

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED THIRTY-SIXTH LEGISLATIVE DAY

May 17, 1972

12:00 O'CLOCK NOON

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

A roll call for attendance was taken and indicated that all were present with the exception of the following:

Representative James Y. Carter - illness;

Representative William D. Cox - official business;

Representative J. Horace Gardner - death;

Representative Louis Janzcak - no reason given;

Representative Henry J. Klosak - illness;

Representative Michael H. McDermott - illness;

Representative Pete Pappas - illness;

Representative Edward J. Shaw - death.



Doorkeeper: "All who are not entitled to the House Chamber, would you please retire to the Gallery. Thank you."

Hon. W. Robert Blair: "The Doorkeeper will see that those persons who are not entitled to the floor are removed therefrom. The House will be in order. The invocation will be by Dr. Johnson."

Dr. John Johnson: "We pray. Almighty, everlasting, and all-wise Father, as we approach you this morning to seek your continuing presence among the members of this House, we do so with thanksgiving for all the mercies you have bestowed upon us as individuals, as a State, and as a nation. We thank you for the wisdom you have granted our statesmen, for the diligence you have provided our public servants, for the courage you have given our leaders, for the strength you have supplied our counselors. Now, we ask you to furnish us and all who are engaged in legislating a similar measure of this wisdom, diligence, courage, and strength. As we carry on our labors at a time which is marked by suspicion, unrest, turmoil and tension, grant that we may do our work well so that all we do will contribute to the welfare and wellbeing of our people, our government, our nation. To that end, be with us in this session. We implore it for the sake of your mercy. Amen."

Hon. W. Robert Blair: "The Roll Call for attendance. The gentleman from Cook, Mr. Madigan."

Michael J. Madigan: "Mr. Speaker, would the record show that Representative McDermott is excused because of illness?"



Hon. W. Robert Blair: "The Journal will so indicate. The gentleman from Cook, Mr. Davis."

Corneal A. Davis: "Mr. Speaker, will you let the record show that James Y. Carter is excused because of illness, please?"

Hon. W. Robert Blair: "The Journal will so indicate. Messages from the Senate."

Fredric B. Selcke: "A message from the Senate by Mr. Wright, Secretary: Mr. Speaker - I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House. Senate Bills 1328, 1344 1345 1431, 1455, 1456, 1462, 1473, 1480, 1481, 1482, 1483, 1484, 1485 and 1500. Passed by the Senate, May 16, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives. Senate Bill 1538. Passed by the Senate, May 15, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House. Senate Bills 1126, 1127, 1424, 1428, 1440, 1445, 1450 and 1494. Passed by the Senate, May 15, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolu-



tion, to-wit: House Joint Resolution 135. Concurred in by the Senate, May 16, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bills of the following titles, to-wit: House Bill 3790 and House Bill 4200. Passed by the Senate, May 16, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following title: House Bill 4198. Passed by the Senate, May 16, 1972, Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to-wit: House Bill 3740. Together with the following Amendment of which I am instructed to ask the concurrence of the House. Passed the Senate, as amended, May 16, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title: House Bill 3639. Together with the following Amendment in the adoption of which I am instructed to ask the concurrence of the House. Passed the Senate, as amended, May 15, 1972. Kenneth Wright, Secretary. Mr. Speaker - I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title: House Bill 2622. Together with the fol-



lowing Amendment in the adoption of which I am instructed to ask the concurrence of the House. Passed the Senate, as amended, May 15, 1972. Kenneth Wright, Secretary. No further messages."

Hon. W. Robert Blair: "House Bills Second Reading... House Bills Third Reading. 1452."

Fredric B. Selcke: "House Bill 1452, a Bill for an Act to amend 'The Illinois Insurance Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Ewell."

Raymond W. Ewell: "Are you on Third Reading?"

Hon. W. Robert Blair: "Right."

Raymond W. Ewell: "Mr. Speaker, I'd like permission of the House or leave of the House to table that Bill."

Hon. W. Robert Blair: "Is there objection? Alright.. No objection being heard, House Bill 1452 will be tabled. 4323."

Fredric B. Selcke: "House Bill 4323, a Bill for an Act to amend Section 2 of 'An Act providing for the management, operation, control and maintenance of Southern Illinois University'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Franklin, Mr. Hart."

Richard O. Hart: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill merely provides that the Superintendent of Public Instruction, who is by statute a Member of the Board of Trustees of Southern Illinois University, may designate his Chief Assistant ah.. to meet with the Board and vote for him in his stead. It would ah.. help



the ah.. Superintendent of Public Instruction meet his obligation. He's on all of these Boards by statute and cannot always attend. And, certainly he does want to have a voice in the Board management. And, ah.. we feel that this Bill would assist in that process. And, I would appreciate the support of the House."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 133 'Ayes', 12 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4219."

Fredric B. Selcke: "House Bill 4219, a Bill for an Act to amend 'The School Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4219 simply provides for scholarships for dependents of prisoners of war or persons missing in action. And, it also prohibits the removal of benefits once accrued from dependents even though the father returns or is reported deceased. This is a Bill that simply extends to the Vietnam Veterans the privileges that have been afforded other Veterans from returning wars. I would say, Mr. Speaker, that it is a piece of legislation that is beneficial to peoples who need help. And, I would appreciate a majority of a vote from this House of Representatives."

Hon. W. Robert Blair: "Further discussion? The question is,



'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 155 'Ayes', and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 4595."

Fredric B. Selcke: "House Bill 4595, a Bill for an Act to amend an Act relating to the Illinois and Michigan Canal lands.

Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Will, Mr. O'Brien."

George M. O'Brien: "Mr. Speaker and Members of the House ah..

this is a Bill which ah.. is not a companion, but it is similar to a Bill introduced by Representative Soderstrom last term which passed the House but did not get through the Senate. It provides that ah.. the Department of Transportation will have a study made of the uses to which the Illinois and Michigan Canal should be put. It will provide for a hearing by those immediately affected before it goes to the Governor for approval. It's a very good Bill and I urge its adoption."

Hon. W. Robert Blair: "Any discussion? The question is, 'shall this Bill pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk... The gentleman from ah.. Cook, Mr. Meyer."

J. Theodore Meyer: "Mr. Speaker, I would just like to briefly explain my 'nay' vote. If you want to pave the Illinois and Michigan Canal, this is a good Bill."

Hon. W. Robert Blair: "The Clerk will take the record. On



this question, there are 151 'Ayes', and 3 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. 3792."

Fredric B. Selcke: "House Bill 3792, a Bill for an Act to amend 'The Unemployment Compensation Act'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Burditt."

George M. Burditt: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, this is a very short Bill which amends the definition of employment in 'The Unemployment Compensation Act'. It excludes full-time students who are enrolled and regularly attending classes at such school. The purpose of the Bill is to make certain that students ah.. do not get some kind of a part-time job while they're in school. And then, after they graduate, to take a year off and withdraw unemployment compensation benefits which is ah.. very detrimental vote to the Universities and to the Trust Fund. It is established to take care of the legitimate unemployment compensation claims. I'd appreciate your support of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Will the Sponsor yield to a question?"

George, weren't you not suppose to give or put two Amendments on this Bill when it went through our Committee?"

George M. Burditt: "Ah.. Sam, I only remember one and that did go on it. The one that made it certain that it was full-time, ah.. that Amendment is on the Bill. What was... I don't remember the other one."



Samuel C. Maragos: "I thought that there was another Amendment that ah.. stating that once they had finished their schooling, that they would not be ah.. ah.. considered as being ah.. part-time. In other words, we're talking about fellowship and other staff that were working technically full-time, even though they were ah.. could have been a student status. I thought that was also... that Amendment was supposed to be on that Bill."

George M. Burditt: "Sam, I'm sorry. I don't understand what you're saying. I.. I'm not sure that I understood all of the words. Try me again."

Samuel C. Maragos: "I thought that there was another Amendment, not only the full-time Amendment that was supposed to be put on, but the question of personnel who are in a semi-teaching capacity, who have also been covered as long as they had ah.. ah.. received a salary from the University."

George M. Burditt: "Well... Oh.. I remember what you're talking about. I thought that we concluded at the Committee Hearing ah.. that those people were taken care of under any circumstances by the Bill itself, by the present Law. And so, that Amendment is not on it. I.. I really don't think it needs to be. I thought that was the purpose.... I thought that was the conclusion reached in the Committee Hearing. I think.... I really don't think, if you'd take a look at the Bill itself in the existing Law, I don't think you need one for the other one."

Samuel C. Maragos: "Well, I was under the impression that it



was."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Lechowicz."

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Hon. W. Robert Blair: "He indicates he will."

Thaddeus S. Lechowicz: "Representative Burditt, what if a student is working in.. in his Senior year, is going to school and is considered a full-time student, and due to the economic conditions, is working full-time as well? So, he could be going to school from 8:00 or from 9:00 until 3:00, and maybe working from 4:00 until midnight and in the last year that he graduates from school and at the same time, he is laid off of his employment. Under your Bill, would it be possible for him to ask for unemployment compensation?"

George M. Burditt: "Ted... Ted, he would not get credit for the work that he was performing while he was a full-time student. That... That would not qualify him for unemployment compensation."

Thaddeus S. Lechowicz: "Mr. Speaker, you know, there are many people.... May I address myself to the Bill?"

Hon. W. Robert Blair: "Proceed."

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. There are many people that are presently full-time students, and in turn due to economic conditions, are employed on a full-time basis. I ah.. can personally attest that this was my own situation when I was going to school. And, in turn, if this Bill passed, heaven forbid if I was laid off and I



graduated at the same time, I would be uneligible to apply for unemployment compensation. I think that the Bill is really a Bill that is discriminatory to the student who is working his way through school and, in turn, would not be eligible for the benefit that he would be participating in. I think that it is a bad Bill and it should be defeated."

Hon. W. Robert Blair: "The gentleman from McHenry, Mr. Hanahan."

Thomas J. Hanahan: "Mr. Speaker and Members of the House, I hate to take up too much time of the House. But, what we're talking about here is an attack on the very basic idea of unemployment compensation. I don't care if it is a student. I don't care if it is a woman. I don't care if it is an old person, a young person, whether they're black or white. I care whether or not a person who is unemployed has some edge on whether or not to go on relief. And, this is what we're talking about, taking away that little edge for keeping people off of relief. Now, if a student or anyone else is unemployed, through no fault of their own, whether they have been working for a University, a School, or what have you, they should be entitled to some insurance, some job insurance the.. the.. the complete despair of total public aid and ah.. lack of any care about society itself. Unemployment Compensation is under the... is being attacked by this type of an Amendment. The very concept of the idea of unemployment compensation is an insurance against unemployment. And, this Bill would take away that insurance from those students who are working. It's a bad Bill. I'm sure that many of you who



try to get along with labor concepts will agree with me that it is a basic attack on unemployment compensation and should be solemnly defeated by this House."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. D. J. O'Brien."

Daniel J. O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield for a question? Ah.. Representative Burditt, at the risk of being repetitive, this Bill is merely confined to part-time employees of a University. Is that correct?"

George M. Burditt: "It's full-time or part-time. But, it is an employee of a College or University. That's in the present Law now."

Daniel J. O'Brien: "And, in response to Representative Maragos' question about the University student that is working for the University as an instructor, and it may be full-time or part-time, and when you get into the instruction, it's hard to tell whether it's part-time or full-time, he is also covered by this Bill."

George M. Burditt: "I.. I think that Sam's question directly related to ah.. ah.. a full-time Associate Professor or Instructor or something like that, who is also taking courses at the school. Is that right, Sam? Is that the kind of thing that you were talking about?"

Samuel C. Maragos: "That's right."

George M. Burditt: "That.. That person... The term 'employment' as now in the statute does not include services of an employee of a School, College or University. And, all this Bill does



is add, 'by a student who is enrolled full-time'. So, if it's not a full-time student, then the Bill doesn't apply."

Daniel J. O'Brien: "I see. Ah.. Mr. Speaker, can I just briefly speak to the Bill?"

Hon. W. Robert Blair: "Proceed."

Daniel J. O'Brien: "Ah.. Mr. Speaker, Ladies and Gentlemen of the House, I have to disagree with Representative Hanahan on this particular Bill. While I've always supported the stand of labor and legislation before this Body, I think that the defeat of this Bill will only serve to hinder the employment of students who are full-time at a University, hinder their employment by the University. Because, as the Law stands now of unemployment compensation, if a students fails out of school, whether he be a Freshman or a Senior, in most cases, his employment with that Institution is automatically terminated on his failing out of school. If this Bill is defeated, that student becomes eligible for unemployment compensation. What will happen if this Bill is defeated, I am sure, is that the Universities in Illinois will terminate or certainly minimize the employment of their own students, because of the many possibilities of the student quitting or being fired for one reason or another or failing out of school and employment compensation being required. I have received many letters from Universities in my District, Mundelein and University of Loyola. And, I think that this Bill will serve the best interest of the student that is employed and not deny him of any benefits. I, therefore,



urge the support of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Kosinski."

Roman J. Kosinski: "Will the Sponsor yield to a question, Mr. Speaker?"

Hon. W. Robert Blair: "Yes, ah.. proceed."

Roman J. Kosinski: "George, my immediate emotional reaction is similar to Representative Lechowicz and Representative Hannah. And yet, Representative O'Brien, puts forth ah.. ah.. thinking that hadn't occurred to me. What is the thrust of this Bill? Why did it come into being? Who is the Sponsor? What is your reasoning behind this, Sir?"

George M. Zurditt: "Ah.. Roman, the Bill was requested by the Universities, ah.. particularly the private Universities and it was supported by the public Universities and the public Junior Colleges, who are ah.. being hurt financially by having to contribute to the Unemployment Compensation Fund for part-time... for full-time students who have part-time jobs. The thrust of the Bill is to prevent a student, who has, you know, a dollar and a quarter make work kind of a operation in a library or checking something, you know, that.. that helps work his way through school. And then, after he graduates from school, take the year off and travels around Europe and the taxpayers are paying for it out of the unemployment compensation. Now, that's the kind of operation that this Bill is designed to prevent. It's not in any way.. any way designed to undo... to change or undermine or anything the unemployment compensation program of this State.



That is a direct misconception of this Bill."

Roman J. Kosinski: "Would then this Bill encourage the Universities in taking on students in part-time capacities?"

George M. Burditt: "In my opinion, it would, because without the Bill, the Universities are being hurt so much, they not only have to pay the student but the student who is working part-time and they also have to pay into the compensation fund... the Unemployment Compensation Fund. If they do have to put money into the Compensation Fund, they're obviously going to have more money available to pay to the students who want to do part-time work. It's going to create more jobs on the campus, not less."

Roman J. Kosinski: "However, George, if they have work to be done, they'll have to have somebody to do it. If they don't have students do it and pay them compensation, they will have to hire outside help. Will they not and pay compensation?"

George M. Burditt: "Well, yes, to a certain extent, but this is work that will be performed by students under any circumstances. But, as you know, a lot of the jobs that all of us had when we were working our way through College, were jobs that can or can not be done, you know. They're not that important."

Roman J. Kosinski: "Not jobs that have to be accomplished?"

George M. Burditt: "Right. That's right. There.. There jobs that Universities and Colleges put together to help students work their way through school."



Roman J. Kosinski: "So, do I understand correctly that all of this seems negative to students? It will encourage the hiring of students?"

George M. Burditt: "As far as I can see, it is inevitably going to encourage students because there is going to be more money available to pay the students."

Roman J. Kosinski: "Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. DuPage, Mr. Hudson."

George Hudson: "Would the Sponsor yield to a question?"

Hon. W. Robert Blair: "He indicates he will."

George Hudson: "George, when I went... when I went to College, I got a job. Didn't have a great deal of money, but the University, and this is a private University, allowed me to work as a table waiter. Now, under... If your Bill doesn't pass, under those similar circumstances, if for example, the table waiting jobs became ah.. fewer and I had to be laid off and a student is working and waiting on tables and he is no longer needed, would he be entitled to Unemployment Comp? Is that right, if this Bill doesn't pass?"

George M. Burditt: "That's right. And, even more important, when he graduates from school after, you know, the University kept him working ah.. on tables all the way through, but after he graduates from school, if he doesn't want to work for a year, wants to take a trip around the United States or ah.. go out to California or something for a few months or go over to Europe, he can do that and the taxpayer has to



pay for it through unemployment compensation."

George Hudson: "So, we would be extending and widening the area of this ah.. allowance by probably thousands and thousands of students that ah.. are saddled on the backs of the taxpayers."

George M. Burditt: "Well, I don't know about numbers, but that's the right concept."

George Hudson: "Well... Well, I might say in speaking on the Bill that I, too, have received any number of letters from ah.. private Colleges supported by some of the public ones as well in my District, urging the passage of this Bill. It seems to be an eminently good Bill and the one needed for the reason that you have stated and others have stated on this floor. I don't think that it's going to ah.. hurt the legitimate purposes of ah.. Unemployment Comp at all. But, it is going to keep this concept out of areas where it has no real legitimate business and will renown to the benefit of both the students in the long run and certainly the taxpayers. And, I would urge a 'yes' vote on this measure. I think it's needed. I think it's good."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Richard Walsh."

Richard A. Walsh: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'aye', the opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Cook, Mr. Burditt, to close."

George M. Burditt: "Mr. Speaker and Ladies and Gentlemen of the House, the arguments for and against this Bill, I think,



have been very well set forth. Representative O'Brien and Representative Hudson, I thought, answered very clearly the questions which ah.. some of the opposing speakers raised. Ah.. this is a Bill which is needed by the Universities in this State, by the taxpayers in this State. And, it seems to me that it's high time we gave both the Universities and the taxpayers a break. And, I would very much appreciate your support of the Bill."

Hon. W. Robert Blair: "The question is, 'shall this Bill pass?'

All those in favor will vote 'aye', and the opposed 'no'.

The gentleman from Will, Mr. Houlihan."

John J. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I would like to say that some of the arguments, I believe, were fallacious in the sense that one of the requisites to collect unemployment compensation is that you have to look for a job and have to go into the office once a week and report or you don't get the check. What are these very wealthy students going to be doing? Flying back every Tuesday to sign up for unemployment? I don't believe so. What does it do to the part-time employee? It doesn't say anything in the Bill about this. I think that this is a bad Bill and should be defeated."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Thank you, Mr. Speaker. Ladies and Gentlemen, in explaining my 'aye' vote, I think that there has been some misunderstanding about the Bill. One of the questions that was asked by Representative Lechowicz had to do with



full-time employment. And, I think that it came out in the Committee Hearing that at a private University, if a student is full-time, ah.. there is not an opportunity for him to be employed full-time with the University. If he is employed full-time somewhere else, of course, this Bill wouldn't affect him. He is entitled to Unemployment Comp from his other employer, based on that surface. So, I think that misunderstanding should be cleared up. And, I think that this is a good Bill and should be supported."

Hon. W. Robert Blair: "The gentleman from McLean, Mr. Bradley."

Gerald A. Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my 'yes' vote, the Sponsor of this Bill in his closing remarks mentioned that this would be giving a break to the schools and to the taxpayers. I think that the most important part of this piece of legislation is the fact that it will be giving a break to the student who needs a job. Because it is a simple matter, if we do not pass this piece legislation, the students who need part-time jobs to continue their education, are simply not going to be hired by the Universities because of this one.. one measure of having to pay the ah.. high compensation that is directly related to the number of claims ah.. put against that particular University by the students. It's going to cost the schools to administrate ah.. and it's going to be ah.. direct loss to these students, the many students working part-time in the food services of the Universities, the part-time janitorial help. Ah.. it goes so far as some of the



athletes getting a part-time job. These jobs are simply not going to be available to the students. And, those are the ones that are going to hurt if we don't pass this piece of legislation. It's one of the better pieces of legislation that we've had. I urge the Members to give it a second thought here on those 'red' lights and change them to 'green'. Thank you."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Speaker... Mr. Speaker and Members of the House, I'm arising and voting against this Bill for two main reasons. I did not get a chance to finish my inquiries of the Sponsor because I had to turn around and get my notes on the ah... on what happened in the Hearings of the Committee. However, one Amendment that should have been covered and it was not covered. It was a retainer coverage for those who were working forty hours a week or more. The big problem that concerns us in this Bill is the fact that there is full-time employees in the University who also can be full-time students. And, many of them support families. And, what happens if they're unemployed? And, how are their families going to be fed. And, one other item is on B of this Bill, which we tend to forget about, is if a spouse of a full-time student is working there, even though she is working full-time, she is also excluded from these privileges of getting unemployment compensation. That was pointed out by Representative Hanahan and Houlihan. The fact is that a student who is dependent upon unemployment compensation can not take



a world cruise. He's got to report every week and show that he is available for work. So, I think that these are false issues and I think this Bill, as presently presented, should be defeated."

Hon. W. Robert Blair: "The gentleman from Lawrence, Mr. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, I'm voting 'no' despite my affection for the Sponsor because, to me, it is utterly incongruous that a student who has sufficient thirst for knowledge as would work his way through school at kind of a job, whether it be part-time or full-time, would thereafter become an unemployment compensation bum. I think that if we have faith in the students who work their way through the Universities, we can show that faith by leaving the Law as it stands and run the risk that they will change their outlook on life in the drastic manner that would be required to change them from their prior pattern."

Hon. W. Robert Blair: "The gentleman from Ogle, Mr. Brinkmeier."

Robert E. Brinkmeier: "Mr. Speaker and Members of the House, I had intended to inquire of George what the total cost would be to our State and Universities if this Bill is not passed. Quite frankly, I think that it would be negligible. I would like to point too that probably this morning or if not this morning, in the very near future, the Appropriations Committee is again going to make a substantial appropriation to the Illinois Scholarship Commission. Several years ago, I



know that it reached something like \$54,000,000 dollars. And, I'm sure that it is greater than that today. Now, these eager youngsters are deserving. They probably need the money and they'll receive up to, I think, \$1,200 per student. I'd like to point out that many... the majority of these students probably aren't working at all. Maybe, because the jobs aren't available. But, I certainly think that we're going in the wrong direction when we discriminate against the kid that is going out there and working full-time and trying to pay for some of the cost of education and taking a little of the burden off the taxpayer in the State of Illinois. I think that this is a bad Bill and should certainly be defeated."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. D. J. O'Brien."

