

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED FIRST LEGISLATIVE DAY

OCTOBER 28, 1971

9:30 O'CLOCK A.M.

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 Bruce L. Douglas - family illness;
Representative John P. Downes - illness;
Representative Benedict Garmisa - illness;
Representative Oral 'Jake' Jacobs - illness;
Representative Frank J. Smith - illness.



Hon. W. Robert Blair: "The invocation will be given by the House chaplain, Dr. John Johnson."

Dr. John Johnson: "We pray. Eternal Father, with the psalmist of old I say this morning, I will praise you, O Lord, with my whole heart. I will show forth all of your marvelous work. This I should do O Father, because you have provided strength for another day. Graciously protect and keep me this day that all my doings in life may please you. Grant me your health that I may today prove to be the salt of the earth and a light in this world to my fellow man. In the midst of strife, let me be an instrument for peace. Amid clouds of suspicion, let me be one who can be trusted in an atmosphere of doubts and fears, let me be an example for confidence and faith. To that end, I commend myself to your sacred charge now. Uphold me with your spirit, in whose name I pray. Amen."

Hon. W. Robert Blair: "Roll call for attendance. Messages from the Senate. The gentleman from Lake, Mr. Pierce."

Daniel M. Pierce: "Ah, Mr. Speaker, may the Journal show that Representative Douglas is excused because his wife is undergoing surgery today, Representatives Smith, Garmisa and Downes are excused because of illness."

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

Fredric B. Selcke: "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 of Representatives, to-wit: Senate Bill 1272, 1273 and 1281. Passed by the Senate, October 27, 1971. Kenneth Wright, Secretary. A message from the Senate by Mr. 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 Governor's amendment to a bill of the following title: House Bill 1309. Concurred in by the Senate October 27, 1971. Kenneth Wright, Secretary. A message from the Senate by Mr. 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 adoption of the Governor's amendment to a bill of the following title: House Bill 1753. Concurred in by the Senate, October 27, 1971. Kenneth Wright, Secretary. A message from the Senate by Mr. 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 Governor's amendment to a bill of the following title: House Bill 1516. Concurred in by the Senate October 27, 1971. Kenneth Wright, Secretary. A message from the Senate by Mr. 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 Governor's amendment to a bill of the following title: House Bill 1460. Concurred in by the Senate, October 27,



1971. Kenneth Wright, Secretary. A message from the Senate by Mr. 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 preamble and joint resolution, to-wit: House Joint Resolution 97. Concurred in by the Senate, October 27, 1971. Kenneth Wright, Secretary. No further messages."

Hon. W. Robert Blair: "With leave of the House, we'll go to Resolutions."

Fredric B. Selcke: "House Resolution 435, Karmazyn, et.al. 'Whereas, October 28, 1971, marks the birthday, of our illustrious and venerable colleague, the Honorable Peter C. Granata, dean of the General Assembly, and pre-eminent strategist in parliamentary procedure; and, Whereas, 'Pete' has acted, unofficially, as teacher and guide to freshman legislators as they have explored the labyrinthian technicalities of applicable rules and regulations; and, Whereas, the General Assembly Retirement System Board of Trustees under his chairmanship, tutelage and forward looking guidance has become one of the model legislative retirement systems of the entire nation; and, Whereas, his infinite knowledge of the intricacies of the work of appropriations committees, which he has chaired on several occasions, has been a source of wonder and enlightenment to the many committee members who have served with him; and, Whereas, his nearly 4 decades of dedicated public service to the people of the State of Illinois and his life long



concern for and service to the Italian-American Community have been recognized by the numerous awards of honor conferred upon him; and Whereas, in 1967 he was named honorary Chairman of the Columbus Cotillion, a yearly event of wide interest; in 1968 the Italian-American Community honored him as 'Man of the Year' at a huge dinner banquet attended by some 2000 neighbors and friends from the district he has represented in the General Assembly for a period extending over 40 years; and, Whereas, no man who has ever served in this body has had a greater number of friends and colleagues, whose affection, respect and admiration has reached such monumental proportions; and, Whereas, his sagacious counsel and long years of legislative experience have always been made available without hesitation to the legion of friends and colleagues who have sought it; therefore, be it resolved, by the House of Representatives of the Seventy-seventh General Assembly of the State of Illinois, that we heartily congratulate our highly respected colleague and beloved dean on the occasion of this anniversary of his natal day, October 28, 1971; that we wish him many more terms of service in this body for our personal enrichment in knowledge and spirit; and that a suitable copy of this preamble and resolution be presented to him with our very best wishes for a Happy Birthday'."

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

Clyde L. Choate: "Well, Mr. Speaker, I think that every member of this House would join with me in saying that probably



the gentleman that the resolution is honoring on his 27th birthday is probably one of the most bi-partisan people that's ever sat on this floor of the House of Representatives, I would now, to show my true bi-partisan spirit, ask Representative Tipsword to lead us in a Happy Birthday song from this side of the aisle."

Hon. W. Robert Blair: "No, in the spirit of the true bi-partisanism we're going to have Elwood Graham lead it."

Elwood R. Graham: "Happy Birthday to you, Happy Birthday to you, Happy Birthday dear Peter, Happy Birthday to you."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Fary, before we get to Mr. Granata."

John G. Fary: "Well, the Commission on Special Events, Mr. Speaker, and this is a special event, and made a recording, myself and 'Uncle' Louie Janczak, at the after a certain bar room closed, we had to get the recording from the juke box and it sounds something like this. It's going to winding up right now. And Pete's been a great guy, been a long time and he deserves something special. 'Happy Birthday to you, Happy Birthday to you, Happy Birthday, Happy Birthday, Happy Birthday to you, Happy Birthday to you, Happy Birthday, Happy Birthday, Happy Birthday to you, Happy Birthday to you, Happy Birthday, Happy Birthday to you, Happy Birthday, Happy Birthday, Happy Birthday to you, While you are growing older, Happy Birthday to you, Happy Birthday to you, Happy Birthday, Happy Birthday, Happy Birthday to you'. And a very happy birthday to you,



Peter."

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

Peter C. Granata: "Mr. Speaker, Members of the House, thank you for this tribute. I want to say to you that the happiest years of my life have been spent in the House of Representatives of Illinois, who I think is the greatest body of gentlemen and ladies that I have ever met in my life. I'm going to regret leaving here. In all probability, this will be my last term. Not that I want to leave here, but my health will not permit. And I don't feel like I want to burden you wonderful people with a lazy old man laying around. I enjoyed being with you, I appreciate it and will always appreciate every kindness that was bestowed on me by all of you. You've always been very very nice to me, and I've tried to show my gratitude. Thanks again to all of you. I'll miss you greatly and I'll come back and visit with you as often as I can. Thank you again."

Hon. W. Robert Blair: "For what purpose does the gentleman from Will, Mr. O'Brien rise?"

George M. O'Brien: "Ah, Mr. Speaker, with reference to House Bill 2461, which has been put on postponed consideration until January, I would like unanimous consent to withdraw as a co-sponsor."

Hon. W. Robert Blair: "All right, if there's no objection, then consent will be given to withdraw as a co-sponsor. All right, with leave of the House, we'll go to House Bills third reading, we are intending to break for conferences,



but the Senate is using some of the rooms and so we aren't going to get into any controversial areas. We'll go to those statutory revision bills that were not amended yesterday, so that series starts with 30- 3082 through 3534, except for those noted on the calendar on page 2, column 1."

Fredric B. Selcke: "Ah, . . ."

Hon. W. Robert Blair: "All right, with leave of the House, we'll take these all on one call, roll call, and have that roll call xeroxed for each of the bills."

Fredric B. Selcke: "House Bill 3082, 3083, 3084, 3085, 3086, 3088, 3089, 3091, 3092, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3142, 3143, 3144, 3145, 3148, 3149, 3150, 3151, 3152, 3153, 3155, 3156, 3157, 3159, 3160, 3161, 3612, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3197, 3199, 3200, 3201, 3203, 3205, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3253, 3254, 3255, 3257, 3258, 3259, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268,



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 3463, 3466, 3467, 3468, 3469, 3470, 3472, 3473, 3474, 3476,
 3477, 3480, 3483, 3485, 3486, 3488, 3489, 3490, 3491, 3492,
 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3502, 3503, 3505,
 3506, 3507, 3508, 3509, 3510, 3511, 3513, 3514, 3515, 3516,
 3517, 3519, 3520, 3522, 3525, 3529, 3530, 3531, 3532, 3534,

third reading of the bills."

Hon. W. Robert Blair: "For what purpose does the gentleman from McLean, Mr. Bradley rise?"

Gerald A. Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, it takes a with a great deal of pleasure this morning that I have the opportunity to welcome to the House a senior citizens from McLean County. They belong to the American Association of Retired Persons, the McLean County



Chapter and they are sitting just to my left."

Hon. W. Robert Blair: "All right, the question is shall these bills pass? All those in favor will vote 'Yeas', and the opposed 'No'. There will be one roll call taken for all these bills and xeroxed copies will be made off of this roll call for the ballots. Have all voted who wished? The Clerk will take the record. On this question there are 152 'Yeas' and no 'Nays' and this question having received the constitutional majority is hereby declared passed. House Bill 810."

Fredric B. Selcke: "House Bill 810, House Bill 810, a bill for an act to amend 'Juvenile Court Act'. Third reading of the bill."

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

Joseph G. Sevcik: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 810 is the 'Juvenile Court Act' and it's part of this new unified Court of Corrections that was brought about by the Council on Diagnosis and Evaluation of Criminal Defendants. We had civil hearings and meetings on this and it was agreed upon by both sides and I ask for their favorable support."

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

Gerald W. Shea: "Will the sponsor yield for a question?"

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

Gerald W. Shea: "Ah, Representative Sevcik, have you discussed this with Representative Klosak and how does it affect our district?"



Joseph G. Sevcik: "Next question."

Hon. W. Robert Blair: "All right. Any further germane discussion? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 148 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 811."

Fredric B. Selcke: "House Bill 811, a bill for an act to amend 'Unified Code of Corrections Act'. Third reading of the bill."

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

Joseph G. Sevcik: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 811 is the new unified code of corrections. As I say, it has been discussed thoroughly and I ask for unanimous support."

Hon. W. Robert Blair: "Discussion? All those in favor of the passage of House Bill 811 will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 147 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. Bradley, 'Yeas'. House Bill 1976."

Fredric B. Selcke: "House Bill 1976, a bill for an act to amend 'The Criminal Code'. Third reading of the bill."

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

Joseph G. Sevcik: "Mr. Speaker, Ladies and Gentlemen of the House, this is another amendment to the Unified Code of



Corrections, and it could have been included in a series of bills that were read previously. I ask for unanimous support."

Hon. W. Robert Blair: "Discussion? The question is shall House Bill 1976 pass? All those in favor vote 'Yeas' the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 129 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 1977. Those members that are not getting on the roll call, if you want on it, I suggest you come up to the Clerk's podium and give them your name to be added. I'm not going to stand up here and recognize everybody because they're not getting their switches on. All right, with leave of the House, we'll go through 1977 to 1999 on one roll call."

Fredric B. Selcke: "House Bill, House Bill 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Sevcik."
Joseph G. Sevcik: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, these are also amendments to the new unified code of corrections. I ask for your unanimous support."

Hon. W. Robert Blair: "Any discussion? The question is shall these bills pass? All those in favor vote 'Yeas', the opposed 'No', the Clerk will take one roll call and make a xerox of that roll call for each of these bills. Have



all voted who wished? The Clerk will take the record. On this question there are 155 'Yeas' and no 'Nays' and each of these bills having received the constitutional majority is hereby declared passed. For what purpose does the gentleman from Christian, Mr. Tipsword, rise?"

Rolland F. Tipsword: "Mr. Speaker, on that list of bills, I would like to be recorded 'No' on certain ones and present on a few, if I might, please."

Hon. W. Robert Blair: "Start off."

Rolland F. Tipsword: "I'd like to be recorded 'No' on House Bill 1978 and 1979, on 1984 and on 1998, and I'd like to be recorded as 'Present' on House Bill 1985 and 1995."

Hon. W. Robert Blair: "All right."

Rolland F. Tipsword: "Thank you."

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

Henry J. Hyde: "Ah, Mr. Speaker, ah, I now move that this House stand in recess for one half hour for purposes of a Republican conference. The Republicans to report immediately to Room 212. We will make every effort to be back on the floor in thirty minutes."

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

Clyde L. Choate: "Mr. Speaker, I would ask the Democratic members to come to Room M-5, Room M-5 and we will have a real brief Democratic conference."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Harold Washington, rise?"

Harold Washington: "Mr. Speaker, I would ask leave to hear



three more bills in that series. It will only take a second if we could pass them out."

Hon. W. Robert Blair: "No, I've recognized these people for purposes of a conference and we'll get those when we come back. We'll be in recess now until the hour of 11:00 A.M."

Recess at 10:24 O'Clock A.M.

Return at 11:00 O'Clock A.M.

Hon. W. Robert Blair: "All right, on the on House Bills third reading, we have the balance of that series that we were on right before we recessed, commencing with 3737."

Fredric B. Selcke: "House Bill 3737, a bill for an act to amend 'Illinois Controlled Substances Act'. Third reading of the bill."

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

Harold Washington: "Mr. Speaker, I ask leave to consolidate House Bills 3737, -38 and -39, they are companion bills."

Hon. W. Robert Blair: "Is there objection? Hearing none, the Clerk will read 3738 and 3739."

Fredric B. Selcke: "House Bill 3738, a bill for an act to amend 'The Cannabis Control Act'. Third reading of the bill. House Bill 3739, a bill for an act to amend an act in relation to the sale of real estate. Third reading of the bill."

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



Washington."

Harold Washington: "Ah, Mr. Speaker and Members of the House, this is another of a series of the 'Code of Corrections' bills which consolidates into one code the entire aspects of the whole criminal code. They've been explained thoroughly by Representative Sevcik. I ask for your support."

Hon. W. Robert Blair: "Discussion? The question is shall these three bills pass? All those in favor of the adoption of the bills say 'Yeas', the opposed 'No'. The Clerk will take three records. Have all voted who wished? The Clerk will take the record. On this question, there are 135 'Yeas' and no 'Nays' and these bills and this, . . . Philip, 'Yeas', and each of these bills have received the constitutional vote is hereby declared passed. 3680."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "All right, with leave of the House, we'll go back to second reading, now the 3680."

Fredric B. Selcke: "House Bill 3680, a bill for an act to relating to the control and erection and maintenance of bill boards and other outdoor advertising devices on lands adjacent to the Federal Aid Primary System, National System Interstate and Defense Highways of Illinois. Second reading of the bill. One committee amendment. Amend House Bill 3680 on page 1, by inserting immediately after line 16, the following: 'The General Assembly further finds and declares that outdoor advertising is a legitimate, commercial use of private property adjacent to roads and highways, and



so forth."

Hon. W. Robert Blair: "The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, Committee Amendment was adopted at the committee and since that time we have been working with various people on both sides of the aisle and with the industry and with the department, and I would like to now move that that amendment be tabled and then I will present an amendment that is agreeable to substitute for it."

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

Clyde L. Choate: "What is it you're tabling, Representative McCormick?"

C. L. McCormick: "The first. . ."

Clyde L. Choate: "Are you going to substitute the amendment, . . ."

C. L. McCormick: "In other words, the amendment that we adopted in Committee, Representative Choate, has errors in it and then they were able to make some other changes to please the bill board people. This doesn't apply to your amendment. It'll come on pretty soon. But all this is to get the bill numbered right. I would move tabling that bill."

Clyde L. Choate: "Don't do that to me, it's not mine."

C. L. McCormick: "Not the bill, the amendment."

Hon. W. Robert Blair: "All right, is there objection? Hearing none, the amendment number one will be tabled."

Fredric B. Selcke: "Amendment Number Two, McCormick. Amend



House Bill 3680 on page 1, by inserting immediately after line 16, the following: 'The General Assembly further finds and declares that outdoor advertising is a legitimate commercial use of private property, and so forth.'

Hon. W. Robert Blair: "The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, this is the same as the Committee adopted, except that it brings into conformity the corrections that had to be made in the bill. It is an agreed amendment and I move its adoption."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Further amendments?"

Fredric B. Selcke: "Amendment Number Three, McCormick. Amend House Bill 3680 on page 4, line 16, by striking the number '4.06' and inserting in lieu thereof the following: '4.08' and so forth."

Hon. W. Robert Blair: "The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker, this is the amendment that Representative Choate was talking about, that gives the department the permission to comply with what already they can do under the federal act and I would move its adoption. It's another agreed amendment."

Hon. W. Robert Blair: "Discussion? All those in favor of the



adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Four, McCormick. Amend House Bill 3680 as amended on page 3, lin3 33 by inserting immediately before the semicolon the following: 'or pursuant to the provisions of Section 4.09 of this Act', and so forth."

C. L. McCormick: "Now, Mr. Speaker, and Ladies and Gentlemen of this House, this amendment is the amendment that was agreed upon between several people in the House, Representative Neff and several other people and the downstate Illinois bill board people. Now, I want to make it perfectly clear that this amendment is not endorsed by the Highway Department yet, because there is still some question whether we can work it out with the federal people in the federal transportation department, but I do want to move the adoption of this amendment and we're going to work on through until we see where we get a final definition from it. So, I move its adoption."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'yeas' have it and the amendment is adopted. Further amendments?"

Fredric B. Selcke: "No, that's it."

Hon. W. Robert Blair: "Third reading. With leave of the House, we'll go to Amendatory Vetoes - Concurrence Motions, on which



there appears a motions, page 2, . . ."

Fredric B. Selcke: "Thank you, Mr. Speaker."

Hon. W. Robert Blair: ". . . on which there appears a motion concerning Senate Bill 1119, 1195."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article V of the constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 1195, set forth in the Governor's message, September 10, 1971, signed Eugene Schlickman."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. William Walsh rise?"

William D. Walsh: "Mr. Speaker, Representative Meyer had a motion with respect to this amendatory veto. I wonder if we could take this out of the record until he's back on the floor?"

Hon. W. Robert Blair: "To bring you up to date, Mr. William Walsh requested that you, that the House stand by until you arrived in connection with the motion concerning Senate Bill 1195."

Fredric B. Selcke: "Yeah, now we're going on with House Bill 1195."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Meyer, for what purpose do you rise?"

J. Theodore Meyer: "First of all to express my appreciation to the Speaker, Representative Walsh and the House, for being so kind to wait for me. I'm still in a mild state of



shock after being in the Senate Agricultural Sub-Committee this morning. Ah, Mr. Speaker, I have a point of parliamentary inquiry."

Hon. W. Robert Blair: "State your point."

J. Theodore Meyer: "I have placed upon the Speaker's desk an amendment to Senate Bill 1195 and I I'm I understand that Representative Schlickman has also offered an amendment and I'm, I would like a parliamentary ruling concerning the germaneness of an amendment to Senator Schlickman's amendment."

Hon. W. Robert Blair: "Your question is whether or not your amendment is germane to his amendment?"

J. Theodore Meyer: "Well, on the motion, the motion that we both submitted, the form of it says that we concur in offered for the adoption and I'm wondering how this can be done and procedurally if the Chair would give us a ruling so as to how I could offer my amendment."

Hon. W. Robert Blair: "Well, I think we have to consider these things in order. I called for and the Clerk has read the amendment that appears on the calendar by Mr. Schlickman and I find no reference on the printed calendar concerning your motion."

J. Theodore Meyer: "Mr. Speaker, my problem is that if there's a vote on his. . ."

Hon. W. Robert Blair: "There is, the Clerk does point out that there is a notation under Senate Bill 1195 of a second motion by Meyer and amendment to the Governor's amendment, so



we have two motions having been filed, one of which has been called by the Chair. Mr. Schlickman's, for consideration. It has been read by the Clerk."

J. Theodore Meyer: "I'm concerned if if if his amendment is adopted, then the action of the House is through and then my amendment is an adoption to a nullity. What I'm, if we could dispose of my amendment first and get on then with the order of the business of the House then."

Hon. W. Robert Blair: "All right, there there the principal question before the House at this time is the motion by Mr. Schlickman concerning this bill. That is the matter to which the House will address its attention. Your motion is not before the House for consideration at this time. The gentleman from Cook, Mr. Meyer."

J. Theodore Meyer: "I, Mr. Speaker, under Rule 96, the adopted by the Rules Committee in the House, the the question is silent as to an amendment to a Governor's amendatory veto. I would like a ruling from the Chair concerning an amendment to an amendatory veto."

Hon. W. Robert Blair: "Well, I'm not going to rule on that because that's not before this Chair at this time. You have to address yourself to the motion by the gentleman from Cook, Mr. Schlickman. Now, there are a number of motions that could be put with regard to his motion and if they have priority, then the Chair will consider having the House consider those."

J. Theodore Meyer: "Well, if it'd be in order, I'd move to



postpone consideration of Representative Schlickman's motion and consider my motion, which I would believe would be Motion Number Two and then revert back to. . ."

Hon. W. Robert Blair: "Well, well, now wait a minute. You've got two right and if you go to a third, then you're going to really confuse it. You want to take the first part of your request, which is a motion to postpone?"

J. Theodore Meyer: "I ask I'd like to ask leave of the House for unanimous consent to postpone Representative Schlickman's motion."

Hon. W. Robert Blair: "Well. . ."

J. Theodore Meyer: ". . .until such time we can dispose of my motion."

Hon. W. Robert Blair: "All right, you're moving to postpone consideration indefinitely?"

J. Theodore Meyer: "No, sir."

Hon. W. Robert Blair: "Well, yes you are, because whether or not the House ever considers your matter is indefinite, isn't it?"

J. Theodore Meyer: "I would hope that I filed it with the Clerk and eventually we would get it considered, Mr. Speaker."

Hon. W. Robert Blair: "Well, it's not to a time certain. In any event, it's a matter that the House can properly consider, whether it's to a time certain or to or postponement indefinitely. Now, he's ask for unanimous consent. Is there objection? All right, there is objection. All right,



the Chair waits."

J. Theodore Meyer: "Ah, it if there be hearing objection at this time, I'd like to withdraw that motion which there was objection to and offer my motion as a substitute motion. And I again ask unanimous consent."

Hon. W. Robert Blair: "Well, in order to do that, it appears to the Chair that you would have to suspend the provisions of Rule 71a which provides 'when a question is under debate, no motion shall be received, but', . . . and then the motions are listed there and a substitute motion is not provided for."

J. Theodore Meyer: "Mr. Chairman, what I'm attempting to do is to suspend the proper rule so I can get immediate consideration of my motion, and get a ruling from the Chair concerning the the admissibility, if you will, of my motion."

Hon. W. Robert Blair: "There, ah, I, the the point of the matter is that the Chair has gone to the motion of Mr. Schlickman concerning this bill. And there are motions which to which you can address yourself concerning that motion, and the Chair will entertain those. There are other motions which would not be in order such as trying to have the Chair in essence call your motion before the motion the Chair has already been called and read by the Clerk. For what purpose does the gentleman from Cook, Mr. B. B. Wolfe rise?"

Bernard B. Wolfe: "Ah, Mr. Speaker, a point of parliamentary inquiry. With respect to the gentleman's motion, if if a



motion is made to suspend 71a and that motion receives 89 votes, would the House then be in a position to consider the gentleman's motion?"

