been consistent in that
22. he has felt that he should be appointing all eight members.
23. That concept was embraced in my Amendment No. 4 which was
24. defeated yesterday. The Governor is still of that opinion and
25. I think still the majority of the Republicans in both Houses
26. agreed to that, but we now feel that with a deadline facing us,
27. it is important to get some bill passed that in order to show
28. good faith to the Supreme Court. We talked with Representative
29. Ryan and Madigan in the House. It...they seem amenable to this.
30. There is a...an April 15th effective date on it, so I...I
31. urge adoption of Amendment No. 10.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion on the motion to adopt? All in favor

1. say Aye. Opposed Nay. The Ayes have it. Amendment No. 10
2. is adopted. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 3rd reading. Resolutions.

7. SECRETARY:

8. Senate...Senate Resolution No. 6 offered by Senator
9. Newhouse and it's congratulatory.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Newhouse moves the adoption of the
12. resolution...the congratulatory resolution. Is there discussion?
13. Moves for the suspension of the rules and the immediate
14. consideration and adoption of the resolution. Is there
15. discussion? All in favor say Aye. Opposed Nay. The Ayes have it.
16. The rules are suspended. Now on the adoption of the resolution.
17. Discussion? All in favor say Aye. Opposed Nay. The Ayes have
18. it. The resolution is adopted. Having had intervening
19. business, House Bill 26. House Bills, 3rd reading. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. House Bill 26.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Kosinski is recognized.

27. SENATOR KOSINSKI:

28. Mr. President and members of the Senate. Many hours
29. were spent trying to get a bill together. The Supreme Court
30. has ruled that November 30th was the deadline. And we have
31. now reached a deadline through fine cooperation of both parties.
32. And I congratulate Senator Rhoads, Senator Graham, the committee
33. and his staff. Congratulate Senator Rock, Senator Hynes, and the

1. committee and the staff...one man staff of my...Tim Sullivan,
2. for the fine work they've done. I think we have a good bill,
3. a bill that we all can live with, maybe with some pains, but that
4. can be healed very quickly. I now, Mr. President, move
5. for full support and a very hearty vote count on this House
6. Bill No. 26. Thank you, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Graham.

9. SENATOR GRAHAM:

10. So we know where we are, now, the amendment that I
11. put on the bill yesterday to make the effective date
12. April the 15th is still in the bill. That is correct. I can't
13. tell by your nodding your head.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Kosinski.

16. SENATOR KOSINSKI:

17. I've got a good nod but I'll say yes, definitely.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator...Senator Graham.

20. SENATOR GRAHAM:

21. The tape can't read your nod. Ladies and Gentlemen of the
22. Senate. I think many things have to be said about the people
23. who have worked on this. I'd indicate to you that last January
24. the 19th, I summoned members of the Governor's staff to my
25. office together with some representatives from other party
26. in our attempt to come up with a bill dealing with the State
27. Board of Elections. Senator Rhoads, Tom Taylor, Senator Rock's
28. staff and Senator Kosinski and others have put in a considerable
29. amount of time. This is not the bill that any...either side of
30. the aisle really desires. I would rather have a different
31. bill. So would my Democrat colleagues on the other side, but this
32. represents perhaps one of the greatest endeavors in the spirit of
33. compromise that I have witnessed in my nineteen years in the Illinois

1. Senate dealing with a subject matter that is politically
2. volatile anytime you deal with it and we're down to the wire,
3. my friends, to the point that if we don't do something and the
4. House doesn't act favorably, we may be filing our petitions
5. in the middle of the square on the old courthouse on
6. December 12th or we might be back in Special Session to present...
7. prevent that possibility of occurring. The amendment
8. that I placed on will make the bill have to have thirty-
9. six votes. I think it's important that we do it and I join
10. with all of those that support it and ask for a favorable roll
11. call along with Senator Kosinski.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator...Senator D'Arco.

14. SENATOR D'ARCO:

15. Thank you, Mr. President. I know everybody has worked
16. very hard on this bill and it really is a compromise bill and
17. everybody deserves a lot of credit on it, but the problem I have
18. with the bill is that the people who were working in the
19. State Board under the merit system in the State Board took
20. examinations to qualify for their jobs that they are presently
21. employed in now and they passed those examinations and they
22. qualified for those jobs and they're presently working in those
23. jobs now. Well, under this bill, they're going to have to take
24. new examinations and other people all over the State of Illinois
25. can also take those new examinations and if the guy who has the
26. job now is not as qualified as someone else who happens to take
27. the examination, then he's going to be out of a job even though
28. he's worked for the State Board over the past three or four
29. years of its existence. Who is going to be hurt by this bill,
30. the little employee who works at the State Board. Everybody is
31. happy, everybody is accommodated but those little guys that work
32. at the State Board are going to be the recipients of unemployment
33. welfare checks. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Rhoads.

2. SENATOR RHOADS:

3. Mr. President and members of the Senate. I rise in support
4. of House Bill 26 as amended. In briefly responding to
5. the comments of Senator D'Arco, there are about forty
6. employees of the State Board who might have to take an
7. examination but we're pretty sure they can pass that examination,
8. Senator D'Arco, and they do have a great deal of knowledge and
9. expertise. I know that the board probably wants to retain
10. those individuals that you mentioned. This is a good compromise
11. and I urge support.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
16. I, too, rise in support of House Bill 26 as amended and would
17. point out, I hope, for the purpose of the record and
18. within earshot of the Governor, that this is an agreement
19. reached by the members of the House and the members of the
20. Senate and we would hope that he would not tinker with or
21. attempt to use his Amendatory Veto on this legislation.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? The question is shall House Bill
24. 26 pass. Those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. Have all voted who wish? Have all voted
26. who wish? Take the record. On that question the Ayes are
27. 55, the Nays are none, none Voting Present. Nays are 1,
28. none Voting Present. House Bill 26 having received a
29. constitutional majority is declared passed and the bill having
30. received the affirmative votes of three-fifths of the
31. members elected...and having received the affirmative vote of
32. three-fifths of the members elected is effective as provided
33. within the law.

1. PRESIDENT:

2. Senator Rock moves that the First Special Session stand
3. in recess subject to the call of the Chair. All those in favor
4. signify by saying Aye. Opposed. The First Special Session
5. stands in recess.

6. RECESS

7. AFTER RECESS

8. PRESIDENT:

9. The First Special Session will please come to order.
10. Resolution...Message from the House.

11. SECRETARY:

12. A Message from the House by Mr. O'Brien, Clerk.

13. Mr. President - I am directed to inform the Senate
14. that the House of Representatives has adopted the following
15. joint resolution in the adoption of which I am instructed
16. to ask the concurrence of the Senate, to-wit:

17. House Joint Resolution 4.

18. (Secretary reads HJR 4)

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
23. This is the adjournment resolution calling for the First
24. Special Session to reconvene on January the 11th at the
25. hour of 12:15. I would move for the suspension of the rules
26. and the immediate consideration and adoption of this joint
27. resolution.

28. PRESIDENT:

29. Senator Rock has moved for the suspension of the rules. All
30. those in favor signify by saying Aye. Opposed. The Ayes
31. have it. The rules are suspended. Senator Rock moves for the
32. adoption of the adjournment resolution. All those in favor signify
33. by saying Aye. Opposed. The Ayes have it. The resolution is adopted.

1. Is there any further business to come before the First
2. Special Session? If not, Senator Hall moves that the
3. First Special Session stand...stand adjourned until January
4. 11, 1978 at 12:15 p.m. All those in favor signify by saying
5. Aye. Opposed. The Ayes have it. The First Special Session
6. stands adjourned.

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