Daniel J. O'Brien: "Mr. Speaker, in explaining my vote, there seems to be some confusion about this Bill. This Bill pertains to students who are working for the University. And, I submit to you, that when the school term ends in June, when this job is longer needed in the cafeteria or the laundry or on the lawns maintaining the grounds of the University, and when the term ends, the student is laid off until the follow Fall. And, he goes home and seeks summer employment. Well, if the University is burdened every June with putting all of its part-time employees on unemployment compensation. I submit to you that the private Universities and the State Universities in Illinois that are already breaking even, if



they're lucky, are going to be burdened with a tremendous additional cost. And I further submit to you that many of the jobs that are provided to the students, part-time or full-time at the State or private Universities, are really not necessary jobs. We're not dealing with the labor force. We're dealing with the University, who is approached by a student who needs a little additional money. In many, many cases, the University creates or splits a job between two employees so that the student will have a little additional money. The cost to the University who does not pay this Bill will, in fact, prohibit them from hiring students for part-time work around the Universities. I submit to you to consider the cost to the University every June when these jobs are terminated. I ask for more 'green' lights."

Hon. W. Robert Blair: "The Clerk will take the record. On this question, there are 69 'Ayes', and 67 'Nays', and this Bill having failed to receive the Constitutional majority is hereby declared lost. Alright.. 4389."

Fredric B. Selcke: "House Bill 4389, An Act to add Section 3 to and amend the title of 'An Act regarding the use of credit cards'. Third reading of the Bill."

Hon. W. Robert Blair: "The Lady from DuPage, Mr. Dyer."

Mrs. Robert C. Dyer: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this is a very simple Bill. Simply saying, that when any person is refused for credit, he must be informed, upon request, of the reasons why. It was ah.. approved by the Credit Regulations Committee. And, I know of no



opposition to this Bill."

Hon. W. Robert Blair: "The... One moment.. The gentleman ah.. Peoria, Mr. Carrigan, for what purpose do you rise?"

James D. Carrigan: "May we have enough order that we may hear what she's trying to say?"

Hon. W. Robert Blair: "Alright.. Let's hold the noise a little down and let the Lady proceed with her remarks."

Mrs. Robert C. Dyer: "Ah.. yes. This Bill very simply provides that when any person is refused credit, upon application, upon request, he must be informed of the reasons why. It does not say in writing. So, there's no expense involved. I know of no opposition to this Bill. I solicit your favorable vote."

Hon. W. Robert Blair: "The gentleman from Champaign, Mr. Hirschfeld."

John C. Hirschfeld: "Will the Sponsor yield for a question?"

Hon. W. Robert Blair: "She indicates she will."

John C. Hirschfeld: "Ah.. frankly, Representative Dyer, I don't understand the reason behind the Bill."

Mrs. Robert C. Dyer: "Ahh.. The reason behind the Bill is that we have documentation of.. of many, many people, ah.. particularly women, who have applied for credit, a working girl or career girl, they've been turned down. And, their bills are paid and to their knowledge, they have a credit rating. And, no reason is given. They would simply like to know of the reason. This is ah.. an implementation of the 'Federal Fair Credit Reporting Act'. It.. It is in line with



with that at the State level, Representative Hirschfeld."

John C. Hirschfeld: "Isn't the ah... Isn't the ah.. ah.. issuance of a credit card strictly dependent upon the ah.. the will of the Company to issue one at this stage of the game?"

Mrs. Robert C. Dyer: "Ah.. That's right. But, this just fulfills ah.. one of their basic ah.. premises of Law in this Country, is when a person is by inference even accused of something, he has the right to know what it is. Ah.. I repeat, this is not the Bill that you've been receiving all the mail about. There... There's no objection to this Bill. It does not require that this information be given in writing. So, there is no expense involved to the employer. He just simply may say, 'I've reached the limit of customers that I want to extend credit to', or 'Your credit rating is unfavorable'. This has been ah... There's no objection out of this Bill from the Retail Merchant's Association or any other Organization. It's been accepted."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Davis."

Corneal A. Davis: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I have the distinct honor to present to you the Graduating Class of the Douglas Elementary School. I might recall to your mind the fact that here is the photo of the Little giant. This is the School that was named for him and it's in the Douglas Subdivision. I'd like to say to the Graduating Class, it was the man on my right, Abraham Lincoln, who defeated him for the President of the United States. It was the man on my left, the Little Giant, who



defeated Abraham Lincoln on my right for United States Senator. But, it was the man on my left, the Little Giant, whom Abraham Lincoln sent back to Springfield to unite the State of Illinois. And, it was in the Court House over here, Graduating Class, that we have revitalized and it's just as it was in the days of Lincoln that the Little Giant made the famous speech, 'Stand by your Flag', that united the State of Illinois. Eleven of their teachers are with them and the Assistant Principal, Mr. Lewis Carter and Miss Blackwood. Will the Class and Teachers please stand from the Douglas Elementary High School? I would like to also add that my wife, whom I was married to 50 years, was a graduate of the Douglas Elementary School and still lives right in the District there. Thank you very much."

Hon. W. Robert Blair: "Alright.. The gentleman from Champaign, Mr. Hirschfeld, who was in ah.. in the midst of ah.. a discu...."

John C. Hirschfeld: "Thank you, Mr. Speaker. I'm always happy to yield to Representative Davis. Ah.. I would like to speak briefly against this Bill. And, Ladies and Gentlemen of the House, it seems to me that we're sitting right now in the midst of a credit card society. And, it's a privilege to be issued a credit card. A Company has no obligation to issue a credit card, whatsoever, to any person who seeks it. Now, if we start requiring the Companies to give reasons why they refused to issue credit cards, there are no guidelines in this Bill, whatsoever, whether it's to be oral or written.



We are opening the door, frankly, to lawsuits against many, many Corporations, who refuse to issue credit cards. And, in some cases, I would venture to say if they told the applicant the truth as to why he wasn't getting a credit card, it would probably be libelous, although truth would be a defense. It seems to me that what Representative Dyer has is just one more bad Bill that we have to put on the Books. It's unnecessary. It clutters up the revised statutes. And, I think that this Bill should get a resounding 'no'."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Juckett."

Robert S. Juckett: "Mr. Speaker, will the Lady from Cook yield for a question?"

Hon. W. Robert Blair: "The Lady from Cook?"

Robert S. Juckett: "Excuse me. The Lady from DuPage."

Hon. W. Robert Blair: "Alright.. Will the Lady yield?"

Mrs. Robert C. Dyer: "It's quite a personal privilege. DuPage is very different from Cook. Thank you."

Hon. W. Robert Blair: "Alright.. The Lady says that she'll yield."

Robert S. Juckett: "Under the Federal Credit Reporting Act, isn't it a fact that if anybody is turned down for credit, they must be notified as to the reason for the turn down of credit? They, then, have an opportunity to come in and sit down with the Credit Reporting Agency or the individual turning them down and they go over, in detail, all of the reasons etc.?"

Mrs. Robert C. Dyer: "That is correct, Representative Juckett."



And, that is the reason for the introduction of this Bill. This simply implements the 'Federal Fair Credit Reporting Act' at the State level in a very simple way."

Robert S. Jucket: "Well, Mr. Speaker and Ladies and Gentlemen of the House, if it is already a fact that they are required to do this, then, this Bill, if it were to become Law, would be a useless Act, because it's already being done in detail with explanation and a full satisfaction to the person who is either receiving or not receiving credit. And, I don't think that it would be proper for us muddy up the waters."

Hon. W. Robert Blair: "The gentleman from.... The Lady from ah.. Cook, Mrs. Chapman."

Eugenia S. Chapman: "Mr. Speaker, Members of the House, I hope that you will all vote for House Bill 4389, which applies to all persons who are turned down when they apply for credit cards. Your credit is your own and it could be very injurious to you if you are turned down for credit, sometimes on the basis of rumors which you might be able to correct if you only knew what they were. Now, there was quite a bit of discussion in Committee ah.. and it isn't a bit clear that this Federal Act covers the circumstance that Mrs. Dyer is providing for us in this measure. What is asked for is fair. It is simple. It doesn't say that anybody has to be given credit. It merely says, 'That if you're turned down for a credit card, you get to know why'. So that, perhaps, you can correct misinformation, or perhaps, correct the situation that is denying credit to you. Credit is important in our



Nation today. And, it seems only fair that you know why you're not able to get credit if it is being denied to you. Please vote 'yes'."

Hon. W. Robert Blair: "The gentleman from Sangamon, Mr. Gibbs."

W. Joseph Gibbs: "Mr. Speaker and Ladies and Gentlemen of the House, in all due deference to the Representative from Cook, I have here in my hand the 'The Fair Credit Reporting Act' of the Federal Government and it is quite clear under that Act that this would not provide the type of information that this Bill calls for. Now, this Bill, of course, does not apply ah.. just to women. It applies, of course to men and women equally. And, what this Bill does is if someone puts in for credit... for a credit card, as I read it, it's a very simple Bill and if for some reason there is an erroneous report or if for some other reason such as sex, or color, or creed or for any other reason that a Credit Card Agency wishes to turn this down, he may. And, that goes on your credit report that he was turned down. And then, if that happens, you have under the Federal Act, the right to go into the Agency and try to find out what the reason for it is. As I understand this Bill, there is a definite need for it because there are thousands of people who are turned down and they should have the right to find out why they are turned down. Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Kipley."

Edward L. Kipley: "Mr. Speaker and Ladies and Gentlemen of



the House, again in due deference to the wonderful Sponsor of this Bill, it did get a very fair and equitable hearing in the Credit Regulations Committee. I think that one of the things that everybody is overlooking when they're talking about these credit cards and people finding out why they're being turned down, you must bear in mind that the people who are in business and doing business on a credit card basis, are there because they want to be in business. They want to sell you their product. They want to extend you the line of credit that you're asking for. And, if they turn you down, they've done so with a very good reason. And, in my knowledge and my expertise of 32 years as a Credit Manager, I can tell you that at no time have we ever turned down anybody for credit without telling them why we turned them down. This is common business courtesy. And, in addition to that, it is now being required in the 'Federal Fair Credit Reporting Act', that anytime that you're turned down, you can go and find out why. There's no need for this Bill, whatsoever, Ladies and Gentlemen. And, I suggest that you vote it down."

Hon. W. Robert Blair: "The gentleman from Boone, Mr. Cunningham."

Lester Cunningham: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The Lady from DuPage, Mr. Dyer, to close."

Mrs. Robert C. Dyer: "Ah.. Mr. Speaker, I agree with ah.. my good colleague, Representative Kipley, that it is only common courtesy ah.. for ah.. a store or an organization ah.. that



turns any individual down for credit ah.. to give that person a reason. And, I am glad that in his experience, that the Companies that he has dealt have always done that. Ah.. I hasten to point out to you again, this does not require that the reasons be in writing. It does not require an extra expense on the part of a Company. It can be done by telephone. The same person that calls the individual to tell them that they're rejected for credit can give the reason very simply in that phone call. It is no expense to the employer. It's good public relations. It's fair to the consumer to keep from having a black mark on his record that isn't deserved. It does implement the 'Fair Credit Reporting Act' at a State level. It fills in a gap there. It was voted out favorably by the Credit Regulations Committee. I do solicit your favorable vote."

Hon. W. Robert Blair: "The question is, 'shall House Bill 4389 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Cook, Mr. Mann."

Robert E. Mann: "Mr. Speaker, I rise to explain my vote. Mr. Speaker, we live in a computer age and I know that hundreds and hundreds of... of respective purchasers have been denied credit without any explanation. Sometimes, they're confused with other people. Sometimes, there's been an erroneous reporting of a credit problem. And, it seems to me that this is good for both creditors and debtors in the sense that it will clear up any credit problems that might ah.. affect a particular individual. I think that it's a very



reasonable request on business, who after all, will profit in the long run from extending credit to as many people as possible. It's ah.. ah.. very needed for the purchaser who desires to ah.. clear up his own credit problem. And, it's a basic courtesy that ought to be extended to people who are willing to put out their money ah.. for goods. So, I really can't see ah.. why this Bill should be opposed. I think those who are opposing it on some grounds that it might be anti-business, ought to reconsider. I think that it is a pro-business Bill. I think that it will serve both purchasers ah.. and creditors and debtors and it will serve all of us who utilize credit. And, I really urge you to take a look at it, Ladies and Gentlemen. It's not an anti-business Bill. It's a good business Bill. And, I urge your support."

Hon. W. Robert Blair: "Have all voted who.... Oh.. The gentleman from ah.. Cook, Mr. William Walsh."

William D. Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I wonder if I could impose on your time for just a moment to introduce the Graduating Class of Sacred Heart Grammar School in Melrose Park. The District is represented by Representative McGah, Representative Ron Hoffman and me. And, I'm sure that they share our enthusiasm for this good Bill."

Hon. W. Robert Blair: "Ah.. Have all voted who wished? The Clerk will take the record. On this question, there are 77 'Ayes'. Houlihan.. 'aye'. 78 'Ayes' and 45 'Nays', and



this Bill having failed to receive a Constitutional majority is hereby declared lost. House Bill 4391."

Fredric B. Selcke: "House Bill 4391, an Act to add Sections 1a, 3 and 4 to amend the title of an Act regarding the use of credit cards. Third reading of the Bill."

Hon. W. Robert Blair: "The Lady from Cook, Mr.... Mrs. Chapman."

Eugenia S. Chapman: "Mr. Speaker, I would like first to introduce a group from the Third Legislative District, Elk Grove High School, who's down here with their teacher, Mr. Charrico and their Principal, Mr. Haskell and Mrs. Marge Olsen. We're happy to have you down visiting with us today. Would you please stand. Mr. Speaker, I ask leave to return House Bill 4391 to Second reading for the purposes of Amendment."

Hon. W. Robert Blair: "Alright.. Is there objection to the Lady's request for leave ah.. ah.. to ah.. take this Bill back to the order of Second reading? The gentleman from Cook, Mr. Davis."

Corneal A. Davis: "Mr. Speaker, if you please, the remainder of the Graduating Class and ah.. the ah.., I believe, Senior Class from the Douglas Elementary School is here. They couldn't all get in. And I... As I said before, that School is located on what was once the Farm of Stephen A. Douglas, the Little Giant, whom you see here photographed. And, on my right, is the President of the United States, Abraham Lincoln who defeated him. And, it was Abraham Lincoln who sent him back to Springfield to make the famous speech, 'Stand by your Flag', that united this State and may this State



always remain united. If all of these young Americans from Douglas Elementary School named after the Little Giant will please stand. The rest of them, will you please?"

Hon. W. Robert Blair: "Alright.. Hearing no objection, the Lady has leave to bring 4391 back to the order of Second reading for the purposes of an Amendment. The Clerk will read the Amendment."

Fredric B. Selcke: "Amendment No. 1, Chapman, amend House Bill 4391 on page 1, in line 18, by deleting the word 'alone'."

Hon. W. Robert Blair: "The Lady from ah.. Cook, Mrs...."

Eugenia S. Chapman: "Mr. Speaker, this is an Amendment requested by the Committee ah.. when they gave the measure a 'do pass' recommendation. It limits the application of the measure. I move for its adoption."

Hon. W. Robert Blair: "Any discussion? The gentleman from Cook, Mr. Fleck."

Charles J. Fleck: "What does the Amendment do?"

Eugenia S. Chapman: "Ah.. the ah.. Section that is being amended says, 'When requested to do so by an applying married woman, credit card users shall consider such married woman's financial status and the word 'alone' is removed in making a determination of whether to allow her credit as an individual. It is a clarifying Amendment which actually does what we intended to do originally. Mr.... One gentleman said that it makes a good Bill gooder."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Kipley."

Edward L. Kipley: "Mr. Speaker and Ladies and Gentlemen of



the House, quite contrary, it makes a bad Bill badder. Ah.. the original intent of this Bill is a woman's.. status of a woman's Bill. And, it says, 'That shall consider the married woman's financial status alone'. Now, that is a very important factor and is the whole sum and substance of this Bill. By eliminating the word 'alone', you destroy the Bill. It isn't even worth even bothering to.. to ah.. put through an Amendment. It has no significance, whatsoever. And, its Amendment should be defeated and the Bill, likewise, should be defeated since it is an equally bad Bill. It came out of Credit Regulations with a mere 8 to 6 vote. And, it should not be passed."

Hon. W. Robert Blair: "Any... Alright.. The ah.. Further discussion? The gentleman from ah.. Cook, Mrs. Chapman, on the Amendment. Lady from Cook, Mrs. Chapman."

Eugenia S. Chapman: "What removing the word 'alone' does is to make it possible and clear that what we are doing here is to permit a woman to get a credit card with her financial status being considered. We have a file which I would be happy to share with you in which credit worthy women were denied credit because ah.. various businesses were not willing to consider their credit at all. So, what this does is, it says that a woman has a right to have her credit considered. And, this is what the objective of this Bill is. Far too often, young married couples are unable to get credit who otherwise could are able to ah.... whose credit is severely limited because the woman is working, is gainfully employed



and Companies are not willing to consider her salary whatsoever. There is a myth in our society that every woman of every age and every marital status is going to get pregnant at any given moment and is, therefore, not credit worthy. I dispute this. I think that the facts make it clear that this isn't true. And, I ask for you 'yes' vote on this Amendment."

Hon. W. Robert Blair: "The Lady from DuPage, Mrs. Dyer."

Mrs. Robert C. Dyer: "Ah.. Mr. Speaker, I would like to give you ah.. ah.. a personal example of what this Amendment is designed to accomplish. My daughter, like many other women in her age group, is married to a young man who is completing his P.H.D. He is on a fellowship. His income is \$200 dollars a month. My daughter having a Masters Degree is gainfully employed. Her income is \$10,000 dollars a year. Ah.. when they apply for credit, it seems only logical that their full income, the joint income of the two of them, should be considered. Ah.. this happens over and over. And, gentlemen, this is the chance for those of you who said you'd rather remove the discrimination against women, one by one they're individual pieces of legislation rather than adopting a far-reaching Amendment, here's your chance to write just one little one. Please vote 'yes'."

Hon. W. Robert Blair: "Alright.. The question is on the adoption of the Amendment. All those in favor say 'aye', opposed 'no'. Well, ah.. is there a request for a Roll Call? Do five people want a Roll Call? It was ah.. pretty clear to



me, you know. The gentleman from Vermilion, Mr. Craig, Rayson, Stone, Maragos. Alright.. The question is on the adoption of the Amendment. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? Take the record. On this question, there are 92 'Ayes' and 34 'Nays', and Amendment No. 1, to House Bill 4391, is adopted. Holloway.. 'aye'. Are there further Amendments?

Third reading. House Bills Third Reading. House Bill 3599." Fredric B. Selcke: "House Bill 35.. 3599, a Bill for an Act to amend the 'Illinois Highway Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is an attempt to prohibit the flashing stop... or the flashing lights that all of us are accustomed to recently seeing that draw the attention of the driver ah.. and ah.. interrupt his concentration on ah.. controlling his own car and ah.. visibly watching other cars. Ah.. the type of sign that we're trying to reach ah.. sometimes called astrosigns. You will notice sometimes on U.S. 66 on the way to Chicago, it's a flashing, sometimes bright white and bright red, located right near the highway. And, when you first come in view of it, ah.. you have the idea that ah.. it's ah.. some type of an emergency vehicle and, often times, you might pull over to the right suddenly or slam on your brakes, causing a dangerous situation. It has been ah..



amended to try to define better. That's all our Amendment did on it. I move for your ah.. support ah.. for this Bill."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman from Lake, Representative Matijevidch."

John S. Matijevidch: "Would.. Would the man yield to one question?"

Rep. Arthur A. Telcser: "He indicates he will."

John S. Matijevidch: "Harber, the only problem I've got and if you could answer briefly. How do you define near because ah.. a someone who has real good eyes ah.. a sign could be visible a long ways? And, so how do you define ah.. near the highway?"

Harber H. Hall: "Ah.. this is a very difficult thing to do.

I think ah.. ah.. what's going to happen if this Bill passes is that our State Troopers or our Secretary of State people or some people in authority or local law enforcement officials are going to have to ah.. exercise their judgement and ask that the sign be removed as a danger to traffic. Ah.. we.. we can't... I haven't been able to determine any ah.. definite ah.. regulation that we could spell out that would ah.. define ah.. what we're talking about. If we talk about feet ah.. or yards or chains or links or anything else, it doesn't seem to fit every case. So, I think that it's just a matter of giving law enforcement officials some tool in the statute to request that signs be removed because they're dangerous. Actually, there's only ah.., to my knowlege, there's only one or two Sign Companies that have developed this sign, sim-



ply because ah.. ah.. they can sell them because they do look like emergency vehicles."

John S. Matijevich: "Ah.. Mr. Speaker, I just ah.. on this Bill, I think the intent ah.. has good merit. I know the signs that he's talking about, I believe, are those that have those arrows flashing and, I think, that they are a distraction. Maybe when you go over to the Senate, you ought to take a closer look to try to amend it, either ah.. to give ah.. law enforcement the power to ah.. ah.. regulate ah.. or adopt some rules or the Department of Transportation. I don't know which. But, I can see where some legitimate signs or legitimate businesses ah.. may be hampered by this Bill. I'm going to vote for it. I think that the intent is good. But, maybe we ought to be a little more specific or.. or we've got to a closer look at it in the Senate so that we don't harm those legitimate businesses that have signs away from the highway that shouldn't be regulated by this Bill."

Rep. Arthur A. Telcser: "The gentleman... Is there any further discussion? The gentleman from McLean, Representative Hall, to close."

Harber H. Hall: "Ah.. I would ah.. attempt to ah.. answer the ah.. suggestion or the objection that we ah.. amended. And, I will bring a copy of the Amendment in case Representative Matijevich has not seen it. Ah.. we have tried to ah.. take the kind of sign that he described, the legitimate business sign, and ah.. exclude it from this Bill. If we haven't



done it with the Amendment that I put on Second reading, we will do so in the Senate."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 3599 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 130 'Ayes', and 4 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. House Bill 4194."

Fredric B. Selcke: "House Bill 4194, a Bill for an Act to amend 'The Election Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Sevcik."