Hon. W. Robert Blair: "Well, only if the Chair saw fit to call it at that time, but I'm not going to rule on that, because that's a there an occurrence has to take place before I would be put in a position where I would have to rule, so, I'm not going to speculate what my ruling would be. The gentleman from Cook, . . ."

Bernard B. Wolfe: "May I ask one other point of parliamentary inquiry. Has the gentleman filed a motion with the Clerk at this time that could be considered by the House, or is it just a motion to postpone consideration or whatever it may be on the motion that's now before the House?"

Hon. W. Robert Blair: "Yes, no and yes."

Bernard B. Wolfe: "Yes, no and yes?"

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

Henry J. Hyde: "Well, Mr. Speaker, what we have here is a simple matter, although it's getting more complicated as time goes on. Mr. Meyer has offered an amendment to this bill which is inconsistent with the amendment offered by Mr. Schlickman. Mr. Meyer fears, of course, that if Mr. Schlickman's amendment is adopted, his will become a nullity then, because it is inconsistent with the amendment that was just adopted. The reciprocal is true, of course, if Mr. Meyer should prevail and his amendment get adopted, then Mr. Schlickman's would be inconsistent. So we can vote Mr.



Schlickman's motion up or down, which is the matter that the Chair has called, and Mr. Meyer can argue against it pointing out that in the event of its defeat, he has one to offer in its place. He'll get a hearing by arguing against Mr. Schlickman's motion, which is what is before the House now, and depending on that vote, the viability of his motion will rise or fall, so I suggest we go ahead with Mr. Schlickman's and Mr. Meyer gets his day in the House by arguing against this adoption in debate."

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

J. Theodore Meyer: "A point of parliamentary inquiry, Mr. Speaker. In the event of the adoption of of Representative Schlickman's motion, what would be the status of my motion number two?"

Hon. W. Robert Blair: "It would be on the calendar."

J. Theodore Meyer: "Would my motion be considered as a proper motion in form to a an amendatory veto motion of Representative Schlickman after Representative Schlickman's motion has prevailed?"

Hon. W. Robert Blair: "No."

J. Theodore Meyer: "Well, in that case, Mr. Speaker, I would then move to postpone consideration of Representative Schlickman's original motion until my motion Number Two is considered and I would ask for a ruling of the Chair if that is a proper motion."

Hon. W. Robert Blair: "Yes, a motion to postpone is proper."

J. Theodore Meyer: "Thank you, Mr. Speaker, that being the



case, I would place such a motion."

Hon. W. Robert Blair: "All right."

J. Theodore Meyer: "Postpone consideration of Representative Schlickman's motion."

Hon. W. Robert Blair: "Do you desire to discuss your motion?"

J. Theodore Meyer: "Only to explain to the to the members of the General Assembly that I have filed with the Clerk an amendment to Representative Schlickman's amendatory veto. I feel that in order to give proper consideration to my amendment, it must be considered before Representative Schlickman's amendment, because in the event of the adoption of Representative Schlickman's motion, my motion would be a nullity. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Is there further discussion? All right, the question is shall the gentleman from Cook, Mr. Meyer's motion to postpone consideration of the gentleman from Cook, Mr. Schlickman's motion with respect to Senate Bill 1195 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The gentleman from Cook, Mr. William Walsh."

William D. Walsh: "Mr. Speaker and Members of the House, what is at issue here is whether a member of the legislature can amend a bill in the same way that the executive has amended this bill. I think that we ought to have perfectly clear in our minds that what's being offered here is not Representative Schlickman's amendment. It's the Governor's amendment and it's an amendment that changes a bill under



consideration entirely. There's an entirely new concept in Senate Bill 1195 as it's presented to us here today, than as it passed the House and Senate in June. Now, Mr. Speaker and Members of the House, I think that this is fundamental as to whether the legislature shall be a viable part of government or not. What we want to do is determine here whether a member of the legislature has the same prerogative that the executive has taken, and I think we ought to give Representative Meyer that opportunity just as every member of this House ought to have that opportunity if the executive has the opportunity to legislate. So I suggest to you that you vote for this motion to postpone and then consider Representative Meyer's amendment on its merit."

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

Harold A. Katz: "Mr. Speaker, I do not believe that two wrongs make a right, I think that the Governor, even under the new constitution, has no right to rewrite a law in the guise of exercising the veto power. I think that after he returns an amendatory veto that we can not introduce amendments without introducing a new bill that we can not use the occasion of the return of a veto to start all over again. Accordingly, since I think what the Governor did is wrong and since I think that what Mr. Meyer is attempting to do, is also wrong under the new constitution, I want to be recorded as voting 'Present'."

Hon. W. Robert Blair: "Record the gentleman as 'Present'. The



gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Ah, Thank you, Mr. Speaker. I'm somewhat confused by Representative Walsh's statement, that because it was my understanding that the Speaker has already been ruled that no amendments would be in order that are not amendments in form. That is no amendment to the Governor's amendatory vetoes, so that I'm at a loss to see, even though I sympathize with what Representative Walsh says, I'm at a loss to see how there could be any amendment that would be admissible, other than an amendment in form."

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

J. Theodore Meyer: "Ladies and Gentlemen of the House, the purpose of this motion will be followed, I am sure, by subsequent motions, if it prevails, is to bring up, as Representative Walsh had mentioned the fact of an amendment to the Governor's amendatory veto. Several amendments have been offered to amendatory vetoes and they have been in a technical nature. They've been changes in spelling, and changes in mistakes of grammar. The issue that I would hope to bring up is whether we of the General Assembly can amend in substance an amendatory veto? And I am distressed to find that apparently if this motion does not prevail that I am prevented from raising the constitutional issue in this form. Thank you, Mr. Speaker."

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

Gerald W. Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, I just wonder where some of those green lights



were about a week and a half ago, when Representative Terzich tried to make the same point in another bill and we couldn't get any support from some of those people then."

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

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, if we can return from the highways and by-ways of this debate and get back to the issue, this is simply a motion to postpone Representative Representative Schlickman's motion to concur in the Senate action. Representative Schlickman is not offering any amendment, he is moving to concur in the Senate action. Representative Schlickman, and that is all that is before us. Representative Meyer says if if Representative Schlickman's motion is adopted, he's out of the box. However, if his motion takes precedent, then Representative Schlickman is out of the box and he seeks an advantage of that that he claims Mr. Schlickman shouldn't have, but of course, just the reverse is true of both parties. So this is simply a motion to postpone. It should not be, I respectfully submit, supported, Mr. Schlickman's motion to concur in the Senate action is before the House, we ought to vote that up or down, so I'd like to see some more red lights up there."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 39 'Yeas' and 63 'Nays' and the 1 'Present' and the motion is lost. For what purpose does the gentleman from Lawrence, Mr. Cunningham rise?"



Roscoe D. Cunningham: "A point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "State your point."

Roscoe D. Cunningham: "Has there been any determination made by the Speaker as to the germaneness of the bill that the Governor has sent back to us. It is noted that the bill is a complete revision and he even changes the name of the original bill. As the Speaker is aware, Gebelhausen vs. Daily, a 1950 Supreme Court case, says that that is violative of the constitution, Article IV, Section 8. In view of the judicial background and in view of the constitutional provision, how does the Chair rule as to whether or not this new bill is germane?"

Hon. W. Robert Blair: "Well, that question is not before the body at this time. The question before the body is the motion to concur. All right, the gentleman from Cook, Mr. Schlickman, on his motion to concur."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1195 is the non-public state parental grant act of 1971 passed by this House in June. Upon its receipt by the Governor, he appraised it in light of the recent United States Supreme Court decisions and concluded that in order to assure the bills constitutionality, certain changes should be made. The changes are as described in the Governor's amendatory veto message and my letter to each of you delivered this week. Parenthetically, I would like to say that the title is the same, the preamble is



identical, word for word, and there is basically the same bill. And if you were to make a comparison of the bill as we passed it and as the Governor has sent it back with its recommendation for change, you would see not only striking similarity and comparability. The principle relied upon by the United States Supreme Court was that of excessive entanglement. You will recall that I relied upon this principle earlier this year when opposing certain amendments to Senate Bill 1195 and as House version, HB 2164. The Court found that certain procedures of the Pennsylvania and Rhode Island laws, potentially at least, would lead to undue influence by the State over non-public schools. The Court also reaffirmed its earlier decisions in support of state aid for the benefit of children in non-public schools. The Governor, by his recommended changes, has maintained the spirit and intent of Senate Bill 1195. These recommended changes are as suggested to him by Senator Cherry, the Senate Sponsor of the bill and myself and concurred with by members of the elementary and secondary non-public schools study commission. Specifically, these recommended changes have reaffirmed the principle of parental grant. Briefly, the recommended changes convert the grants from cash to text books and auxiliary services and revise the procedure whereby the grant would be delivered. In the process, our local public school districts are joined with the state as partners. Some proponents of state aid to non-public schools have expressed a concern that Senate Bill



1195 as changed would result in less aid. This is simply not so. The original appropriations of \$20,500,000.00 has been retained. Some other legislators have expressed the concern that public schools will be unduly burdened by the revised, administrative and delivery procedures. The Office of the Superintendent of Public Instruction has assured me that this will not be the case. The absolute need for this bill continues. In its absence, parents of non-public school students, through increasing financial inability, lose their fundamental right to choose the education of their children. Furthermore, the crises in public schools reaches calamity and the tax payer burden is increased annually by an additional \$125,000,000.00 by the present rate of enrollment decline in non-public schools. Your favorable consideration and support of Senate Bill 1195 as changed would be most appreciated. Mr. Speaker and Ladies and Gentlemen of the House, I move that this House do concur with the Senate adoption of the Governor's amendatory veto."

Hon. W. Robert Blair: "All right, is there further discussion? The gentleman from Adams, Mr. McClain."

Elmo McClain: "Ah, will the gentleman yield for a question or two, please?"

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

Elmo McClain: "Ah, Gene, you said that the cost would be approximately the same. How did you arrive that the cost would be approximately the same when it goes from 6090 down



to just the idea of books and guidance people and etc.?"

Eugene F. Schlickman: "During the activities of the Elementary and Secondary Non-Public Schools Study Commission, there was a committee appointed, and this committee was charged by the full commission of studying in depth the alternate methods of aid. We sought from the Superintendent of Public Instruction his estimate of the cost of the various alternate methods. For Senate Bill 1195 as it was originally passed by this House, the estimate was \$20,500,000.00. OSPI also estimated that the cost of the delivery of text books and auxiliary services would also be in the neighborhood of \$20,000,000.00."

Elmo McClain: "Ah, a couple other questions, like books for example, in the private institutions and we'll take primarily in Social Studies, they would have a different text book than the text book in the public school. Will they get an okay to keep the same text book that they have now or will they to take the same text books as the public schools?"

Eugene F. Schlickman: "The text books that are available for satisfaction of a parents' grant are those text books that are listed with the Superintendent of Public Instruction. They are not limited to the text books used by the Public School District in which the non-public school is located."

Elmo McClain: "All right, one other question. Like when you are talking about auxiliary services and guidance people, where for example right now the public school gets one



guidance person for every three hundred people. Will the private schools get one guidance person for every three hundred people as well, or how will that work?"

Eugene F. Schlickman: "The Superintendent in developing his cost figures has used the same ratio of personnel to students."

Elmo McClain: "Will they be hired and under tenure by the public schools or would they would their allegiance be to the private school where they do not have tenure?"

Eugene F. Schlickman: "They will be hired by the public school district."

Elmo McClain: "Well, I hope they don't fire all the guidance people in the private schools to put their own in."

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

Bernard B. Wolfe: "Thank you, Mr. Speaker. Will the gentleman yield for a question?"

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

Bernard B. Wolfe: "Representative Schlickman, in your fact sheet, on page 1, you indicated that the original bill has passed, allowed up to \$60.00 per child in elementary school and \$90.00 per child in secondary school. Now, in the column as changed, would that voucher continue to be in the same amount?"

Eugene F. Schlickman: "No."

Bernard B. Wolfe: "What what change was made in the Governor's as to the amount as to the voucher amount a parent would



receive in each category?"

Eugene F. Schlickman: "Taking text books as an example, the cost of the text books would be no greater than the cost or the price of the text books used in public schools in the district within which the non-public school is located."

Bernard B. Wolfe: "Well, would each parent receive a voucher as indicated by the explanation on pages, on page 2?"

Eugene F. Schlickman: "Ah, . . ."

Bernard B. Wolfe: "They've got to make a voucher request, is that correct? The parent does?"

Eugene F. Schlickman: "Yes, there is a . . ."

Bernard B. Wolfe: "Now, in what amount does he, I mean, does the parent have to specify ten books, the number of books or the service that that parent wants to be obmitted?"

Eugene F. Schlickman: "The parent would indicate in his voucher request, one voucher request to per student."

Bernard B. Wolfe: "To what limit? In other words, could a parent come in and say on his voucher I want 100 books for this non-public school that my child is going to attend to, and the cost of the 100 books which is needed by the school is say \$300.00, \$3.00 a book."

Eugene F. Schlickman: "The cost of the text book can be no greater than the cost of the text book used in the public school district in which the non-public school is located. The text book can only be selected from the list maintained by the Office of the Superintendent of Public Instruction, and. . ."



Bernard B. Wolfe: "I understand. . ."

Eugene F. Schlickman: ". . .the text book can be used and the text book or books can be only for those branches of education taught in public schools."

Bernard B. Wolfe: "So, is the parent limited to only one text book for the child and one black board or whatever it may be, auxiliary service. Is that the thrust of the amendment? In other words, is there a limitation on the parents as to the parents' request in application provided for in the change and a request for a voucher for example, I'm a parent and can I only limit myself to what is required by my child, or can I ask for text books, like four text books or five or ten, am I limited in that regard? Is there a limitation, in other words, on the parents, as to how much that parent may request, in the nature of text books and auxiliary services?"

Eugene F. Schlickman: "Assuming, Representative, that the branches of education that are being taught to the students or child of a parent sending that child to a non-public school are German, Physics, Algebra, and let's assume it's those three branches of education, the grant would be limited to one text book for each of these three subjects."

Bernard B. Wolfe: "Then, in any, in other words, what if a school teacher is lacking in the class room that this child is attending, and that school teacher has a base salary of \$8,000.00, let's say, for that school teacher, and the parent requests instructional services, in other words, a



school teacher, would that be permissible under the Governor's suggested recommendation?"

Eugene F. Schlickman: "I'm sorry, Representative, would you mind repeating that question?"

Bernard B. Wolfe: "I have a child in a non-public school that has 35 students in a class that has no teacher. May I, as a parent, request a teacher for that class room whose base salary is \$8,000.00 a year?"

Eugene F. Schlickman: "Representative, we're not talking about teachers, we're talking about auxiliary services. The auxiliary services would be school health services, including and not limited to school physician and surgeon services, school nurse services, school dental services, school podiatry services, school guidance and counseling services, school psychology services and remedial and therapeutic programs for educationally disadvantaged children. Now, the parent makes application on this request voucher to the local public school district in which the non-public school is located."

Bernard B. Wolfe: "In other words, I could request, then, a . . ."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Hyde, rise?"

Henry J. Hyde: "Well, Mr. Speaker, I respectfully must object to the five and six minute questioning of the Chief Sponsor. I think it's an imposition on the rest of the House. There is time for debate on this and I respectfully submit that



one or two questions is appropriate, but beyond that inappropriate, and I would ask for a ruling that the gentleman is out of order in persisting in this dialogue."

Hon. W. Robert Blair: "Right, he has approximately two or three minutes left to argue on the matter if he wishes, but your objection is in order."

Bernard B. Wolfe: "Mr. Speaker, again I rise, I mean every member, a fact sheet was given to me, the sponsor prepared the fact sheet. It is not clear in that regard. He has cleared up two points by my question, he was clearing up the third point. I'm not debating with him, I'm not arguing the matter. . ."

Hon. W. Robert Blair: "Yes you are, and I've ruled that way. Now, if you want to conclude your argument, you may."

Bernard B. Wolfe: "No."

Hon. W. Robert Blair: "The gentleman from Lee, Mr. Shapiro."

David C. Shapiro: "Mr. Speaker, would the sponsor yield to a question?"

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

David C. Shapiro: "Ah, Representative Schlickman, under the voucher that would be used for the purchase of text books, etc., administratively, how will it be handled in a public school district where a private school exists and the parents of the public school students either purchase themselves or rent themselves with their own monies the necessary text books?"

Eugene F. Schlickman: "Representative, you're talking about



the practice that exists within the public school district?

David C. Shapiro: "Yes, the . . ."

Eugene F. Schlickman: "All right, the bill specifically provides that if the non-public school is located within a public school districts, that loans text books to its students free, then that same practice would exist for those students attending non-public schools. If the local public school district rents its text books to its students, then that same practice would prevail for students attending non-public schools, and if the school district itself sells its text books to its students, then that same practice would prevail for the students attending non-public schools. In other words, the students attending non-public schools will get no more than the students attending the public schools and that's specifically spelled out and provided for in the amendment."

David C. Shapiro: "In other words, then the parent, if the parent rents a book from the public school, then the parent of the student who attends the non-public school would have to do the same, in other words, there would be no state reimbursement to that parent."

Eugene F. Schlickman: "The public school district would, of course, have to purchase the book and then rent it to the students attending public schools as it would rent the book to students attending a non-public school. The state will reimburse the public school district for the entire amount of the cost of the text book being provided to the students



attending non-public schools and the public school district will then reimburse or rebate to the state the rental."

David C. Shapiro: "Then, in other words, what you're saying is then that the parent whose child attends a non-public school would be reimbursed for their rental fee, but a parent whose child attends a public school would not."

Eugene F. Schlickman: "No, sir, I did not say that. I was saying that the parent attending, the child attending a non-public school will pay a rental if a rental charge is made by the public school districts of the students attending the public school. And there will be no reimbursement to the parent of a child in a non-public school who pays rent, there'll be no reimbursement for that."

David C. Shapiro: "Okay, fine."

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

Charles J. Fleck: "Would the sponsor yield for a question?"

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

Charles J. Fleck: "I'm a little confused, Representative Schlickman, on the purchase of books. I want to make one thing clear in my own mind. If a public school districts purchases, as you said prior, books on Algebra, History or what have you, would the private school be limited in purchasing that same text book and thereby changing their curriculum?"

Eugene F. Schlickman: "Representative, as I indicated earlier, to a question posed by a gentleman on the other side of the aisle, a parent with a child in a non-public school will be



not limited in his selection of a text book, to those text books used in the public school district in which the non-public school is located. The limitation will be to those text books that are listed with the Office of the Superintendent of Public Instruction."

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

Mrs. Eugenia S. Chapman: "Mr. Speaker, I have just one question, if the sponsor's willing."

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

Mrs. Eugenia S. Chapman: "Mr. Schlickman, according to the cost estimate that I have, which was prepared by the Office of the Superintendent of Public Instruction, the cost would come to \$36,700,000.00. Now, the appropriation in Senate Bill 1195 is for \$20,500,000.00. Am I correct as I read the bill in understanding then that this \$16,000,000.00 would have to be picked up by the local property tax payer of the local school district because the bill states that in the event that the amount of money that is appropriated is insufficient, payment shall be made in that proportion and that in this case then that local property tax payers would be coming up for money for children who in some instances live in other tax paying school districts?"

Eugene F. Schlickman: "In response to the lady of Cook with regard to the question, the Superintendent of Public Instruction supply to the elementary and secondary non-public school study commission, earlier this year a cost estimate of approximately \$20,000,000.00 for text books and auxiliary



services. Subsequently, the Superintendent has produced another estimate. He has changed certain ratios and I'm sure what the lady from Cook has done, she has gone through it and seen that the assumptions that are made. I discussed the matter with the Superintendent's Office and all parties are satisfied that the \$20,500,000.00 is more than adequate to take care of the grants and administrative costs that would be entailed. There will be absolutely no imposition on real estate tax payers."

Hon. W. Robert Blair: "The gentleman from Macoupin, Mr. Boyle."

Ken Boyle: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question."

Hon. W. Robert Blair: "All right, all those in favor of the motion ah say 'Yeas', the opposed 'No', the 'Yeas' have it and the previous question is moved. The gentleman from Cook, Mr. Schlickman, to close."

Eugene F. Schlickman: "Mr. Speaker, Ladies and Gentlemen of the House, much has been said, much has been debated on the subject. I think that all of us are fully informed on the issues involved. I would appreciate your concurrence with the Senate's adoption of the recommended changes to Senate Bill 1195."

Hon. W. Robert Blair: "All right, the question is shall the House concur with the Senate in the specific recommendation for change to Senate Bill 1195 as set forth in the Governor's message of September 10, 1971. All those in favor



vote 'Yeas', and the opposed 'No'. The gentleman from Cook, Mr. Meyer."

J. Theodore Meyer: "Mr. Speaker, Ladies and Gentlemen of the House, under Rule 77, which provides that any two members of the House may file a protest to any legislative act or resolution, I intend at the proper time to file the proper dissent concerning the the legislative act which is the offering in consideration of this particular amendment."

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

John S. Matijevich: "Mr. Speaker, I feel compelled to explain my vote and I know that the bill that the recommendation by the Governor are going to be concurred with, but I feel compelled to explain my vote, because I think we really had a choice of two wrongs. I feel that what the Governor has been allowed to do, to legislate is wrong. Therefore, I think for us to concur with these recommendations would be wrong. We had a choice of wrongs and if I had my choice, I would go along with Mr. Meyer's attempt to at least make this bill to be like the experience of Pennsylvania. After all, Pennsylvania went through the Court decision and they did pass legislation which is the parental reimbursement act. I don't think the Governor has really meant the clearness of his own message. I don't think this is really a parental act at all. I think that we are finally going to find that the State is going to be able to control non-public schools, after all the Superintendent of Public In-



struction approves the text books. I think this is a dangerous avenue that we are starting, however, I am going to vote for this because I know it is impossible for me to reach everybody in my constituency to explain my vote in this matter and I at this time do say that I intend to introduce in January a replica of the Pennsylvania Parental and Reimbursement Act and hope that we go in that direction the parental control direction, so that we can surely have non-public schools and public schools and have quality education in both."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 111 'Yeas' and 50 'Nays' and the House concurs in the Senate action. For what purpose does the gentleman from Cook, Mr. Granata rise?"

Peter C. Granata: "Reconsider the vote by which this bill was passed."

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

Arthur A. Telcser: "Mr. Speaker, I move that that motion lie upon the table."

Hon. W. Robert Blair: "All those in favor of the motion to table say 'Yeas', the opposed 'Nay', the 'Yeas' have it and the motion to table prevails. For what purpose does the gentleman from Cook, Mr. Meyer rise?"

J. Theodore Meyer: "A point of parliamentary inquiry, as to the disposition of Amendment Number Two, which is my amendment?"



Hon. W. Robert Blair: "I answered that once before and said that it would be on the calendar."

J. Theodore Meyer: "It remains on the calendar?"

Hon. W. Robert Blair: "That's where it is right now."

J. Theodore Meyer: "I request that it be called, Mr. Speaker."

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

Henry J. Hyde: "Well, Mr. Speaker, if the gentleman's amendment that he is calling were to be called, it would be in-totally inconsistent with the amendment, I'm sorry, with the action that we just adopted, which was the concurrence in the Senate action. Because of time limitations, we can see the vice of trying to change something. It wouldn't get back to the Senate again. I think it's inappropriate, because it's inconsistent with the action that we just took and therefore I ask that the gentleman's motion be ruled out of order."

Hon. W. Robert Blair: "The chair will so rule. For what purpose does the gentleman from Cook, Mr. Meyer, rise?"

