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Final Edition

**Gov in N.Y. State of mind; His chair is empty, but we'll hear secret recordings**

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SPRINGFIELD-Secretly recorded tapes of Gov. Blagojevich allegedly scheming to milk campaign donations from a racing mogul in exchange for signing industry-backed legislation will surface today at the governor's impeachment trial.

"These words from the governor's own mouth . . . will show that the governor put his office up for sale," House prosecutor David Ellis told the Illinois Senate as Blagojevich's historic trial opened Monday.

Recorded by federal investigators on four tapes, the conversations that will be aired for the first time include statements from Blagojevich; his brother, Robert; lobbyist and former Blagojevich aide Lon Monk, and racing executive John Johnston, from whom the governor allegedly sought $100,000 in exchange for signing a bill to channel casino proceeds to racetracks.

The tapes will inject major drama into the trial even though they'll last only about five minutes. They will be stripped of any obscenities to adhere with the decorum of the Senate, said Rikeesha Phelon, a spokeswoman for Senate President John Cullerton (D-Chicago).

On Monday, Day One of Blagojevich's impeachment trial, Ellis accused the governor of breaking his oath of office, betraying voters and illegally using the powers of his office as "bargaining chips."

The first trial of its kind in Illinois' 190-year history got under way as two chairs reserved for the governor and his lawyer sat empty near the front of the Senate -- reminders of Blagojevich's boycott of proceedings of proceedings he calls unfair.

During his 20-minute opening statement, Ellis said he also would show the governor abused his authority by expanding Family Care, authorizing payment for $2.6 million in flu vaccines the state never received and giving a lucrative state job to former Illinois Finance Authority executive director Ali Ata after receiving a $25,000 check to his campaign fund stuffed in an envelope.

Without directly alluding to the governor's East Coast media blitz, Ellis insisted the trial's guidelines do give the governor a fair shake.

"The evidence will show a pattern of abuse of power by this governor," Ellis said.

With that, state Supreme Court Chief Justice Fitzgerald paid homage to the empty seats in one of Monday's stranger moments.

"Is the governor present? Is counsel present on behalf of the governor?" the thin, gray-haired justice asked. "The record will reflect the governor has chosen not to make an opening statement either in person or [through] a representative."

Blagojevich, after all, chose to mount his defense in another time zone.