Joseph G. Sevcik: "Ah.. Mr. Speaker, I would like to have leave of the House, to return House Bill 4194 from Third reading to Second reading for the purpose of an agreed Amendment."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, House Bill 4194 will be returned to the order of Second reading for purposes of Amendment. Is the Amendment up here, Sir?"

Fredric B. Selcke: "Amendment No. 1, Sevcik, amend House Bill 4194 on page 1, by striking lines 28 through 31 andsoforth."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Sevcik."

Joseph G. Sevcik: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this is the agreed Amendment ah.. with Representative Shea regarding a Resolution being passed by a City Council or any Municipality needs three-fourths vote."



And, the procedure that must be taken to remove ah.. only four Townships within Cook County, the Board of Election Commissioners and putting them under the County Clerk. I move for the adoption of Amendment No. 1."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 1, to House Bill 4194. All in favor of the adoption signify by saying 'aye', the opposed 'no', and the Amendment is adopted. Are there further Amendments? Third reading. On the order of Third Reading, appears House Bill 4440."

Fredric B. Selcke: "House Bill 4440, An Act in relation to the reclamation of certain surface mined land. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Stark, Representative Nowlan."

James D. Nowlan: "Mr. Speaker and Members, I request leave to return this Bill to Second reading for purposes of offering an Amendment."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, House Bill 4440 will be returned to the order of Second reading for purposes of an Amendment."

Fredric B. Selcke: "Amendment No. 2, Nowlan, amend House Bill 4440 on page 2, line 10 by striking 'eminent domain' and so forth."

Rep. Arthur A. Telcser: "The gentleman from Stark, Representative Nowlan."

James D. Nowlan: "Mr. Speaker and Members, when this proposal



was drafted by the Department of Mines and Minerals, it included some ah.. boiler plate language that included the authorization to acquire land by 'eminent domain'. And, this is certainly not something which ah.., I feel, should be a part of this ah.. proposal. I don't believe that we should give the Government this heavy hand in this area. This was discussed in Committee and ah.. by this ah.. Amendment, we would strike this ah.. authority from the proposal. And, I ask ah.. favorable consideration of the Amendment."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment No. 2, to House Bill 4440. All those in favor of the adoption signify by saying 'aye', opposed 'no', the Amendment is adopted. Are there further Amendments? Third reading. House Bill 4370. Ah.. take that out of the record. House Bill.. House Bill 1104."

Fredric B. Selcke: "House Bill 1104, a Bill for an Act to add a Section to the 'Illinois Insurance Code'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Mr. Chairman... Mr. Speaker and Members of the House, House Bill 1104 adds a Section to the 'Insurance Code' to require that any Accident-Health Insurance Policy or Hospital and Medical Service Plan would provide that an X-ray is prohibited to restrictive facilities in which an X-ray must be taken. There was an Amendment in



the Committee on Second reading stating that this would apply only in Offices of Physicians who are licensed to practice in all specialties. And, there will be one more added Amendment at the time it goes to the Senate reading because it was.. there was not ample time because by the time of the Second reading to put this in the proper order, that this will only be for future policies and not for renewable policies that ah.. have such coverage because it would be abrogating the present contractual forms. And, therefore, not presently Constitutional. But, I promise, as I said, that in my Second reading that I will have this Amendment put on in the Senate. I hope it receives a favorable support."

Rep. Arthur A. Telcser: "Is there any discussion? The gentleman from Cook, Representative Douglas."

Bruce L. Douglas: "Mr. Speaker and Members of the House, this is a good Bill. I think that it will help cut down the cost of Health Insurance. And, I would encourage those of us to vote for it this time."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Kipley."

Edward L. Kipley: "Will the Sponsor submit to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Edward L. Kipley: "Sam, ah.. does this have anything to do with the licensing regulations of an X-ray? I mean are you asking that it must be licensed or that it can not... does not necessarily have to be licensed?"



Samuel C. Maragos: "The ah.. licensing of an X-ray Unit is already covered by the Department of Health and other Agencies in the State of Illinois. But, all it says, especially in many Downstate Areas where they don't have Hospitals or other facilities to ah.. primarily Hospitals who are now closed up and have to give X-rays for treatment, they can have it in the Doctors Office or in a Clinic. And, not necessarily, like most policies have now, that you have to be an out-patient or an in-patient ah.. ah.. at the Hospital in order to be covered for the X-rays."

Edward L. Kipley: "Thank you."

Rep. Arthur A. Telcser: "The gentleman from Winnebago, Representative Simms."

W. Timothy Simms: "Would the Sponsor yield for a question?"

Rep. Arthur A. Telcser: "He indicates he will."

W. Timothy Simms: "Does this Act, Sam, have anything to do with what type of Physician shall take the X-rays, what type of facilities... In other words, does this allow Chiropractic Physicians to ah.. participate in Health Insurance X-ray programs?"

Samuel C. Maragos: "Ah.. Representative Simms, in the Amendment that was placed on by the Committee, at the Committee's request, this Amendment is to General Physicians and not to Chiropractors and others."

W. Timothy Simms: "They are strictly... They are prohibit them from participation?"

Samuel C. Maragos: "Right."



W. Timothy Simms: "Thank you."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Peter Miller."

Peter J. Miller: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I must rise to oppose this Bill. It passed out of Committee with one vote to spare. It was... It was help up in the last Session. This Bill discriminates against the Companies that are paying taxes. Now, you take Blue Cross - Blue Shield, they're not regulated by the Insurance Department. This doesn't apply to them. But, the Companies that are.. have Hospitalization, the little Companies, they claim that the rates will go up. They claim that you can buy policies to do what he wants to do. But, he's requiring here that all Hospitalization Plans be allowed to go anywhere they want. Now, it.. it leaves it open to to a possible ah.. somebody could open up a little X-ray outfit and take.. and have people come there from all over and they'll be X-rayed for everything. When you got a Hospitalization Policy, when you're sick and you're in the Hospital, you're.. you're.. you could have X-rays there. There's a protection of the Company. This.. Under this Plan, it ah.. discriminates against these Companies that have Hospitalization, the little Companies. But, it.. it.. a Company like Blue Cross - Blue Shield, they don't have to comply because they're not regulated by the Insurance Industry. This is.. This is a bad Bill. The Industry against it because you'll chase small Hospitalization Companies out



of Illinois. These are one of the things that make rates go up. And, I hope that you'll defeat this Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Mike Madigan."

Michael J. Madigan: "Mr. Speaker, on a point of personal privilege, I'd like to introduce a group of students sitting in the Gallery to my rear from the Marquette School, which is located in my Representative District."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Katz."

Harold A. Katz: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, ah.. I would like to ah.. join with Representative Peter Miller in.. in ah.. opposition to the Bill. And, I'd like to tell you just briefly why it seems to me to be a bad idea. Ah.. one of the things that's involved is that where the Physician has the X-ray equipment himself that the Physician has a financial incentive for taking X-rays of the patient and taking unnecessary X-rays of the patient. Every X-ray that he takes means more money that will be paid by an Insurance Company. And, the fact is, that we know that radiation is a hazard. And, the more radiation that a person is exposed to in the long run, the more cancer and other diseases of that type, he will incur. If the problem is that the Hospitals are not... that people are going into the Hospitals just to get X-rays, it seems to me that the solution to that problem is to amend the Law so that Insurance Policies cover out-patient care. So, that



the patient who goes into the Hospital to just take the X-ray will have it covered. But, it doesn't seem to me that it ought to be approached in this way in which a Physician is going to make money on the Insurance Company every time he take an X-ray, whether it's needed or not. There are controls in a Hospital as to whether X-rays are needed. The ah.. Physician is under some ah.. ah.. control because of the fact that his colleauges look over what is done. In a Physician's Office, they can take any X-rays they need. I consider this to be undesirable both from the point of view of the Insurance Companies and also from the the point of view of the patient's health. And, accordingly, I'm going to oppose the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, I rise to agree with both of the two previous Speakers. In addition to the fact that even out-patient treatment with Hospital facilities, as a matter of principle here, in terms of precedence on the problem of rating. This Bill will result in an increase in premiums automatically of everybody involved in these kinds of Bills. There's been no information given to us as to how greatly this will affect everybody's insurance if this is done. Furthermore, this is a precedent that should not be established in terms of rate-making. This kind of added benefit by statute to the contract which is nothing really related to the concept of insurance and the person being able to buy



what he or she chooses. I would agree very much with Representative Miller and Representative Katz on this Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Downes."

John P. Downes: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question."

Rep. Arthur A. Telcser: "The gentleman has moved the previous question. All in favor signify by saying 'aye', opposed 'no'. The gentleman's motion prevails. The gentleman from Cook, Representative Maragos is recognized to close the debate."

Samuel C. Maragos: "Mr. Speaker and Members of the House, I'm a little surprised that the Chairman of the Insurance Committee says that all of the Insurance Companies are against this particular Bill, because that is not correct. The only expression that they voiced against it during the Hearings in the Committee was the fact that it would not apply to renewable policies. Because, they could not necessarily make adjustments of the policies and adjust any premiums that might be resulting.. premium cost of a resulting as a result of this being put into the policy. In answer to my good colleague, Mr. Katz, I would like to say to him that there are many cases where it is very difficult for a patient to get to a Hospital or an out-patient cleared to get X-rays taken. Don't forget that, we, who live in Metropolitan Areas have many facilities very close to us. However, in many areas... the rural areas where they can not get to a Hospital readily, and it seems unfair that when



they have these policies that they can get payment for treatment and coverage for treatment as for X-rays in an out-patient clinic, by the way, which has changed because of pressures of Doctors putting people in the Hospital in order to get the X-ray coverage previously. And, they can not get them in areas where they have to take them to a Doctors Office. Now, you know and I know, Representative Katz, as a Member of this House that there could be abuses in any case. But, you don't have to close the barn door just because you don't want the certain elements to.. to ah.. to stay out or stay in. I ask that... I know of a personal experiences of constituents of mine who were involved in automobile accidents on the highway in rural areas. And, because they were not near a Metropolitan or Urban Area where they could get proper X-ray treatment in an out-patient clinic.. or ah.. an out-patient.. as an out-patient in the Hospital, they had these policies and they could not get coverage. And, I think, in deference to the many people in rural areas where they can't get X-rays in properly licensed facilities out side of a Hospital, they should have this coverage. And, I ask for your favorable support."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 1104 pass?'. All those in favor will signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? The gentleman from Cook, Representative Douglas, to explain his vote."

Bruce L. Douglas: "Mr. Speaker, so that there will be no ques-



tion about my vote on this Bill, since there could be a conflict of interest, I'm going to vote 'present'. I would like to explain from enough personal experience that... that this Bill is a good Bill, contrary to the statements that have been made by other people who have spoken on the floor. The problem that those of who admit patients to the Hospital often have is that we are forced by the patients insurance policy to admit the patient to the hospital for a variety of things which could well be taken care of in the office. The Insurance Industry has been very slow in moving in the direction of encouraging the out-patient kind of care that Representative Katz referred to. This is especially true in the area of Radiology, Laboratory and Pathology Tests. And, I would encourage the Members of this House to recognize that by prohibitions in insurance policies against this kind of thing being done outside the hospital, that insurance rates are higher because of what Doctors end up doing through no fault of their own. It is putting patients in the hospital for diagnostic purposes. And then, disguising the purpose for admitting the patient and ending up with bills of \$100 or more dollars per day that are unnecessary. I think that we have to trust, as difficult as this may be for some to do, we have to trust the Doctor who has the ultimate decision making power over the care of the patient to make the decision of whether an X-ray can or should be taken outside the hospital, whether it's out-patient or in his office, under present circumstances. And, I still feel that this Bill



is good and moving in the right direction. Please vote me 'present'."

Rep. Arthur A. Telcser: "Do you wish to be recorded as voting 'present', Representative Douglas? Record Representative Douglas as voting 'present'. Have all... Have all voted who wished? The gentleman from Cook, Representative Maragos, to explain his vote."

Samuel C. Maragos: "Mr. Speaker and Members of the House, I want to reiterate that will save money in the long run. Because many times, Doctors are forced to put patients in the hospital and provide \$60 and \$70 dollars a day room care in order to get proper diagnostic X-ray treatment and investigation, whereas, they could do it in their own office or in an X-ray clinic. And, therefore, many of the policies would be able to, therefore, to cover this if this Bill passes. And, therefore, avoid in a long term, much more money and save many premiums and cost to the ultimate users."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are...Ooh..Ooh.. Representative Hill, for what purpose do you rise?"

John Jerome Hill: "I rise to explain my vote."

Rep. Arthur A. Telcser: "Representative Sims, for what purpose do you rise, Sir? How is Representative Sims recorded? Ike Sims."

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Rep. Arthur A. Telcser: "Record the gentleman as voting 'aye'. Representative Chapman, for what purpose do you rise?"



Eugenia S. Chapman: "How am I recorded?"

Rep. Arthur A. Telcser: "How is the Lady recorded?"

Jack O'Brien: "The Lady is recorded as 'not voting'."

Eugenia S. Chapman: "Vote me 'aye', please."

Rep. Arthur A. Telcser: "Record the Lady as voting 'aye'.

Representative Barnes.. 'aye'. On this question, there are
91 'Ayes', 32 'Nays', 2 'Present'. Representative Peter
Miller, for what purpose do you rise, Sir?"

Peter J. Miller: "Verification.... The affirmative vote."

Rep. Arthur A. Telcser: "Okay. A verification has been re-
quested. Will the Members please be in their seats. Repre-
sentative Calvo, for what purpose do you rise, Sir?"

Horace L. Calvo: "Would I ah.. be in order to ah.. ah.. vote
now before the verification?"

Rep. Arthur A. Telcser: "I don't see why not. How's the..."

Horace L Calvo: "How am I recorded?"

Rep. Arthur A. Telcser: "Gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Horace L. Calvo: "Vote me 'aye', please."

Rep. Arthur A. Telcser: "Record the gentleman as voting 'aye'.
Representative...."

Samuel C. Maragos: "Clarification. I'd to have the Poll of
the Absentees."

Rep. Arthur A. Telcser: "Okay.. A Poll of Absentees has been
requested and we'll Poll the Absentees first. Will the Clerk
please Poll the Absentees?"

Jack O'Brien: "Boyle.. Brenne.. Campbell.. J. Y. Carter..



O. G. Collins.. P. W. Collins.. Conolly.. Corbett.. Cox..
DiPrima.. Ewell.. Flinn.. Gibbs.."

Rep. Arthur A. Telcser: "Record Representative Ewell as voting
'aye'."

Jack O'Brien: "Graham.. Hall.. Hanahan.. Hart.. Henss..

G. L. Hoffman.. R. K. Hoffman.. Hyde.."

Rep. Arthur A. Telcser: "Representative Hoffman wishes to
be recorded as voting 'aye'. R. Hoffman."

Jack O'Brien: "Jacobs.. "

Rep. Arthur A. Telcser: "Record Representative Jacobs as
voting 'aye'. Representative Miller, for what purpose do
you rise? Peter Miller."

Peter J. Miller: "It's obvious that I'm defeated and I with-
draw the request."

Rep. Arthur A. Telcser: "Okay.. The gentleman has ah.. de-
clined to persist in his motion. On this question, there
are 94 'Ayes', 32 'Nays' and one answering 'Present'. And,
this Bill having received the Constitutional majority is
hereby declared passed. House Bill... The gentleman from
Cook, Representative Ewell, for what purpose do you rise,
Sir?"

Raymond W. Ewell: "On a point of special privilege. I'd like
to call the attention of the House that in the Gallery, we
have the Eighth Grade Graduation Class from Dixon Elementary
School which is in my District, Mr. Caldwell's District and
Mr. Graham's District. And, they are here with their
teachers, Mrs. Heinz, Mrs. Finch and Mrs. Gaines. And ah..



also one of Representative Davis' Grandchildren is in the Class."

Rep. Arthur A. Telcser: "House Bill 1531."

Jack O'Brien: "House Bill 1531, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "Mr. Speaker, I wanted to have leave of the House to hear ah.. 1531 and 32, 33, 34, 35, 36 and 39 at the same time."

Rep. Arthur A. Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bills 1532, 3, 4, 5, and 6 and 9."

Jack O'Brien: "House Bill 1532, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill. House Bill 1533, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill. House Bill 1534, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill. House Bill 1535, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill. House Bill 1536, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill. House Bill 1539, a Bill for an Act to amend the 'General Not For Profit Corporation Act'. Third reading of the Bill."



Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "Well, Mr. Speaker and Members of the House, this series of Bills ah.. bipartisan sponsorship implements the recommendation of the Not For Profit Corporation Study Committee created by the 76th General Assembly. Ah.. As I mentioned, they do have the bipartisan sponsorship of the House Members of that Committee. And, thanks to Dave Epstein of the Minority Leader's Staff for his help in working out some of the kinks in this series of Bills. We are now able to have them in the shape that we want them in for passage. Ah.. Mr. Speaker and Members of the House, there are now some 35,000 Not For Profit Corporations registered in the State of Illinois with approximately 2,500 new applications filed each year. And, about 1,900 dissolutions annually. Now, the vast majority of these Corporations are legitimate entities. But, there are some less than desirable Organizations, of course, that obtain Charters almost automatically upon application. Now, largely through historical accidents, the Secretaries of States through the Country have inherited a variety of unrelated functions including Supervision is not Not For Profit Corporations. And, it is apparent from the Study that our Committee had made, that controls are either inadequate, if not totally nonexistent. Now, during the course of our investigations, we had a number of Not For Profit Corporations appear before our Committee. One of the more interesting groups was one called the Missionaries



of the New Truth. Now, its self-appointed, self anointed Archbishop appeared before our Committee and ah.. what this Church was, in fact, was a phony religious organization that operated as a ah.. Mail Order Diploma Mill, whereby, you could become a duly ordained Minister with the title of Doctor of Divinity by merely signing your name and sending in your \$10 dollars with your application. If you brought in ten new members, you could be a Monsignor and for twenty five new members, you could be a Bishop. As a matter of fact, there was a Chicago Tribune Reporter who sent in the required fee and application and got a certificate of ordination for his dog, Lance. Several weeks after we had ah.. Archbishop Muncaster before our Committee, ah.. his Headquarters, which was in an apartment on the North Side of Chicago where he resided with the female secretary of the Corporation, was raided by the Federal and Chicago Narcotic Agents, who seized some \$75,000 dollars in drugs, chemicals and stag films. Another interesting group before our Committee was ah.. Mr. Jamie Brown, who was the President at that time of the Conservative Vice-Lords, Inc."

Rep. Arthur A. Telcser: "Rep.. Representative Simmons, for what purpose do you rise, Sir."

Arthur E. Simmons: "Ah.. I understand that we're considering ah.. this Bill along with the next one 1532."

Rep. Arthur A. Telcser: "That's correct, Representative Simmons."

Arthur E. Simmons: "Well then, 1532 ah.. I wonder if the Sponsor can tell me if Amendment No. 1 and Amendment No. 2 ah.. both



were adopted. I have copies of the adopted Amendments and they're in conflict with each other."

Jacob John Wolf: "To the best of my knowledge, they were adopted."

Rep. Arthur A. Telcser: "Alright.. Let's ah.. We have to call up to the Clerk in Enrolling and Engrossing and see just where we stand. So, let's take this out of the record for now until it comes back down from Enrolling and Engrossing so we will be able to answer Representative Simmons' questions. We'll take it out of the record. House Bill 4396."

Jack O'Brien: "House Bill 4396, a Bill for an Act to amend Sections of an Act for the creation and management of forest preserve districts. Third reading of the Bill."

Hon. W. Robert Blair: "The Lady from DuPage, Mrs. Dyer."

Mrs. Robert C. Dyer: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill that was entered at the request of the Forest Preserve Commission of DuPage County. It makes a technical correction in a Bill that we passed two years ago, which permitted ah.. DuPage County and other Counties from 300,000 to a million to go up to one percent of the assessed evaluation for the purchase of land. Chapman and Cutler is worried about the classification in the Bill and have requested this change. Now, it says very simply, 'That all Counties with population under one million may float bonds up to one percent of its assessed evaluation. This does does not affect Cook County in any way. It does not... It only affects those Counties with Forest Preserve



Commissions and it is permissive. This is tremendously needed in our rapidly growing County of DuPage. We are rapidly running out of land. The population has doubled in the last decade. And, it's projected that it will double again. I would appreciate your favorable support."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Lechowicz."

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Will the Sponsor answer a question?"

Hon. W. Robert Blair: "She indicates she will."

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Giddy, if this Bill passes, wouldn't it actually double the bonding power as well for DuPage County?"

Mrs. Robert C. Dyer: "No.. No.. The synopsis on the front of the Bill is incorrect. Ah.. that is not correct. This one percent bonding power was granted by this General Assembly two years ago in House Bill 2306. It's just the questioning of the wording of that Bill that Chapman and Cutler has corrected... has corrected.. has requested be ah.. introduced."

Thaddeus S. Lechowicz: "What is one percent of the assessed evaluation of DuPage County?"

Mrs. Robert C. Dyer: "Well now, just a minute. I hope that I find it. I would think if... I will have to guess, Mr. Lechowicz. I'm sorry that I can't find it. I would... One percent would be about \$2,000,000 dollars."

Thaddeus S. Lechowicz: "What would the property tax levy be on this, the increase?"



Mrs. Robert C. Dyer: "I repeat, this would not be an increase. This is the power that we have now."

Thaddeus S. Lechowicz: "Well, I think it would be a little closer to about \$10,000,000 dollars, Giddy, but ah.. I always could stand to be corrected."

Mrs. Robert C. Dyer: "Well, I ah.. As I say, I'm sorry that I can't put my hand on the figures now. I apologize."

Hon. W. Robert Blair: "The gentleman from Boone, Mr. Cunningham."

Lester Cunningham: "Mr. Speaker, will the Sponsor yield to a question?"

Hon. W. Robert Blair: "She indicates she will."

Lester Cunningham: "Ah.. Mrs. Dyer, did I understand you to say that this did have a referendum clause in it?"

Mrs. Robert C. Dyer: "No, it does not. I keep repeating. The original Bill, which granted this one percent power was passed two years ago."

Lester Cunningham: "Well, I didn't ask that. I asked does it have or does it not have...."

Mrs. Robert C. Dyer: "Referendum."

Hon. W. Robert Blair: "Further discussion? The gentleman from Bureau, Mr. Barry."