J. Theodore Meyer: "Just a clarification? My motion is out of order?"

Hon. W. Robert Blair: "That's what the Chair's ruled. All right, on the calendar under Amendatory Vetoes - Concurrence Motion appears Senate Bill 1196."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 1196 as set forth



in the Governor's message of September 10, 1971, signed Representative Schlickman."

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

Eugene F. Schlickman: "Mr. Speaker, and Ladies and Gentlemen of the House, Senate Bill 1196, Non-Public State Parental Grant Plan for Children of Low Income Families Act of 1971 as with the previous bill was reviewed by the Governor in light of the United States Supreme Court decisions. His recommended changes, again, as suggested by us, simply revise the procedure by which the cash grants are delivered by the state and eliminate language and procedures thought potentially offending by the court. Instead of the grants being delivered by the state to the non-public school of the poor parent choice, they are delivered to the parent, who in turn deliver them to the non-public schools of their choice. Unquestionably, most of our poor children presently are not receiving a quality education. Regarding this point, some Representatives have expressed their concern about that finding in the preamble of Senate Bill 1196 as changed, it states at what public schools have failed. They find this finding to be offensive. The fact of the matter is that in too many of the public schools in the inner cities, the teacher at the end of the day judges his or her success by the amount of order that was maintained, not the amount of education that was given. Senate Bill 1196 as both passed and changed for the first time would allow poor parents the



right to choose the education they desire for their children. By this opportunity, they would be able to avail themselves of the services of non-public schools that are providing quality education, but which are struggling to maintain their existence. This bill, more than any other measure of which I am aware, is a positive step in the direction of attacking the syndrome of welfare parents, producing parents, producing welfare parents. Now is the time for poor families to be able to enjoy that right of freedom of choice in education. By the assumption of this responsibility, the poor families will contribute to the improvement of education generally. Again, your favorable consideration and support of Senate Bill 1196 as changed, would be appreciated. And, Mr. Speaker, I do now move that the House concur with the adoption of Senate Bill 1196 and the recommendation for change."

Hon. W. Robert Blair: "The gentleman from Rock Island; Mr. Henss."

Donald A. Henss: "Mr. Speaker and Ladies and Gentlemen of the House, would the sponsor yield for a few questions?"

Hon. W. Robert Blair: "Yes."

Donald A. Henss: "First of all, the bill states that the public schools have failed in their job. Now that language would be or similar language would be put in the statutes. In your opinion, is this language necessary for the bill or would it simply be classified as a gratuitous insult, because I can assure you that the public schools in my area



have not."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, in response to the question from the gentleman, the preamble includes that finding these conditions are due in large part to the failure to the public elementary and secondary schools in economically depressed areas of low income population to adequately educate Illinois youths. It's a limited statement."

Donald A. Henss: "The language that is found at two places in the bill and I would ask again the question is the language necessary to the bill? In your opinion, is this language necessary to be put into the statutes of the State of Illinois?"

Eugene F. Schlickman: "In response to the question, I would say yes."

Donald A. Henss: "Why is it necessary to the bill?"

Eugene F. Schlickman: "To support the integrity of the program that is provided for in Senate Bill 1196 as changed."

Donald A. Henss: "I'll ask another question. I understand the theory of this bill and others is to avoid the entanglement which has been mentioned in the Supreme Court decision. We can't audit the books of a church school because that would be entanglement. Under this bill the amount of cash would be based upon attendance, of a student at a private school. The method it was said in the bill, of determining attendance, is said to be the same as that which is followed in the public schools. Now, public schools are subject



to audit. My question then is whether the private schools will be subject to audit to determine attendance, or does the state just have to accept the claim at face value?"

Eugene F. Schlickman: "Claims are presented by parents on voucher request forms, and these voucher request forms are to be sworn or affirmed to by the applicant. These applications or these requests vouchers are submitted by the parents directly to the Regional Superintendent of Education. They are audited by him. He then certifies them to the Office of the Superintendent of Public Instruction."

Donald A. Henss: "As you know, an audit would require going in and checking the attendance of that student on the record of the school. That would be an audit, not just looking at a an application form which is submitted by a parent. My question then is whether there will truly be an audit to determine the validity of the claims that are presented to the state."

Eugene F. Schlickman: "As you mentioned, Representative, the Supreme Court, the United States Supreme Court, in the de-Disenso and Lemon cases found the audit procedure contained in the Rhode Island and Pennsylvania laws to be potentially offending. As a consequence, the Governor has removed those procedures that were similar from this bill, hereby assuring the constitutionality."

Donald A. Henss: "I take from the answer that there will not be that type of audit. Now, under that bill I think that we can assume that there will be several million dollars



which would be directed into the inner city of Chicago to the parochial schools there. Would that be correct? In your opinion?"

Eugene F. Schlickman: "Representative, all metropolitan areas. . ."

Hon. W. Robert Blair: "For what purpose does the gentleman from Peoria, Mr. Carrigan rise?"

James D. Carrigan: "Mr. Speaker, may we have a little order please, we can't hear back here."

Eugene F. Schlickman: "Representative, in response to your question, all areas, metropolitan areas in Illinois, will be benefited by this program, East St. Louis, your area, Peoria area, the Rockford area, the Chicago area."

Donald A. Henss: "My question was not to exclude all areas of the state, my question was whether an amount of several million dollars would be directed into the inner city of Chicago into the parochial schools there. Would that be correct?"

Eugene F. Schlickman: "We are talking of an appropriation of \$4,500,000.00 for grants to poor families."

Donald A. Henss: "Can you. . ."

Eugene F. Schlickman: "Wherever they are located, excuse me."

Donald A. Henss: "In your opinion, would certainly half of that amount go into the inner city of Chicago?"

Eugene F. Schlickman: "I would not be surprised if that would was a good estimate."

Donald A. Henss: "On the procedure on making out the check or



vouchers which will be paid, will there be one check or many checks, and who will be the payees on the checks?"

Eugene F. Schlickman: "Representative, there will be a payment voucher and it will be paid to the joint order of the parent and the non-public school of his choice."

Donald A. Henss: "In the case of Chicago, then, it will be the name of a parent and who on the voucher?"

Eugene F. Schlickman: "The non-public school of his choice that he has listed in his request voucher."

Donald A. Henss: "In the case of Chicago, would that be an archdiocese in the case of parochial schools or a bishop or just. . ."

Eugene F. Schlickman: "To the non-public school of his choice Representative."

Donald A. Henss: "What would be the authority of that non-public school in the case of the parochial school. Would the check be made payable to the bishop or would the check be made payable to an archdiocese, or just what is the exact procedure in this case?"

Eugene F. Schlickman: "Representative, it will be paid jointly to the order of the applying parent in the non-public school of his choice. And non-public school is defined as a legal entity. That was concluded in the definitions in the bill."

Donald A. Henss: "Now, you're the Chairman of that Commission that made that investigation. I'm sure that you knew how to answer the question, you do have the information. I wish you would share it with us, sir."



Eugene F. Schlickman: "Which information?"

Donald A. Henss: "My question was which name would be on the check, name or names in the case of Chicago?"

Eugene F. Schlickman: "Don, the name of the non-public school chosen by the parent."

Donald A. Henss: "I take it that. . ."

Eugene F. Schlickman: "Let me say this, if the if there is at Loyola Academy in Wilmette, 60 students from the inner-city of Chicago. Their parents would receive payment vouchers paid to their order and Loyola Academy."

Donald A. Henss: "And the signature of both would be on the check, of course, before it could be. . ."

Eugene F. Schlickman: "Both would have to endorse it, that is correct."

Donald A. Henss: "I have nothing further, Mr. Speaker."

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

Jacob John Wolf: "Will the sponsor yield for one or two questions? Representative Schlickman, I would like to know why, if you can explain, under Senate Bill 1195, vouchers would be unconstitutional, but under 1196, to some people a voucher is not unconstitutional. Could you explain this, please?"

Eugene F. Schlickman: "Representative, the Supreme Court in no case determined that vouchers were unconstitutional. That issue has never been before the United States Supreme Court."



Jacob John Wolf: "Wasn't that the reason the original 1195 was changed, because there were some question if the money were paid to as a way of parental grant that the money would not hold up?"

Eugene F. Schlickman: "There is a basic difference between Senate Bill 1195 and 1196. Senate Bill 1195 is a general grant-in-aid program for the benefit of parents. Senate Bill 1196 is a special program for the aid of poor families."

Jacob John Wolf: "All right, one final question here. What what is the amount of income that determines if a family is poor or not?"

Eugene F. Schlickman: "The bill refers to the federal definition, which is \$3,000.00. So, under \$3,000.00."

Jacob John Wolf: "So if the family earns under \$3,000.00, this bill, there tuition will be a paid?"

Eugene F. Schlickman: "They will receive the grant, be eligible for the grant provided for in this bill, yes."

Jacob John Wolf: "If they make \$3,800.00 and pay income taxes on it, then they will not get, in other words, you're better off if you don't make \$3,800.00 but go on public aid?"

Eugene F. Schlickman: "This bill was described, was discussed with the former director of the Department of Public Aid, Mr. Swank, and I discussed this matter with Mr. Swank and he indicated to me as I indicated previously, that this would be a great step forward in removing individuals who potentially would end up on the welfare roll and it does not have concern that it would have the affect that you



suggest."

Jacob John Wolf: "Well, there was just one more thing that came to mind here. It seems to me that under the original bill that was passed that it was \$3,000.00 or whatever the figure was, or if they were on public aid. And, now as I understand this now, you could be on public aid and have an income of exceeding \$3,000.00, you could make \$4,000.00 or \$5,000.00 if in fact you were on public aid and you could get a tuition for your children paid, and yet if you made the same kind of income and not being a public aid recipient, you would not get a thing."

Eugene F. Schlickman: "We have not changed, the Governor has not recommended a change in the criterion of a poor family, and it is contained as is contained in the amendatory message, this act is limited to parents whose annual income is less than \$3,000.00 or whose family income annually is in excess of \$3,000.00 from payment under the program of aid to families of dependent children, under the Illinois plan approved under Title 4 of the Social Security Act, and this language is identical and the criterion is identical as to what was contained in Senate Bill 1196 as passed by this House."

Jacob John Wolf: "Then it remains that if you make \$5,000.00 a year you wouldn't qualify, but if you've got \$5,000.00 income a year and you were in fact a public aid recipient, you would get the tuition paid, right?"

Eugene F. Schlickman: "The income of a poor family, their in-



come exclusive of his benefits under the Illinois Plan Approved under Title 4 of the Social Security Act, can not exceed \$3,000.00."

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

Robert G. Day: "Would the sponsor yield for a question?"

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

Robert G. Day: "Representative Schlickman, I too am bothered by the language in this bill which amounts to a legislative finding on failure on the part of the public school. I am wondering if the commission really investigated this and if this is a finding on the part of the commission?"

Eugene F. Schlickman: "In response to the question from the gentleman from Peoria, the commission during its state-wide hearings and research that was conducted for it, concluded that this program and this part of the program represented in Senate Bill 1196 was vitally necessary and concurred with not only and concurred with by individuals very prominent in education."

Robert G. Day: "Well, was this one of the duties prescribed in the bill setting up the commission. Was one of their duties to investigate the adequacy of public education?"

Eugene F. Schlickman: "The commission charged or the legislative charge to the commission was to study the role and need of non-public schools in Illinois to determine the appropriate ways in which non-public and public schools could be related."

Robert G. Day: "Well, I take it then that it was not one of



duties, then, of the commission to pass judgment on the adequacy of private, of public education in the State, is that right?"

Eugene F. Schlickman: "The commission concluded that non-public schools and public schools would be appropriately related in the satisfaction of the constitutional mandate to assure all children in the state of quality education."

Robert G. Day: "Now, one other question. I note that this places a duty on regional superintendents to certify as to the adequacy and the propriety of all vouchers that are submitted to him. Is there anything in this bill to cover any additional expense that a regional superintendent may have, may incur, or investigating these vouchers and for doing the necessary bookkeeping and accounting in order for him to make a certification for drawing state funds."

Eugene F. Schlickman: "Representative, in Section 12 of the Amendatory of the Recommendation for Change, there is provided that the cost of the administration, both at the state and at the regional level will be drawn from that four and a half million dollars."

Robert G. Day: "And, do you have any idea what the cost, the amount of that cost, additional cost, will be to the to the local government throughout the State?"

Eugene F. Schlickman: "No, I don't, but again the Office of the Superintendent of Public Instruction has carefully studied this bill and has not raised any question or concern about the adequacy of the amount that's appropriated for the



cost of administration and the grants. There's also provided by the way, Representative, a provision that if after the cost of the administration there isn't enough to take care in full, one hundred per cent, the grants, that there will be pro rata distribution."

Robert G. Day: "My last question is I believe there were four constitutional authorities retained by the commission who wrote opinions as to the constitutionality of the bill in its original form and three of those gentlemen indicated that the bill in its original form was constitutional. Is that correct?"

Eugene F. Schlickman: "Yes, Representative, but as you know that was before the Supreme Court issued its decisions on June 28, 1971."

Robert G. Day: "Now, were those same four constitutional authorities contacted for an opinion. . ."

Hon. W. Robert Blair: "For what purpose. . ."

Robert G. Day: "regarding the bill in its present form?"

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Ah, Mr. Speaker, I think the same ruling previously that was rendered concerning a member who engaged in excessive questioning and dialogue ought to obtain here. I object to Mr. Day's repeated question, question, question, and I think it's an imposition on the House and could be limited."

Hon. W. Robert Blair: "I think your point is well taken, Mr.



Hyde. Representative Shea, for what purpose do you rise, sir?"

Gerald W. Shea: "Mr. Speaker, the gentlemen that are raising these questions are raising serious questions about some of the most important legislation that this body has. Now, for the Chair to cut off debate, at this point, or to try to find out what's in these bills, would be absolutely wrong. And I think that the sponsor of this legislation wants to explain it. You've got to remember that these are amendatory vetoes, that they've never gone through the committee process. They've never had thorough and complete hearing. That the Governor has rewritten this legislation and I think that we in this General Assembly are entitled to find out what's in that package of bills before we vote on it."

Hon. W. Robert Blair: "Representative Hyde, for what purpose do you rise, sir?"

Henry J. Hyde: "Mr. Speaker, I appreciate the enthusiasm with which the distinguished Assistant Minority Leader made his remarks. I have no intention of having the debate cut off, I'm for extensive debate and I'm sure we're in for a day of extensive debate on this and other bills. I simply think to put a chief sponsor on the witness stand and to have him answer five, six, seven, ten questions is an imposition on the entire House. It comes late in the day to try to learn what the bills do when they are called for a vote and it is just an a matter to orderly process, I certainly don't object



to one, two, three or four questions, but beyond that I just think it's improper."

Hon. W. Robert Blair: "The gentleman from Peoria, Representative Day, indicates that he wishes to finish his final questioning."

Robert G. Day: "Well, Mr. Speaker, of course, one of the serious questions involving legislation of this type is the question of constitutionality. Now, all all I am asking is that whether or not the commission, this legislative commission, which was appointed for the purpose of studying this question, and which did retain four constitutional authorities, eminent men in this field, I'm asking whether or not they have issued an opinion as to the bill in its present form as amended by the Governor, as to the constitutionality of it, in the light of the recent Supreme Court Decision. And it seems to me that this is a subject on which this House should be advised."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Berman."

Arthur L. Berman: "Mr. Speaker and Ladies and Gentlemen of the House, I just wanted to add my agreement to the statements made by Representative Shea. We're in a new ball game here with this new constitution and I don't think that this House should follow the old rules where extensive questioning was not permitted, but this is an entirely new bill. We've by-passed the committee structure, and it seems to me that as much as we want to conserve the time of this



House, and with all due respect to the Majority Leader, it seems to me that on a bill of this importance and a bill which has not been through the committee process, that we ought to be willing to devote our time, and our energies and our efforts to making sure that this bill is exactly what this House wants to pass. We're breaking new ground on this legislation, we're working under a new constitution and with all due respect, it seems to me that the gentleman from Peoria should be entitled to ask all the questions he wants and that those of us in this House ought to listen to the answers, and incidentally, the last question has not been answered, and I would like to have an answer to it."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Hyde, rise?"

Henry J. Hyde: "I just want to make it perfectly clear that I do not believe in one rule for the Democrats and one rule for the Republicans. Mr. B. B. Wolfe was foreclosed from a series of questions and on my motion and I don't want to be a party to letting one of our members ask a lengthy and involved and persistent questions when the Democrats were foreclosed and that is part and parcel of my attitude on this question."

Hon. W. Robert Blair: "The gentleman from DuPage, Representative Schneider."

J. Glenn Schneider: "Thank you, . . ."

Hon. W. Robert Blair: "Representative B. B. Wolfe, for what



purpose do you rise, sir?"

Bernard B. Wolfe: "A point of personal privilege, Mr. Speaker."

Hon. W. Robert Blair: "State your point, sir."

Bernard B. Wolfe: "My name was mentioned in debate on the floor again. Now, Mr. Majority Leader, I don't have to ask a question. What I'm doing is saying to this House, is that the questioning on the floor in a matter of this importance or any legislation coming through the Governor's office and back to the House on a question and answer basis is as free for one as it is for all and this is not a Democratic or Republican position, it is an individual personal position which I will give to every member of this House, and merely because I was cut off, I do not wish to cut off any member whether he be a Republican or a Democrat in an orderly process of questioning on an issue which is before this House."

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

J. Glenn Schneider: "Thank you, Mr. Speaker. I'd like to say in advance that I have three questions. Beginning with. . . a . . ."

Hon. W. Robert Blair: "Representative Schoeberlein, for what purpose do you rise, sir?"

Allan L. Schoeberlein: "I believe the gentleman is entitled to an answer to his question when he was cut off."

Hon. W. Robert Blair: "I'm sorry, Representative Day, didn't



you have an answer?"

Robert G. Day: "Ah. . ."

Hon. W. Robert Blair: "Representative Schlickman, do you wish to answer Representative Day's question?"

Eugene F. Schlickman: "Mr. Speaker. . ."

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

Eugene F. Schlickman: ". . .in fact I attempted to receive recognition so that I could respond, to the question from the gentleman from Peoria. The elementary and secondary non-public school study commission created by this General Assembly was charged to determine constitutionality. And in satisfaction of that charge, the commission did retain four eminently qualified constitutional law authorities, and their opinions were reproduced and distributed to each member of the General Assembly earlier this year in separate volume. The commission expired June 30, 1971 and the relationship that these consultants had with the commission, of course, also terminated. However, on an informal basis as the former Chairman of that past commission, I did distribute to each of the four former consultants to the commission, and not one of them responded with an opinion different than what he had given in the Spring of this year. I'd like to say, Mr. Speaker and Ladies and Gentlemen of this House, in further response, this bill is practically identical to the bill that was passed by the General Assembly earlier this Spring. The only changes that have been



made are those that are in direct response to the Lemon and Disenso cases."

Hon. W. Robert Blair: "Does that answer your question, Representative Day? The gentleman from DuPage, the Representative?"

Robert G. Day: "No, Mr. Speaker, that does not answer my question. Now, if the gentleman prefers not to answer my question that is his privilege, but my privilege, my question was have the four constitutional authorities approved and written opinions indicating that the bill in its present form meets the constitutional requirements?"

Hon. W. Robert Blair: "Do you wish to respond Representative Schlickman?"

Eugene F. Schlickman: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I can only say this, that the procedure of the commission was to have the constitutional law consultants advise us as to constitutional principles. We then took these principles and applied them to specific legislation. Now, on June 30, the commission expired. I did, on my own, as the former Chairman of the past commission, distribute copies as soon as the Governor had released them, of his recommended changes to the four constitutional law consultants. And not one of them has communicated that his that the principles that he had enunciated prior to Lemon and Disenso was different."

Hon. W. Robert Blair: "The gentleman from DuPage, Representative Schneider."



J. Glenn Schneider: "Thank you, Mr. Speaker. Gene, along the same lines can you indicate to me that there is a provision which will prevent the use of public monies for non-secular subjects in these class rooms in this bill?"

Eugene F. Schneider: "The Supreme Court, the United States Supreme Court in the Disenso and Lemon cases expressly found unconstitutional the use of the word 'secular' in state legislation and as I say in direct response to the U. S. Supreme Court's decision, that is one of the changes that the Governor made. That is not, however, by omission and approval of state funds for non for sectarian, denominational, non-secular matters. We still have the first amendment to the United States Constitution."

J. Glenn Schneider: "It seems, then, that there is no such provision assuming that interpretation to be a correct one, that we can't really anticipate that there'll be any kind of a guarantee that the funds will not be used as the school decides, including subjects of a religious nature then. Now, on another point, it seems to me that if the commission has found that the public school service in a school district has really been inadequate to the needs of poor children, it almost seems illogical that we are to assume on the basis of the previous bill that we would exchange auxiliary services as well as text books with inadequate public schools systems and that appears to be what you would have to do under 1195, the previous bill, so I wonder if there is not some kind of a lack of logic here



to editorialize about the capabilities of the public school system and at the same time require under 1195 that these inadequate school systems share their inadequateness.

Eugene F. Schlickman: "In response to the question of the gentleman from DuPage, I thought I tried to be clear earlier that this comment had to do with a limited amount of public schools, those in inner-city. And the inadequacy we are reading about constantly in the news media and having told to us by public school administrators themselves. There is I don't know how anyone could read in that particular finding an indictment of public schools generally and to do so is an unfairness to those who drafted those amendatory changes and to the sponsors of the bill."

J. Glenn Schneider: "Gene, I understand what you're saying, but in 1195 it seems to me to say that the non-public school located in a particular school district is the one with which you must share these auxiliary services and text books, which indicates to me that if you are in a poor neighborhood which in general has been judged to be giving inadequate education, then you must choose from that district to share again this kind of inadequacy. That's all I'm pointing out. Because 1195 does seem to me to encourage schools who are let's say being newly founded, a new non-public school, it would make a heck of a lot of sense that that new school locate in let's say a wealthier school district so that this new non-public school can share these superior facilities or auxiliary services, rather, and superior text books.



Because, it's no secret in many reports, including the commission report that text books found in inner-city schools are in some cases 50 to 60 years out of date. And I refer you to I believe the Erickson Commission Report which makes reference to I think a chemistry book used in an inner-city school. So I just wonder again, raise the question of the lack of logic in editorializing, which I think is highly unnecessary in a bill to rise on its merit without you providing the merit and motivation for it. I surely raise some serious objections to that, but correct me if I'm wrong, in 1195 it seems to me that a non-public school in a public school district must get its auxiliary services and its text books from that particular public school district."

Eugene F. Schlickman: "In response to the gentleman from DuPage, the two bills now and as they were originally passed from the House, are mutually exclusive of one another."

J. Glenn Schneider: "Okay, let's try another question. In conclusion, I didn't feel that that was an adequate answer. But I was wondering if you could explain to me how the vouchers are determined. I believe I read that its based on average daily attendance. It's based on a family income of \$3,000.00, unless it exceeds that by public aid, and it is also to some extent based on the assessed evaluation, and likewise, includes in terms of the voucher payment a time lag of March 15 and August 15, is that about right, Gene?"



Eugene F. Schlickman: "I'm sorry Representative, but I was distracted and I didn't hear it, and I apologize, would you mind repeating it."

J. Glenn Schneider: "Well, shall I sing it? Would that be, am I to judge that the formula or the ways that the vouchers are to be distributed are based on the following criteria. Average daily attendance, the \$3,000.00 income unless it is exceeded by public assistance, the assessed evaluation of the school district, and also included in this is there a time lag of March 15 and August 15 in the bill for payment of the voucher?"

Eugene F. Schlickman: "Well, assessed evaluation of a school district has nothing is no criteria that's involved. The grant that will be available to a poor family will be paid to that poor family at the conclusion of the semester for which it is applied. It will not be paid at the beginning."

J. Glenn Schneider: "But is the per child state grant, is it equal to the exact amount given in the state school that provided in the school code 18.8 and 18.10?"

Eugene F. Schlickman: "I'm sorry, but I don't understand that question."

J. Glenn Schneider: "Well, I'm concerned that the formula used for public education in supporting our schools, does it not, does the voucher system tie to that formula that we presently use?"

Eugene F. Schlickman: "Yes it does."

J. Glenn Schneider: "Well, isn't that determined on average



daily attendance and assessed evaluation?"

Eugene F. Schlickman: "Are you talking about. . .yes, it is."

J. Glenn Schneider: "All right, we're talking about poor kids who are notoriously delinquent in school for a variety of reasons, it might be the home situation, it might be improper food, it might be discouragement at school that you have claimed to be so poor, and if that's true, then average daily attendance is seems to be an inessential requirement for trying to help kids that are poor."

Eugene F. Schlickman: "I leave you to your opinion, Representative."

J. Glenn Schneider: "All right, then the bill seems to be going no where. It seems to me that we're encouraging as a kind of a subterfuge, a program or a bill which is saying we are doing something for poor people, but in reality, we are not."

Eugene F. Schlickman: "I differ with you greatly on that one."

J. Glenn Schneider: "All right, unless you can convince me that the formula is not a factor in determining the amount of money, I think you're erroneous, and I'm sympathetic to the fact that we ought to try our best to assist the people who are a great extent outside the fringes of a substantial education and I hope we can go forward with that concept but I think the bill's going to have to be substantially revised. I would hope that the members take this into consideration and vote against the bill. I think perhaps the bill should have died along with the commission last summer."



Hon. W. Robert Blair: "Is there further discussion? If not the gentleman from Cook, Representative Schlickman, is recognized to close the debate."

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to repeat what I said at the outset, that this bill, more than any other bill of which I am aware meets a most critical need in education today, and that is those children of poor families who are unquestionably not receiving quality education and for the first time their parents would be given the opportunity to select for their children the kind of education, quality education that they should like to receive. This bill is practically identical to what was considered by us earlier this year, which we passed by an overwhelming vote and it responds directly to those Supreme Court decisions that were alluded to. I respectfully, Ladies and Gentlemen, solicit your support for this most necessary measure."

Hon. W. Robert Blair: "The question is shall the House concur with the Senate action relative to the Governor's amendatory veto to Senate Bill 1196. All in favor of concurrence will signify by voting 'Yeas', those opposed by voting 'No'. Record Representative B. B. Wolfe as voting 'Present'. Have all voted who wished? Take the record. Meyer, 'Yeas'. Kosinski, 'Present'. Representative Scariano, for what purpose do you rise, sir?"

Anthony Scariano: "May I be recorded as voting 'Present' on this bill?"



Hon. W. Robert Blair: "Record the gentleman as voting 'Present'. Capparelli, 'Present'. Representative Graham, for what purpose do you rise, sir?"

Elwood R. Graham: "Present."

Hon. W. Robert Blair: "Record the gentleman as voting 'Present'. Palmer, 'Present'. If the gentlemen will come. . . Representative Choate, we've got you as voting 'No'. Representative Hirschfeld, for what purpose do you rise?"

John C. Hirschfeld: "Mr. Speaker, having voted with the prevailing side. . ."

Hon. W. Robert Blair: "I haven't announced the roll call yet, sir. Caldwell, 'Yeas'. Campbell, 'Yeas'. On this question the 'Yeas' are 95, the 'Nays' are 52, and 3 answering 'Present', and the House concurs with the Governor's amendatory veto to Senate Bill 1196. The gentleman from Cook, Representative Granata."

Peter C. Granata: "Mr. Speaker, I now move that oh, wait a minute, he wanted to make the original motion. No, go ahead."

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

John C. Hirschfeld: "Mr. Speaker, having voted with the prevailing side, I now move that the vote by which this motion passed by reconsidered."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Granata."

Peter C. Granata: "Mr. Speaker, I move that motion lie on the



table."

Hon. W. Robert Blair: "The question is on the gentleman's motion to table. All those in favor signify by saying 'Yeas', the opposed 'No', the gentleman's motion prevails. On the order of Amendatory Vetoes - Concurrence Motions appears Senate Bill 1197."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 1197 as set forth in the Governor's message, September 10, 1971. Gene Schlickman."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1197 the 'Illinois Educational Board Act of 1971' has been described as one of the most enlightened pieces of educational legislation introduced in Illinois. It provides for state grants to combinations of public and non-public school interests, that have developed innovative, exemplary approaches to education. The board in making grants shall give emphasis to those areas that are economically deprived or culturally disadvantaged. As with the previous bills, Senate Bill 1197 has been reviewed in light of the U. S. Supreme Court's decision. The recommended changes as listed are as follows: 1) in addition to changes of combinations of public and non-public school



interest, there is added combinations to public and public school interest, and the state grants are delivered only to the public school interest for administration. By the recommended changes, the benefits of this program would be extended and to avoid entanglement, the money would be administered by public school interest. Again, your consideration and support of this bill as changed and concurrence with the Senate's adoption of the Governor's change would be most appreciated."

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

Daniel M. Pierce: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, although I have not been a supporter of these bills in the past three sessions of the legislature as they have come up, the Copeland bills and the Schlickmans bills, and although I opposed the two previous bills on the grounds of constitutionality under the Illinois constitution, I reviewed this bill and I think that under the amendatory veto, this bill would meet the test of both the Illinois and the federal constitution, would help innovative cooperation between public and non-public schools, and I intend and will vote and support this bill."

Hon. W. Robert Blair: "Is there further discussion? Does the gentleman wish to close the debate?"

Eugene F. Schlickman: "No, sir, yes, sir."

Hon. W. Robert Blair: "Proceed."

Eugene F. Schlickman: "I simply restate my request for favorable consideration."



Hon. W. Robert Blair: "The question is shall the House concur with the Senate action relative to the Governor's amendatory veto to Senate Bill 1197. All those in favor of concurrence signify by voting 'Yeas', those opposed by voting 'No'. Have all voted who wish? Schneider, 'Present'. Take the record. On this question, the 'Yeas' are 112, the 'Nays' are 39, 1 answering 'Present' and the House concurs with the Senate action relative to Senate Bill 1197. The gentleman from Cook, Mr. Granata."

Peter C. Granata: "Mr. Speaker, I now move that we reconsider the vote by which Senate Bill 1197 was passed."

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

Eugene F. Schlickman: "I move that that motion lie on the table."

Hon. W. Robert Blair: "I thought that you would. The question is on the gentleman's motion to table. All those in favor signify by saying 'Yeas', the opposed 'No', the gentleman's motion prevails. 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 adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Joint Resolution No. 54. 'Resolved, by the Senate of the Seventy-seventh General Assembly of the State of Illinois, the House of Representatives



concurring herein, that when the Senate adjourns on Thursday, October 28, 1971, it stand adjourned until Monday, November 1, 1971, at 12:00 O'clock noon; and when the House of Representatives adjourns on Friday, October 29, 1971, it stand adjourned until Monday, November 1, 1971, at 1:00 O'clock p.m."

Acting Speaker, Arthur A. Telcser: "The gentleman from Will, Speaker Blair."

Hon. W. Robert Blair: "Mr. Speaker, I move the adoption of the resolution."

Acting Speaker, Arthur A. Telcser: "The gentleman has moved the adoption of the resolution. All those in favor signify by saying 'Yeas', opposed 'No', the resolution is adopted. With leave of the House, we'll go to the order of House Bills second reading. Appearing on second reading is House Bill 3700, amendments."

Fredric B. Selcke: "Amendment Number Four. Substitute Amendment Number Four for Committee Amendment Number Four. Lindberg. Amend House Bill 3700 on page 7, by striking line 8 and inserting in lieu thereof the following, and so forth."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, substitute Amendment Number Four continues the basic objectives of Amendment Number Four which was withdrawn last yesterday upon Representative Berman's suggestion. To reiterate, Amendment Number Four would create a two tier reporting system whereby



all public officials in the State of Illinois would be required by identity only statements of their income, assets and liability. They would not state the amount of those items for public disclosure in the Office of the Secretary of State and the County Clerk, however, they would be required to report the dollar amount of change in their net worth. The particular provision that Representative Berman drew to my attention was the possible danger of permitting these second level disclosures, which do include the amounts and which are filed with the Board of Ethics created under Amendment Four, the danger of having any type of court order, make these particular documents available in a legal proceeding, which may be totally unrelated to the ethical considerations which are the purpose of this bill. Therefore, I would now move, Mr. Speaker, for the adoption of Amendment, Substitute Amendment Number Four to House Bill 3700."

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

Gerald W. Shea: "Will the sponsor yield for questioning?"

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

Gerald W. Shea: "George, as I read this, it says the dollar amount which represents the net increase or decrease in the net worth of the person. And, what do you do when somebody has a large portfolio of stocks or has some stocks that are not listed securities. How do you determine any change in the net worth when there is no market in them and you know



they've gone up in value, but there is no way to determine it?"

George W. Lindberg: "Ah, my answer to that would be that at the time that they are preparing their second level disclosure, which is coincidental to the first level disclosure, and they would have to make those evaluations at that time. I'm not specifically familiar with the procedure by which it's done now, but I would imagine that estimates by licensed brokers would probably suffice on traded securities and so far as I could ascertain, a C.P.A. would have to make the estimate on those that are not regularly traded."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Katz."

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

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

Harold A. Katz: "I gather that the reason for the requirement for the increase in net worth is to try to see if the legislator is receiving any money that he shouldn't be from any devious source. What does concern me about it is that take a situation of a legislator who owns some stock in a company that has nothing to do with the legislature at all and let's say that there is a substantial increase in the value of that stock during a particular year, having nothing to do with him or the legislature even, either. I would gather from your bill that he would have to show the increase in net worth, and the only concern that I would have is how does the legislator avoid suspicion that that increase



in net worth may be the result of some legislative connivery when in fact he may not have even bought any additional stock. It may simply be that the market has gone up, or he has hit it lucky with reference to an investment that has nothing to do with the legislature."

George W. Lindberg: "Well, first of all, of course, you frame the question in terms of legislators, and of course, this would cover all public officials that are covered by the act, to begin with. The second thing is that with regard to ah, what was the second part of that question, it just escaped me."

Harold A. Katz: "The second part of it was that as I understand it the legislator would have to report. . ."

George W. Lindberg: "Oh, yes, I remember."

Harold A. Katz: ". . .that his net worth increased x thousands of dollars, and how is a constituent to know that that x thousand of dollars was the result of something wholly proper rather than something that would be unlawful. He may be hung before he even has a chance to say anything, by the simple fact of the increase."

George W. Lindberg: "Well, there is nothing to prohibit a public official from expanding upon the reporting that we require here. This is a minimum reporting. For example, if you were to receive a \$100,000.00 during the inheritance during the reporting period, it would probably be wise for you, as a candidate for public office, to explain that the sudden increase in your net worth was caused by a substantial



inheritance. You may even reference the court file relative to that estate. Even in reporting identities of your assets, you may wish to explain that the only shares that you have in a highly regulated company were one share that you received by an inheritance, or ten shares. In other words, there's nothing to prohibit you from explaining in your statement the source of or amounts of these assets."

Harold A. Katz: "Well, the only thing that seems to be is that I don't see that there is very much probative value in simply the increase in net worth. I can understand that if the increase in net worth, let's say, is a regulated company in Illinois, I can see the relationship to that. It is hard for me realistically to think that if there exists a legislator or some other public official who takes money, that he is going to in fact list that in the form, that seems to me to be a little not reasonable, and it does seem to me that perhaps in the Senate, if it gets out of here, you ought to think about relating the increase in net worth to things that have any possible relationship to the legislative activities. Otherwise, you can have a situation where a legislator neither buys or sells a single share of stock during the year, and yet he comes out at the end of the year, due to change in market conditions, with considerable increase and income. That seems to be irrelevant from the public point of view, and therefore, it would seem to me to be reconsidered, and sharpening this provision and narrowing it down to that which you are in fact



trying to show."

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

Webber Borchers: "Mr. Speaker, if the sponsor would yield to a question."

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

Webber Borchers: "Ah, let's take land in relation to the outskirts of cities. Let's, there's awful great changes in the valuation of land due to development, and sometimes often beyond your control. But it makes a definite change, you're going to have to state what the value of your land is going to be. While under certain conditions, I can see a change of \$100,000.00 a year in the evaluation of land. Under certain economic conditions in perhaps the super-market area and so on, I wonder how you're going to keep this increase of value which is perhaps a continuing process from becoming a becomes public knowledge, it's likely to draw attention to possible plans or developments that you have for yourselves in the future, and you are put in a position of having to disclose plans that have nothing to do with the legislature, or legislature action, it's your own doing, but nevertheless, you draw attention and it may cost you in the influence of the surrounding land, purchase, etc. Now, what about that point?"

George W. Lindberg: "You're making a subjective determination. You would say that the increase in land may may not have anything or nothing to do with your legislative or public



official responsibility."

Webber Borchers: "That's right."

George W. Lindberg: "But one of the increases that could take place in land is a condemnation of that property or a projected condemnation of that property for a state highway, which you may well have participated in in voting for an appropriation or a similar situation. So, the point is that I can not believe that this general assembly can impose upon public officials the obligation to make a subjective determination as to whether an asset, liability or item of income is in fact a conflict of interest, or a potential conflict of interest. I think that we would have a wide range of opinion in that regard. Therefore, we are making a strict disclosure bill out of this and we make the electorate decide whether or not your ownership of certain assets if a conflict of interest and they make that decision. Now, on the question of the valuation of these assets, certainly the reasonable man test will be applied, just through the regular processes of law. As a practical matter, unless a complaint is brought against you, the issue will never arise. The electorate will decide if you suddenly find that that value of that property has gone up \$100,000.00 and you feel that you should report that, because no reasonable man would neglect that, then you may wish to explain that in your first year public disclosure. That in your estimate the property has increased \$50,000.00 or \$100,000.00 in value."



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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, I spoke at some length yesterday on this amendment. This amendment at the present time has been revised solely to take out some unnecessary language in it, but it is still essentially the same amendment that was presented before this body yesterday. I'm not going to take a lot of your time, but I simply would like to remind the membership that this is the amendment that completely changes the thrust of the bill as it was previously presented. We now go to what has been called a two tier program which we would disclose and all public officials and candidates would disclose ownership in interests of various reportable items and properties, but not the amount which we own. The bill, as came out of the committee, would give the information to the public, not only what we own, but how much we own, and for themselves they could then judge what the change has been from time to time that we might present ourselves. I would also remind you that this incorporates for the first time this new Board of Ethics, which is created by this bill, which is appointed mainly by those who are interested in politics and it injects back into this bill the very thing that the committee tried to keep out, and that is the possibility of political control over the over whether items should be disclosed or not. I would suggest that we perhaps leave that to the membership.



I call this only to your attention. You recall what I said about this particular amendment yesterday and I am particularly going to vote against this amendment to weaken the bill as it came from the committee."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Graham."

Elwood R. Graham: "Mr. Speaker, I would like to know who will define a public official, what is a public official and who are public officials?"

Hon. W. Robert Blair: "Representative Lindberg indicates he will respond to that inquiry, sir."

George W. Lindberg: "Ah, Representative Graham, the a public official is defined in Section, or Article II of this bill, Section 215. Public Official means 'any person elected to any office in the state, including offices in counties, municipalities, school districts and units of local government and any salaried employee of a public agency of this state, for the purpose of this act, a person elected or appointed to a position in a political party shall not be considered a public official'."

Hon. W. Robert Blair: "Proceed, Representative Graham."

Elwood R. Graham: "Seems to me that this bill is rubbing elbows with class legislation. I said it seems to me that this bill is rubbing elbows with class legislation. Well, I did explain it. Class legislation is unconstitutional."

Hon. W. Robert Blair: "The gentleman from Grundy, Representative Washburn."



James R. Washburn: "Ah, Thank you, Mr. Speaker. I have a question along the same line as Representative Graham that I would like to have answered. It is not clear in my mind just who is covered, either. George, you say, elected any elected official or any salaried employee, is that the right interpretation of that that you just read there?"

George W. Lindberg: "Yes, ah, ah, it includes any salaried employee of the public agency of this state."

James R. Washburn: "No maximum or minimum salary?"

George W. Lindberg: "On the issue on Article V of Article IV the disclosure requirements, we require that persons that earn less than \$20,000.00 are exempted from the filing requirement, primarily because we did not want to include the great body of teachers. Now, I do you want or proceed? I know what you're leading up to."

James R. Washburn: "No, that was one of, I have a couple categories written down here that I didn't know whether they were covered, and teachers was one of them. Now any teacher that receives a salary of less than \$20,000.00 will not be covered by this bill, is that correct?"

George W. Lindberg: "No, not really. Each of the provisions makes an adjustment, so I think the point you're getting at is the people who are in non-compensated positions but with considerable influence."

James R. Washburn: "Well, we're talking about teachers right now."

George W. Lindberg: "Teachers will be excluded if they earn



less than \$20,000.00."

James R. Washburn: "That's what I say, teachers that make less than \$20,000.00 are not included in this bill."

George W. Lindberg: "That's correct."

James R. Washburn: "All right, that's one classification out of the way. Now, appointed members of various boards and commission. One I have in mind and there would be various others similar to it, there would be a library board, where by they expend tax dollars. Are they covered? They are non-salaried, they're appointed, but they spend tax dollars, such as a library board member?"

George W. Lindberg: "Yes, just one moment and I'll check it. Yes, Representative Washburn, if you would check on page 9 at line, well beginning roughly with line 1, this would describe roughly the people who must make disclosure under this bill and it would include public officials who make the decision concerning the purchase, sale or lease of public property, as well as the Judges of the Court of Claims, and we do have an amendment in here to expand that to persons who make decisions on land use classifications, that would be the zoning board."

James R. Washburn: "So, library board members would be included?"

George W. Lindberg: "Yes:"

James R. Washburn: "And my other classification would be Zoning Board members? And they are covered under the bill?"



George W. Lindberg: "They will be covered under Amendment Number 28 if it's adopted."

James R. Washburn: "They are included under Amendment Number 28."

George W. Lindberg: "Yeah, definitely the intention in drafting this bill to include them, but I think it's a little vague, so we're going to expressly state that persons who make decisions relating to the classification of land uses."

James R. Washburn: "I'm happy to hear that, I think that they should be covered. Thank you."

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

George Ray Hudson: "Would the sponsor yield for a question?"

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

George Ray Hudson: "George, I do not have the bill in front of me here at the moment, but and I may be I think I'm somewhat confused between the difference between salary and income, getting back to the teacher, for instance, again as an example, let's say making \$9,000.00 or \$10,000.00 a year but might have additional income in the form of investments or securities or what have you, which would bring the total amount of the assets above your \$20,000.00 above, now therefore, then, would the teacher be included in this?"

George W. Lindberg: "No, those teachers whose public salary does not exceed \$20,000.00 would not be included in the reporting requirements of this bill. It's not an issue of how wealthy they are, the commission concluded that the



salary range of about \$20,000.00 is where we start getting into that type of employee who has decision making functions relating to tax payers funds."

George Ray Hudson: "Thank you."

Hon. W. Robert Blair: "Is there further discussion? If not, the gentleman from McHenry, Representative Lindberg is recognized to close the debate."

George W. Lindberg: "Well, Mr. Speaker, I'll simply close by saying that this particular amendment is the amendment that I have always sought to offset the problem of requiring the thousands and thousands of people who serve in Illinois government from making a full amount type of disclosure. It's my opinion that we have a citizen form of government here, and that we must recognize in this body that many citizens perform valuable public services, serving as public officials, and to have them bear their entire financial soul by having to list the amounts of their income, assets and liabilities, I am afraid that this would cause a mutiny at the local levels of our government and I think that this was an appropriate step, the news media and the electorate will have the opportunity to determine whether you have assets, income or liability that make you a potential conflict of interest candidate or public office holder, so I would urge that the members support the adoption of Amendment Number Four."

Hon. W. Robert Blair: "Representative, Representative Wolf, did you seek recognition and did I overlook you? The gen-



tleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "Yes, I had to belabor this, I did have a question. George, this is Amendment Number Four, was that?"

George W. Lindberg: "It's substitute Amendment Number Four."

Jacob John Wolf: "I'm having difficulty, I can't find it and I don't know if I heard right or not, but do people who contract for services, etc. with the State of Illinois, also have to make such a disclosure?"

George W. Lindberg: "Not in this bill. This is a public official. This is a code of conduct for public officials. That might be the subject matter of another bill, however."

Jacob John Wolf: "Thank you."

Hon. W. Robert Blair: "The gentleman has offered to move the substitute committee amendment number four to House Bill 3700. All those in favor signify by saying 'Yeas', the, roll call has been requested. All those in favor signify by voting 'Yeas', those opposed by voting 'No'. Have all voted who wish? Pappas, 'Yeas'. Jones, if you gentlemen will get in your switches, we'll take another moment. Those of you who are who are in someplace other than your seat. Have all voted who wished? Take the record. On this question, the 'Yeas' are 65; the 'Nays' are 56 and the gentleman's motion to adopt substitute committee amendment number four to House Bill 3700 prevails. Are there further amendments?"

Jack O'Brien: "Amendment Number Eight, Lindberg. Amend House Bill 3700 by adding new Section 7-4 and 7-5 as follows:



Section 7-4, the board has the authority of making. . ."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg to explain the amendment."

George W. Lindberg: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, Amendment Number Eight simply authorizes the Board of Ethics which we just created under Amendment Number Four to make the necessary rules for the conduct of the business and to the disposition of the second level disclosure, the disclosure with the amounts for safe keeping and also to prepare the form which all public officials should fill out in making their disclosure, and that is the extent of the effect of Amendment Number Eight and I would ask that it be adopted."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Yourell."

Harry Yourell: "Would the gentleman yield to a question?"

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

George W. Lindberg: "Yes."

Harry Yourell: "George, ah, in the original bill without before Amendment Number Eight, did it have a starting date or a date when the bill would be enacted under Section 7-5 and is that now being taken out?"

George W. Lindberg: "No, the the effective date of the bill remains as December 1, 1971. This Amendment Number Eight I believe that's in amendment number four, I believe if you check you'll find that. . ."

Harry Yourell: "Well, on page 20, doesn't Section 7-5 appear



and now is that not taken out by Amendment Number Eight?"

George W. Lindberg: "No, Amendment Number Four rennumbers the Article VII so that that would now be Article VIII-V."

Hon. W. Robert Blair: "The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "A point of order, Mr. Speaker."

Hon. W. Robert Blair: "State your point, sir."

Bernard B. Wolfe: "In Amendment Number. . ."

Hon. W. Robert Blair: "Representative Lindberg, for what purpose do you rise, sir?"

George W. Lindberg: "An oversight, Mr. Speaker. I find that yesterday we did incorporate Amendment Number Eight into Amendment Number Four, which we just adopted, so I would like at this time to withdraw Amendment Number Eight."