Tobias Barry: "Will the Sponsor yield to a question? Giddy, if ah.. this was done a year ago, why is it in Line 17 of Page 1, there is ah.. language that's lined through this one half of one percent and the new language is now one percent?"

Mrs. Robert C. Dyer: "That is a reprint of ah.. ah.. of the



power that was granted. If.. If.. If there is an error, a technical error in the ah.. printing, ah.. so be it. It.. The one percent bonding power was granted in the.. in.. in the last Session of the General Assembly to Counties ah.. between 300,000 and one million."

Tobias Barry: "Well, ah.. ah.. I see two changes in the Bill and one change is from 300,000 to a million. But, I also see a very distinct change in one half of one percent to one percent. And, if it was changed the last time, then there should be no need to change it this time. And, it's obvious to me that the Bill is printed and I'm looking at the 1972 version of 4396. It's purely an increase of one... a hundred percent increase, as a matter of fact...."

Mrs. Robert C. Dyer: "I've got it.. I've got the entry to it. Ah.. Mr. Barry, to clarify that, what.. what was granted in in two years ago was the change from 300,000 to a million could have that one percent. That included DuPage County, Lake, Kane and many others. Not DuPage and Lake, I guess. Ah.. this extends the privilege to Counties under 300,000. In other words, every County from 0 to one million now has that. I think that answers your question."

Tobias Barry: "Yes, it does."

Mrs. Robert C. Dyer: "The question in the Chapman and Cutler's mind was whether the classification would.. would not be Constitutional."

Hon. W. Robert Blair: "Any further... The gentleman from Cook, Mr. Simmons."



Arthur E. Simmons: "I ah.. remove my objection to the Amendments on ah.. ah.. 40... on the one that we had..."

Hon. W. Robert Blair: "Alright.. Is there further discussion?"

The gentleman from DuPage, Mr. Schneider."

J. Glenn Schneider: "Thank you, Mr. Speaker. Very briefly, ah.. my reason for supporting the Bill ah.. obviously, there is going to be a problem of taxation and it does mean a tax increase. But, in the case of Forest Preserve District in DuPage County and the nature of our County in general, which is ah.. been cited very frequently as the most rapidly growing County ah.. next to Lake and probably comparable to Lake County in the State of Illinois. We are finding very serious problems with maintaining open spaces. And, one of the reasons for that problem is that the Forest Preserve Districts are unable to purchase ah.. property that becomes available to them at the appropriate times. And, so what this tax increase is designed to do is to try to ah.., at the appropriate time, to purchase property when it becomes available so that we do not lose out on the opportunity to maintain open space in DuPage County. So, I'm supporting the Bill. And, I hope that ah.. others of you ah.. will give us your vote on this issue."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Garmisa."

Benedict Garmisa: "Well, Mr. Speaker and Ladies and Gentlemen of the House, whereas this Bill does not affect the County of Cook, it is adjacent to us. And, we do know the problems



involved in the acquisition of property as of today compared with acquiring property ten years from today. And, if this Bill will permit the quicker purchase of property for Forest Station in DuPage County, it's got to be a good Bill. It's got to be a Bill that will be appreciated by the people who will come after us. Many years from now, with the proliferation of the various Shopping Centers and the Home Building projects, the land that can be acquired must be acquired now. This is a good Bill. And, I would appreciate the support of every Member of this House."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Redmond."

William A. Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, support this measure. The price of land in DuPage County is increasing at such an astronomic rate. At the present time in the area where I live, it's up to \$16,000 dollars an acre. And, it's perfectly obvious that, unless money is available very shortly, that they will not be able to procure the open lands. And, I don't see how any Forest Preserve can lose any way, because if they did purchase land and it turned out, at some later date not to have been necessary and they were permitted to sell it, I'm sure that the value of the land at that time would be enhanced. So, it seems to me that it's a good investment. And, I would appreciate the support of the House."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Bluthardt."



Edward E. Bluthardt: "I wonder if the Lady would yield for a question or two?"

Rep. Arthur A. Telcser: "She indicates she will."

Edward E. Bluthardt: "Giddy, as I understand the correction made here, it is to include all Counties from ah.. the lowest population of a County up to a million population."

Mrs. Robert C. Dyer: "That's right."

Edward E. Bluthardt: "The Law presently now affects only Counties from 300,000 up to a million."

Mrs. Robert C. Dyer: "That's right."

Edward E. Bluthardt: "They can levy a tax of up to one percent without referendum for Forest Preserve purposes. Is that right?"

Mrs. Robert C. Dyer: "The 300,000 to a million. Right."

Edward E. Bluthardt: "Alright.. Now, you're going to include all Counties up to a million population. They will granted ah.. the authority and power that they don't presently exercise.. or ah.. don't have."

Mrs. Robert C. Dyer: "That's right."

Edward E. Bluthardt: "And, they will be permitted to levy a tax up to one percent without referendum for Forest Preserve purposes. Is that correct?"

Mrs. Robert C. Dyer: "That's correct. The Counties that are 300,000 or under. Those...."

Edward E. Bluthardt: "No.. NO.. The Counties from a million on down to the lowest populated County, all Counties including Cook County."



Mrs. Robert C. Dyer: "That's right."

Edward E. Bluthardt: "So, we're talking now of ah.. a hundred and one Counties in Illinois that will be allowed to levy a tax of up to one percent for Forest Preserve purposes without a referendum."

Mrs. Robert C. Dyer: "The corrections of that, Mr. Bluthardt, which I haven't made very clear, is that we granted the Counties from 300,000 to a million that privilege last time. This extends it to go below....."

Edward E. Bluthardt: "What.. What was ah.. What was the weakness of the Bill that caused Chapman and Cutler to recommend a change in the Law?"

Mrs. Robert C. Dyer: "Chapman and Cutler said that they would okay the three classifications, 0 to 300,000, 300,000 to a million, a million and over. I do not happen to agree with Chapman and Cutler, but they are there. And, the.. the eight million dollar bond issue can not be floated without their okay."

Edward E. Bluthardt: "Ah.. I see.. What.. What Chapman and Cutler was telling DuPage County was that the Bill, as passed, was unconstitutional, because of the classification based on population. Is that right?"

Mrs. Robert C. Dyer: "That... That's right. That is their feeling at this time."

Edward E. Bluthardt: "Thank you."

Rep. Arthur A. Telcser: "The gentleman from DuPage, Representative Philip."



James Philip: "Yeah.. Mr. Speaker and Ladies and Gentlemen of the House, I might clarify one point. This pertains to all Downstate Counties that have Forest Preserve Districts. Now, I think that is limited to about thirteen or fourteen Counties. So, it really doesn't, at this point, include all a hundred and one Downstate Counties."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Would the Lady yield to a question?"

Rep. Arthur A. Telcser: "She indicates she will."

Daniel M. Pierce: "Ah.. Representative Dyer, won't this Bill save the taxpayers a lot of money by voting the cost of a referendum ah.. before the tax is put on?"

Mrs. Robert C. Dyer: "Ah.. Mr. Pierce, ah.. I know.. I know ah.. that that is a funny question. But, you know, to the the citizens of DuPage County, that really isn't funny because of the special County Board Primaries and Elections this year, they have had already three separate elections this Spring. And, that would be a very pertinent point in our County and, perhaps, so many other Downstate Counties."

Daniel M. Pierce: "Well, I'm glad to hear that a lot of us support the Bill because you've had too many Elections. And, besides, we can trust the County Board anyway."

Rep. Arthur A. Telcser: "The gentleman from Lake, Representative Matijevich."

John S. Matijevich: "Mr. Speaker, would you record me as voting 'no'. I can't wait for this Roll Call."



Rep. Arthur A. Telcser: The Lady from DuPage, Representative Dyer, is recognized to close the debate."

Mrs. Robert C. Dyer: "Mr. Speaker, I hope that your questions have been answered. I hope those of you in Cook County who are not affected by this in any way will come to the help of DuPage County and the other Urban Counties in this.. in this Bill. As Representative Philip said, this affects only the eleven Counties that do have Forest Preserve Districts that are under 300,000. In you do not fall into that category, this Bill does not apply to you one bit. So, please, if this Bill doesn't affect you, please help those of us who need this so desperately. Thank you."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 4396 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The gentleman from Winnebago, Representative Simms, to explain his vote."

W. Timothy Simms: "Mr. Speaker and Ladies and Gentlemen of the House, to briefly explain my vote. The people in our County went to referendum and defeated the Home Rule Proposition to grant powers, the powers to increase taxes without referendum. And, this is the primary reason that the people in Winnebago voted against the provisions of the Home Rule, was because they wanted the right to maintain to vote on questions of raising their taxes. They believed in the principle of referendum. For this reason, I'm casting a 'no' vote to conform with the people of my District."



Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Bill Walsh."

William D. Walsh: "Mr. Speaker and Members of the House, no one has believed more firmly in the theory of a referendum than I have. But, I can recall some years ago, and this goes back, perhaps, twenty, when Park Districts of certain classification were given an opportunity to issue Bonds up to five percent of its assessed evaluation without referendum. And, this situation went on for many years until about five years ago when the classification was changed and all Park Districts were permitted to issue Bonds without referendum up to two and a half percent. Now, I think that we have recognized here that for recreation purposes, the purchase of facilities has been very difficult. And, if we're going to get off the ground at all, we are going to have to permit reasonable purchases, reasonable bonding up to a reasonable amount without referendum. Now, I submit to you that one percent is certainly a reasonable amount, and that this Bill should pass for this reason. It is for recreation. It is long-recognized ah.. theory that we've had and, I believe, that this Bill should be supported for that reason."

Rep. Arthur A. Telcser: "Have all voted who wished? The gentleman from DuPage, Representative Philip, to explain his vote."

James Philip: "Mr. Speaker and Ladies and Gentlemen of the House, I'm sure you all realize that in the past, I've always supported any kind of a tax increase ah.. with a referendum. But, I think, because of our unusual situation in DuPage



County, that we are the fastestgrowing County in the State of Illinois, that we are now over 500,000, the so called planners tell us that in the next ten to fifteen years, we'll be over a million in population. That, if we don't do something about our parks and recreation and open land, that in a few years, we're going to be solid cement from the edge of Cook County all the way out to Kane County. We've had the referendum bit, and I know that people are very very sensitive about taxes. But, I would certainly solicit your vote. We need it. It's a good cause. And, I don't think that one percent is asking too much."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 82 'Ayes', 31 'Nays'. The Lady from DuPage, Representative Dyer."

Mrs. Robert C. Dyer: "May we... May we Poll the Absentees?"

Rep. Arthur A. Telcser: "Yes, you may. Okay, the Lady has requested a Poll of the Absentees. Will the Members please be in their seats and the Clerk will read the Absentees."

Fredric B. Selcke: "Alsup.. Bartulis.. Berman.. Blades.. Borchers.. Brandt.. Brummet.. Calvo.. Campbell.. Capuzi.. Jimmy Carter.. Richard Carter.. Cox.. Craig.. Davis.. DiPrima.. Ewell.. Flinn.. Gibbs.. Graham.. O'Hallaren... O'Hallaren wants ya."

Rep. Arthur A. Telcser: "Representative O'Hallaren, for what purpose do you rise?"

Bernard J. O'Hallaren: "How am I recorded?"

Rep. Arthur A. Telcser: "How's the gentleman recorded?"

Fredric B. Selcke: "'Not voting'."



Rep. Arthur A. Telcser: "'Aye'. Or Scariano.. 'aye'. Ike Sims.. 'aye'. Blades.. 'aye'. Representative Bluthardt, for what purpose do you rise, Sir?"

Edward E. Bluthardt: "Well, Mr. Speaker and Members of the House, I think that one of the Representatives failed to mention that DuPage County is also one of the highest tax Counties in the.. the State. But, if this is the way that their Representatives want it, then I ask that my vote be changed from 'no' to 'aye'."

Rep. Arthur A. Telcser: "Record Representative Bluthardt as voting 'aye'. Right.. Okay, Ladies and Gentlemen. We're going to take a new Roll Call. The question is, 'shall House Bill 4396 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. The gentleman from Lake, Representative Pierce."

Daniel M. Pierce: "Mr. Speaker, how's the young Lady on the Speakers' rostrum voting on this Bill?"

Rep. Arthur A. Telcser: "You'll soon find out, Sir." Have all voted who wished? Take the record. On this question, there are 95 'Ayes', 28 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. Ladies and Gentlemen, we have the honor of having with us this afternoon, Miss Illinois, Anita Pankratz, who is from Chicago and who has a few words she would like to share with us. So, if you all will be in your seats and pay attention, I'd like to give you Miss Illinois."

Anita Pankratz: "Thank you very much. I'm from Chicago and



so it's.... Oh... As long as you're from Chicago, I hope that you're pushing for money for the ah.. the music in the gym and the art in the School. That... That's pretty special for me because I'm a musician. We were just over at the Mental Health Luncheon at the St. Nicholas Hotel and ah.. Mrs. Ogilvie was the Speaker and so it was a privilege to meet with her. And, it's.. it's good to be here and see how things are run. So, have a good day. I see that you've got a lot of papers to get through. So, I won't take any more of your time. Pardon..."

Rep. Arthur A. Telcser: "House Bill 4648."

Fredric B. Selcke: "House Bill 4648, An Act to amend Section 2 of 'An Act relating to certain investments of public funds by public agencies'. Third reading of the Bill."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Shea."

Gerald W. Shea: "Thank you, Mr. Speaker. House Bill 4648 would allow County Municipal Officials to invest funds for interest, have the interest go into the General Revenue Fund. I think that it's a good Bill and I ask for the support of the House."

Rep. Arthur A. Telcser: "Is there any discussion? The question is, 'shall House Bill 4648 pass?'. All those... The gentleman from Cook, Representative Simmons."

Arthur E. Simmons: "Will the Sponsor yield to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Arthur E. Simmons: "Where does the money go now?"

Gerald W. Shea: "Where does what money go?"



Arthur E. Simmons: "The money that you say you want.. want ah.. to invest and have the interest to into ah.. ah.. the General Revenue. Where does the interest go now?"

Gerald W. Shea: "There is no investment at the present time. The Funds are sitting in noninterest bearing accounts. And, this would allow the Clerks and the various County Officials to invest the Funds."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Meyer."

J. Theodore Meyer: "A question of the Sponsor, Mr. Speaker."

Rep. Arthur A. Telcser: "He indicates he'll yield."

J. Theodore Meyer: "Is the same Bill as Representative Hyde's?"

Gerald W. Shea: "Exactly."

J. Theodore Meyer: "Thank you."

Gerald W. Shea: "It's a good Bill."

Rep. Arthur A. Telcser: "Is there further discussion? The question is, 'shall House Bill 4648 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Fleck.. 'aye'. Take the record. On this question, there are 149 'Ayes' and no 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. House Bill 4446."

Fredric B. Selcke: "House Bill.."

Rep. Arthur A. Telcser: "Is Representative Shapiro on the floor? Take that out of the record. House Bill 1531."

Fredric B. Selcke: "House Bill 15.... Where's 31?"

Rep. Arthur A. Telcser: "House Bills 1531, 32, 33, 34, 35, 36



and 69 have been read a Third time. The gentleman asked leave to hear them all on one Roll Call. The granted him leave and will recog.... Representative B. B. Wolfe, for what purpose do you rise, Sir?"

Bernard B. Wolfe: "I ah.. have objection to the ah.. Roll Call on all of these Bills as a package. I think that there much too important to this Body. There in nonrelated areas dealing with the 'Not For Profit Corporation Act'. And, each of these Bills does ah... or performs a separate and different function ah.. under the ah.. under their respective numbers."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "Mr. Speaker, that wasn't the request that I had made before about having one Roll Call vote. I.. I intend to ask for a separate Roll Call on each. But, I asked for leave before ah.. for me to explain."

Rep. Arthur A. Telcser: "Do you object, Representative ah.. B. B. Wolfe?"

Bernard B. Wolfe: "No, not to an explanation...."

Rep. Arthur A. Telcser: "But, separate Roll Calls?"

Bernard B. Wolfe: "Separate Roll Call on each Bill. Thank you."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "Mr. Speaker and Members of the House, we were discussing this particular series of Bills before, which I said, were the recommendations of the Bipartisan Not For



Profit Corporation Study Committee. Ah.. Mr. Simmons did make a point on the Amendment which has since been clarified and... and the Bills are ah.. in proper form. I was explaining about some of the groups that we had before us and I was about to explain that one of the other more interesting types of Organizations we had before us was an Organization called the Conservative Vice-Lords, Inc. Their President or at least he was their President at that time, Mr. Jamie Brown, came with legal counsel. And, he testified that his Organization had received numerous cash grants including \$130,000 dollars from the Ford Foundation, \$30,000 dollars from the Department of Labor, \$25,000 dollars from the Field Enterprises, \$25,000 dollars from the Illinois Sesquicentennial Commission and a \$60,000 dollar loan from Philanthropist, W. Clement Stone. And, although Mr. Brown and his group were accompanied, as I said, by their Attorney, Mr. William Romanoff, they could give no accounting as to how their funds were spent or if they were ever spent so much as two cents for the purposes for which they incorporated. And ah.., although their Officers of this Organization, their salaries totaled more than \$43,000 dollars. Ah.. there was absolutely no accounting. Ah.. they... We found that they had not ah.. actually complied with the ah.. ah.. General ah.. Solicitation Act...'Charitable Solicitation Act' and they were in violation of many ah.. many areas of that Law as well as the 'General Not For Profit Corporation Act'. As a matter of fact, when they filed their Annual Report, it was filed



blank. Currently, all that is required is to just give a brief explanation as to the activities of the Organization and you renew your Charter each year. And, while our Committee, of course, makes no judgement on this particular group, we feel that it does point out the need for some screening of applicants who owe themselves out to the public as being 'Not For Profit'. Now, as far as explanations of the Bills, there have been ah.. numerous Amendments put on. We have worked on this with the Mr. Paul Schoeder, who is formerly the.. from the Corporate Division of the Secretary of State's Office. We have had assistance from the Attorney General's Office. And, as I mentioned, to help further, we had some assistance in the final stages from the Democratic Staff. House Bill 1531 provides ground rules for filing applications for Charter. It erroneously states 21 as the age to be a Director. We have amended that, of course, to make it 18. It requires ah.. limited background information on the Incorporators and the Agent.. And, requires the Secretary of State to routinely check and supply each Corporation with copies of the 'Charitable Trust and the Charitable Solicitation Act', so that they are aware as to whether or not they will have to file under that particular Law. Ah.. also, ah.. there are under certain Sections that ah.. the Secretary of State ah.. will send to them summaries ah.., for example, ah.. the Section of the Law that would require them to notify the Secretary of State of any change of address. We found that many Organizations were changing the address of their



registered Agent and never ah.. informing the Secretary of State. Also, Section 25 should be sent automatically to any applicant. And, that just states that they are required by Law to keep certain books and records. We find that most of these people who incorporate as 'Not For Profit Corporations' are totally ignorant of the Law. Also, a Section 44 ah.. which ah.. would point out what their obligations are under voluntary dissolution and 63 and 64 ah.. which are in regard to an Annual Report. 1532 charges the Attorney General with the task of investigating the background as to the correctness of the information that is supplied when they apply. And, we ah.. put Amendment Number 4 on the other day which ah.. does clarify this considerably. And, the Amendment would require that the Attorney General would make his investigation. And, if he did not report to the Secretary of State within 30 days, the Charter would then automatically be issued. House Bill 1533, ah.. the reason that we have this Bill is because we found that the use of the word 'Incorporated' seems to automatically imply legitimacy. And, it was felt that Not For Profit Corporations should use ah.. words like, Club, Association, Organization or League or any words of like import, especially in the areas of solicitation. When a Not For Profit group comes along and they solicit funds and they say, 'Well, we're Incorporated by the State of Illinois', right away they have a certain air of legitimacy and they say, 'Well, if we weren't chartered by the State of Illinois as a Not For Profit Group, ah.. if



we weren't legitimate and legal, we wouldn't have the Charter in the first place. 1534 ah.. gives the Attorney General concurrent powers with the Secretary of State to propound interrogatories which we find that many other States have had that situation for a long time. 1535 requires that the list of Not For Profit Corporations be publicized as is currently done with Profit Corporations and that Members of the General Assembly and County Recorders receive, free of charge, a copy of this list and that it made available to the public for a statutory fee of \$12.00 to any other interested parties. Ah.. 1526 would require foundations, to not all Not For Profit Corporations, but foundations to submit copies of their finan... financial statement to the Attorney General, showing the Federal Taxes imposed pursuant to Section 4941 and 4943. of the 'Internal Revenue Code'. And, that deals with excess business ah.. self-dealing and excess business holdings. 1539, which is the last Bill in the series, provides that Corporations ah.. that have held Tax-Exempt status during any period within the last five taxable year, must file a Plan of Distribution of these assets with the Attorney General 60 days prior to the transfer of assets in case of a voluntary dissolution."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Fleck."

Charles J. Fleck: "Will the Sponsor yield for a few question?"

Rep. Arthur A. Telcser: "He indicates he will."

Charles J. Fleck: "Reading the synopses on these Bills, Jake,



could you tell me how this would affect Not For Profit Political Organizations?"

Jacob John Wolf: "The synopsis is wrong on that particular Bill."

Charles J. Fleck: "Well, my concern is when we give the Attorney General, I'm not concerned about this one or the next one, but sometimes somewhere we'd have the problem where an Attorney General could inspect the books and records of various bona fide active political Organizations which are Incorporated under the Not For Profit statute and make a political witch-hunt out of it. Now, are there any safeguards to avoid this possibility?"

Jacob John Wolf: "Yes, they've been amended out by Amendment No. 3 or 4, I believe..."

Charles J. Fleck: "Could you ah.. explain what that Amendment ah.. would do?"

Jacob John Wolf: "Which Bill was that in particular, Charlie?"

Charles J. Fleck: "Well, my concern is ah.. ah.. 1534, 'Giving the power to inspect books, records, minutes ascertained compliance with this Act'."

Jacob John Wolf: "In 1534, Sections ah.. ah.. Lines 18 through 21, on Page 1, a Bill to instruct. So, that is out. Amendment No. 3."

Charles J. Fleck: "Thank you."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Laurino."