Hon. W. Robert Blair: "Okay, will the Clerk please withdraw Amendment Number Eight and are there further amendments?"

Jack O'Brien: "Amendment Number Ten, Choate. Amends House Bill 3700 on page 6 by inserting. . ."

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

Clyde L. Choate: "Mr. Speaker, Representative Duff and I are having dialogue as far as Amendment Number Ten is concerned, if it's agreeable with the House, I would like for you to request, Mr. Speaker, to go on to other amendments and then we'll come back to ten."

Hon. W. Robert Blair: "I'm sure it would be agreeable, Representative Choate. Are there further amendments?"



Jack O'Brien: "Amendment Number Eleven. Amend House Bill 3700, Houlihan, as amended on page 10, line 4 through line 34 on page 15, by deleting Article V and on page 15, line 35, by striking Article VI and inserting in lieu thereof Article V and on page 20, line 13 by striking Article VII and inserting in lieu thereof Article VI."

Hon. W. Robert Blair: "The gentleman from Will, Representative Houlihan."

John J. Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment Number Eleven would eliminate Article V of the disclosure of political contributions. The reason one of the reasons, at least in my mind that we should eliminate this, is that it appears to me that it is aimed particularly at the labor contributions to political candidates. Now, I've heard the argument on this floor where some of the people in the labor unions don't like the way the money is distributed. Well, let me tell you that there are a lot of things that occur on the floor of this House that I don't like but I've had my opportunity to vote on them and I have to accept what the majority wants. And this is the same way that contributions are given in labor unions. There is no action taken unless the membership votes on the contributions. Now, the fellows who complain about this are the fellows who don't attend the meetings. So if they want to complain about this, I think they should go and vote and then possibly they might not make some of these contributions. I can't speak for what corporations do, because



I'm not an officer in any corporation and I don't happen to own any stock, which is a disclosure of source. Just the other day, they kicked China out of the U.N. by a majority vote and I don't like it any better than anyone else. But the a majority ruled such and so be it. I ask for the adoption of Amendment Number Eleven."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Well, Mr. Speaker, as I interpret this amendment, it would completely emasculate from this bill the entire article relating to the reporting of political contributions to a candidate and the expenditures by that candidate as well as for political committees. Now, Representative Houlihan has addressed himself to the what I'm sure he considers an unfair part of this bill relating to the prohibition from corporations and unions, as such, from making contributions, political contributions. I do note that his second amendment would strike that particular point but leave the rest of Article V in tact. It was the opinion of the Ethics and Government Commission that the subject matter of contributions to political candidates and political committees and political parties is a subject that should be on the record so that voters and the electorate and the press would know from whence, funds and particularly large funds come to particular candidates. Certainly, who knows whether a candidate is going to be prejudiced if somebody drops him \$50,000.00 in the campaign, but I think there



is a presumption that he might be influenced by that type of a contribution. This article five, on campaign contributions, is not a difficult section, it does not work a hardship on any particular party, it only requires the name and amount of contribution to candidates and political committees or parties which exceed \$100.00. I don't think that's an unreasonable request. If Representative Houlihan's objection is to the corporation and union prohibition, then let's address ourselves to that in his next amendment, but I would hope that this amendment would be defeated, because it would absolutely gut this bill on the issue of making public campaign contributions. And those of you who have expressed an interest in ethics legislation, you will actually be making your record on the issue of campaign contribution disclosure by your vote on this particular amendment."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'm sure that you've all read Section 5 very thoroughly, but I'd just like to take a minute of this House and go through it. Section 5-1 says that there will be no contributions by unions and corporations. Section 2 says that you can not accept unanimous contributions. Section 3 says that all committees shall file with the State Board certain documents. And then Section 4 talks about who the officers are. Section 5 talks about the records of political



parties that they will have to keep, and all donations. Part of that is a list of all donations by name and address of people over \$100.00. Section 6 says about the same thing but it says that it has to be filed. Section 7 talks about the names and addresses of all contributors in excess of \$100.00, each loan and the total sum that a candidate gets. Then, I think it gets very interesting in Section 10, where it says that the committee shall file on June 30 and December 30th and 15 days prior to an election and then 30 days after it and it's the same requirement to a candidate. Gentlemen, I wish you'd look at this section because it's probably the most politically motivated bill I've ever seen. Stop and think when you have a candidate running for public office and he must list every contribution of over \$100.00 and then file it before the election, before the primary and every 30 days during the year. Now, if your opponent for public office happens to be an incumbent or a happens to have the administration against who you are running and he can find out the source of every one of your campaign contributors before the primary, I wonder if those same contributors are going to be there in the general election with all the machinery of the administration wondering about it. I'd have no hesitation to file what I get in contributions 30 days after the election, but I think to ask people to do it before the election, to do it before the primary and every 30 days, you're going to put yourself in a position where if you're trying to fight an administration, then



you're going to be sitting there just fighting and fighting and fighting. I think this is one section that we ought to look at very, very closely. I don't think, I think George should have taken a two part look at this. A part of disclosure for candidates and ethics and a part of campaign spending limitations and I'd be the first one to come out and show what's there. I think we ought to show our contributions, but I think they ought to be reported after an election, so that somebody can't make the politicalness out of it that is being attempted to do in this bill."

Hon. W. Robert Blair: "The gentleman from Winnebago, Representative Giorgi."

E. J. Giorgi: "Mr. Speaker and Members of the House, as I understand Mr. Houlihan's amendment, it attempts to eliminate from this bill the contributions of corporations and contributions of unions, is that right, John?"

John J. Houlihan: "Prohibition."

E. J. Giorgi: "The prohibition. Well, as you know, I come from Winnebago and I've been in the political arena for about 15 years, and we've been clobbered up there with Republican money, with, you know, the Republican industrialist pouring their money into the Republican newspaper and all the Republican news media, tv and radio stations, finally the union man up in the Rockford area has shown some guts and wants to put his dollar for dollar with the industrialist, because the industrialists control the Winnebago County area and the Republicans have been creaming themselves and



decimating themselves and destroying themselves. Now, I'd like to see this competition continue because it's become healthy in Winnebago. I'd like to see the corporations continue contributing to the Republican Party, because I'd like to be able to use some of the supporters of mine which are union members with Democratic money, because I think in the end our philosophy is going to prevail. I'd hate to see them eliminated and for another reason is that because in a union meeting, the membership has to agree to spend some labor money, but in the industrial halls, the President of the corporation grants a bonus to the hopes that they might contribute to a private party. So I'm supporting John Houlihan for those reasons."

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

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of this House, will the sponsor of this question yield for one short question to clarify?"

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

Gene L. Hoffman: "Do I understand that this correctly, Representative Houlihan, that your amendment strikes Article V? It strikes it in its entirety?"

John J. Houlihan: "Yes. Yes, you do."

Gene L. Hoffman: "Thank you very much."

Hon. W. Robert Blair: "Is there further discussion? If not, the gentleman from Will, Representative Houlihan, is recognized to close the debate."



John J. Houlihan: "Roll call."

Hon. W. Robert Blair: "The gentleman has offered to move the adoption of Amendment Number Eleven to House Bill 3700.

All those in favor signify by saying 'Yeas', the, did the gentleman request a roll call? Okay. The gentleman from Will, Representative Houlihan, has offered to move the adoption of Amendment Number Eleven to House Bill 3700. All those in favor of the adoption signify by voting 'Yeas', the opposed by voting 'No'. The gentleman from McHenry, Representative Lindberg, is recognized to explain his vote."

George W. Lindberg: "All right, just so that everyone is understands this particular amendment by Representative Houlihan would eliminate the entire reference to political contribution reporting. His next amendment, which I presume he is going to ask for would be the one relating to corporations and unions. I would ask those members who are concerned about the prohibition on corporations and unions, to nonetheless support the defeat of this amendment and address yourselves to the next amendment which relates only to that paragraph prohibiting corporations and unions from making contributions. In addition to that, Representative Shea's argument with regard to waiting until after the election to make a full disclosure of the sources of your political contributions defeats the whole idea. The objective here is to let the electorate, the people who are voting for you make the decision as to whether or not the sources of your financial support are inconsistent with their



philosophy and so I think that provision is absolutely critical, and I would urge that we have enough red lights on this amendment to defeat it and you can go on to Representative Houlihan's amendment next."

Hon. W. Robert Blair: "The gentleman from Will, Representative O'Brien, wishes to explain his vote."

George M. O'Brien: "Ah, a word to explain my vote and not to take up too much time. I think this sort of thing is a two way street. As I view it, it is all or nothing. I could go both ways to either exclude unions or corporations or to keep them in. In my heart, I think the secret of the whole business is disclosure. And that's where where where the electorate will have the opportunity to vote you in or vote you out. As a consequence, with due respect to my respected colleague, I vote 'No' on this."

Hon. W. Robert Blair: "Have all, the gentleman from Cook, Representative Glass."

Bradley M. Glass: "Ah, well, Mr. Speaker and Ladies and Gentlemen, in explaining my 'No' vote, on this amendment, I wish to comment on the sponsor's concern that unions would be excluded from making contributions. I think Representative Lindberg's remarks are well taken, but there are amendments that could accomplish that objective but still leave the disclosure requirements in the bill, and it seems to me that certainly members of a union whose dues are being spent to support candidates at the very least that ought to be done, is to make public the candidates for whom those monies are



used to support. And I think as Representative Lindberg has said that this will certainly emasculate the bill if this entire Article is removed."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Rayson."

Leland H. Rayson: "Ah, Mr. Speaker and Members of the House, I'm kind of concerned about this vote here and now, and I echo those who feel that this particular amendment should be defeated. I, for one, of course, are for the repeal of Section 5-1 of Article V. I think there's merit in that, but all of this work put in this for the disclosures with reference to committees, if this is eliminated, I really feel there is no sense spending a lot of time on this bill hereafter, the sponsor of this bill is right, this is an emasculating kind of amendment and I suggest that those support an amendment which should be coming up, which would eliminate Section 5-1, but not this."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, I rise to explain my vote. It seems to me that when we get into this area of ethics, it is obvious for us too difficult for us to resolve the proper balance, but it also seems to me that campaign contribution disclosure is the essence of what we're trying to accomplish. I think that provision is the most important part of the bill. I don't think there is any question is anybody's mind that in both parties and in all kinds of political



activities there have been in recent years and months, notice of enormous contributions, for example, from people who have vested interest in what the state or local governments do, and I mean, let's not be unaware of the things that, and let's not leave unsaid the things that we're all aware of, relating to big contributions from race track interest and insurance interest and many many others, that have been in such dollar sizes that the public should have a right to know before the election about those kinds of contributions. I mean that we're talking about contributions of \$40,000.00, \$50,000.00, \$60,000.00 to one candidate from one person. Those are the kinds of things that the public has got a right to know about. If we don't defeat this amendment, we will be sorely, sorely testing the patience of the public who are looking to us to come up with something in this area. I vote no."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Dan O'Brien."

Daniel J. O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I wish to just take a minute to explain my 'No' vote on this amendment. I am fully in accord with those who wish to eliminate the prohibition from receiving contributions from labor organizations or corporations. I don't understand the sponsor of the bill taking out non-for-profit corporations and leaving in the prohibition against labor unions. Maybe I do understand it, but I won't say so. I think we should consider that amend-



ment next and eliminate the prohibition against labor unions contributions, but I think there should be disclosure and this session provides it and I vote 'No'."

Hon. W. Robert Blair: "Have all voted who. . .The gentleman from McLean, Representative Hall."

Harber H. Hall: "In explaining my vote, Mr. Speaker, I have to wonder if those who are voting for this amendment would vote to permit corporations to make political contributions. I think what is fair for one is fair for both, but apparently there are those who would dare say that it is only fair to labor but it's not fair to corporations. I don't agree with this, but I think you should have given this a little more thought, and vote against this amendment and then if you care to on 5-1 vote in favor of that amendment."

Hon. W. Robert Blair: "Have all voted who wished? Take the record. On this question the 'Yeas' are 50 and the 'Nays' are 83 and the gentleman's motion to adopt the amendment number eleven to House Bill 3700 fails. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Twelve, Houlihan. Amend House Bill 3700, on page 10, by striking lines 6 through 10."

Hon. W. Robert Blair: "The gentleman from Will, Representative Houlihan."

John J. Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment Twelve to House Bill 3700, merely eliminates the first section of Article V. And now, I think we'll just



put the put it to those fellows who said they were going to vote for it and I ask for a roll call."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Well, Mr. Speaker, all I can say is that we are now at that point where this body on this amendment is going to have to make the decision as to whether we want to prohibit corporations or unions and unions from making political contributions out of their respective treasuries. It's the commission's viewpoint that plenty of ways are available that individuals can be voluntarily solicited to make these contributions to a political committee, which will be required to report under the Article V. I realize it's an issue which each of you must decide on your own, I would only say to keep in mind if a union member, for example, were to object to the method by which his dues, not his contributions, but his dues, were being used, his only alternative, assuming that he was able to unable to prevail with the majority of his members at an executive meeting or a regular meeting would be to leave the union, and, of course, if he leaves the union, he's out of a job. It's not so bad, frankly, for corporate stock holders, because they can sell the stock and buy something else, but those are part of the considerations, but I leave it up to this body as to what to do with this particular provision."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Berman."



Arthur L. Berman: "Thank you, Mr. Speaker, I rise in support of this amendment. I was a member of this commission and I would like to relate that this was one of the issues that got a considerable amount of debate in the commission. The entire membership of the commission supported the bill as a general concept. Now, my interpretation of the general concept of that bill was one of general concept disclosure. And I took issue with several sections of this bill in particular in our deliberations in which certain prohibitions were built in. Because I don't think that prohibition is the right approach to a fair and workable ethics bill. I think that if full disclosure is provided for, then the electorate can determine when a person is being unduly influenced or unduly financed by certain elements of society, and accordingly, I think that the prohibition as to corporations and as to unions is an unjust one, from contributing. And for that reason I am proud to stand up here and to support the concept of disclosure and to vote against the concept of prohibition and to ask that your support with an affirmative vote this amendment of Representative Houlihan's."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Peter Miller."

Peter J. Miller: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, during the 22 years that I've been here I've never worn a white hat. I'm not a hypocrite, whatever I do I do openly, and I would be hypocritical if I did not stand



up here and say that I believe I've been helped more on this side of the aisle than any of the other Republicans by labor, because I've been a labor supporter and it's been in my family, my dad was, my step-dad was, my brother, my brother-in-laws were all card carrying members and to say that they would have to be put into sort of a censorship for contributing, what has been their right for some over 90 years, the unions have had a right to contribute and to help the little people and if you're going to help put out a little fella who wants to participate in government and to elect people who have his viewpoints, this this would seriously impede and stop somebody who is a member of a union organization. And I'm so going to support this amendment and hope that many members on this side of the aisle do likewise. Because, these are the people who send us here who elect us and to vote against their best interest, I'd be remiss, I'd be a hypocrite and I will not become one of mine for disclosure, I'll disclose my take my chance with the best of them, but I'm not going to give some millionaire whose going to run against me a big edge when I can't even raise a dime and I think this is legitimate and the members should vote on it; so I urge you to support this amendment. Thank you."

Hon. W. Robert Blair: "Is there further discussion? Do you wish to close the debate Representative Houlihan? The gentleman from Will, Representative Houlihan, to close the debate."



John J. Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, I just wish to reiterate that by leaving people contribute and not taking out of the political process, so to speak, you will be doing this if you do not support this amendment. By taking the labor unions and the corporate industries out of contributing to campaigns, you are taking out a large segment of people who participate in the political process, and as I said before, there is no donation made, to my knowledge, as a former union official, union officer, unless the vote has been taken and the only fellow to beef to my knowledge is one who doesn't attend the meetings. Now, I don't know what happens in corporations, but I know this is what happens in the labor temples of this State, and I ask your support of this bill."

Hon. W. Robert Blair: "The gentleman has offered to move the adoption of Amendment Number Twelve to House Bill 3700. All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. Kosinski, 'Yeas'. On this question, the 'Yeas' are 102 and the 'Nays' are 29, and the gentleman's motion to adopt the Amendment Number Twelve to House Bill 3700 prevails. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Thirteen, Matijevidch. Amend House Bill 3700 on page 6, in line 16, by striking the figure '102' and inserting in lieu thereof the figure '72'."

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



John S. Matijevich: "Mr. Speaker, Members of the House, House Amendment Number Thirteen is a campaign spending limitation section which would have a 7¢ limitation per population figure for each member of the General Assembly or candidates running for the General Assembly. As a member of the Ethics and Government Commission, it has been my position all along that the high cost of spending in campaigns is the real matter that relates to the whole subject of ethics. I think we've got to get down to the matter of trying to bring down this cost in campaigns. I would have liked to have had a campaign spending limitation provision on all candidates. Most of all I think that it is probably more important in the state state-wide offices. I think it is scandalous that when gubernatorial campaigns, for example, run to the upward of \$5,000,000.00, this is a public scandal, and no one can make me believe that if you spend that much money that you can not be obligated to somebody. You must be obligated. Now, we were in the commission at my urging and others in the commission, we were going to hold public hearings on the whole matter of campaign spending limitations. We found that we were limited by time. It was my feeling at least that the membership of the General Assembly ought to know the amount which would be a reasonable limitation. As the bill now stands, we have a 10¢ limitation. I think I was the only one in the committee that voted against that, because I really didn't feel that was a limitation, but I think that 7¢, in fact I



believe my figure is somewhat conservative, because in some studies that have been made on this matter, 7¢ per voter has been used, for registered voter, so I think I'm being a little more conservative in saying that 7¢ per population per person in the district ought to be a reasonable limitation. Now, I leave it up to you gentlemen. I think you've had the experience in this matter. I think that a little over \$13,000.00 per primary and an additional \$13,000.00 for general elections ought to be a limitation. When we get beyond that figure, I think we realize that we are incurring obligations, and I think if we want an ethics bill, that's what we ought to get after. I urge the adoption of Amendment Number Thirteen to House Bill 3700."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Mr. Speaker, I'm reluctant of course to oppose a member of the commission that drafted this particular proposal and I am not taking a strong stand on the issue. Historically, this commission, the Ethics and Government Commission, did not, late until late in its deliberations, actually get down to hard core thinking on the subject of campaign spending limitations and a code of conduct for public officials. It's up to this body to determine whether or not those two issues are related. It became necessary in the commission's deliberations to adopt the language that is now in the bill, that provides for the members of the General Assembly only, not for any other



public official, but for only members of the General Assembly, you will be entitled to spend on each of your two elections in one year, the sum of \$18,600.00 or 10¢ per person in your district. Representative Matijevich's amendment would reduce that amount to 7¢ or roughly I think, John, \$13,000.00 per election. Now, the Ethics and Government Commission had scheduled for November 1, a public hearing on the subject matter of campaign spending limitation. Now, upon the death of Mr. Wexler, we're going to have to postpone that hearing, and we will probably come in with some legislation in the Spring on that subject. I personally would prefer that there was no legislation on campaign spending limitation until we know more about it, but if we are going to have these limitations, I would suggest that we defeat this amendment and keep it at 10¢ until we know some more. The only testimony that we did have on this subject before the commission was one Representative who told us it cost him \$27,000.00 as an independent type of candidate to get elected. Now, that would be on the average of \$13,000.00 for the two elections, although he spent more of it in just the primary. So, I think this is becoming entirely too restrictive, I think we ought to leave it at 10¢ and I respectfully suggest that we defeat this particular amendment."

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

Jacob John Wolf: "Will the sponsor of this amendment yield



for a question?"

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

Jacob John Wolf: "John, what was that total figure that we would be allowed under your amendment?"

John S. Matijevich: "Ah, in round figures, \$13,000.00 per each election, primary and general."

Jacob John Wolf: "Have you got any leads where I could raise that kind of money, that's my question?"

John S. Matijevich: "Well, that's my point, Jake, I think that's enough for anybody."

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

Rolland F. Tipsword: "Mr. Speaker, and Members of the House of Representatives, I rise to support this amendment offered by Representative Matijevich. Representative Matijevich is perfectly true when he tells you that he is the only one who on the committee who voted against the 10¢ limitation. I voted for Representative Matijevich's 7¢ limitation. It was not adopted and I voted for the 10¢ limitation, simply to get the principle of limitation into the ethics code, for I thought that it was absolutely necessary that we start with this principle of campaign spending limitation. I would hope that it would extend to all candidates for public office, but it is limited in the code to only the members of the General Assembly. I voted too for that simply because it is a start on campaign limitation. I rise here now to support Representative Matijevich's proposal.



here that we limit this campaign expenditure by members of the General Assembly or candidates therefore, and to 7¢ per voter in the election. Now, as he has told you, this could amount to a total of \$26,000.00. There are many, many, many of us who never see that kind of money in a campaign for the General Assembly. It has an additional, I think, very salutary principle embodied in it. It at least brings the campaign limitation set by law somewhere below what we are paid for an entire term of office. The amount that is set forth presently in the code at 10¢ per person amounts to an expenditure, if it were all spent, of more than the members of this body are paid for the two years that we serve here. I think to the members of the general public, that is a laughable proposition. And I think we should come down to some figure that is more realistic and I believe that this figure is. I think that it exceeds the amount that most members spend. Now, I've heard it said that this campaign limitation should be higher to give those who are new candidates for the General Assembly the opportunity to run and to make themselves known and that they suffer a disadvantage if they can not spend more than a limited amount of money. I suggest that they run with an additional advantage. When they run they are running without a record and all of you who have served in the body necessarily are branded with the record that you have made while you have voted here. That may be a record of which you are very proud, but I can assure you that almost any



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

candidate running against you or me can find something with which they disagree, so I think that that makes up for any disability they find in the limitation on campaign expenditure and I would certainly urge the adoption of this amendment by Representative Matijevich."

Hon. W. Robert Blair: "The gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker, Ladies and Gentlemen of the House, as a member of the Ethics and Government Commission, I also rise to support the amendment that would reduce the per capita campaign expenditure from 10¢ to 7¢. We have before the commission a sitting member of the legislature who stated that his cost of campaigning was \$26,000.00. What disturbed me was the fact that he was bemoaning the fact that the so-called organization had unlimited funds to spend where he could only spend \$26,000.00, because that was all he could raise, apparently, but it disturbs me that you have to spend that much money. Downstate I don't know of anyone that spent that type of money on a campaign for the General Assembly. Another thing that bothered me was the so-called independent candidates, I've never quite understood what a two-party, what an independent was, I feel that we are a two-party body, a two-party government and I think each person should be responsible for himself and his party while serving here, so I'm not quite sure in my mind what an independent candidate was, but in any case the independent thought that it took \$26,000.00 to get elected. I don't



think it does take that much money to run a good campaign, and for that reason I am supporting Representative Matijevich's recommendation to reduce it to 7¢ which is \$26,000.00 for one campaign."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, I rose, I rise to oppose this amendment. I might remind the other members of the commission that I also voted against the campaign limitation of 10¢ and 7¢. Now, I think that the discrimination that is apparent in this in this amendment should be taken note of by everybody here. Let's look at it practically, Ladies and Gentlemen. If you limit yourselves so severely, it may be fine if you have so limited everybody else. But remember back home there's a mayor or an alderman or a candidate for some other office in your community who may very well be in your party or the other party and will be intending clearly to run against a member of the General Assembly. While he runs for mayor, let's say, without a limitation that's on you, he can spend thousands of dollars to gain identity and you can not. If in fact, somebody here decides to retire and a new person comes to run for his office, he can not gain the identity that somebody who is an alderman in his same town who can run for office can. I think that this discrimination, plus the fact that we did not receive any adequate testimony at all in Ethics and Government Commission on this subject, mitigates against us doing it at



this time. We really should wait until the public hearings are held, and I strongly believe that we would be acting in selfish interest if we passed this amendment."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Rayson."

Leland H. Rayson: "Mr. Speaker and Members of the House, I wish to add a few more remarks to this debate. First, I consider the Section 3-10 offensive, and I would hope that we would feel it offensive to single this class of politicians as a special class requiring demeaning treatment. I don't feel that we are any more corruptible than any other class of politicians, but be that as it may, that is a provision in this bill. But, this amendment, it seems to me, seeks to make this provision a little worse, by making a campaign limitation, we are somewhat suggesting that maybe there's corruption involved by amassing more money for political purposes in elections. Now, I don't think that the Lindberg Commission or any other commission has found any relationship between the amount of campaign spending and corruption. I suggest in Washington there's a great concern for the amount of campaign expenditure when the Nixon administration can go on an expense of \$22,000,000.00, as compared to the previous high of Goldwater in 1964 campaign of \$12,000,000.00. But that is based on the fact that we are moving more and more to an oligarchy, and not really so much as the corruption involved in these great political features. But to address ourselves to this particular problem, as is



said before that with the narrow amount of money one can spend, it's a handicap to independent candidates, and I think that is rightly so. But in addition, for example, if one wanted to run for State Senator in a district which might be sixty per cent normally for the other kind of party, he's got a built-in handicap. One of his ways is to amass a little money and be ingenious about it and hope to catch on, and I suggest that when you run two and two in districts, where the voting shows that the trend favors one party over the other, the two running together, if they ran together, would have to expend a considerable amount of money. I suggested there's nothing corallitive by this limitation and corruption, and even though the section is bad, I think it's worse with this amendment, and that's why I think it should be defeated."

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

Robert S. Juckett: "Mr. Speaker, will the sponsor of the amendment yield for a question?"

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

Robert S. Juckett: "I read in Section 3-10 that this 10¢ or as the amendment would say 7¢, is determined by the most recent dissenial census. What happens in a district such as we have in the northwest area of Cook County and the suburban area of Cook County and some of the surrounding counties there, where the population of that particular district is a very fast growing area. Would you agree that your 7¢



per person could very well be 2¢, or 3¢, or 4¢ per person because of rapid growth?"

John S. Matijevich: "Ah, Representative Juckett, I don't think that it'd make that much of a difference. I think like anything else, you've got to start from somewhere and I think that my figure and the use of the dissennial census is a starting point. If in the future we find that there is such rapid growth that we have to change this, I would be the first with your help to pass further legislation to for any correction that we need to pass."

Robert S. Juckett: "Well, for example, John, if you will take the present 4th District and the present 3rd District. These were caught on the basis of approximately #180,000 people, and they now have well over #300,000 people in each of these districts. So there you have an example, where you set a limit of so much per person, that in some districts it is going to be far less than what you say and could in effect be very restrictive upon any kind of campaign."

John S. Matijevich: "Well, I happen to disagree with that, because it would be based on the last census and I think that this would be a fair way of doing it."

Hon. W. Robert Blair: "The gentleman from Rock Island, Representative Henss."

Donald A. Henss: "Mr. Speaker and Ladies and Gentlemen of the House, as a member of the Ethics and Government Commission, which helped this draft this piece of legislation, I rise



to oppose this particular amendment. I think that in agreement with Art Berman that we had better stick with the concept of disclosure. With this amendment, we are becoming too restrictive, and even to the extent of directly affecting the make-up of the legislature. A proper disclosure bill may eventually prevent, permit us after a few years to when we have some evidence, to establish such a limitation on campaign spending, but at the present time it will be directly affecting the identity of persons coming to this legislature without having sufficient basis and facts of making that decision. Only one witness testified before the commission on this subject. He testified that it cost him \$27,000.00 to beat the machine. Now, we know that the machine has an army of people working. A person who wants to run against a machine, must of a necessity, spend somewhat more. If he can't spend it, then the machine is strengthened. Then the piece of legislation which has started out, as an ethics bill, becomes a tool of machine politics. Please defeat this amendment."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Lake, Representative Matijevec, to close the debate."

John S. Matijevec: "Ladies and Gentlemen of the House, when I brought this amendment up in the House Ethics and Government Committee meeting, I mentioned that there are many of the voters who don't think that we are worth 10¢ and I know that there are some that don't think that we are worth a



plug nickel, but really I'm trying to compromise here with the 7¢ limitation. In fact, somebody here told me, I think it was somebody that sits behind me, told me one day that he figured out what it cost the people in the appropriation for the legislature for each individual legislator and it amounts to 25¢, so if any of you ever get any guff from your constituents, just reach in and get a quarter and throw it at them and say that's all you're worth to me, but in all seriousness, Ladies and Gentlemen, I wanted to get to these points that had been raised. First of all, the independents having it more difficult, I think that the limitation would be uniform, it'd be fair and I don't think anybody ought to buy an election, independent, Republican or Democrat. I think this limitation would be fair to all. Now, as to the matter of public hearings, I say in all sincerity, that I would like to see a campaign spending limitation for all elections, and I said most of all the state-wide elections. But then when we get in the local elections, there creates some problems wherein for example some county elections, it wouldn't really be a limitation, it would be too high, so I think that we do need some study in those areas, but do we need a public hearing on the matter of limitations for the General Assembly? I think the witnesses are right here. The people that know the most about the subject are right here. We have 177 witnesses right here as to whether \$13,000.00 ought to be a limitation in each election, the primary and the general



election, and I think that that is enough. Now, one of the members brought up the matter of singling out the legislature. I say we ought to do it because we've got to start somewhere. It is an innovative approach of trying to bring down the cost of campaign spending in elections. This is an area in which we can start. We don't single it out because of the matter of corruptness, we single it out because we know how much it costs, it's an innovative thing, we in the General Assembly have the knowledge, we are the witnesses and I think that you will bear testimony to that by voting for the adoption of Amendment Number Thirteen to House Bill 3700, and I so urge you."

Hon. W. Robert Blair: "The gentleman has so offered to move the adoption of Amendment Number Thirteen to House Bill 3700. All those in favor of the adoption signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 92, the 'Nays' are 43 and the gentleman's motion to adopt Amendment Number Thirteen to House Bill 3700 prevails. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Fourteen, Matijevich. Amend House Bill 3700; on page 6, in line 22, by striking the figure '\$2,500.00' and inserting in lieu thereof the figure '\$250.00'."

Hon. W. Robert Blair: "The gentleman from Lake, Representative Matijevich."



John S. Matijevich: "Ladies and Mr. Speaker and Ladies and Gentlemen of the House, this particular amendment happens to be a personal amendment as it's an arbitrary figure, but what it does is reduce the individual contribution that any candidate or any political committee for a candidate can receive for that candidate's election. Now, the figure is arbitrary just as \$2,500.00 is arbitrary. But I think that it's important that we have to legislate the amount the maximum amount which someone can contribute to a campaign, and the reason that I say that is I think that there is a certain area where the amount becomes an undue influence on that particular public official. I realize that the sum, the amount may be different, but in my mind I thought that \$250.00, although arbitrary, gets close to the point where an individual starts to think that by accepting that amount he becomes obligated. This particular figure pertains only to the General Assembly and to no other public officials. I urge your support of the Amendment Number Fourteen."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Mr. Speaker, with regard to this amendment, I'm perfectly willing to abide by the majority of this House on limiting the amount that you can receive as a candidate for the General Assembly, and this is limited only to General Assembly candidates, the \$250.00 from a single person. Now, from the standpoint of the condition



of this amendment, I would point out that it would appear that there is no limitation on what a political committee can contribute to your campaign, so with those distinctions in mind, I'm certainly willing to accept the will of the House on this particular issue."

Hon. W. Robert Blair: "The gentleman from McLean, Representative Hall."

Harber H. Hall: "Mr. Speaker, I rise to oppose this amendment because \$250.00 does not take into consideration those family members and extremely close friends of people who are not prepared to run and finance an expensive campaign and who start out so, it prohibits them from making a donation of a reasonable amount that would be effective in able to get a new candidate, perhaps for office, who has an access to more individual contributions of smaller amounts from taking advantage and helping out a friend. \$250.00 recalling back to previous campaigns that I have been involved in, was more than a virtually all of them but I have had family members said, on occasion, you're starting out and here's \$500.00, so I think it's too small a reasonable reduction from what's in the bill of \$2,500.00, which wouldn't be too bad, but \$250.00 is too low, and for that reason I suggest that the General Assembly, the House vote against this amendment."

Hon. W. Robert Blair: "The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "A point of order, please, Mr. Speaker."



Hon. W. Robert Blair: "State your point."

Bernard B. Wolfe: "Did we previously adopt an amendment which reduced the \$2,500.00 figure to \$1,500.00?"

Hon. W. Robert Blair: "No, we have not, Representative Wolfe."

Bernard B. Wolfe: "Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Duff."

Brian B. Duff: "Will the sponsor answer a question?"

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

Brian B. Duff: "I've been trying to find this amendment and I can't, Representative Matijevich. Does this amendment also limit also corporations and unions from contributing more than \$250.00, or does this apply only to individuals?"

John S. Matijevich: "It would apply to anybody. The wording of it would be that no candidate and I was going to bring it up in closing, but I'd have to disagree with Representative Lindberg, it's no candidate or political committee of a candidate for the general assembly may accept a political contribution from any person in excess of and it'd be \$250.00."

Brian B. Duff: "Now, that says any person, Representative Matijevich, it doesn't say any corporation, or well, that might apply under the reading of the laws in terms of corporations as persons, but in effect it says that a union can contribute more than \$250.00 and nobody else can."

John S. Matijevich: "Well; Representative Duff, let me read Section 2-10. 'Person, means an individual, proprietorship,



partnership, committee, association of persons, joint venture, corporations, labor organizations, party organizations or any other organization or group of persons. So I think it is quite clear that the corporations or labor unions would so be limited."

Brian B. Duff: "Thank you."

John S. Matijeovich: "I think they'd be happy to find that out."

Hon. W. Robert Blair: "The gentleman from Cook, Representative J. J. Wolf."

Jacob John Wolf: "A question of the sponsor."

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

Jacob John Wolf: "John, now if a, for example, we just talked about a labor union, would be precluded from donating more than \$250.00 or any other organization, would that mean that Janitors' Local Number One could donate \$250.00, Janitors' Local Number Two could donate \$250.00, in other words, you could string it all out between different locals and between the Janitors' Union or whatever, I just picked that out of the air. You could receive \$2,000.00 or \$3,000.00 but on paper you didn't receive more than \$250.00 for any one person, is that correct?"

John S. Matijeovich: "Well, I think you're right, Jake, but that would all be disclosed in the reporting and so forth."

Jacob John Wolf: "Well, I'd like to address myself to this amendment. I'm not necessarily opposed to any limitations, but as I mentioned yesterday, no matter what we do in this



particular field of legislation, it becomes a joke, even with like we did in the last amendment, we limited the amount of campaign spending. Frankly, I don't spend anywhere near that kind of money in two or three or four elections, but it doesn't preclude somebody else spending the money for you and I think if we vote for this legislation with that in mind, that we're not really kidding anybody at all. I, as a candidate, personally don't spend a quarter of a cent a voter, but a lot of other people could say I'll pick up a newspaper add for you, my brother might say have some posters printed for you, I'll pick up the printing bill and so forth. So, if we vote for these things with that in mind, that there are a thousand ways to skin a cat, I think that's what we have to do."

Hon. W. Robert Blair: "Is there further discussion? If not, the gentleman from Lake, Representative Matijevich, to close the debate."

John S. Matijevich: "I'll ask for your affirmative vote and only say in response to what Representative Wolf said, that there are some candidates you know that that in the way they go about looking for funds, they ask for a substantial amount if they feel that particular person, corporation or what have you might be able to afford it for their campaign, so this is a guarantee to that person or corporation, too, that they by law can only give x amount, so I think that it would benefit the intent of what we're trying to do, to try to first of all limit campaign spending, secondly, to



try to eliminate undue influences on the legislature and I think this goes toward it and I said it's not a magic figure but I think \$2,500.00 is way too high and I think if \$250.00 is too low, then somebody ought to come to another figure, but I think it's a good figure and we ought to stick by it and ask and urge your approval of the adoption of Amendment Number Fourteen."

Hon. W. Robert Blair: "The gentleman has offered to move the adoption of Amendment Number Fourteen to House Bill 3700. All those in favor of the adoption signify by voting 'Yeas' the opposed by voting 'No'. Have all voted who wished? Have all voted who wished? The gentleman from McHenry, Representative Lindberg to explain his vote."

George W. Lindberg: "Well, Mr. Speaker, as I indicated, I'm perfectly willing to accept the judgment of the House on this matter, but I'm very much inclined toward the feeling that we should not be involving ourselves in severe limitations on campaign spending. If we wanted to address ourselves to the subject matter, I think Representative Berman's original amendment in the commission, which is now the bill, 10¢ per vote, Representative Matijevich has already gotten that down to 7¢ a vote. I think that was more than adequate. I think that we are giving ourselves an advantage as incumbents with the opportunity to have frequent mention in the press and the like and we're essentially locking out challengers by limiting the amount of funds that they have. If this amendment were to include limitations on the work of



patronage workers, for example, or other types of assistance, such as assistance in the media, I think we would be able to balance the equities, but you're only taking one aspect of campaign funding and that is the one related to dollars, so I am really inclined to oppose this amendment and I would hope that you would do likewise."

Hon. W. Robert Blair: "The gentleman from Whiteside, Representative Ken Miller."

Kenneth W. Miller: "Mr. Speaker and Members of the House, I rise to explain my 'No' vote and I want to call to the members' attention my reason for doing so. Under this bill, a person, means a political party. If this bill is adopted, it means that my political party can not under any circumstances in the November election of next year, if I am successful in the primary, they can not spend more than \$250.00 in advertising or brochures or any other type of campaign on my behalf and I think that this is something that will definitely curtail the activity of all political parties, and therefore, I vote 'No'."

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

Webber Borchers: "Mr. Speaker and fellow members of the House, well, I am rather an independent individual and was elected really by Democrats, Republicans and independents in my area, and I'm not particularly prejudiced in relation to these things. But I could clearly see, looking at it in defense, from the side that you're being carried away by



altruism, you're going too far for your own interest. Now, I would like to reemphasize what was just said in relation to political parties. I have not received the support of any Republican organization. I don't particularly expect it, but I certainly do think that a party should not be restricted as it is being done today. Can you imagine in my district the Democrat or Republican party being restricted of perhaps just \$250.00? Well, this is just utterly ridiculous, whether it be Christian County, Shelby County or Macon County. And you're doing just these things. I think you're just going entirely too far in your actions in trying to be ultra-white, lily-white and clear, what would you say, snow white and I think you should reflect a little bit on what you're doing."

Hon. W. Robert Blair: "The gentleman from DuPage, Representative Philip."

James Pate Philip: "Yeah, I'm trying to understand this amendment and I'm assuming that what happens in say DuPage County, where on the primary our executive committee doesn't donate to anybody's campaign, it's everybody for everybody, but in November, the Republican Central Committee pays for the brochure, and that's the brochure that has all the nominated candidates that have won in the primary, all in one brochure and we pay for that out of the Republican Executive Committee fund, plus we buy bumper stickers. Now, this, would this preclude our Executive Committee from paying for and printing brochures? Well, that's got to be ridiculous and the



worst amendment that they've tried to put on this bill. Because we have in many many colonies, Republican and Democrat in November print the brochures, because in most cases the candidates after the primary are levied a fee for printing the brochure, etc. And I happen to think that this is a lousy amendment and it should be defeated."

Hon. W. Robert Blair: "The gentleman from Macon, Representative Alsup."

John W. Alsup: "Well, Mr. Speaker, Ladies and Gentlemen, I think we all have a different problem. Now, where I run and where a lot of us Democrats run, we have to pay for the brochure and we have to help the political party. Even sometimes in the primary, so therefore it works in reverse, so I think if the shoe pinches, I think you have a right to cry, but remember, it sure isn't going to hurt a lot of people over here."

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

John C. Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, about several weeks ago when the press couldn't find anything else to particularly harass the legislature about, they came out with what reported to be a football scandal on three tickets for the legislators and my 10-year-old daughter happened to be watching one of the local television medias that night, and she said, you know dad, it's strange to me that the people in the state seem to try to make holding office as unattractive as possible,



and it seems to me that we are doing the same thing with this type of an amendment. We are making it as unattractive as possible for people to get interested in a campaign. For the incumbent, that's fine. We probably have all the sources of funds that we want, but for a new man who is running for the first time, it well may be that he will only have three or four people who are in a position to support him, who know him well and therefore will have to come up with more funds than \$250.00. I found this to be true personally, and I think it's probably true throughout the State. This isn't a Republican or a Democrat amendment, that's not the point. The point is we are limiting the amount that people can get involved in the politics, and I think by implication we're saying that if anybody gives you more than \$250.00 for your campaign, you have been bought by that particular person, and I would hope that we were all above that and we would resent the implication that this amendment clearly makes."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Duff."

Brian B. Duff: "Mr. Speaker, this is another example of trying to rush a bill on the floor without having had adequate testimony in committee. I would point out to the people in both parties that this bill says that a committee is a person, and if any of you have a campaign committee, let's say it's campaign committee for Representative John Doe, and they've raised some money for you right now and they've got



probably maybe a thousand or two thousand dollars in the kitty, gentlemen, they're not going to be able to give you but \$250.00 of it. You might as well kiss it good-bye or give it back, because a committee is a person. In addition to that I'll point out to you that in Cook County, among both the Democrat and Republican parties, it's often been noticed that there are occasions where let's say a candidate for Judge may be asked to contribute a substantial amount of money to his party. Let's say that he might be asked by the party to donate \$5,000.00 or more. He won't be able to do it anymore, gentlemen. And, once more when he does and he gives it to the Central Committee, the Central Committee's not going to be able to give it back, in either cash or services under this bill. Now, consider the implications of what you're doing here. You're going to give running for office hardening of the arteries."

Hon. W. Robert Blair: "The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "Mr. Speaker, briefly, to explain my vote. The thrust of this amendment destroys the intent of House Bill 3700. It destroys the independence of every member of this House. It destroys the right of a member of this House, whether he's running for re-election, or a new candidate, to select and choose the people that he wants to support him and if they want to give him a \$300.00 contribution or a \$500.00, it destroys that right and we are being told on the floor of this House, go underground, split that con-



tribution up into four or five contributions and therefore you don't disclose the particular contribution, you show that you're complying with the \$250.00 limitation, and this destroys the whole aspect and the entire intent of House Bill 3700. I would much prefer to get a contribution of \$500.00 and show who that is from and if it's from a friend or relative, so be it, and if this is the way that we run in our respected districts, if there's a dinner being made for a candidate and they raise \$750.00 at that dinner, let that committee contribute that amount to that candidate and not go underground and make the contribution and avoid the whole intent of this act."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Epton."

Bernard E. Epton: "Mr. Speaker. . ."

Hon. W. Robert Blair: "Representative Matijeich, for what purpose do you rise, sir?"

John S. Matijeich: "Mr. Speaker, I've talked to Representative Lindberg, and we have a little dialogue about this amendment, and we find that the wording of the original bill may be in error, I so hold my intent about the \$250.00 as to a individual contribution, but the wording of the original bill, and it wasn't the intent of the drafter of the bill, may limit the amount wherein a political committee, for example, the political committee in behalf of A, B, or C could only contribute in the excess, not in the excess of certain amounts. We may be limiting, for example, a fund-



raising event that you can not limit, can not get a contribution in that amount, so I think that there is a defect in the original wording of it which may seriously hamper some fund-raising events, but I still hold in my original intent of the individual contribution, but we're going to have to reword my amendment, in fact we had better reword the drafting of the original because I don't think the drafters even intended that, so I will now withdraw this and try to reword the amendment."

Hon. W. Robert Blair: "The gentleman has withdrawn the amendment and we can dump the roll call. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Fifteen, McCormick.

Amend House Bill 3700 on page 7, line 6, by inserting after the word 'State' the following: 'f. persons who own 10% or more ownership interest in a company or other business entity which publishes a newspaper of general circulation or operates a commercial radio, television, or cable broadcasting station or facility in this state; officers of such companies or entities; and such companies and entities.'"

Hon. W. Robert Blair: "The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, the amendment is very short and the Clerk has read it and I think everybody understands it thoroughly. I think that in this particular House Bill 3700 the whole purpose, as I understand Representative Lindberg and as I



understand the feelings of the press in the State of Illinois, and if I read Governor Ogilvie's statements right, that we are putting ourselves in a fish bowl to looked clearly through. Now, I think that it is time that the people in Illinois that do have the real influence in this General Assembly step in the fish bowl with us and let everybody look at them just the same. Now, Ladies and Gentlemen, I'm going to take a couple of minutes, and and I hope that thing don't get clicked on too quick, I just want to recall a few of the things that's happened in the ten years or the fifteen years that most of you can remember in the General Assembly. Do you remember the last session that we had with Governor Stratton as Governor of Illinois, and Representative Pollack was the leader in this House on the Republican side. He came in with a proposition to finance government in Illinois by broadening the sales tax and the use tax. Do you, most of you Democrats ought to remember it because finally I believe we had the little fourteen Democrats along with Powell that were working this thing out at that time you know in a non-partisan sort of way. The agreement was, if I remember, that the Democrats would support it providing it covered all the base in Illinois, including the press. I remember we adjourned on either Thursday or Friday and everybody went their own way and they went home and on Monday, Representative Pollack came down the aisle real excited. He said we've got to have a Republican conference because George said we've got to



eliminate the press. Now, I don't know who George was. But I do know one thing for sure, the Republican Party that day killed the broadening bills because we would not go against what one press agent or one newspaper in Illinois said. Now, let me go a little further, and this gets back to home, too. Down in Southern Illinois, you have a Democrat by the name of Clyde Choate, that's the Minority Leader in this House, and he was opposed, if you remember last session, to no fault insurance. We on this side of the aisle, and myself, was very much in favor of it. We've got a Democrat television station down in that country, you know. And whenever they started to talk about this program, they gave Clyde Choate nearly thirty minutes of time because he was a Democrat, and they barely let me run in and run out because I'm a Republican. And they weren't too interested no fault, because most of the insurance companies over in that State were against them anyway. What I'm trying to tell you, another instance in Illinois, where the press is powerful and it's right that they should be, it's right that they should state their position on anything that affects the lives of all the people of Illinois. I would be the first person that says that they must have that right, as is guaranteed by the constitution of this state and the federal constitution. But if a labor union would come in this House and pressure us on a bill even like this bill, it would be headlines all over this state about the pressure of Stanley Johnson and the A.F. of L. C.I.O. Remember the



billboard bills that we had, Gentlemen, on the other side of the aisle. Remember how we fought the billboard bills? What did the press say about them? They come in and they said the billboard lobby, well financed, are distributing billboards to members of the General Assembly in order to keep this bill from passing. You remember it and I remember it. And what happened? Everybody talked and run like a bunch of fish, because the press exposed it. Now, let's get back down to home, two years ago the Speaker of the House sat right over there and we had a bill up. We had a bill up, if you remember, to bond the State of Illinois for a highway program. And we finally passed it. The Lindsey papers in southern Illinois fought it teeth and toenail because they didn't believe in deficit financing or words to that affect, but across southern Illinois from Harrisburg, to Murphysboro, to St. Louis, we want a four-lane freeway. So the Chambers of Commerce got smart in southern Illinois. They picked the Editor-in-Chief of the paper in Carbondale and made him Chairman of 'Get the Highway through Southern Illinois'. Remember remember this now, they editorialized against the same program, but Mr. Chairman, Mr. Speaker, this time they called us legislators together in southern Illinois and they said support anything to get the road. And they even editorialized and even said that Governor Ogilvie's position was much better than Lieutenant Simon in the bond issue and it was approved. So I'm trying to tell you now they have more power than anybody



in the State, and rightfully so that they have their say, but let them like me and like the Governor and every other person that's supposed to have anything to do with making the laws in Illinois, or handling public funds step into the fishbowl with the rest of us and look at them clear through as if they were made of glass. I move the adoption."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Yourell."