William J. Laurino: "Mr. Speaker, I would like to rise on a



point of personal privilege."

Rep. Arthur A. Telcser: "State your point, Sir."

William J. Laurino: "Mr. Speaker and Ladies and Gentlemen of the House, just recently or just a few moment ago, you met and heard from Miss Illinois of 1971. I'd like to ah.. to address to you, for the moment, the fact that not only is she a resident of the Fifteenth Senatorial District which I represent, but I also have the distinct pleasure of having her and her family as Members... as Residents of the 39th Ward. Seated to the rear, right Gallery, is her Mother. I'd like to welcome her very warmly."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Katz."

Harold A. Katz: "Would the ah.. gentleman yield to a question?"

Rep. Arthur A. Telcser: "He indicates he will."

Harold A. Katz: "Does ah.. House Bill 1531 apply to every Not For Profit Corporation or only to Not For Profit Corporations that solicit funds?"

Jacob John Wolf: "Applies to all Not For Profit Corporations."

Harold A. Katz: "Well, ah.. that being so, I'd like to discuss that. It seem to me that you are going too far here. I believe that you are quite correct in ah.. looking into Corporations that profess to be Not For Profit Corporations and that solicit public funds. However, there are really large numbers of Not For Profit Corporations that have nothing at all to do with the solicitation of funds. There are fraternal groups, union groups, church groups, any number of groups



that really have nothing at all to do with anybody making any kind of contribution. And yet, House Bill 1531 would require that every such person on the board would have to disclose any criminal history. That means that you may have a person who has lived, served his time for a minor offense long ago, is now a respected part of the Community, gets interested in some church or fraternal work, ends up being on the board and all of a sudden, he's confronted with the fact that he must reveal in an application that ten, fifteen year ago or even five or twenty years ago, he must reveal the fact that he was picked up for some offense. That seems to me to be an invasion of privacy without regard to being any legitimate public need. I do understand that in the case of Corporations that are soliciting public funds, that may be legitimate. But, I would suggest that probably not more than five percent of the Not For Profit Corporations in Illinois solicit public funds. And, I believe that you are killing a fly with a howitzer here. You are opening up vast numbers of Corporations that exist legitimately as Not For Profit Corporations and you are opening them up to the kind of scrutiny that ought to be limited to Corporations that, in fact, solicit funds. And, I would urge you to take it back to second reading to narrow it down on the question of funds solicitation which I understand to be your concern and to leave all of these other groups to go on as they have."

Rep. Arthur A. Telcser: "The gentleman from Cook.... Representative Wolf, did you seek recognition?"



Jacob John Wolf: "Yes, I'd like to respond to the ah.. "

Rep. Arthur A. Telcser: "Well, did you ask a question, Representative Katz?"

Harold A. Katz: "Well, I had asked a question before and he responded and then I made a comment. I would welcome his rejoinder though and I would urge that he do so."

Rep. Arthur A. Telcser: "Well, then you can rejoin in a close. The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "Will the gentleman yield for a question? Of the 35,000 Not For Profit Corporations in the State of Illinois, what did your investigation, Commission investigation indicate the number to be in 'violation'?"

Jacob John Wolf: "We didn't make an attempt to ah.. to ah.. estimate the number. But, from those that we did talk to, we found that the vast majority of them were totally ignorant of many of the basic points of the Law, and hence, in this particular Bill, we are charging the Secretary of State, as a matter of routine, ah.. when they send back their Charter, to give them a summary of these certain Sections just advising that they're required by the Law to keep books and records. They are very few of them that keep adequate books and records."

Bernard B. Wolfe: "Well ah.. Well, Jake, you're speaking of the 'Charitable Trust Act' and the solicitation of funds for 'Charitable Purposes Act'. Is that correct?"

Jacob John Wolf: "No, I'm not necessarily speaking to that. That's those who have assets, I believe, of what? Over



\$10,000 or whatever the Law is on that particular...."

Bernard B. Wolfe: "Now, that requires all on.. on the Charitable Solicitation... I mean, this was your problem in particular. Correct?"

Jacob John Wolf: "No, that's not correct."

Bernard B. Wolfe: "Well, what was the problem with relation to the 'Not For Profit Corporation Act'?"

Jacob John Wolf: "A general review of.. of the Laws ah.. pertaining to that. Ah.. we've had many people ah.. who were all of the opinion, whether they were from the Secretary of State or the Attorney General or we had a member from ah.., who later became a candidate for Mayor, who was not at that particular time, all felt that the Laws were very loose. And, it's just a matter of routine. You send in the names of three Incorporators and a check for \$25.00 to the Secretary of State and you'd say that you're going to incorporate for X, Y or Z purpose and he automatically, routinely issues you the Charter."

Bernard B. Wolfe: "May I ah.. speak to the series of Bills, Mr. Speaker?"

Rep. Arthur A. Telcser: "Proceed, Sir."

Bernard B. Wolfe: "In my District, I must have some 500 to a 1,000 of these Not For Profit Corporations as you do in all of your Districts, Churches, Legion Groups, Community Improvement Associations. And, I could go down the list of legitimate, worthwhile, everyday Organizations that incorporate under the 'General Not For Profit Corporation Act'. Now,



we have only been brought to this House two examples of a so called 'violation'. And, it was indicated that, perhaps, in one of them, it wasn't even a 'violation', but, a charge against one or two Organizations that are soliciting funds. I think that the real problem is with respect to the solicitation of funds for charitable purposes and the control and enforcement of both the existing Law and, perhaps, Amendments to that Law to correct the conditions which is indicated by the statements of our colleague. Now, I know that, I.. I brought to the attention of.. of.. of our colleague, Representative Wolf, the fact that the Legislative Committee of the Chicago Bar Association considered this series of Bills. They wrote an extensive report concerning this whole series with suggestions in there. It seems to me that a package of Bills that calls for an appropriation of \$330,000 dollars in the area of amending the 'General Not For Profit Corporation Act' and setting up, I.. I just... we don't have the time to go over each of the Bills, but setting up ah.. enforcement, investigative and other procedures under each of these Bills in an area which does not reach, in my opinion, the heart of the problem. But, which does touch upon the 35,000 or the 34,998 other Not For Profit Corporations operating in this State for the past decade and more under the legitimate purposes, Garden Clubs. I could go down a list and this reaches every one of these Organizations in our District and not confined to the particular problem. And, in the ah.. situation and in the status that these Bills are now ah..



written, I would have to oppose the whole series ah.. until we could ah.. amend them to conform to ah.. ah.. legitimate purpose."

Rep. Arthur A. Telcser: "The gentleman from Adams, Representative McClain."

Elmo McClain: "Ah.. Mr. Speaker, I move the previous question."

Rep. Arthur A. Telcser: "The gentleman has moved the previous question. All in favor signify by saying 'aye', the opposed 'no'. Representative DiPrima, for what purpose do you rise, Sir?"

Lawrence DiPrima: "A point of personal privilege."

Rep. Arthur A. Telcser: "State your point, Sir."

Lawrence DiPrima: "Well, I wanted to ask the Sponsor of these Bills a question. Ah.. Jake, what I wanted to ask you now, you know my concern for the Veteran Organizations. I'm afraid this series of Bills is gonna get them all confused in the future. I mean ah.., as it is, all of the Veteran Organizations are with their backs against the wall now. And, with this series of Bills, now if they're going to start having being taxed or what have you, you're going to run them to the ground altogether. I think that these are a bad series of Bills... Bills and I would recommend that we defeat them."

Rep. Arthur A. Telcser: "Alright, the gentleman from Cook, Representative J. J. Wolf, to close the debate."

Jacob John Wolf: "Well, Mr. Speaker, ah.. I'll start backwards. First of all to delay the fears of my colleague, and I know



of his interest for Veteran Organizations. As a matter of fact, I personally belong to two. I belong to the American Legion and also the AMVETS. There is not tax, I might point out in here. Ah.. We're not going to try to back these Veteran Organizations to wall. As a matter of fact, I discussed these measures with the Commanders of the two different Posts that I belong and there is no problem here. Ah.. there's not going to be any taxation or anything trying to drive ah.. legitimate Organizations such as the Veteran Organizations out of existence, because I'd be the last one that would do that. Ah.. Our colleague, Representative Katz had brought up a few points. First of all, the Bills do not require a complete divulging of criminal history, only ah.. in cases of a felony. And further, it is not a bar to being a corporate member. It does not prohibit a person who was a convicted felon from acting or being a member of the Board of Directors. Just like we have now changed all of the Licensing Laws where we used to prohibit ah.. a ah.. a felon from securing a license to own a job. It's not wrong to ask if he ever did, but it does not prohibit him from getting the Charter. So, you may have a person who served a ten year prison term, he is not prohibited under these Bills ah.. from serving on the Board of Directors. Now, we mentioned.... It was also brought up about.. what about these little Corporations who are not soliciting funds. And, if you'll recall, we passed not too long ago in this General Assembly a Bill to permit Not For Profit Corporations to con-



duct lotteries and bingo games and such of the like. Now, if you feel that it's too much to ask a group that is going to be engaged in that kind of activity to submit basic information as to the address, the home address of the Incorporating Officers and the Board of Directors, not a downtown Law Office, ah.. and a few other things that are required here, I personally don't think so. Now, I might point out again that this is only required of future applicants to divulge this information. And then, only for the first ah.. set of Board of Directors and Incorporators. So, we're not going back to any existing Organizations or once they have first divulged this information. The point is we're trying to say an ounce of prevention is worth more than a pound of cure. And, if any groups are trying to obtain Charters in the beginning, that's the time the information ought to be given out. Ah.. this report too was issued and printed in March of 1971. So, it's been out for over a year. I haven't seen that information that the so called Bar Association has put out. All I can say, Ladies and Gentlemen of the House, in.. in summation is that Politicians hold themselves out under public scrutiny. And, I don't think that it's too much to ask that any one who is holding himself out to the public as being Not For Profit be required to divulge ah.. limited information. I would ask an affirmative vote on these Bills."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 1531 pass?'. All those in favor signify by voting 'aye',



and the opposed by voting 'no'. The gentleman from Cook, Representative Katz, to explain his vote."

Harold A. Katz: "Briefly, in explaining my vote, I think that we have entirely too much invasion of privacy as it is. Ah.. these Bills or this series of Bills go into 35,000 Corporations that have no legitimate interest to this General Assembly. This is not limited to Corporations for Not For Profit that solicit funds. Take a Veterans Organization. Let's say that they have an Officer whose served time ten years ago, they think that he's a good fellow and they elect him as ah.. the President of their Veterans Organization. What is it the business of the Legislature or some one else for that fellow to have to divulge the fact that he had a criminal record ten years ago. He's just running his own group or his little club or his little Not For Profit Corporation. I would support some kind of disclosure limited only to those Corporations Not For Profit that solicit funds. But, this series of Bills go far beyond that and invade the privacy of individuals for no legitimate public purpose."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Fleck."

Charles J. Fleck: "Well, in explanation of my vote, Mr. Speaker and Ladies and Gentlemen of the House, I've looked over these Bills quite closely and I've read the Commission Report from whence they came. And, basically, what the thrust of this Legislation is, is to generate a vehicle by which the State can acquire the information from these various Corporations



so that they may ascertain if, in fact, they are violating the Law or using the shelters of the Not For Profit Corporation Act to break the Law. Now, the Commission Report has shown numerous incidences where you had basically a yellow kid wild who would form his Corporation and solicit funds, generate income and use it for a purpose was is beyond the scope of the corporate purposes. I think that these are a very good series of Bills. They do not create penalties where they... the incorporators have not violated the provisions of these Bills which set guidelines. If, in fact, these Garden Clubs and Neighborhood Improvement Clubs have properly filed their various returns and have used their funds for their purposes, they have nothing, nothing at all to fear. And, they should be above scope and they should be in a fish bowl as you and I and every other public official is. I think that Jake Wolf has done a fine job with this Commission. I think that these Bills are reasonable. I see no reason why there should not be at least a few more 'green' lights up there. Thank you."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf, to explain his vote."

Jacob John Wolf: "Well, Mr. Speaker, I'd like to explain my vote and I'm going to confine it to this particular Bill. It seems like a lot of specters were raised during the discussion. Let's talk about this particular Bill right here. Just exactly what does it do? It provides that a Director should be 18 years of age or older and it provides that in



the original Articles of Incorporation, each Incorporator and Members of the first Board of Directors just set down forth his.. his home address, where he's lived for the last three years, which is normally what you do on most applications. We changed it from five to three. His Social Security Number and his Occupation and ah.., as far as criminal history, only if the fact that he has been convicted of a felony. And then, it says that the Secretary of State automatically, when he sends the Charter, will send this Organization a copy of the 'Charitable Trust Act' and the 'Charitable Solicitation Act' so that they know if they're required to file under those Acts. He should also send them some Sections that will advise them of the Law. That they must change the registered Agent or their Office, whenever they change their address, which many of them just don't do. And, of course, the mail piles up and the Secretary of State can't even find them. This was especially true with another Organization I didn't mention with the Black P Stone Nation. They had a devil of a time trying to locate who and where the Officers actually lived. They all had the same address. The books and record keeping provisions ah.. and also their requirements to file the Annual Report and what they have to do whenever they want to dissolve. Now, I don't think that that is a terrible thing to impose on anybody who want to file an application to become a Not For Profit Corporation. And, as I look at the Board, Mr. Speaker, we're five votes short. And, I would certainly appreciate five more votes



to get these Bills out of the House today and over into the Senate."

Rep. Arthur A. Telcser: "The gentleman from Kankakee, Representative Houde."

Thomas R. Houde: "Mr. Speaker and Ladies and Gentlemen of the House, I think that Representative Wolf knows my interest in this subject. And, we had a Commission two years ago and we rendered a report to this General Assembly too. But, I think that we are getting into an area and I'm sorry that I'm late in asking this question. But, if you exempted Religious and Veterans Organizations... Have you exempted Religious and Veterans Organizations from this ah.. series of Bills."

Jacob John Wolf: "Exempted them?"

Thomas R. Houde: "Well, I'm afraid that I'm going to have to vote 'no', even though that I feel that Jake really tried on this series. I think that we ought to move them back to second reading and straighten some of this out. That's not the type of people we're after. When there's a Church out selling tickets from an Ice Cream ah.. ah.. affair and they're going to be required to make reports, etc., or a Veterans Organization. We're after the promoters of major ah.. funds and we're after that type of thing. I.. I.. I regret that I'm going to have to vote 'no'. And, I would hope that you'll bring them back to second reading and we can straighten this out."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representa-



tive Simmons."

Arthur E. Simmons: "In reply to the last Speaker, I believe that the Sponsor did say that it would not affect any existing Organization now. It would just be new Organizations created from now on. And, therefore, I think that that covers the situation pretty well. And, I vote 'aye'."

Rep. Arthur A. Telcser: "The gentleman from Macon, Representative Alsup."

John W. Alsup: "Well, I haven't studied these Bills in detail, frankly, but I have a son who worked for the Secretary of State in this Department. And, from he tells me, we need some tougher Laws or something. And, if you're going to start exempting everybody, again, pretty soon, how if the Department or the Government to know what is going on? I think that a legitimate Enterprise has nothing at all to fear. I think that when you have fake sales of bonds, stocks and bonds, when you have fake Corporations, the store-prop kind to cover up for some reason, everyone should know. Because they operate or fail to operate under the State Laws. And, this causes a tremendous problem. And, I'm in favor of this in general principles. And, I want to congratulate these people who are trying to do something about it."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 93 'Ayes', 34 'No's', and this... Brinkmeier.. 'aye'. And, this Bill having received the Constitutional majority, it is hereby declared passed. Representative Katz, for what purpose do you rise,



Sir?"

Harold A. Katz: "For verification, Mr. Speaker. I'm sorry, but it's an important series of Bills and I think it's ah..."

Rep. Arthur A. Telcser: "Alright, the gentleman has requested a verification of the affirmative Roll Call. Will the Members please be in their seats? Representative Wolf, for what purpose do you rise, Sir?"

Jacob John Wolf: "Before we commence with that, would it be in order to ask for a Poll of the Absentees?"

Rep. Arthur A. Telcser: "Yes, it would, Sir. Will the Clerk first please read the names of the Absentees?"

Jack O'Brien: "Barry.. Brenne.. Calvo.. J. Y. Carter.. Chapman.. Choate.. Cox.. Craig.. Day.. Fennessey.. Flinn.. Gardner.. Garmisa.. Graham.. Hamilton.. Henss.. Hill.. G. L. Hoffman.. Holloway.. Jacobs.. Janczak.. Keller.. Klosak.. Krause.. Lenard.. Lindberg.. Mann.. Markert.. McAvoy.. McDermott.. Meyer.. Murphy.. Pappas.. Philip.. Pierce.. Regner.. Scariano.. Schisler.. Schlickman.. Schneider.. Smith.. Soderstrom.. Stedelin.. J. W. Thompson.. VonBoeckman.. G. Washington.. Yourell.. Zlatnik.."

Rep. Arthur A. Telcser: "Record Representative Brenne as voting 'aye'. Gene Hoffman as voting 'aye'. Okay. Does the gentleman persist in his request for a verification? Two more gentleman went on the Roll Call as voting 'aye', Representative Katz. Three more went on. Do you persist in your request, Representative Katz?"

Harold A. Katz: "Well, I will.... What's the number and what's



the Roll Call as it is now?"

Rep. Arthur A. Telcser: "96 affirmative votes."

Harold A. Katz: "Alright, I'm going to ah.. I will withdraw my request."

Rep. Arthur A. Telcser: "This Bill having received a Constitutional majority is hereby declared passed. The question is, 'shall House Bill 1532 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. Have all voted who wished? Take the record. The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "I'd like to explain my vote, Mr. Speaker."

Rep. Arthur A. Telcser: "Proceed, Sir."

Jacob John Wolf: "Ah.. on this particular Bill is where I had exceptionally fine help from Dave Epstein over on the other side of the aisle, in helping to clarify the language and Amendment No. 4 which we adopted the other day sets forth that... the provisions that the Attorney General, after he makes his study or his investigation, ah.. that he send the notice back to the ah.. Secretary of State. And, if he does not do so within a specified time of 30 days, then the Charter will automatically be issued."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "I'll vote 'aye' on this."

Rep. Arthur A. Telcser: "Record Representatives Telcser and Maragos as voting 'aye'. Lenard.. 'aye'. McDevitt.. 'aye'. Houde.. 'aye'. On this question, there are 89 'Ayes', 15



'Nays', and this Bill having received a Constitutional majority is hereby declared passed. The question is, 'shall House Bill 1533 pass?'. All those in favor signify by voting 'aye', and the opposed by voting 'no'. The gentleman from Cook, Representative Maragos."

Samuel C. Maragos: "Mr. Speaker, I rise in opposition to 1533. Primarily, where it states that the use of the word 'Corporation', 'Company, Incorporated', or 'Limited' should be prohibited because of the fact that it becomes legally impossible to determine whether the Club or any other ah.. nomenclature given to a group would be incorporated or not or whether it has any legal significance. As a Lawyer, I would not like to see the word, 'Company', or 'Incorporated', or ah.. 'Limited' off because it'll bring other legal consequences later on which will be even more drastic than the ones you're trying to cure. And, therefore, I vote against this particular Bill."

Rep. Arthur A. Telcser: "The gentleman from Moultrie, Representative Stone."

Paul Stone: "Mr. Speaker, I think that this is an especially bad Bill. It's always been my understanding that the word, 'Incorporated' has been put in after the name of a Company, so that people when they dealt with that ah.. business would know that their liability was limited. Now, in addition to that, I happen to belong to a few Clubs that are incorporated. And, one of them is the Kiwanis Club of Sullivan, Illinois, Incorporated. And, I think that it's ridiculous that you



could say that the Sullivan Club of Kiwanis, Illinois could not use the name... the word, 'Incorporated' after their name. I am in agreement with the idea behind some of these Bills, but this one is a little..., I think, a little too ridiculous for us to.. to.. to pass at this time."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf, to explain his vote."

Jacob John Wolf: "I'm looking at Amendment No. 1 and it appears to me, unless I'm in error, that we have applied this only to Corporations organized ah.. on or after January 1, 1966."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "Mr. Speaker, in explaining my vote, this is the thing that disturbs me. We're going to have 35,000 Corporations with 'Inc.', 'Limited', 'Company' and so forth. And, for the next ten years at 1,900 a year, whatever the statistic was that Representative Wolf gave this Body, we're going to have Corporations that don't say, 'Limited', 'Inc.' and so forth, so that really we're not going to know fish from fowl, if this is the method that we're going to use to determine ah.. which are the so called, 'Legitimate Not For Profit Corporations' and which are not."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Fleck, to explain his vote."

Charles J. Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House, ah.. the opponents of this particular Bill, I



think, are putting form over substance. It appears to me that this is probably one of the most innocuous of all the Bills in this particular series. And, the reason being is quite simple. Most of your Not For Profit Corporations which have a vast number of Members, your Kiwanis Clubs and your Veterans Groups, already have the use of the 'Inc.', 'Company', or 'Limited' after it. Now, this Bill is directed to the newly organized Not For Profit Groups which ah..,probably, almost to a 100 percent will be smaller groups, will be dealing on a smaller basis and with name, 'Club' or 'Organization' behind their name, I don't think that this is going to create any great problem dealing with this particular ah. Not For Profit Corporations. So, I think this is ah.. putting the Wolf in Sheeps clothes to say that this is a bad Bill."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 79 'Ayes', 34 'Nays' and this Bill having failed to receive the Constitutional majority is hereby declared passed. Lost.. I'm sorry, gentlemen. Well, I tried for you, Jake. The question is, 'shall House Bill 1534 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. The gentleman from Cook, Representative J. J. Wolf, to explain his vote."

Jacob John Wolf: "I just want to point out that that one particular part about the worrying about the Attorney General looking into the books to see if there are phony religious



organizations or the like. Ah.. to satisfy all those people who are worried about that, ah.. of course that particular Section has been struck from the Bill because we feel that the Attorney General has that authority anyway. So, it is superfluous language and it has been deleted, if that's what's keeping a few people from voting."