Harry Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise with great delight at this point to concur in the amendment offered by Representative McCormick and recall to the memories of the members of this great body that when my news media bill was being heard on the floor of this House, that same George that McCormick spoke about was lobbying on that side of the aisle in direct violation of the rules of this House. Now, there's been a lot of talk about the public demands for ethics legislation in the State of Illinois, and in one recent issue of a Metropolitan Newspaper was stated just that way, that the public today demands ethics legislation. Now, there's being a poll conducted by the members of this House as to how many letters or phone calls or communications from constituents of members of this House as to the number and the receipt of those communications relative to this legislation. And I will dare to say and mention right now that there hasn't been a half a dozen letters received on the Democratic side of the aisle and when the results are known on the other



side of the aisle, the figure will be much less or the same. Now where does the great demand and the great pressure for this piece of legislation come from? It comes from the newspapers from the State of Illinois. It comes from the news media. They have entirely misrepresented the fact, not only in the presentation of this legislation, but have made each and every member of this House and the Senate feel like they're a thief before they've been convicted of any wrong-doing. The demand, I say, is from the most powerful lobby in the State of Illinois, and that's the news media and they should be registered just the same as any other lobby that is being enabled to do so at the present time. I also offer to you in support and hope that you will support the amendment offered by Representative McCormick. Thank you."

Hon. W. Robert Blair: "For what purpose does the gentleman from McHenry, Mr. Lindberg, rise?"

George W. Lindberg: "Just two points, Mr. Speaker. I first would like to say that I hold no brief for the publishers of the media. I would point out in response to Representative Yourell's point that this does not affect editorial writers or the newspaper reporters, this is only the owner of the media. But finally, Mr. Speaker, I would ask for a ruling on a point of order that this House Bill 3700 is a Code of Conduct for public officials, not for citizens. And I would ask that you rule as to whether or not this rule is germane to the code."



Hon. W. Robert Blair: "All right, we'll be at ease for just a moment. All right, the matter before the House at this time is a point of order. A point of order, a point of order is not a debatable matter and so for what purpose does the gentleman from Johnson, Mr. McCormick rise?"

C. L. McCormick: "I don't want to debate it, but I think that I should be able to present to you, Mr. Speaker, the other side of the question, that that not in the matter of a speech, either. Now, cable. . ."

Hon. W. Robert Blair: "Or or in the matter of debate, it's something unique, so proceed."

C. L. McCormick: "Well, well, I don't want to get into a debate, but you know, after all you're a lawyer and you know that there's two sides to every question, and I think you ought to take this into consideration when you make your ruling. Now, I'm not saying that you can't rule either way you want to, because you can and you can probably make it stick, but have you ever stopped to think that cable television is regulated by Illinois, there's other aspects of news media that are regulated by Illinois, we furnish the typewriters, the space, and the occupancy of these people who sit up here in the rooms back here that have something to do with the press in Illinois, and I would suggest Mr. Speaker, in order to make this bill really one that would really make Representative Lindberg a real attractive candidate for Secretary of State, that your ruling be in favor of the people of Illinois and not just on the tech-



nicality. Thank you, sir."

Hon. W. Robert Blair: "All right, ah, the Chair has had an opportunity to look at the purposes of the act which are set forth in Section 1-1 and has given careful consideration to the amendment, to the point of order raised by the gentleman from McHenry, and inasmuch as this is an act which is a code of conduct for public officials and in as much as those things to which this amendment addresses itself do not include public officials, and even though it would be the Chair's continual position that germaneness should be a very broad application, and that amendments should be found to be germane if there is any way possible, that they could be found to be germane, it's still is going to be the Chair's ruling that this amendment is not germane to the bill. The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker, I love you very much, I think that you're a real fine and outstanding speaker, I think your ruling is wrong, I think the people of Illinois are entitled to this understanding, therefore, Mr. Speaker, I move and I can't tell you what rule, I hope your legal adviser can advise you. . ."

Hon. W. Robert Blair: "78."

C. L. McCormick: ". . .to, 78, to overrule your ruling, whatever I have to do. I'd like a roll call."

Hon. W. Robert Blair: "All right, now, . . ."

C. L. McCormick: "He don't care."

Hon. W. Robert Blair: "All right, now what we have is a



request of six members. So, we have Mr. McCormick, Mr. Yourell, Mr. Barry, Mr. Hanahan, Mr. Pappas, Mr. Borchers, all right, we have six members and now under the provisions of Rule 78, the question is shall the gentleman's motion from Johnson, Mr. McCormick, to overrule the Chair prevail. All those in favor will vote 'Yeas' and the opposed 'No'. For what purpose does the gentleman from Union, Mr. Choate, rise?"

Clyde L. Choate: "Mr. Speaker, I rise to explain my vote. I am going to, for the first time in my legislative tenure, vote to override the ruling of the Chair. If I think the ruling was wrong. Because if you look at this Code of Conduct or Ethics, or whatever it is you want to call it, if your ruling is correct, no one is a public official until they're elected and sworn into office. A candidate is not a public official. So consequently, the whole concept if this ruling is correct, is wrong. I thought I thought that we were going to attempt to put under a Code of Ethics, peoples who had influence as far as government is concerned, as well as those who are seeking office. I regret, today, to vote to appeal a ruling of the Chair, because I never thought that I really would, but I am going to vote 'Yeas'."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think that there's a man on this floor that would rather see the newspapers included more than I, and I mean you reporters, too. But I personally believe that un-



less you want to completely destroy this bill, I think the Speaker ruled absolutely right. I also say to my friend, Representative McCormick, that we ought to bring in separate legislation for this and include the reporters. I vote 'No'."

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

Harber H. Hall: "Well, Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I'm going to go back six years and recall in my own mind some of the adversities and dissents from the Chair and this Speaker and previous Speakers, but I'm going to say this, that at this time in the legislature after six years down here, I've never had a feeling that this body was wandering in a state of wanderlust and misunderstanding and without a real firm knowledge of where we're going, what we're doing, or what we are. For that reason, not only in respect to this particular issue, but I think the Speaker of this House, has got to be supported if we're going to continue the business of the State of Illinois, I think he has ruled in the best conscience that he can prevade unto himself and I'm going to respect him for it and I'm going to support him and I would wish that every other member of this House would consider that as a consequence in the conduct of this General Assembly and this House, not only in this matter, but in future matters, at this particular crucial time in the conduct of legislation and I ask that you reconsider some of those green votes and vote in behalf of the Speaker so that we can



get on with this and many many other issues and show that we are having direction in the State of Illinois in the operation conduct of government."

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

Harry Yourell: "Thank you, Mr. Speaker, Members of the House,

I sincerely concur wholeheartedly with the remarks of the previous speaker who indicated that the ruling of the Chair should be supported, but I also feel that the Chair is also a vital entity of this House and that certainly no one, including the Chair, has a monopoly on the decisions that are going to be made, not only in this session, but in future session. I would like to call attention to some members of this House that are voting red, that this bill under Article V as is presently written, includes a lot of individuals and corporations and entities that are not public officials and they seem to be germane to the issue and to the bill. We even make mention of treasurers and presidents and members of finance committees, and members of dance committees, who perhaps lend their support to a particular candidate in the form of expression of campaign contributions, contributions. So I say that the news media in whatever form will take place in this bill is certainly germane in my opinion as if corporations and labor organizations, public committees and candidates are germane to the issue, and I ask you to support the amendment and overrule the Chair in this instance. Thank you."

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



Clabaugh."

Charles W. Clabaugh: "A matter of parliamentary inquiry, Mr. Speaker. Does this take 89 votes or 2/3rds of those voting Mr. Speaker?"

Hon. W. Robert Blair: "95."

Charles W. Clabaugh: "95, thank you."

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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen, I, too, would preface my remarks by saying that I regret what I feel is the necessity of my voting to overrule the ruling of the Chair in this instance, but I think this is absolutely necessary. We say that this is a Code to govern the conduct of public officials. We have incorporated into this code the associations that public officials may have and required certain things of people who are merely associated or in near vicinity in business or otherwise to those who occupy public office or seek public office. I would suggest that as close to almost candidate or public official as the political parties which they profess to represent, and which support them and the political organizations that support them as the liaison or or the close association that every candidate has with the news media throughout the State of Illinois. I don't look at this as a method of chastising the news media. I don't think the news media or political candidates or anyone needs chastising by this House of the legislature, but I do think that this is important to those



who are running for public office. I think we look to what newspapers say and what they don't say and I think it's important that they be included in this kind of a bill because they have an important bearing and most importantly, I think that the people to make the amendments to the U.S. constitution effective must know the interest that news media have when they support or oppose candidates or support or oppose position and this is a means of giving the public the political information that they need and it is germane. Thank you."

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

Webber Borchers: "Fellow members of the House, Mr. Speaker and fellow members of the House, in a sense, Representative Tip sword has covered the ground that I intended to cover, but to bring it down just a little bit more to the point, there is hardly a day that you do not see in the Chicago Sun Times, Tribune, the Lindsey Shop Papers and others, editorials affecting the welfare of this State and nation. We expect it. It certainly makes them germane to the political process. They are as much political as we are and therefore should come under the same amount of control and I think that we should consider very carefully what we are doing here and though I I am certainly not attempting to override the Speaker in the sense that I am opposed to his normal course of events, I think he's a fine speaker, but this is not a matter of politics, Democrat or Republican at all, it's a matter for the best interest of the people



of the State of Illinois."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 87 'Yeas' and 57 'Nays' and the motion fails."

Fredric B. Selcke: "Amendment Number Sixteen, McCormick..."

Hon. W. Robert Blair: "Yeah, just a moment. C. L., what I really came out here for was I heard you use my name back there about that bond package a couple years ago and I came out because I thought I might have to respond and I didn't know I was going to get into a motion to overrule, you know. C.L., I'm going to keep them waiting right in the bull pen."

Fredric B. Selcke: "Amendment Number Sixteen, McCormick.

Amend House Bill 3700 as amended on page 5, after line 11, and before line 12 by inserting the following: 'Section 2-17. 'Regulated business' means a business enterprise, however organized, which is subject to licensing or regulation by the Liquor Control Commission, Illinois Racing Board, Illinois Commerce Commission, Department of Agriculture, Department of Finance, Department of Financial Institutions, Department of Insurance, Department of Public Works, Secretary of State except the Corporation Division, or has applied for or been granted a permit from the Pollution Control Board or is before the Pollution Control Board as a defendant.'; and on page 6, line 11, by inserting after the word 'entity' the following: 'or regulated business'; and on page 6, line 12, by striking the period after the word 'agency' and inserting in lieu thereof 'or



regulated business.'"

Hon. W. Robert Blair: "The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, truly, I was a little disappointed a while ago because I thought that the purpose of this session and keeping us here like this was to pass a real good effective bill, and of course, I think that one of the most important things was left out. But I do believe that if we are going to cover Ethics in Illinois, that there can't be any difference in the kind of people that are in the General Assembly and whether they're ethical or not. I don't believe that if I go down before the Pollution Board as a member of the General Assembly, for the City of Vienna or any other town to get a change in their ruling, there's any question but what possibly me being in the General Assembly and having a vote on their appropriation next year or some other regulation that they might want, but what my influence would be more than just the President of the Chamber of Commerce from my county or my city. I don't believe that if we're going to have ethics, we're going to be able to make exceptions to people just because of some position that they hold. I believe that no member of the General Assembly should be able to take a consultation fee, sell insurance to a city or a state or a county that is in this kind of business, I don't think that they should be able to appear before this Commissions, I think that we ought to adopt



this amendment to make this a real strong healthy bill and I move the adoption."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Mr. Speaker, I know that the sponsors intention is honorable in connection with this amendment. Unfortunately, if we were to adopt this, unfortunately, if we were to adopt this amendment, the affect would be that the General Assembly could no longer have members, who, independent of their legislative function, engage in farming, the tavern business, the motel business, or a whole host of businesses from which they may earn their basic income. Now, if we are ready in this body to ban the legislator-citizen concept, so that no member of the General Assembly can earn an income outside of his legislative income, then this will be the amendment that will do it. Because, it is very difficult of me to conceive of a single business that is not subject to licensing or regulation by the Liquor Control Commission, the Racing Board, the Illinois Commerce Commission, Department of Agriculture, Department of Finance, Department of Financial Institutions, Department of Insurance, Department of Public Works, Secretary of State, except the Corporation Division, and the Pollution Control Board. Quite frankly, in my own opinion, the adoption of this amendment would cause me to give serious consideration to the tabling of this bill. This is a public disclosure act for the most part. There are certain prohibited activities that



are slowly being eliminated from this bill, such as the prohibition on corporations and unions, but basically, it started out as not a conflict of interest bill, but simply a disclosure bill, on the concept that we tell the people that they will act responsibly. And that is the basic function of this bill. It is not to abandon the citizen-legislator concept as this amendment would largely cause us to do, so I would urge the defeat of this amendment."

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

Thomas J. Hanahan: "Mr. Speaker, maybe the sponsor of the bill would answer this question which I have concerning regulated business according to this amendment before the House. The Illinois Racing Board is coming under this amendment. How do the newspapers muscle their way in for charity dates at the race tracks?"

Hon. W. Robert Blair: "Is that a rhetorical question, sir?"

Thomas J. Hanahan: "A question of Representative Lindberg."

Hon. W. Robert Blair: "Well, Representative McCormick is the sponsor of the amendment."

Thomas J. Hanahan: "The question is his objection to regulated business coming under the purview of this amendment. I'm asking the question if this amendment would be adopted, would then the newspapers come under the purview of this act in the fact that they have licensed dates at the race tracks in Illinois."

Hon. W. Robert Blair: "Representative Lindberg, you may re-



spond, sir."

George W. Lindberg: "Well, I think the question in this case is not germane, because we do not regulate newspapers under this bill. I don't see the import of the question."

Thomas J. Hanahan: "Well, sir, the import of the question is that if we are going to bring in regulated businesses, including the Illinois Racing Board, and it means that business enterprise, however organized, which is subject to licensing or regulation, is the newspapers, licensed and regulated to have charity dates at our race tracks in Illinois. Would this then bring them under the bill if this amendment is adopted?"

George W. Lindberg: "No, clearly, it would not."

Thomas J. Hanahan: "The question then, well, maybe I'll just speak on the matter then."

George W. Lindberg: "Are you suggesting, first of all, you understand that his amendment, the latter parts of it, prohibits a member of the General Assembly only, from participating in a regulated business as defined with his new definition here. So I suppose if I were to be a member of the General Assembly and benefited in some way from a newspaper enterprise, for example, if I were the editor of a downstate local, ah, downstate local newspaper, I suppose, well, I would obviously, I don't know whether I would be prohibited from participating in that business or not. That's why I say, I think if you look at the amendment, I don't see where your question fits in."



Thomas J. Hanahan: "Well, Mr. Speaker, on the amendment, I support the amendment, because I hope somehow, some way, that when they talk about ethics in the newspaper, who has all the say on this thing, because I haven't seen one piece of mail, one single phone call from anyone in the 33rd district on this subject. But I hope that somehow, someway that the ethics of newspapers who are involved in getting charity dates at race tracks and the same newspapers that get published by means of their sport casting the publisher is also publishing the results of races, that somehow, some way, we could find out why, how come, why did they get the best dates and in some way find out how many newspapers own stock, how many newspaper editors and publishers and people of that sort own stock in race tracks that are regulated by the State of Illinois. I'm going to support the amendment just on the hope that some judge someday will rule on that manner."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Berman."

Arthur L. Berman: "Thank you, Mr. Speaker, as I read the amendment, I would point out to the previous speaker that the only effect this amendment would have is not on anybody except members of the General Assembly, and the way I read the amendment, if you're a member of the General Assembly, you could not own, work for or be paid for anything dealing with a farm, you couldn't sell any insurance, and I'm not even sure that you could own a mutual insurance policy, be-



cause your dividends and premiums are determined under compensation under your mutual insurance policy. That's the way the amendment reads, that's my interpretation of it. I don't take issue with the points of the previous speaker, but this amendment doesn't really get to what he's driving at and I think that there might be merit in some of the points that he made, but all that this does is preclude members of the General Assembly from participating in certain legitimate avenues of outside interest, legitimate avenues that are available to us now, that would not be available to us if this amendment were adopted."

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

Webber Borchers: "Mr. Speaker and Fellow Members of the House, it occurs to me when you look at this very carefully that the State of Illinois is going to have one of two things happen. One, that this House will be composed solely of lawyers, which I am sure is a blessing to us all, and two, there won't be any House at all, so I think you'd better vote 'No'."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative Palmer."

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I make I wonder if the sponsor would yield to a question concerning. . ."

Hon. W. Robert Blair: "He indicates that he will, I'm sure. Will you yield to a question, Representative McCormick?"



C. L. McCormick: "Yes."

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

Romie J. Palmer: "Is your amendment an expansion of the prohibition of those activities that a member of the General Assembly can engage in, all regulated business?"

C. L. McCormick: "I didn't understand it."

Romie J. Palmer: "Yes, all right. . .is. . ."

C. L. McCormick: "Yes."

Romie J. Palmer: "All right."

C. L. McCormick: "I don't care, may I intercede here for just a minute? Well, now, let him go ahead, I want to close the debate anyway."

Romie J. Palmer: "Do you mind or would you think there would be any conflict between the lawyer, say, that provides services for governmental bodies, you, do you think there is a conflict between his performing that type of service and being a member of the General Assembly."

C. L. McCormick: "I certainly do, I certainly do. And I'd like to list you a few cases without calling names, if you might."

Romie J. Palmer: "I wonder if you could elaborate on what you think is the nature of that conflict."

C. L. McCormick: "I'll tell you what I think. I don't believe that any man is that perfect that he can represent governmental units that are subsidized by the State of Illinois tax money and then walk in here in the Appropriations Committee or on the floor of this House, and vote



against money that he's going to be paid at the end of the year. I don't care if he's a lawyer, a janitor or what he does."

Romie J. Palmer: "Well, would you make, would you feel, that there is a conflict if a lawyer, say performs some sort of a consulting or research service, legal research service, for a municipal or governmental corporation or body and being a member of the General Assembly."

C. L. McCormick: "Well, I just know what I recommend, yes, I do and I think so, and I'll tell you why if you'd like for me to, and I'll tell you why I've recommended to my people that I represent down in the sticks and the hills of southern Illinois, that I recommend that whenever they've got a problem before a state agency, that it takes an attorney to do it, to be sure to get out of our district and take a lawyer to take with them, because the influence would be much greater by a General Assembly lawyer than just a lawyer on the square. Well, now just a minute. I should say public square."

Hon. W. Robert Blair: "Proceed Representative Palmer."

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I served as many members of this Assembly in the Judiciary Committee of this House, Judiciary II, there are many other lawyers here who I think have performed valiant services, not only to this General Assembly and to our constituents, but also to other persons or corporations that we serve. Lawyers that perform a public service are regula-



ted by the Code of Ethics by the Chicago Bar Association and by the Illinois Bar Association. The, besides that the regulations that are imposed upon us by the corporate authorities, which we represent. I've heard the lawyers knocked around down here just about long enough. I think we've done a good job. The implication that the Representative, the implication that he makes that we're not worth our salt, I feel should have some explanation and some apology to the lawyers of this House."

Hon. W. Robert Blair: "Is there further dis-. The gentleman from Peoria, Representative Day."

Robert G. Day: "I, would the sponsor yield for a question?"

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

Robert G. Day: "I note in here that the Department of Government that regulates bingo is not included in the definition of a regulated business."

C. L. McCormick: "What kind of business?"

Robert G. Day: "Bingo."

C. L. McCormick: "Bingo. That may get to be a big one, too."

Robert G. Day: "So, I understand that from this amendment that a legislator could be in the bingo business and would not be prohibited."

C. L. McCormick: "Well I would say to that question, that the bingo is restricted to charitable institutions, and according to the press, there's not many of us that's out for charity."

Robert G. Day: "One other question. I also note that the



Department of Consumer Fraud under the Attorney General is not included as a regulated business. Is there some reason for that?"

C. L. McCormick: "Yes, it was strictly an oversight on my part, I'll try to get that corrected in the Senate, if this amendment's adopted."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "Mr. Speaker and Ladies and Gentlemen of the House, I could support the amendment in the concept of the disclosure provisions of House Bill 3700, because the definition relates to those areas in which a public official may be involved or a law maker may be involved or a member of the judiciary may be involved which solely relates to the government's business and areas in which disclosure should be made by a public official, but in the context in Section 3-9, it further takes an unconstitutional provision and makes it more unconstitutional by prohibiting the very areas of activity from which the General Assembly draws in the present make-up of the House and of the Senate. And I would venture to say that if this amendment did pass in this context, that we would have less than 10 % of the members of this House eligible to continue to serve, the effect of it is we were all elected on certain standards and conditions. In the middle of the stream it changes those conditions and makes us ineligible to serve if we continue in any of these pursuits and it has other unconstitutional provisions in it



which I feel this House should not adopt this amendment and further complicate a very bad section right now."

Hon. W. Robert Blair: "The gentleman from Johnson, Representative McCormick, is recognized to close the debate."

C. L. McCormick: "Well, Mr. Speaker, everyone in this House knows this amendment and everyone here knows what they're going to do, and I simply ask for their vote."

Hon. W. Robert Blair: "The gentleman has offered to move the adoption of Amendment Number Sixteen to House Bill 3700. All those in favor of the adoption of the amendment signify by voting 'Yeas', those opposed signify by voting 'No'. Have all voted who wished? The gentleman from Johnson, Representative McCormick, wishes to explain his vote."

C. L. McCormick: "I I just want to explain my vote."

Hon. W. Robert Blair: "Proceed, sir."

C. L. McCormick: "I think we ought to look very closely at the board, because I knew that this amendment wasn't going to be adopted, because I'm not that big a fool, but I think it is a good time to stop and think and reminisce just a little bit about ethics right now. How bad do we want them, how far do we want to go, or do we want to cover him and leave me out. That's exactly what it amounts to, you know. Just like saying he's a thief and I'm not. I think that it's time that we started considering some of these amendments seriously, and I vote 'Yeas'."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Representative B. B. Wolfe."



Bernard B. Wolfe: "I must explain my vote and say that I have a conflict of interest with respect to the amendment, because I'm one of the members of the House affected by this amendment and yet under the Governmental Ethics Act, I am permitted to cast my vote on this measure, and I vote 'No'."