Rep. Arthur A. Telcser: "Would the Clerk please record Representatives Boyle, Lindberg, Bill Walsh, Springer, Murphy, Duff, Schneider, Tipsword, Telcser, Jacobs, Ray Welsh as voting 'aye'. On this question, there are 96 'Ayes', 16 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. The question is, 'shall House Bill 1535 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the record. On this question, there are 112 'Ayes', 10 'Nays', and this Bill having received the Constitutional majority is hereby declared passed. The question is, 'shall House Bill 1536 pass?'. All those in favor will signify by voting 'aye', the opposed by voting 'no'. The gentleman from Cook, Representative Maragos, to explain his vote."

Samuel C. Maragos: "As you know, I voted favorable on these Bills. I voted against some of them. And, the reason I'm going to vote against this particular Bill is the fact that it's going to be a boondoggle for us Lawyers and C.P.A.'s. Cause every Ma and Pa small Garden Club, every Veterans Administration and every other person who ah.. with Veterans



Clubs are going to have to file a very voluminous type of report. And, here with the Amendments that Mr. Wolf has tried to put in to make sure we don't get that, I still have fears that it will be a very costly thing and it's not going to serve the purposes that it's entitled... ah.. ah.. plans to produce. And ah.., that's why I'm voting 'no' at this time."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative J. J. Wolf, to explain his vote."

Jacob John Wolf: "Well, when we have explanation, Mr. Speaker, I want to point out that the last person who spoke is a hundred percent wrong ah.. because the only people required to file under Sections 4941 and 4943 would be Foundations, private Foundations. Ah.. and those are the... And, what is does... I think Harold Katz had a Bill similar to this ah.. last year which we passed out ah.. referring to it by Sections. And, this just merely makes the Illinois Not For Profit Corporation Law coincide with the Federal Act and spells out those particular Sections regard with self-dealing and taxes on excess business holdings. And, so the rest of the groups would not fall under this particular Bill."

Rep. Arthur A. Telcser: "Does the gentleman from Cook, Representative Katz, seek recognition?"

Harold A. Katz: "Well ah.., since my name was mentioned in debate, would you indicate, Jake, the reason of why you think that ah.. it would serve a useful public purpose for this to be included along with the State ah.. ah.. Annual Report



of the Corporation?"

Jacob John Wolf: "Yes. Well, first of all, it puts our Act in conformance with the... with the I.R.S. Code and it spells out in language, not just referring to Sections 4941 and 43 of the I.R.S. Code, but spells out the language as specifically what it does so you know exactly what it says. And ah... someone erroneously thought that this required them to pay a tax. And, that's not what the I.R.S. Code says. It says that you will be ah.. only ah.... It prohibits self-dealing for one thing is what it does. And, it doesn't prohibit.... Pardon me. It doesn't prohibit excess business holdings, but it says if you do have excess business holdings over and above their criteria, then you'll be taxes on that. And, it just brings our Law in conformity with the Federal Act."

Harold A. Katz: "But, the Federal Government can enforce its own Tax Laws. I just don't see any reason why we need to require it. I'd be very interested in knowing why we need to require it. The Federal Government can handle and make sure their taxes are paid. We don't have taxes. There's not a Tax Bill that does along with this."

Jacob John Wolf: "It was in there because the Attorney General's Office requested it and.. and felt that it would be a great help to them."

Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Carroll, to explain his vote."

Howard W. Carroll: "Mr. Speaker, really by way of inquiry to the Chair. As I look at Amendment No. 2, it refers to an



Amendatory Act of 1971, whereas, the Bill refers to an Act of 1943 and this is '72."

Rep. Arthur A. Telcser: "What... What is your inquiry, Sir?"

Howard W. Carroll: "Is this valid ah.. as a technical Amendment where we're talking about an Act that doesn't exist? Or is it effective? Amendment No. 2, last line. Where the Bill refers to an Act of 1943, I think it is. Yeah.."

Rep. Arthur A. Telcser: "Well, Representative Carroll, it sure has an enrolled and engrossed copy and certainly looks in order to us. Have all voted who wished? Take the record. On this... Representative Wolf, for what purpose do you rise, Sir?"

Jacob John Wolf: "I thought this would be the easiest one to pass out of the series. I'd like to request postponed consideration."

Rep. Arthur A. Telcser: "Alright.. Does the gentleman have leave to put this Bill on the order of postponed consideration? Hearing none, House Bill 1536 will be put on the order of postponed consideration. The question is, 'shall House Bill 1539 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. The gentleman from Cook, Representative Richard Walsh."

Richard A. Walsh: "Well, ah... Ah.. you put the question, Mr. ah.. Speaker, and I didn't hear any explanation."

Rep. Arthur A. Telcser: "Well, we had agreed, as I recall, Sir, that Representative Wolf would discuss all of the Bills, ah.. and then, we would take them on separate Roll Calls."



Richard A. Walsh: "I see."

Rep. Arthur A. Telcser: "But, I'm sure that Representative Wolf has explanation. He would be able to answer any questions you may have."

Jacob John Wolf: "Ah.. Mr.... By way of explanation of vote, ah.. the reason for this Bill is because of the testimony of Lucille Lane, Attorney General's Office. And ah.., with the plan for dissolution they felt that when there is a disillusion of a Corporation ah.. that they would, before they removed the assets to another State, before they dissolve, that there would be some difficulty in the Attorney General's Office of ah.. ah.. being able to enforce it if they move the assets to another State and then dissolve. And so, that's the reason that they thought that it would be ah.. a good idea, if before they dissolve, that they would file a plan of dissolution with the Attorney General's Office ah.. prior to doing so."

Rep. Arthur A. Telcser: "Have all voted who wished? Take the record. On this question, there are 93 'Ayes', 5 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. Oops... Didn't you take that record yet. Take the record. Scariano.: 'aye'. On this question, there are 97 'Ayes', 4 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. House Bill 4593."

Jack O'Brien: "House Bill 4593, a Bill for an Act to amend Sections of 'The Election Code'. Third reading of the Bill."



Hon. W. Robert Blair: "The ah.. gentleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 4593 is an Amendment to 'The Election Code', which would ah.. provide that the Board of Election Commissioners would, at reasonable times, open to public inspection the precinct registration files. Ah.. this seems to be a reasonable ah.. Bill ah.. for the public to be able to examine the.. the ah.. precinct ah.. binders. There was one objection that in the ah.. period immediately preceding an Election, it would not be convenient for the ah.. Election Authorities to open these files. And, Amendment No. 1 that was adopted this week ah.. would ah.. say that, except during the 28 days immediately following the Election, that the ah.. binders would not open for inspection. Ah.. I would solicit your support of House Bill 4593."

Hon. W. Robert Blair: "Further discussion? The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Phil, I understood that you were going to make this apply ah.. both to Election Commissioners and County Clerks."

Philip W. Collins: "I believe that I said that I would accept that. Didn't I?"

Gerald W. Shea: "No. My understanding, I thought, was that you were going to make this apply, you know, both to County Clerks and to the Board of Election Commissioners on a State-wide basis. Ah.. a lot of my fellas, from at least what I



can glean in some of the Downstate Areas, ah.. if you went in and asked to look at the binders, they don't even... they can't hear the question."

Philip W. Collins: "Ah.. Gerry, I did say ah.. that I would accept that and I'll stand by that. Ah.. it's a little late for such an Amendment, but ah.. I certainly would ah.. would expect to ah.. support any such Amendment to the Bill. And ah...."

Gerald W. Shea: "Ah.. will you hold it? We'll get the Amendment."

Philip W. Collins: "Sure."

Hon. W. Robert Blair: "Alright.. Take it out of the record. 3796."

Jack O'Brien: "House Bill 3796, a Bill for an Act relating to Lake Michigan. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Lake, Mr. Kleine."

John Henry Kleine: "Mr. Speaker and Ladies and Gentlemen of the House, ah.. 3796 is a Bill quite similar to 587, which the House passed out last year and sent to the Senate where it had rather short shrifts. The ah.. situation has developed that ah.. through the Members of the Environment Committee on both sides of the aisle, we have made many Amendments. And, I feel that we have a Bill that's in perfect form now. And, I would ask for your favorable support."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Lechowicz."

Thaddeus S. Lechowicz: "Mr. Chairman... Ah.. Mr. Speaker, I'm wondering if the Sponsor would yield to a few questions?"



Hon. W. Robert Blair: "The gentleman from Lake, Mr. Kleine."

Thaddeus S. Lechowicz: "Ah.. Representative Kleine, would you be so kind and ah.. tell us exactly what this Bill does as amended?"

John Henry Kleine: "Ah.. Representative Lechowicz, ah.. there have been many of us in the House that have been trying to ah.. protect the bed of Lake Michigan from the prohibition of extraction of natural resources to provide a ah.. permit system, a trustee, in effect, system that would ah.. make available, if necessary, a petition to the Department of Health, the Conservation Department, the Environmental Protection Agency and the Division of Waterways, now the Department of Transportation. Ah.. this, we think, ah.. ah.. has none of the controversial areas of other Bills that have passed through this House or the Senate. We feel that it is in a protective vein ah.. for just the waters in the bed of Lake Michigan which we're interested in. And ah.., that's what this Bill does."

Thaddeus S. Lechowicz: "John, you remember that when this Bill was heard in Committee, it was pointed out that presently the statutes were stronger than this Bill. And, I was wondering if these Amendments corrected that situation as far as the possibility of weakening the present statutes?"

John Henry Kleine: "Ah.. Representative Lechowicz, this ah.. these Amendments have been worked out ah.. thanks to ah.. the Staff on both sides. I've gone over them with Representative Calvo, who is on our Committee, and I thought that Amend-



ment 6 put everything back into its proper order which is under the Department of Transportation. Well here, we ah.. we do not weaken at all. If anything, we emphasize strictly the.. the effect of the importance of Lake Michigan. And ah... in no other way harm the ah.. Department of Transportation's Bill. In fact, they have themselves ah.. ah.. approved of the.. of this particular Amendment."

Thaddeus S. Lechowicz: "John, I have the Amendment No. 6, which actually rewrites the entire Bill. On Page 2, Line 35, you're eliminating 'the building of any causeway, harbor, or mooring facility for watercraft in Lake Michigan. shall be confined to those areas recommended by the Department and authorized by the General Assembly and approved by the Governor shall be in aid of and not an interference with the public interest or navigation'. Why was that eliminated?"

John Henry Kleine: "It probably ah.. ah.. That was in conflict with the Bill itself. The ah... This ah.. As you know ah.. our Bill does not interfere at all with any construction of Lake waters or the necessary shoreline construction."

Thaddeus S. Lechowicz: "I just wanted complete assurance from you, John, that we're not weakening the existing Law."

John Henry Kleine: "Ah.. In no way, Sir."

Hon. W. Robert Blair: "Any further discussion? Would the gentleman care to close?"

John Henry Kleine: "Mr. Speaker, I merely request your favorable support on this Bill."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House



Bill 3796 pass?'. All those in favor will vote 'aye', the opposed 'no'. Fleck.. 'aye'. Rayson.. 'aye'. Burditt.. 'aye'. Berman.. 'aye'. Hanahan.. 'aye'. Have all voted who wished? The Clerk will take the record. Shea.. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "I wonder if the Sponsor would yield for one question?"

Hon. W. Robert Blair: "Well, it's a little unusual, but he indicates that he will."

John Henry Kleine: "Ah.. Representative Shea."

Gerald W. Shea: "John, this Amendment says, and I'm looking at Page 7 of Amendment 6, 'The Lake Michigan construction regulation and conservation Act', enacted by the 77th General Assembly. Now, was that... Is that this Bill?"

John Henry Kleine: "Ah.. no. The.. The ah.. Under the new Constitution, you know, we're allowed to ah.. amend ah.. the one Bill to the other. Is that what your question is? Do.. Do I understand..... There was, at one time, Representative Shea, a thought that we might.. we might ah.. develop an additional Bill changing amending that particular Bill. However, this by the Reference Bureau and by advice of Counsel, we have ah.. are able to amend, under the new Constitution, this Bill under our Bill."

Gerald W. Shea: "Well, how many.. how many different Acts are we amending by the amended Bills?"

John Henry Kleine: "Well, I'm not certain. I believe there's only one."



Gerald W. Shea: "Well, could you tell me... On Page 7, you refer to 'The Lake Michigan construction regulation and conservation Act', enacted by the 77th General Assembly. And, I know of no Lake Michigan construction regulation and conservation Act' enacted by this General Assembly. Could you tell me what that Bill was?"

John Henry Kleine: "Ah.. Representative Shea, I can not."

Gerald W. Shea: "John... John, my only question is could you pull this out until we find out what we're doing here?"

John Henry Kleine: "Ah.. if it's your pleasure, yes."

Gerald W. Shea: "Thank you."

Hon. W. Robert Blair: "Alright ah.. Take it out of the record. House Bill 4181."

Jack O'Brien: "House Bill 4181, a Bill for an Act to amend 'The Election Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Day."

Robert G. Day: "Thank you, Mr. Speaker and Members of the House. House Bill 4181 provides that where the Electronic Voting System is used, the ballot information may be in a vertical row, the party affiliation of each candidate or the word 'Independent' shall appear immediately to the left of the candidate's name and the names of the candidates for an Office shall be listed vertically under that Office. Now, this Bill does not apply to those Counties that use paper ballots nor does it apply to those Counties or Cities that use voting machines. It's limited to electronic voting. And, the Bill makes it optional with the County Clerk or

the Board of Election Commissioners and to whether they want to list a candidate in the usual horizontal fashion or whether they want to list them by offices ah.. vertically. The reason for the Bill is that there has been so much criticism and complaint where you have a multiple party election and you use the electronic voting system with the IBM cards that you get into a ballot format which has arrows running all over it and it's most difficult and especially for older people to follow those arrows and cast their vote in the way that they would like to do it. This Bill does not make any change whatsoever in the format or in the manner in which you cast a straight party vote. That matter was ah.. either determined two years ago or four years ago. I don't remember which. But, it requires, if you'll recall, that the straight party tickets must be on a separate page. The ah.. The.. The Bill provides that where the candidates are listed vertically under.. under the office that the party affiliation of each candidate must appear to the left of the candidate's name. This is a common sense approach to a ah.. simplified ballot. I think it will greatly facilitate the electorate in casting their vote in a manner in which they wish. Ah.. the Bill does have the support of the County Clerk's Association and it was ah.. recommended by several Election Commissions throughout the State. The same format that's been successfully used in California and ah.. it is also used in Michigan, in some areas of Michigan. It's optional. It doesn't require ah.. this type of format,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

but it ah.. permits it where it will simplify voting. And, I would appreciate your support for this Bill."

Hon. W. Robert Blair: "The gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "Will the gentleman yield for a question, please?"

Hon. W. Robert Blair: "He indicates that ah.. he will."

Rolland F. Tipsword: "Mr. Day, as I understand this, one of the reasons that you're wishing to make this change in the ballot is because there are some situations that might arise when we have five or six parties running, they fear that there won't be enough room on the ballot. Is that correct?"

Robert G. Day: "That's correct."

Rolland F. Tipsword: "And, this does not limit itself to just those situations. They could use this any time they want to and not just the times that the Clerk could, that is, not just the times when he's got that many parties running. Isn't that correct?"

Robert G. Day: "That's correct. It's optional. If he...."

Rolland F. Tipsword: "Would you have... Would you have any objection to just limiting this, the application of this California ballot, to only those times when it's impossible to use the other?"

Robert G. Day: "Well, I wouldn't say that it's impossible to use the present format where you have more than four parties ah.. or more than ah.. ah.. three parties. I wouldn't say that it's impossible, but it certainly ah... This format



makes it much much clearer, much easier for the voter to cast his vote. And ah.., the reason it's optional is because, if you do have a situation where you only have two parties, ah.. then the County Clerk could go back and use the.. the present format."

Rolland F. Tipword: "But, he doesn't have to."

Robert G. Day: "He doesn't have to as the Bill is now drawn."

Rolland F. Tipword: "And, I take it then that you would object if this Bill were in such a condition and he would only have to go to the California ballot whenever ah.. it is required to.. to ah.. because of the numbers of candidates."

Robert G. Day: "Well, I would certainly have no objection to limiting the format which is provided for by this Bill, let's say to a situation where you have more than two parties. The problem arose when we had four ah.. ah.. two years ago. And ah.., it's confusing, believe me, it's very confusing when you have four. So, you then would have a choice of saying, well, either two or three, as I understand is what you're suggesting. And ah.. I.. I would have no objection to that. The Amendment which makes it optional ah.. was ah.. ah.. suggested by the County Clerk's Association."

Rolland F. Tipword: "Mr. Speaker, may I address myself to the Bill, please?"

Hon. W. Robert Blair: "Proceed."

Rolland F. Tipword: "I personally have an aversion to the California type ballot. I can remember the type and kind of situation that we used to always experience in the news when



California had an election. It was always a very confused and very ah.. disturbed election,.. an election result, generally from California. And, it was always so different. It was always very newsworthy and we heard about it. I have no objection to providing that kind of authority to our County Clerks, to give them the authority to continue to use our electronic voting devices in the Counties wherein those devices are used or may hereafter be used, and to use the California ballot system, when there are such great numbers of parties and great numbers of candidates that they can no longer follow the system that we presently provide in our Law. I would suggest to the Members of this House that they should, perhaps, take a little look at the... at the suggested type of ballot that you would have on an electronic voting device that have been made available to us, either on our desk or through the mail. I know that I've seen it and I think that it's been widely disseminated. It's very difficult to find who's running in what party on that ballot. Ah.. you have to look very carefully. And, I would suggest that it's going to be especially important to the those who are running for the House of Representatives in the State of Illinois. Now, I agree that we have to give the County Clerks some help. And, I would be more than pleased to help them whenever the ballot is required. But, I would prefer not to leave it just to their whim to use the California System or the Illinois System whenever they would desire to do so, even though there aren't an unusual



number of people running or an unusual number of parties which would require they go to this California System to be able to use the punch card in the electronic device. I'm sorry that.. that the thought of.. of making this an.. a device that can be used only when there are so many parties or so many candidates that the Illinois System would not work, did not come to my own head until just the last day or two after we'd been beyond second reading. I had worried about this Bill for quite some time. And, it appears to me that this might give and should give the Clerks the.. the kind of help that they would need on those electronic voting devices if it were so changed. Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Peoria, Mr. Tuerk."

Fred J. Tuerk: "Mr. Speaker and Members of the House, I rise in support of this legislation. This is the type of legislation sought by many County Clerks and Board of Election Commissioners across the State in an attempt to bring, to give them some discretion to present the ah.. ah.. electronic ballot in an orderly fashion, and an orderly ballot and bring some organization into a ah.. position. And, eliminate the possible chaotic situation when you have, as the Sponsor of this Bill indicated, a number of parties represented on the ballot. I think the thrust of this legislation is to eliminate confusion, give the voter an opportunity to cast enlightened ballot and allow the electronic voting areas to keep the books, the books to a minimum, and present the



ballot in an orderly fashion. I would urge your support of this particular Bill."

Hon. W. Robert Blair: "The gentleman from Peoria, Mr. Carrigan."

James D. Carrigan: "Mr. Speaker and Ladies and Gentlemen of the House, the only thing that I would like to add at this point is that you will receive the heartfelt thanks of those precinct judges who have to work on these ballots in their present form. I think that it's good legislation and I ask your support."

Hon. W. Robert Blair: "The gentleman from DuPage, Mr. Hoffman."

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question."

Hon. W. Robert Blair: "Alright ah.. All those in favor of the gentleman's motion say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Peoria, Mr. Day."

Robert G. Day: "Well, Mr. Speaker and Ladies and Gentlemen, this Bill was heard in Elections Commission and passed the Elections Commission unanimously. In discussing the problem with some County Clerks and Election Commissioners, they have told me, frankly, that if they have five or more parties represented on the ballot this Fall, it would be a physical impossibility to handle this thing with the electronic system. And, they would have to go back to the old paper ballots. And, I think those who have become accustomed to the electronic voting system would certainly not want to see this. I would have no objection to discussing this further with Representa-



tive Tipsword ah.. and the County Clerk's Association because I do feel that I have a commitment to them. They were very helpful. With the idea in mind that, perhaps, we could restrict this situation where we have more than ah.. two parties represented. And, if that would be agreeable, ah.. such an Amendment could be put on in the Senate. But, it do think that it is badly needed ah.. Downstate where we have the electronic system. I think that it is ah.. ah.. a worthwhile Bill which will certainly simplify the election procedure. And, I would appreciate your support."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House Bill 4181 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 98 'Ayes', and 7 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. We ah.. just had a call from Representative Pete Pappas and ah.. he advises that he'll be back on the floor at Noon tomorrow. 4208."

Jack O'Brien: "House Bill 4208, a Bill for an Act to amend 'The School Code'. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Lawrence, Mr. Cunningham."

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, I am loath to say that this Bill merely does, rather I would use the language of my friend, Harold Katz, and say that it's grand legislation in a tradition. But, all the Bill does is bring the voters residency requirement in conformity with



the Supreme Court decision of thirty days. I know of no organized opposition. I would appreciate your affirmative vote."

Hon. W. Robert Blair: "Discussion? The question is, 'shall 4208 pass?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 102 'Ayes', and 5 'Nays', and this Bill having received a Constitutional majority is hereby declared passed. 4588."

Jack O'Brien: "House Bill 4588, a Bill for an Act relating to Counties. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. DiPrima."

Lawrence DiPrima: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4588 gives the Health and Hospitals Governing Commission of Cook County the authority to appoint persons to be Members of the School of Nursing, Cook County Hospital and Oak Forest Hospital Security Police Departments. Members of such Security Police Departments shall be Peace Officers, and as such, shall have all the powers possessed by Policemen. Such Police Powers shall be exercised only when required for the protection of the School of Nursing or Hospital Properties. I would appreciate your support."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Regner."

David J. Regner: "Ah.. Mr. Speaker, would the Sponsor yield to a question?"

Hon. W. Robert Blair: "He indicates he will."

Lawrence DiPrima: "My Co-Sponsor will take over. Moore. Thro



a heavyweight at ya."

David J. Regner: "Is.. Is the Co-Sponsor ah.. Representative Moore?"

Hon. W. Robert Blair: "Yeah.. He.. He indicates he'll yield."

David J. Regner: "Well, either the Sponsor or ah.. the substitute. I was wondering are these Civil Service or Non-Civil Service appointees?"

Don A. Moore: "No.. No.. These are Civil Service ah.. The status of the Civil Service Policemen now will remain the same. They are Civil Service, Representative Regner."

David J. Regner: "Ah.. Also, what qual.. what qualifications would these Officers be required to have?"

Don A. Moore: "The.. The Civil Service Exam that is given by the Hospital Governing Commission."

David J. Regner: "Well, none.. none regarding ah.. Police Training or anything like that?"

Don A. Moore: "Well,... This is.. would be left up to the Chief of Security of the three Institutions. And, there is also a Chief of Security for the entire Commission. Their Training Programs andsoforth ah.. would come forth under that. There would be no additional cost to the ah.. taxpayers, because it would be matched by 75 to 100 percent of their training andsoforth by the 'Law Enforcement Training Act'."

David J. Regner: "Also, I was wondering why.. why does the Bill permit them to exercise the Police Power any where within Cook County if ah.. requested by Local Law Enforcement Officials. It seems that we're doing is creating a ah.. an



Auxiliary County Police Unit ah.. but not one subject to any specific ah.. qualifications, rules or regulations of a regular Police Department."

Don A. Moore: "Ah.. to answer the question, it would be an example such as in the Village of Oak Forest. Let's assuming there was riot or something that erupted in the Village of Oak Forest, the Chief of the Oak Forest Police Department could request the assistance from the Security Police Department of the Hospital. And, in order to come in and assist, we would just put in solely to, as ah.. ah.. an assistance to the local municipalities in the event was needed."

David J. Regner: "Well, I'd just like to make a few comments on the Bill, Mr. Speaker. In the 76th General Assembly, when we passed the legislation creating a Department of Law Enforcement and splitting off into the Department of Safety, and so forth, also, along with that series of Bills, we passed legislation doing away with the old Vigilante Law in the State of Illinois. And, the way I see what we're doing with.. with ah.. ah.. legislation such as this, with auxiliary Police Departments, with ah.. all the authority of Police Officers and not really mandated for the training required under ah.. under ah.. other legislation for local Police Forces and that. We're creating another Vigilante Force ah.. the same as we abolished just two years ago. And, I would urge a 'no' vote on this particular piece of Legislation."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Meyer."

J. Theodore Meyer: "Representative Moore, is the Digest cor-



rect when it says that these are Non-Civil Service?"

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Moore."

Don A. Moore: "I.. I don't know. Maybe the Digest may say that. But, it says the Hospital and... or 'Health and Hospital Governing Commission of Cook County subject to the applicable Civil Service Law'. So, if the Digest does say, 'Non-Civil Service', then the Digest is in error. These are definitely Civil Service ah.. positions. The qualifications are set forth ah.. by the Commission as far as training, experience, past police experience, andsoforth. They are Civil Service positions ah.. and they are not.. not... They are not patronage jobs, in other words, Representative Meyer."

J. Theodore Meyer: "Just a comment. Conceivably, the Hospital Commission may not have ah.. the enabling legislation to create these Civil Service positions."

Don A. Moore: "No. They have... They have the authority for... They have their own Security Departments now. The only thing is, the Members of the Security Department do not have Police Powers. We have had many cases, I know at Oak Forest where our Security Forces would go in and attempt to disarm people who have guns, knives, andsoforth, they are unarmed. They can not make an undue arrest. Ah..it has created a real problem. And, it is for this reason, in order for the protection of the patients as well as the property, that the Security Departments of each of the three Institutions have Police Powers while on duty, while on their own property. So, they can make arrests. So, they be armed, if necessary



in order to protect themselves and the patients in the Hospital and the Nurses in the Nurses' Quarters."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Palmer."

Romie J. Palmer: "Yeah.. if the Sponsor or.. the Co-Sponsor will yield for a question or two? Ah.. Don, the front part of the Bill and also the Digest indicates the authority within the ah.. Cook County Health ah.. and Hospital Governing Commission to make ah.. Non-Civil Service ah.. Security Police appointments. Yet, the Bill itself states ah.., on Line 11, that they may appoint... I'm sorry. Line 10, 'Subject to the applicable Civil ah.. Service Law, may appoint, etc.' Ah.. is the... Did you say that the synopsis is wrong?"

Don A. Moore: "I'm... I'm sorry, Representative Palmer, I didn't hear your last statement."

Romie J. Palmer: "Did you say that the synopsis then is wrong?"

Don A. Moore: "I would say that the synopsis is wrong. What will happen in this case is that the Chief of Security, let's say at the Oak Forest Hospital, designates his present Security Police Officers to carry weapons andsoforth, he may do so. The onus is going to be on him. All of the Security ah.. Members of the Security Police Departments at these three Institutions may or may not be given the Police Power. This is going to be up to the Chief of each of the three Institutions depending upon their training or additional training they may need. That's why the word 'may' is in there so that the Chief of Security of each Institution does have the option to decide who is going to have these Police Powers



and who is not."

Romie J. Palmer: "Ah.. one other question ah.. I would assume that the ah.. Oak Forest or the Governing Commission has the ah.. Civil Service Regulation in effect now which provides for ah.. at least a Civil Service Regulation Resolution or an Ordinance."

Don A. Moore: "Yeah.. That is correct. We enacted that ah.. at the same time when we created a Commission, I believe, last Session. They are... They have a complete Civil Service setup out there now."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "The County Governing Commission doesn't really have a Civil Service Law. Do they? They have a merit system."

Don A. Moore: "No. It's a Civil Service Law."

Gerald W. Shea: "Well, I.. I think you ought to look. I think we said it was... 'The Pension Code' was the same as the Civil Service Law, but they've got a merit system."

Don A. Moore: "Well, I don't know. I know that there's a series of exams that are set up."

Gerald W. Shea: "Yeah.. That's all internal."

Don A. Moore: "I beg your pardon."

Gerald W. Shea: "It's all internal. There is no Civil Service Law there. It's a merit system. As I read this, there is absolutely no limit on the number of.. of people that they could hire. So, they could hire a Police Force of a thousand people?"

Don A. Moore: "Well, I imagine if they had the money and the



County Board approved it, why they.. they could hire a thousand people. Yes. I might add, Representative Shea, that when this Bill was put in last year or two years ago, I was the Sponsor of the Bill and, at that time, the County Board, who had jurisdiction of these Institutions, were in favor of this particular Bill as far as granting Police Powers to their Security people."

Gerald W. Shea: "Well, Don, I.. I.. I like the idea but what bothers me is when we get down a little further. Let's say that we have a thousand Police Officers and then, as I read this, they've got all the Police Powers that a Sheriff has got and they can operate within Cook County as a State Law Enforcement Official. I don't know who that would be, but the Director of Conservation is a Law Enforcement Official, so the Director of Conservation could get a thousand Deputy Sheriffs in Cook County to go out and enforce the Ordinances of the City of Chicago."

Don A. Moore: "If they.. If they were requested to. If there was a reason, I don't think that...."

Gerald W. Shea: "Well, I know. But, I.. I.. just. I don't want a Hospital Guard being requested by, let's say, the Head of the Department of Conservation, to be going out and enforcing the City Ordinances of the City of Chicago."

Don A. Moore: "Well, I don't want that either. But, on the other hand, if the Sheriff of Cook County arrived at a problem where there was a riot or disturbance in the vicinity, say of Oak Forest or in the vicinity of the County Hospital, whereby



additional personnel... Police Personnel were needed, he could request the...."

Gerald W. Shea: "There's a fella named Woods up in Cook County, who.. who is pretty good about showing Sheriffs how to get the additional people. And, the Sheriff can get them if he needs them. So, I ah.. I just wonder if you.. you might want to ah.. do a little redrafting on this Bill before it's called. Cause I..."

Don A. Moore: "Well, as far as the... If it would ah.. remove objections ah..'that within Cook County, when officially requested by appropriate State of Local Law Enforcement Official' to be stricken, I would have no objection. Ah.. the main thing we want is Police Powers on the grounds, in the buildings of these three Institutions..."

Gerald W. Shea: "That I can understand. But, it goes a little beyond that."

Don A. Moore: "Well, if you would desire that, I would have no objection to amending it in the Senate and striking that last... that part of the last two lines, Gerry."

Hon. W. Robert Blair: "Further discussion? The gentleman from Cook, Mr. Katz."

Harold A. Katz: "Would you explain why they don't use the ah.., you know, public officials, why you have to have Security Guards. I was listening to Mr. Regner's comment and it seems to me to make sense not to have private groups. Why do they need to use private groups? And, why can't they use public ah.. Law Enforcement Officials for purposes of security."



Hon. W. Robert Blair: "The gentleman from Cook, Mr. DiPrima."

Lawrence DiPrima: "Mr. Speaker, I'd like to have this Bill taken out of the record for some consultation."

Hon. W. Robert Blair: "Does the gentleman have leave to have the ah.. Bill taken out of the record? Alright.. 4440."

Fredric B. Selcke: "House Bill 4440, a Bill for an Act to create orphan lands Reclamation Act. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker, I request leave to have House Bills 4441, 42 and 43 to be considered with 40 inasmuch as they are companion measures."

Hon. W. Robert Blair: "Does the gentleman have leave? Alright.. Read those three Bills."

Fredric B. Selcke: "House Bill 4441, a Bill for an Act to amend the 'Civil Administrative Code'. House Bill 4442, an Act to amend Section 1.02 of an Act to regulate the supervision of County Buildings and control of all State-owned property, andsoforth. Third reading of the Bill. 4443, an Act to amend Section 5 of an Act in relation to State Finance. Third reading of the Bill."

Hon. W. Robert Blair: "The gentleman from Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker and Members of...."

Hon. W. Robert Blair: "For what purpose does the gentleman ah.. from ah.. Marion, Mr. Stedelin, rise?"

Harold D. Stedelin: "Mr. Speaker, I don't object to having them called together, but I'd like to have them explained



individual and individual Roll Calls."

Hon. W. Robert Blair: "Alright.. Is there.. Does the gentleman care to pursue that? Is that alright? Okay. The gentleman from Stark, Mr. Nowlan. Proceed with explanations... 4440."

James D. Nowlan: "Mr. Speaker and Members, as motorists drive in Central Western or Southern Illinois, they often drive past lands scarred many years ago by the strip mining and ask why can't something be done about those barren lands. In 1971, this General Assembly passed, what I believe was a strong and responsible 'Surface Mine Reclamation Act', which is prospective in that all lands to be affected from this point forward must meet dramatically increased reclamation requirements. And yet, inasmuch as ipso facto legislation is not allowed, we can not require of landowners a reclamation of lands stripped years ago when we had not imposed a reclamation requirement. This series of four Bills would create an 'Orphan Lands Reclamation Act', which would empower the Department of Mines and Minerals which administers our reclamation activities to enter into agreements with private owners of lands which have been stripped in the past and for which there were no reclamation requirements for the purpose of jointly reclaiming that land to a higher use. I would point out that of the 165,000 acres of land of surface mines to date, many of those acres have been reclaimed to a productive use. Many others, let us say 20 to 50,000, lie barren and do not have a productive use. And, it is these



acres about which I am addressing myself. And, through this Act, we would be able to turn, for example, through our Department if there were resources available within that revolving fund to be created. To a farmer whose land was mined under a Mineral Lease Agreement and which land reverted to his use after the mining and for which he does not have any capability for upgrading the land and say, 'We will work with you to bring this up to a more productive use, whether that be recreational, homesite or agricultural. But, there will be no windfall benefit to you in that you would, through this agreement, be required to pay back to this revolving fund that difference between the fair market value of the land independently appraised prior to the reclamation work and the fair market value independently appraised upon completion of that reclamation work. So, that the resources used would be able to go back into the revolving fund for future use'. House Bill 4440 creates 'The Reclamation Act' and empowers the Department of Mines and Minerals to enter into such agreements. House Bill 4441 simply adds to the powers of the Department of Mines and Minerals in the 'Civil Administrative Code', the power to carry out this Act. And, House Bill 4442 provides that the Department of Mines and Minerals may, if it desires, purchase lands for reclamation, and then, resell the lands after completing reclamation. House Bill 4443 simply creates a revolving fund into which monies such as, hopefully, a Federal Grant from the Environmental Protection Agency could be deposited



for the purposes of carrying out the Act. It is the case that there are abandoned lands in Illinois for which no one is responsible which pay no taxes to Local Governments. There are other lands which are owned by persons who don't have the capability of reclaiming the land for which reclamation could be accomplished. I contend that this would be a means of giving to the Department of Mines and Minerals the capability for entering into agreements with private owners to upgrade land without windfall to any one, except to the larger public who feel that this is a belated way of meeting a commitment to the land, a basic resource which supports its own, not only agriculturally but in terms of the space it provides for our needs, a commitment that we failed to meet years ago in not having required the reclamation of these lands. There is no appropriation within these four Bills. It simply creates and authorizes. And, I contend that this enabling legislation is important for this State as a commitment to regenerate the values of land which were scarred many years ago. The Bill came out of the Conservation Committee unanimously with a nine to nothing vote. And, I ask your favorable consideration of these measures."

Hon. W. Robert Blair: "The gentleman from Macon, Mr. Borchers."

Webber Borchers: "Ah.. Mr. Speaker and Fellow Members of the House, I ah.. am not going to take a position on this. But, I'd just like to say that I have been in Southern Illinois and in Northern Illinois and there are some areas that are strip mined quite some time ago. There's a lot of under-



growth that has grown up in this area. It was filled with birds. There were ah.. good fishing in some of them. And, ah.. although I won't say that I'll oppose this, I'm not too sure that we're making the right move. Nature is recovering this land in its own way. And, the land that I've seen is in its own way and we have in this land, in a sense, a natural reserve ecologically, in fact, in a way, a reserve of land that is reverting to ah.. the wild in relation to birds, plant life and fish. I think that we ought to be just a little bit cautious before we get carried away on some of these things. And, even, perhaps, and it's just a suggestion, perhaps, the Commission should go and look whether this is a logical thing to do before we do it."

Hon. W. Robert Blair: "The gentleman from ah.. ah.. Cook, Mr. Simmons."

Arthur E. Simmons: "Will the Sponsor yield to a question?"

Hon. W. Robert Blair: "He indicates he will."

Arthur E. Simmons: "Ah.. I believe that the Amendment had been adopted and reduce the possibility of going above the appraised value of the land. And, my question is this. In the event that the property has ah.., being acquired through eminent domain and condemnation, and that it goes into Court and a jury finds that ah.., in their opinion, that the ah.. appraisers have not been fair in their appraisals and indicate that ah..the State should pay ah.. more than the appraised value. Then, with the enactment of this Bill, they would not be able to do it. Is that correct?"



James D. Nowlan: "Ah.. Mr. Simmons, by Amendment, we have ah..
stricken the authority of eminent domain. So, there is no
power of that in here. That was...."

Arthur E. Simmons: "I.. I.. I read that it is in Section 4."

James D. Nowlan: "There... There was an Amendment adopted
earlier today, Sir."

Arthur E. Simmons: "That was Amendment No. 2. Is that right?"

James D. Nowlan: "That is correct, Sir."

Arthur E. Simmons: "Well, it says in Amendment No. 2, it says
ah.. Line 10. I understand. It takes out the eminent do-
main process. Is that correct?"

James D. Nowlan: "That is correct, Sir."

Hon. W. Robert Blair: "The gentleman from ah.. ah..Kane, Mr.
Waddell."

R. Bruce Waddell: "Mr. Speaker, would the Sponsor yield to a
question or two?"

Hon. W. Robert Blair: "Yes. He indicates he will."

R. Bruce Waddell: "It seems to be that some years ago, we had
enacted in the ah.. Laws of the State of Illinois ah.. the
fact that the Conservation Department shall ah.. have trees
available and that strip miners per se were supposed to re-
forest that land. Is that still in effect?"

James D. Nowlan: "There was a requirement ah.. of 1961 and
amended in 1965 which ah.. required minimal reclamation.
There were probably 60,000 acres of land surfaced mined be-
tween the 1890's and 1961 when that first Minimal Act took
effect. I would concur with Representative Borchers that ah..



much land has been reclaimed for what has become very valuable recreational and wildlife purposes. In Henry County in my District, we have the Giant Goose Recreational Area which is on land that was surface mined and which is supporting wildlife. And yet, I can show Representative Borchers ah.. many acres which have for fifty years laid barren without any greenery growing and without the capability of supporting any life whatever."

R. Bruce Waddell: "Is there anything in your Bill that sets up a formula. For example, so many acres to ah.. to go to conservation purposes versus so many acres to agriculture, this type of thing?"

James D. Nowlan: "No. But, there is created an Advisory Council ah.. with membership from Conservation, Mining, Governmental Agencies, Agriculture, State University ah.. which would serve to provide the.. the technical input that would seek out the productive use most valuable for a given area."

R. Bruce Waddell: "Mr. Speaker, I would like to speak to the Bill."

Hon. W. Robert Blair: "The ah.. gentleman from Kane, Mr. Waddell."

R. Bruce Waddell: "It would seem to me that the logical approach, without going back to some Commission, multitudinous Commissions, Committees and so on and so forth, that we could logically, and if the Sponsor would so conceive, get back to the place and amend this to where we would be assured that the conservation aspects would be guaranteed. Because,



if we put this back purely to agricultural use, I suggest to you that we are just going to add to the overburden of grain in grain bins in storage, cost upon cost. And, I don't think that we're going to accomplish what we want to. I suggest that this land be properly used in Conservation purposes. And, again, to be held in perpetuity and to be used at such times that it became necessary and that we did not have these surpluses, I think, that this then would be a more proper approach. Thank you."

Hon. W. Robert Blair: "The gentleman from ah.. Marion, Mr. Stedelin."

Harold D. Stedelin: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill is not without some merit. Now, I agree that in the Conservation Committee, I did vote do not pass or do pass. But, in my firm conviction after reading this Bill over thoroughly which I did not have time before, that this Bill is of too big of magnitude to bring up in this abbreviated Session. And, I think that we should do a lot of studying. Now, Representative Nowlan has been wonderful on that and the Amendments. He's worked and worked fine. But, there are many more Amendments to be added, many questions to ask. For instance, to be clarified, what is orphan land? I looked up in the dictionary to find the meaning of orphan and found a child deprived by death of one or both parents. Also, a very young animal who has lost his mother. Yet, nothing in the world about land. What, then, is orphan land? Maybe land that has no owner. Yet,



these Bills will use, and remember, will use tax money. I don't care whether it's State or Federal or what it is, to reclaim land that is still under the ownership of an individual of a Corporation. So, I maintain, why should we, the State of Illinois and the taxpayers, pay the property owners to reclaim land that the owner tore up for profit. Besides, this can not be a paying program or it can not be a revolving fund. It many areas where this land.. reclaimable land is, the best land, that land that has not been mined... that has been mined is selling today for \$120 to \$200 dollars per acre: I cost at least, and let me remind you, Ladies and Gentlemen, this would be for conservation alone. For agriculture, it would be far more, at least \$400 dollars an acre to reclaim that land, not counting what the State will pay for this. Or, it will cost you and I and the taxpayers of this State approximately \$200 dollars an acre to reclaim this land. If we were in need in this State of more farm land, then, this Bill would have some merit. I checked on this and the following figures were correct as they came from the A.S.D. Office in the State Department of Agriculture. Now, remember, this is in this State and this State alone. Now, in a Wheat Program and a Grain Program, these programs are to pay to keep land out of production. Here are the following figures: In a Wheat Grain Program, there are now kept out of production 377,347 acres. And, in the Feed Grain Program, there is a total of 2,806,935 acres, there is a total, remember, a total acreage that has been



paid to keep out of production in this State now of 3,184,284 acres. Again, I ask why then should we, the taxpayers of this State or this State, pay to keep this land out of production? Ladies and Gentlemen, I think that we're coming to a time when we ought to start to thinking about a saving on taxes, not adding more. And, I do not believe that this Bill being passed would be a political advantage to anybody. There is some merit. There may be some land to be reclaimed, but any land now that is still barren from acid, you can not reclaim that in any other way but acid. But, as Representative Borchers says, nature will reclaim that when that leaches out. But, until then, remember, this new Law that we have places the land so it can be. But, all of that overburdened is mixed together and you will have that acid clear to the bottom. So, I ask you at this time, let's defeat this Bill and, at least, hold it over to where a Commission or something could be formed to study. There are many, many questions to be answered. And, I beg that you defeat this Bill until a further time. Thank you."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Schlickman."

Eugene F. Schlickman: "Mr. Speaker, will the Sponsor yield to a couple of questions?"

Hon. W. Robert Blair: "He indicates he will."

Eugene F. Schlickman: "Representative, in the Bill it provided that the State shall pay no more than 100 percent of the appraised value and should not sell for less than 80 percent of the appraised value. Now, who conducts the appraisal?"



James D. Nowlan: "This appraisal would be made by ah.. independent appraisers."

Eugene F. Schlickman: "You're suggesting this is what may be the practice. But, that isn't what is required by this Law... or Bill."

James D. Nowlan: "It is required in Amendment No. 1, which ah.. is stated on Page 3, Line 18, 'As determined by independent appraisal'. That language is added throughout."

Eugene F. Schlickman: "Alright... I don't have the Amendments here, but I would like to pose a second question. When the land has been purchased by the State to be reclaimed for a specific purpose, it may than be sold to a private interest with no restriction as to the purposes or use for which the property may be subjected by the private owner. I would inquire as to whether or not an Amendment was added ah.. to provide that.. the purchaser of the property, the private purchaser is restricted in his use to the reclaimed purposes."

James D. Nowlan: "No, not by Amendment. It is required that if any of this reclaimed land were.. were sold or turned over to another unit of Government such as a Local Unit of Government, they would be required then to use it for a specific purpose. But, if ah.. if it were returned to a ah.. recreational or a homesite development type of use and sold to ah.. private ah.. ownership, I think that it would be natural that that purchaser paying for that land would use it ah.. for the purpose for which it was reclaimed. And, the benefit to the ah.. Local Units of Government would be ah.. in the



increased ah.. assessed evaluation of that land."

Eugene F. Schlickman: "Mr. Speaker, in addressing myself to the merits of the Bill, I have one reservation. And, that is the absence of a restriction on the use that could be made of the reclaimed property by a private purchaser. And, furthermore, the rather limited restriction of twenty years by a Governmental Unit that would acquire the property through gift. I would suggest, Mr. Speaker and Members of the House, that if we're truly interested in Conservation and of reclamation of this land for the maintenance of open space or for other ends of a similar sort, that the restriction should not be 'nothing, 20 years'. It should be 'perpetual'."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Kosinski."

Roman J. Kosinski: "Mr. Speaker, will the Sponsor yield to a couple of questions? Mr. Nowlan, had this land not been desecrated, would it ecologically have been classified as in need of development?"

James D. Nowlan: "No."

Roman J. Kosinski: "The development of these lands, besides serving land itself, will it serve some useful purpose to peoples?"

James D. Nowlan: "That is what we hope is the purpose of the use of all land."

Roman J. Kosinski: "Specifically, in this instance, what is the indebt of service to peoples?"

James D. Nowlan: "As Representative Waddell pointed out earlier, there are many types of reclamation which can be accomplished



ah.. land which has been strip mined. It might be for recreational and wildlife development which would ah.. be of great value to those of us who like to hike and to fish and hunt. It might be for homesite development in that there are good water impoundments formed as a result of some stripping operations. It might be, in some instances, if the land is ah.. not of productive value and ah.. it might be returned for agricultural purposes, pasturage, for example. And, if this increased the evaluation of the land, it would not only be of benefit to future generations for that purpose but also to Local Governments ah.. in increased tax revenues."

Roman J. Kosinski: "Has it been the habit of this State to let private industry injure land and then purchase that land for reclamation with tax dollars?"

James D. Nowlan: "There are no tax dollars involved in establishing the authority of the State to cooperate with private owners of land in reclamation. I contend ah.. that it ah.. it is better to cooperate than to use the heavy hand of Government to step in and.. and take over, especially with the protections that there would be no windfall benefit to ah.. private owners."

Roman J. Kosinski: "Did I understand you to say that no tax dollars are.. are involved in this reclamation?"

James D. Nowlan: "There is.. There are no tax dollars involved in these four Bills. It is hoped that if we can give the authorization to the State to enter into these agreements, much as the Metropolitan Sanitary District has entered into



agreements with landholders in Fulton County in Western Illinois for the purpose of depositing sewage sludge for the improvement of lands in that area, that ah.. we would hopefully be able to receive from the Federal EPA ah.. anywhere from a half million to one and three-quarter millions of dollars which have been allocated to Illinois for ah.. demonstration projects in the coming fiscal year. As a result of our 1971 Reclamation Act, we dramatically increased the permit fees charged to mine operators for mining each acre of land, increased from about \$5.00 per acre up to \$25.00 an acre. This means that into our general fund now goes annually about \$200,000 dollars which monies, I contend, ah.. could be ah.. allocated, in part at least, for reclamation of lands which were affected years ago and which we have allowed to remain barren."

Roman J. Kosinski: "In the State's thinking, would you say that this has a high priority for expenditure or a low priority?"

James D. Nowlan: "I contend that the State of Illinois should be given authority to enter into agreements to see what can be done with lands which are determined to be of no productive value or of very little productive value to increase that value for the purposes noted earlier. And, if Demonstration Project Funding is available through the Federal Environmental Protection Agency, that this type of grant money should be used for the improvement of such lands. The grant money will not go for any other uses."

Roman J. Kosinski: "Is it then the lure of Federal money that



has caused these Bills?"

James D. Nowlan: "It is certainly not. It is a commitment to regenerate the value of lands which were desecrated decades ago and for which this General Assembly, in those years gone by, failed to meet its responsibility to require reclamation. Something that we are requiring from this point forward."

Roman J. Kosinski: "Thank you, Mr. Nowlan."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Palmer."

Romie J. Palmer: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor of the motion to ah.. the previous question say 'aye', opposed 'no', the 'ayes' have it and the previous question has been moved. The gentleman from Stark, Mr. Nowlan, to close."

James D. Nowlan: "Mr. Speaker, in a very brief conclusion, I would contend that this is a modest proposal to give authority to.. to our land reclamation section of the Department of Mines and Minerals, the capability for entering into agreement with private owners of land, many of whom are farm owners whose land was ah.. was affected by mining and returned to them after the mining for which they have no capability for reclamation for the purpose of upgrading the land to any of a number of uses, recreational, wildlife, agricultural. And, this modest authority would be of great value to the people of Illinois. And, I ask your favorable consideration just as it received unanimous consideration in Committee."

Hon. W. Robert Blair: "Alright.. The question is, 'shall House



Bill 4440 pass?'. All those in favor will vote 'aye', and the opposed 'no'. The gentleman from Macon, Mr. Borchers."

Webber Borchers: "Ah.. Mr. Speaker of the House and Fellow Members, I hate to oppose the idea. It's good. But, let's just take some land, it has been strip mined maybe seventy years ago, it's covering itself, there it lies. Now, the farmer, if he keeps it, is paying taxes on it now. If it is recovered or an attempt is made theoretically made to recover it now, you completely open up again all orr, the leaching of the soils. It doesn't recover. It puts it further behind. Now, if a farmer doesn't want to own this land and let it revert to just a.... he's never reclaimed it and let it revert through taxes to the State, there's no taxes being paid on it now, so the Conservation Department takes the tax... recovers the land doing what I've just said it does to it. And, there it lies again, still not being taxed. Now, this land can not be recovered and put into agriculture short of many, many years. Now, it's already recovering itself. We're having increasing population. The areas are now being developed. We have, as Jim stated here, beautiful fishing areas in some of these areas. They would leave us an ecological reserve throughout the State of Illinois that we may well want to keep as it is. And, here we're spending money for something that brings us nothing whatsoever. There will be no additional taxes come in. There will be no additional advantage whatsoever. All we're doing is creating more Government bureaucracy and control that would be well



enough left alone. I hate to oppose it, but this is exactly what's going to happen."

Hon. W. Robert Blair: "The gentleman from ah.. Madison, Mr. Calvo."

Horace L. Calvo: "Mr. Speaker, Ladies and Gentlemen of the House, I would ah.. like to add a few remarks in explaining my vote to what my ah.. friend, Representative Borchers just said. I'd like to broaden those remarks just a little bit. We've got a situation here that's.. that the result would be good if we went about it the right way. The problem we have here is we're taking land that is not under the reclamation Act prior... land that was destroyed prior to that by strip mining and we're going to say to the taxpayers of the State of Illinois, 'Now we're going to tax you and we're going to use your money to put this land into better shape. And, make it better property, but still not subject to taxes and not on the tax rolls'. Now, this just isn't the way to do this. There is a... There is an answer to this and we've been using it. We've got a good Reclamation Act now and, perhaps, it could be improved somewhat. But, the people that should pay for this is the miners, the people who put the land in this shape to start with, the mine operators, not the general public and not the taxpayers. Sure, those who use coal are ultimately going to have to pay. But, that's just the way it works and the way it should work and not the general public paying taxes for this. And, I urge you to vote 'no' on this particular measure. Thank you."



Hon. W. Robert Blair: "The gentleman from Champaign, Mr. Hirschfeld."

John C. Hirschfeld: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just to briefly reply to the objections that were raised by the distinguished Representative from ah.. Macon County, Representative Borchers, I think everyone in this House realizes that these would return to probably decent condition, if we waited long enough. But, so would junk yards and dump yards and everything else that we've got in this State and we just can't wait that long. What we're trying to do and what Representative Nowlan is trying to do with this Bill is to move things ahead a little faster than nature moves them even though it might cost a few dollars in so that a few of our current generations can enjoy what has been destroyed for ourselves for the past seventy years. And, frankly, I do not think that dollars is the important consideration under this ah.. particular Bill. What we're talking about is aesthetics. And, just for once, I think that the Legislature ought to forget the dollar figure and vote with aesthetics and we would be much better off and so would our children and our grandchildren."

Hon. W. Robert Blair: "The ah.. gentleman from Wayne, Mr. Blades."

Ben C. Blades: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. We have thousands of acres of waste lands in the State of Illinois. We can wait another



hundred years and if we don't do anything about it, they're never going to be in any condition where we can use them in any way. At the present time, we have a good Reclamation Act. It was proposed by Representative Calvo andsoforth. And, going forward, I think that we will have a good reclamation. If it isn't, then we can improve it. But, if we don't propose to do something about the mistakes that the State of Illinois permitted prior to the last two or three years, then there will never by any reclamation of a lot of this land. I think that this is a good step. It's never going to be reclaimed until we get some State and Federal money in it. It can be made where we can use it, either for recreation or for pasture ground or for grain farming. And, for that matter, we made a trip to Pennsylvania not too long ago and they restore all of their ground where it is used for pasture ground and a lot of it for grain. We can do the same thing with the waste land in the State of Illinois. And, if we don't do something about it, and still in another hundred years, it will look just like it does today. I.. I support this and recommend a 'yes' vote for it."

Hon. W. Robert Blair: "The gentleman from Knox, Mr. McMaster."

A. T. McMaster: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, by way of explaining my vote, I would like to make some comment on a supposition that seems to have been taken by some of the previous speakers. It seems to be assumed that, under this 'Orphan Land Reclamation Act', that all of this land or the greater percentage of it will be re-



claimed to agricultural purposes. I disagree with that assumption. I think that there are many other uses that this land will be put to, not necessarily to agricultural purposes, but to ah.. recreational areas. We know that by a minimal amount of reclamation, we could provide cottage sites, for instance, homesites ah.. with lakes available for fishing, as Mr. Borchers would like. We would not be destroying all of the ah.. forestation that has taken place on this land. And, I think that this would serve a very good purpose ah.. for ah.. development of the strip mined areas, not necessarily to agriculture. We know that many of our Communities have difficulties of finding a place to ah.. dispose of their trash and garbage. I think that the land could be available for landfill areas. There are many uses that it could be put to, not necessarily just to agricultural purposes. I urge your support of this Bill."

Hon. W. Robert Blair: "The gentleman from St. Clair, Mr. Krause."

James G. Krause: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, in explaining my 'no' vote on that Board up there, I think... I think that everybody around here should stop and think about all of the complaints that are being made about the people on public aid and welfare and now, we're going to take the tax money and reclaim the lands for the Coal Company. This can be done locally through.. through zoning ordinances, through ah.. local ordinances that are passed by Counties. It's being done in St. Clair County right now. The land is being reclaimed by Peabody Coal



Company, one of the largest Coal Companies in the State of Illinois, in fact, in the whole Nation. It's ridiculous to pass a Bill to pay taxes to reclaim the land when the Coal... when that's the Coal Company's responsibility and they should set that money aside from every ah.. ton of coal that's taken out of that land. It can be done locally and it should be done locally and not by the taxpayers."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. The ah.. gentleman from ah.. Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker, I ah.. know that we've been here a long time and ah.. I.. I respectfully ask for a Poll of the Absentees on this issue which means so much to me."

Hon. W. Robert Blair: "The ah.. gentleman has asked for a Poll of the Absentees. The Clerk will proceed."

Fredric B. Selcke: "Alsup.. Arrigo.. Barnes.. Barry.. Bartulis.."

Hon. W. Robert Blair: "Bartulis.. 'aye'."

Fredric B. Selcke: "Berman.. Bradley.. Caldwell.. Carrigan.. Carroll.. Jimmy Carter.. Richard Carter.. Otis Collins.. Cox.. DiPrima.. Ewell.. Hamilton.. Hart.. Holloway.. Jacobs.. Janczak.. Kennedy.."

Hon. W. Robert Blair: "Kennedy.. 'no'."

Fredric B. Selcke: "Klosak.. Laurino.. Lechowicz.. Lenard.. Ed Madigan.. Maragos.. McClain.."

Hon. W. Robert Blair: "McClain.. 'present'."

Fredric B. Selcke: "McDermott.. Merlo.. Pappas.. Ropa.. Scariano.. Schisler.. Shaw.. Ike Sims.. Tipsword.. Harold



Washington.. Frank Wolf.. B. B. Wolfe.. Zlatnik.."

Hon. W. Robert Blair: "The ah... For what purpose does the gentleman from Lake, Mr. Pierce, rise?"

Daniel M. Pierce: "Ah.. Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How's the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'yes' "

Daniel M. Pierce: "Please change that to 'present'."

Hon. W. Robert Blair: "Alright.. Change the gentleman's vote from 'aye' to 'present'. We're checking the Roll Call. We want to make sure that we have no errors. The gentleman from Cook, Mr. D. J. O'Brien, for what purpose do you rise?"

Daniel J. O'Brien: "Mr. Speaker, how am I recorded?"

Hon. W. Robert Blair: "How's the gentleman recorded?"

Fredric B. Selcke: "The gentleman is recorded as voting 'aye' "

Daniel J. O'Brien: "I'd like to change that to 'present', please."

Hon. W. Robert Blair: "Alright.. Change D. J. O'Brien from 'aye' to 'present'. And, now the gentleman from Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker, this is an important issue to me and I care not about the politics involved. I know that we have a long calendar yet to face in the next day or so. I know that Senator John Knuppel, a Democrat, has similar legislation proposed in the Senate. I will work closely with him to see that that legislation comes over here because it is the issue not the sponsorship which is important to me. And, therefore, I ask that this not be put on post-



poned consideration."

Hon. W. Robert Blair: "The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, now that the state-wide candidate has made his appeal to those members of the Press and those members in the gallery, now that he has shown his graciousness by injecting politics into a non-political vote, as far as I'm concerned. Let me tell him one thing. That I don't care who the sponsor of the next Bill is, Mr. Nowlan. I will vote exactly the way I did on this Bill and it will not be a political vote."

Hon. W. Robert Blair: "On this question, there are 83 'Ayes', 51 'Nays', 3 'Present', and this Bill having failed to receive a Constitutional majority is hereby declared.... The gentleman from ah.. Stark, Mr. Nowlan."

James D. Nowlan: "Mr. Speaker, as I believe that I was just referred to in debate, I would make it clear that ah.. that I was not referring to the distinguished Minority Leader. I was referring to the fact that I am concerned about the issue and about regenerating the value of land. And, in talking with him earlier, I understood that he was not ah.. positioning ah.. those who might follow him in any regard on this legislation, but, there may have been others who were inclined for reasons ah.. related to politics. And, that I want most of all to see this ah.. General Assembly deliberate favorably upon legislation of this type. And, I will work with whomever in ah.. this regard."

Hon. W. Robert Blair: "Is lost. They ah.. take the balance



of those Bills out of the record? Take the balance of those Bills out of the record? Alright ah.. The gentleman have leave, we'll take 4441 and 4442 and 4443 out of the record. For what purpose does the gentleman from Cook, Mr. Peter Miller, rise?"

Peter J. Miller: "Well, Mr. Speaker, we were supposed to have softball practice tonight at five to six as we had the time set. Now, I'm calling it off. And, if we're going to be here Friday, which I hope we aren't, we'll practice tomorrow. And, I want to announce that the Senate has challenged us for the 30th of May. That's the day after Decoration Day. And, the game will be played for the Boys Club of Springfield Charity. I hope that you all will buy a ticket to help out the Boys Club and help us to kick the hell out of the Senate. Thank you."

Hon. W. Robert Blair: "On the ah.. calendar on the order of vetoes appears Amendatory Vetoes motion with respect to House Bill 206. The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Mr. Speaker and Members of the House, the real spirit of nonpartisan cooperation, I am going to move that we ah.. adopt the specific recommendations of Governor Ogilvie to House Bill 206. Now, what happened in the to-and-fro on House Bill 206 in.. in the Senate, there was an Amendment which.. with which we concurred ah.. wherein we inadvertently took the powers of Local Government ah.. to restrict the permissible hours for the sale of alcoholic liquor ah.. when the public doesn't convenient so require."



Ah.. the Municipal League and the Governor's Office and I ah.. cooperatively worked ah.. on this specific recommendation. And, I would now move to adopt it and I'd appreciate your support."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Ah.. Mr. Speaker, will the Sponsor yield to a question?"

Hon. W. Robert Blair: "Yes.. He indicates he will."

Henry J. Hyde: "I wanted to know if you wanted to consider ah.. this Amendatory Veto as a ah.. package or ah.. in concert with your ah.. Resolution to abolish the Amendatory Veto?"

John S. Matijevich: "Ah.. Henry, the ironic thing was that I was notified of this ah.. inadvertent error right at the moment that I was about to present my Resolution in the Executive Committee. Ah.. I think that you know that I still stand with my Resolution. However, as long as we have the Amendatory Veto ah.. power, the Governor has it, I might as well use it as well as everybody else. And ah.., I ask for your support."

Hon. W. Robert Blair: "Further discussion? The question is, 'shall the House adopt the Amendment to House Bill 206?'. All those in favor will vote 'aye', and the opposed 'no'. Have all voted who wished? The Clerk will take the record. On this question, there are 135 'Ayes', and 4 'Nays', and this Bill having.. this Amendment having received the Constitutional majority is hereby declared adopted and the Bill passed. Ah.. on the ah.. calendar on the order of concurrences appears



ah.. House Bill 3030 on which the Chair recognizes the Gentleman for Cook, Mr. Jack Thompson."

John W. Thompson: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3030 was the Appropriation Bill for the Judicial Inquiry Board. It ah.. went through a great deal of ah.. hassle over in the Senate and we have Senate Amendment No. 1 which reduced the amount of the appropriation to \$47,975 dollars. I move that the House now concur in Senate Amendment No. 1 to House Bill 3030. To concur."

Hon. W. Robert Blair: "The ah.. gentleman from ah.. Cook, Mr. Shea."

Gerald W. Shea: "How.. How many Senate Amendments are there, John?"

John W. Thompson: "There... There's two Bills. This is the Appropriation Bill."

Gerald W. Shea: "I.. I'm sorry. I didn't... Are there one or two Amendments on this Bill?"

John W. Thompson: "I find only one Amendment and one Amendment in the digest."

Gerald W. Shea: "Well, I don't have a copy of the Amendment. John, there was another Bill over there that was amended yesterday. Do you know which Bill that was?"

John W. Thompson: "It's about 3037, I think."

Gerald W. Shea: "Is that the one that sets up the board?"

John W. Thompson: "That's the one where we set up the board and... and set up the operational procedures."

Gerald W. Shea: "Don't you kind of think that we ought to handle



both of them together?"

John W. Thompson: "Well ah., the Board has been appointed and the Board is operating. And, the Senate has passed this Amendment and passed the Bill out with this Amendment. It would seem to me that these people are giving their time, they should have the money...."

Gerald W. Shea: "Well, I'm not opposed to giving them the money.

All I'd like to do is pass both at the same time."

John W. Thompson: "I.. I don't see any particular advantage in it, that's all."

Gerald W. Shea: "Well, seeing that I'd like to have both of them passed, I guess, John, is what I'm saying."

John W. Thompson: "I wanted you to say that. That's all. We have a problem though. That Bill has not passed the Senate. That second Bill..."

Gerald W. Shea: "Well, can we wait and see if it passes? Or, what do you want to do, John?"

John W. Thompson: "Well, under the circumstances, if you re-question, we'll take it out of the record, Mr. Speaker."

Gerald W. Shea: "John, I have no objections to this. I want you to understand that I would just like to see both of them at one time. But, if you want to go with this one, you know, that's up to you."

John W. Thompson: "Take it out of the record."

Hon. W. Robert Blair: "The gentleman from ah.. Cook, Mr. Regner."

David J. Regner: "Mr. Speaker and Ladies and Gentlemen of the House, I just have an announcement. The recess session of



the Appropriations Committee from this morning will reconvene on the House Floor at 6:30 this evening. We have three more Bills to consider. Also, ah.. regarding the ah.. Appropriations Committee Meeting for 9:00 o'clock tomorrow morning on the floor of the House. I would like to ask the suspension of Rule 17 so that we can hear three other Bills tomorrow morning. Ah.. those three Bills are Senate Bills 1358, which is a Welfare deficiency, Senate Bill 1533, the Lieutenant Governor's Transfer Bill, and House Bill 4445, Blood Labeling Act. And, I ask leave to suspend Rule 17."

Hon. W. Robert Blair: "Alright.. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I move to suspend the provisions of Rule 32b, c and d ah.. which will permit ah.. us to hear on Third Reading non-exempt Bills tomorrow."

Hon. W. Robert Blair: "Alright... All those in favor of the gentleman's motion to suspend will vote 'aye', and the opposed 'no'. The.... The Clerk will take the record. Those Members that voted 'Nay' on that ah.. won't have their Bills called ah.. tomorrow. For what purpose does the gentleman from Lake, Mr. Kleine, rise?"

John Henry Kleine: "Mr. Speaker, just to merely announce that Environment Committee will ah.. meet immediately after adjournment."

Hon. W. Robert Blair: "Where?"

John Henry Kleine: "Room M4. This isn't as per schedule. We were supposed to meet at 2:00 o'clock."



Hon. W. Robert Blair: "The gentleman from Cook, Mr. Randolph."

Paul J. Randolph: "Mr. Speaker and Members of the House, the Revenue Committee Meeting has been cancelled for today."

Hon. W. Robert Blair: "Alright.. Any further announcements?"

For what purpose does the gentleman from DuPage, Mr. Hudson, rise?"

George Hudson: "Mr. Speaker, would I be in order to ask leave to have House Rule 41a suspended so that Senate Bills 1385, 6 and 7 might be moved to Second Reading without reference to Committee. They're identical to House Bill 3772 which changes Veterans Day back to November 11th?"

Hon. W. Robert Blair: "Well, I suggest that you'd better take that up with the Minority Leader as far as suspending that Rule for advancement of any Bills to Second without reference to Committee. Alright.. The gentleman from Cook, Mr. Hyde. Yeah.. The Appropriations Committee meets at 6:30 tonight and meets again at 9:00 o'clock tomorrow morning. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I now move that this House stand adjourned until the hour of 11:00 A.M. tomorrow morning."

Hon. W. Robert Blair: "Alright.. The gentleman from Morgan, Mr. Rose, his Constitutional...."

Thomas C. Rose: "Yes, immediately, Mr. Speaker for just three Bills. I think that it'll be a brief Meeting in Room 520."

Hon. W. Robert Blair: "Alright.. All those in favor of the motion to adjourn say 'aye', opposed 'nay', the 'ayes' have it and the House is adjourned until 11:00 A.M. tomorrow



morning."

ADJOURNMENT AT 5:43 O'CLOCK P.M.

5/17/72
mes.