Hon. W. Robert Blair: "Have all voted who wished? Take the record. On this question there are 47 'Yeas' and 72 'Nays' and the gentleman's motion to adopt Amendment Number Sixteen to House Bill 3700 fails. Are there further amendments?"

Jack O'Brien: "Amendment Number Seventeen, McCormick. Amend House Bill 3700 as amended on page 6, line 6, by inserting after the comma the following: 'or before any other regulatory agency of the State of Illinois'."

Hon. W. Robert Blair: "The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "If I understand this amendment right, Representative Lindberg, it would simply prohibit any attorney as a member of the General Assembly, from practicing before any state agency where the State of Illinois is a party to the matter. Of course, that would not include the Industrial Commission. Would you agree that that would be a good amendment, sir?"

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "I just want to ask you to repeat what you said about which commission? The Industrial Commission?"



C. L. McCormick: "No, my understanding, and that's my intention, the Industrial Commission, the State of Illinois would not be a party to the Industrial Commission, wouldn't that be between the employee and the employer?"

George W. Lindberg: "Let me try to explain. The Ethics and Government Commission lifted the language from the present ethics act that was voted in 1970, which says that the only prohibition on a member appearing before the a regulatory body is that no legislator can appear before the Industrial Commission or the Court of Claims where the State of Illinois is the respondent or defendant. In my opinion, it would be a gross conflict of interest. Again, if you are asking for my response to this particular amendment, this Ethics and Government Commission was not apprised in its testimony of any abuses by members of the General Assembly appearing before regulatory bodies. If your experiences is to the contrary and these members there want to join you in that attitude, then I presume the amendment would go up. Otherwise, I would personally favor that it go down, because no conflicts have been disclosed to me."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Franklin, Representative Hart."

Richard O. Hart: "Well, I would urge all the members of this body, including all the lawyers to support this amendment. As a strictly technical matter, the question of ethics, when persons approach you to represent them before a regulatory agency, you have to ask yourself, did they come to



me because of my legal ability or because I'm in the legislature, and I think realistically, you would have to resolve that question against yourself as a lawyer. I believe that this would preclude any instances of apparent conflict of interest, if not real. And I believe that it would enhance the image of the lawyer-legislator in the eyes of the public, and I would support it."

Hon. W. Robert Blair: "The gentleman from Cook, Representative Rayson."

Leland H. Rayson: "Mr. Speaker, I'd just like to ask the gentleman who's making this motion, ask him a question."

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

Leland H. Rayson: "And, if he'll yield, does the word 'regulatory agency' which I understand is not defined here, does it really mean a court?"

C. L. McCormick: "Does it mean court?"

Leland H. Rayson: "Yes."

C. L. McCormick: "Well, I never personally interpreted it that way, but it might not be a bad idea in some cases, because we do set the judges' salaries, you know."

Leland H. Rayson: "Well, right, I know. Well, I don't really want to get into it, because if it had been a court, I'm sure your amendment would have carried a, I'm sure but it has enough ambiguity to frighten me and suggest that maybe the lawyers here, if this amendment passed, might have to seek other employment which might be more crooked."

Hon. W. Robert Blair: "The gentleman from Whiteside, Repres-



entative Miller."

Kenneth W. Miller: "Well, Mr. Speaker and Members of the House,

I'd just like to point out to the entire membership that it would appear that if this amendment were adopted, whether or not you were a lawyer, it makes no difference, if you aid anyone in preparation of an Illinois State Income Tax Return. I think that would include anyone, regardless of whether or not they're an attorney. I just thought that I should point that out to you."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Cook, Representative B. B. Wolfe."

Bernard B. Wolfe: "Would the gentleman yield to a question?"

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

Bernard B. Wolfe: "C. L., ah in the other amendment you defined a regulated business, do you have any objection to defining a regulatory agency so that every member of the House knows the agency to which you are referring to and to which you wish to apply this restriction."

C. L. McCormick: "Well, ah, well, I guess you would take the rest of the day, but you know, after all, before going before the regulatory agencies, a member of the General Assembly, in representing clients, I'll just use for example, ever since I can remember that I've been in this political field, under every administration, it makes no difference, what party has been in power, it soon becomes evident that if you want to go before, say the Commerce Commission and you want your truck license commeced in whatever fields



they follow, you soon learn from whatever Section of the state you represent or that you come down here from, to find the right attorney from that section. Now, generally he's a member of the General Assembly, but if he's not a member of the General Assembly, usually he is he is the attorney has been referred to by a member of the General Assembly whereto. Now, I know that it's close coin and I know that the hair gets close and I understand that and I know that you're not a going to vote for it anymore than you did on the other bills, but I think, Ladies and Gentlemen of the House, I think that it is time that we quit kidding ourselves, quit kidding the people back home, and as we start making differentials between the kind of people that we are. Not, if it don't make you make an income tax return, that's too bad, then get out of the General Assembly and go back down home and sell socks like I'll have to do. Now, if you think that it's right for you to take \$17,500.00 now from the people of Illinois and still be allowed to be just a little bit better because you're a lawyer, before the General Assembly and the General Assembly going before the Commerce Commission, or if you think it's right for one of your constituents to come to you and say help me get an emergency driver's license and you say well, go then to see my law firm over here in Springfield or down here somewhere else, and the person does and your secretary writes a letter to John Lewis or to whoever the Secretary of State is and then you go by and knock on the



door and tell the little girl that you're bodily interested in old so and so. About a week later they get the extension of time or they get an emergency license so that they can drive backwards and forth to work, but at the end of the month, that citizen gets a bill for \$25.00 or \$50.00 bucks for the operation of the office, or maybe more than that, I'm just using, I'm using southern Illinois fees now, not hired fees. But you let me do the same thing for the citizen in the 59th District and I don't even dare to take the postage stamp that it takes to mail the papers to Springfield, because if I do, then I'm a thief. Don't tell me it's not a double standard. It's just exactly like when you're voting the judges' salary, you people on the Judiciary, and I've told you year after year that it's wrong to have a Judiciary Committee with all lawyers on it. It's wrong and this whole picture is wrong. We're going to have an Ethics Code. The only thing about it, you people that are wanting to ride the white horse to some other office, or you people that want the press to say that this is Ole Johnny Come Lately, bless his heart, are a bunch of phony. You're either good or you're bad, and I tell you the truth, I've been checked by the Internal Revenue Service for two full years and read the news reports, you fellas did, and it said not a nickel could we find that C. L. made outside his store or his salary in the General Assembly. Come on the rest of you and come clean, now let's pass an Ethics Bill that eliminates this foolishness. And I know you're



not going to do it."

Hon. W. Robert Blair: "Do you wish to respond, Representative Wolfe?"

Bernard B. Wolfe: "Ah, . . ."

Hon. W. Robert Blair: "Representative McCormick was answering a question which Representative B. B. Wolfe. . . all right, there's no further discussion? The gentleman has offered to move the adoption of Amendment Number Seventeen to House Bill 3700. All those in favor of the adoption signify by voting 'Yeas', the opposed by voting 'No'. The gentleman from Cook, Representative Palmer, to explain his vote."

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen, I'm voting 'Yes' on this. I think that what's done here is an expression of the ethics that we find and the Bar Association, Illinois and Chicago Bar Association. I think that the American Bar Association has something to do with it, and with that in mind, I'm voting 'Yeas', not with the intent of making up with Representative McCormick, necessarily, I just hope that someday, he ah, hope that he will never have the need or the use of a lawyer."

Hon. W. Robert Blair: "The gentleman from Kankakee, Representative Houde."

Thomas R. Houde: "Mr. Speaker and Ladies and Gentlemen of the House, because I have a conflict of interest here, I would like to be recorded as voting 'Present' and tell Representative McCormick, I don't know anything about selling a socks, all I do is do an accounting business and I really don't



know what size that would take, so I'm voting 'Present' on this particular amendment."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Representative B. B. Wolfe, to explain his vote."

Bernard B. Wolfe: "In spite of Representative McCormick's long answer to my question, I'm still supporting the thrust of the amendment and hopefully would ask him to define 'regulatory agency,' because as it now reads it includes practically eighty per cent of the members of this House, and not only the lawyers."

Hon. W. Robert Blair: "Have all voted who wished? Take the record. On this question, the 'Yeas' are 110, the 'Nays' are 24, and the gentleman's motion to adopt Amendment Number Seventeen to House Bill 3700 prevails. Are there further amendments?"

Jack O'Brien: "Amendment Number Eighteen, McCormick. Amend House Bill 3700, as amended, on page 10, line 14, by inserting after the word 'donor', the following: 'Section 5-3. Any company or other business entity which publishes a newspaper of general circulation or operates a commercial radio, television, or cable broadcasting station or facility in this state shall file with the State Board of Elections by January 1 of each year a report which shall include:

(a) the amount of advertising in dollar purchased to support, oppose, or influence the nomination or election of each candidate for state or local office. (b) the amount of



advertising in dollars purchased to support, oppose, or influence the vote on a referendum of the State or local governmental unit of the state. (c) the amount of advertising in dollars purchased to support or oppose any political committee in this state'."

Hon. W. Robert Blair: "The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "Ah, Mr. Speaker, I want to catch up here just a moment. I would think that maybe this would be ruled the same by the Chair as the other one. Don't you believe it would? So there's no point, after all, I've got to go make a Republican speech tonight, you know. I I don't want to take up the time of the House. I can talk all night on this thing, so I don't want to take the time of the House, if it is the general position that it isn't if if. . ."

Hon. W. Robert Blair: "You wish, you wish. . .you wish to withdraw this amendment, Representative. . ."

C. L. McCormick: "Only if the Chair feels that it falls into the category that the Speaker ruled a while ago."

Hon. W. Robert Blair: "Well, if you'll stand at ease for a moment, let me look at it. Representative McCormick, were this question of germaneness put to the Chair, it is my feeling that the Chair would rule as the Speaker did on the prior amendment. Representative Shea, for what purpose do you rise, sir?"

Gerald W. Shea: "Mr. Speaker, as I read the amendment, it im-



poses no burden on any media except to report to report the amount of money spent by political candidates and committees on advertising. This would appear to be a check on what political candidates are reporting and what political committees are reporting as political expenditures."

Hon. W. Robert Blair: "Ah, Representative Lindberg, for what purpose do you rise, sir?"

George W. Lindberg: "Ah, just to satisfy Representative McCormick, I will put that issue, Mr. Speaker, so it's properly before the House. Quite frankly, I haven't made up my own mind on the point."

Hon. W. Robert Blair: "Ah, Representative McCormick, do you wish to persist in recommending your amendment, sir?"

C. L. McCormick: "Well, I don't want to, I want to unless the Chair feels that that I'm wrong, and I don't want to tie this House up for fifteen or twenty minutes on an amendment. . ."

Hon. W. Robert Blair: "Stand, stand at ease for another minute, please. Representative Choate, for what purpose do you rise, sir?"

Clyde L. Choate: "A point of order at this point. I don't think anyone's even raised."

Hon. W. Robert Blair: "Representative Lindberg raised it, Representative Choate."

Clyde L. Choate: "I thought he said he hadn't made his own mind up."

Hon. W. Robert Blair: "No, no. . ."



Clyde L. Choate: "Yes, he did, too."

Hon. W. Robert Blair: "Representative Lindberg, you did question the germaneness. . .The Chair will rule that Amendment Number Eighteen to House Bill 3700 is not germane. It puts the responsibility on the on someone other than a public official or a candidate for office. For what purpose do you rise, Representative Choate?"

Clyde L. Choate: "Mr. Speaker, I want to talk to that point of order for just a second."

Hon. W. Robert Blair: "Proceed, sir."

Clyde L. Choate: "I have throughout campaign, and I think that everyone in here has probably experienced the same thing, that as a political candidate you go to a portion of the news media and you attempt to subscribe to something that is political, place a political ads, and the cost of that ads far exceeds any business ads that you might place in that newspaper, on that radio station, or on the television station, and they don't bill you like they do the average businessman, they say you pay immediately. You pay in advance. If this is not a check and balance system, then I do not know what it is all about. If this is not disclosure as far as public candidates is concerned, then I don't know what it's all about."

Hon. W. Robert Blair: "Representative Lindberg, for what purpose do you rise, sir?"

George W. Lindberg: "Well, in supporting the ruling of the Chair, I would simply say. . ."



Hon. W. Robert Blair: "Well, that's not debatable. Representative Lindberg, and I, Representative Choate is a leader and I gave him extra privilege. Are there further amendments?"

Jack O'Brien: "Amendment Number Nineteen, Stone. Amend House Bill 3700 on page 5, line 16, by inserting after the period the following: 'No corporation, partnership, individual proprietor, or other business association, 20% or more of which is owned by public officials or their spouses or unemancipated and minor children, shall contract with a public agency of the State.'"

Hon. W. Robert Blair: "The gentleman from Moultrie, Representative Stone."

Paul Stone: "Mr. Speaker, and Ladies and Gentlemen, it is not my intention to weaken the Ethics Bill as some sources of information have indicated that we've been trying to do yesterday and today. It is my purpose, by the two amendments that I have offered to extend the coverage of the Ethics Bill so that all of us are treated alike. The Amendment Number Nineteen that I have offered comes under the Prohibited Activities Section of the Ethics Bill and it simply says that no partnership, corporation, individual proprietor or other business associations, 20% or more of which is owned by public officials or their spouses or unemancipated and minor children shall contract with a public agency of the State. It is just an extension of the rule that was laid down by the amendment we just adopted of



Representative McCormick. It includes people other than legislators, it includes corporations, partnerships and others who have 20% control of a business association. I think this is a good amendment, it strengthens the bill and makes it cover other people other than just individuals, so that a legislator can not get around the fact that he is carrying on some of these prohibited activities by just forming a corporation or an association. Lawyers, as you know, and accountants and all other professional people under the present law are allowed to form professional corporations and they could form a professional corporation with one other partner or one other associate and if this amendment were not adopted they could in that way, in my judgment, carry on the other activities that are prohibited by this section. I think the amendment is a good one, it strengthens the bill and we should adopt it, and I move the adoption of Amendment Number Nineteen."

Hon. W. Robert Blair: "The gentleman from Cook, the gentleman from Cook, Representative Berman."

Arthur L. Berman: "Would the sponsor yield for a question?"

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

Arthur L. Berman: "Representative Stone, I look and see Amendment Number Twenty, which I assume that you are going to offer. May I point out to you that I think that these two amendments are in conflict because if you are going to eliminate Section 3-9 as Amendment Number Twenty provides, you are doing just the opposite as it affects those who wish



to render services or contract with any types of agency by the provisions of Amendment Number Nineteen. I think one of those, as far as your approach, in my own opinion, is wrong. I personally like Amendment Number Twenty. I think again it lends itself to the concept of disclosure and allow the people to decide rather than one of prohibition which may impose an undue hardship on many segments of a citizen representative or a citizen public official. I would seriously request that you look at this in that light and perhaps even hold Amendment Number Nineteen until you took a vote on Amendment Number Twenty."

Paul Stone: "I would like to withdraw Nineteen because there is a discrepancy here and we can, I think, work it out, I would like to withhold it for the moment, if I may."

Hon. W. Robert Blair: "Well, we'll withdraw Amendment Number Nineteen. Are there further amendments?"

Jack O'Brien: "Amendment Number Twenty, Stone. Amend House Bill 3700 as amended on page 1, line 24, by striking. . ."

Hon. W. Robert Blair: "The gentleman from Moultrie, Representative Stone, do you wish to explain the amendment, it's quite lengthy?"

Paul Stone: "Yes, Mr. Speaker, thank you very much. Amendment Number Twenty also, in my judgment, also strengthens the Ethics Bill. I think if we're going to have one, I think we should have it as strong as we're going to have it and include all of the people and not just some of them. Now, Amendment Number Twenty, fundamentally, was taken from



the Ethics Bill that was offered by Representative Adlai Stevenson, III, when he was here in in 1965 and I think most of you will know approximately what it does. Now, on page 1, line 24, we merely add a few words that that well, they're self-explanatory, and they say that consideration shall be given to the fact that most legislators and legislative employees must in most instances, engage in employment outside of legislative work and in a number of instances must maintain investments, all of which in themselves, are in no way in conflict with the Code of Ethics herein enunciated. This just sets forth the fact that we recognize this. Then, on page 5 between lines 11 and 12 we define 'legislative interest' and 'state official', in other words a legislative interest means a substantial economic interest, distinct from that of the general public, in one or more legislative matters. Section 2-18 defines a state official and says that it's any elected state officer, member of the General Assembly and all persons whose appointment is subject to confirmation by the Senate. And all employees of elected offices, state agencies in the executive branch and the General Assembly whose annual rate of compensation is \$20,000.00 or more. In other words, we just bring in other state officials that should be covered and not be left out if we are to have a meaningful Ethics Bill. And then we go in and strike Section 3-8, or Sections 3-8 and 3-9 which are not all inclusive, they take advantage of certain people in this legislature, mayors, for example, could not under



the bill as it's written, could not serve in both places, and I think that this bill should, if we're going to have an ethics bill, should include more than mayors, or more than people who just happen to work for the City of Chicago, for example, it should include more of the people than just those who are City Attorney. As Representative McCormick has pointed out, lawyers have certain advantages than other people don't have and it doesn't seem to make much difference to the lawyers, and I happen to be one of them. We, in my judgment, by this amendment we strengthen the prohibition that lawyers can not as members of the General Assembly, participate in in cases in which the State is a party. The amendment states that no state officials shall accept directly or indirectly from any person with legislative interest in payment for services, or property, or compensation at a price in excess of the fair value thereof, nor shall he be sold anything at less than its fair value. The amendment goes on to say that no state official may solicit, accept or agree to accept gifts, loans, gratuities, discounts, and so forth, with an aggregate value of more than \$100.00 in any one calendar year. The section does not apply specifically to political contributions in cash or time or any other liens. Now, in Section 3-13 of the amendment, it is stated that no state official may accept a representation in a case where there is substantial reason for him to believe that it is being offered with intent to obtain improper influence over a



state agency. I think that this is not in conflict with Representative McCormick's amendment. It merely strengthens the amendment to include all state agencies whether or not they are specifically enumerated. I believe that the amendment, as I said, strengthens the bill, it brings in people that are not covered by the bill as presently written and I move its adoption."

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

Arthur E. Simmons: "Mr. Speaker, ah, I wanted to ask the sponsor a question if he'd yield."

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

Arthur E. Simmons: "In your amendment, you're amending on page 5 between lines 11 and 12 and you number that subsection 2-17. On page, on the same page on line 5, there is sub-section 2-15. What happened to 2-16?"

Paul Stone: "Well, that Amendment Number Three took care, added a new Section 2-16 and this then would be 2-17. Yes, Amendment Number Three."

Hon. W. Robert Blair: "The gentleman from McHenry, Representative Lindberg."

George W. Lindberg: "Mr. Speaker, I'd like to direct my attention to this amendment and Mr. Stone's attention to the fact that very early in its deliberations, the Ethics and Government Commission considered the Illinois Governmental Ethics Act of 1967 from which this appears to have been drawn, and we rejected that document as having been ineffec-



tive for the four years that it was in. Now, we're back here again engaging in all types of prohibited activities legislating when the basic function of our House Bill 3700 is a disclosure bill. Now, let me just say that the very first statement on line 8 makes a very presumption which I would very much oppose being in this Code, wherein it says 'and in a number of instances maintain investments, all of which in themselves are in no way in conflict with the Code of Ethics herein.' Now, that's a presumption that all of the investments that we engage in or other economic interests are not in conflict and I think that is an erroneous presumption. In addition to that, later in the amendment, on the first page and continuing to the second page, we talk about the fact that we can't accept any kinds of gifts or the like and so forth, in excess of \$100.00, which are possibly going to influence your vote, and then we say on line 4 of page 2 that if somebody wants to drop it to you, in the form of a political contribution, then it's okay, and I certainly reject that premise and I did that at that time that Ethics Act was adopted. The amendment is clearly in conflict at Section 3-13 with regard to representation cases, because with Representative McCormick's Amendment Number Seventeen, we prohibited members of the General Assembly from accepting any type of representation case before a regulatory agency, which is the, which I would submit is the definition of a representation case. But basically, no one has been able to explain what the affect of



this language imposed upon the House Bill 3700 as it now stands, what kind of havoc it will wreak with the bill. This is the type of amendment that would have to be studied, in my opinion, for several hours and double checked thoroughly. I think it would be extremely dangerous to adopt this amendment at this time and I would hope that Representative Stone would withdraw the amendment if House Bill 3700 comes, becomes law, we will be back here next year and we will have a great opportunity to amend the act and otherwise change it. But this is such a substantive change that I would hope that he would withdraw this amendment."

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

Arthur L. Berman: "Thank you, Mr. Speaker. I rise in support of Amendment Number Twenty. I think the most important part of Amendment Number Twenty is the opening paragraph of this amendment. Because I think without this concept being in a bill, we are forgetting really who we are and how we were sent down here. Now, I would just very quickly like to recite that to you, the membership: consideration shall be given to the fact that most legislators and most legislative employees must in most instances engage in employment outside of legislative work. Now, until we're ready to adopt an amendment, along with the other amendments that have been suggested today, to up our salary 50 per cent or 100 per cent and make this a full time commitment, I think that we have to give recognition that disclosure would still be within the bill, House Bill 3700, is important but



the prohibition must be reasonable to direct themselves to conflict not to depriving a man from earning a living. I think Amendment Number Twenty is well founded and gets to that point and is well phrased with this point in mind. I'm very pleased to support it."

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

Bernard B. Wolfe: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I believe the objection of the Chief Sponsor to Amendment Twenty and the rejection by the committee of the Governmental Ethics Act which is presently on the books points up the defect in the present bill which is stated on the caption 'Code of Conduct for Public Officials' and we have been told now that it is only a disclosure bill. Now, within constitutional guidelines, there is nothing in the present bill that steps up a blue-print for legislative conduct by this General Assembly, because the bill itself repeals all of the Governmental Ethics Act. That could have easily been supplemented, implemented and strengthened by simple amendments of stronger disclosure provision by implementing a the Board of Ethics in providing for public members and by an appropriation to permit the board to hire consulting staff and help in order to effectively enforce the provisions of the act. One of the things that Twenty does, it takes care of an amendment that I have, Amendment Number Twenty-Two, in which 3.9 is eliminated from the act because it is highly discriminatory and because



it's highly unconstitutional. Ah, two state supreme courts have ruled on on ethics and disclosure provisions, one was the court in the State of Illinois, in Kusak -vs- Howlett, in which our Supreme Court stated: One, that providing an ethics and conduct provision in a bill covering the judiciary violates the state constitution, and I see no change in the present constitution, which would indicated that the court would change its mind now, in fact. I see a strengthening of that provision because you have a judicial inquiry board in the constitution itself and a committee created for the purpose of enforcing a standards of ethics and conduct and disclosure in the judicial department. In the Supreme Court case in California, on a bill similar to 3700 the courts struck down the provisions of of that act and held it unconstitutional, and I think it would be of interest to this House if I read a brief portion of that opinion. 'The Court said whereas here a statute contains unconstitutionally broad restrictions and a language is such that a court can not reasonably undertake to eliminate its valid operation by severance or construction, the statute is void in its entirety regardless of whether it could be narrowly applied to the facts of the particular case before the court. The only way in which the statute now at issue could be limited to a proper scope with respect to the officials and employees of the plaintiff city would be by reading into it numerous qualifications and exceptions thereby performing a wholesale rewrite into the statute



which the court can not reasonably be expected to undertake. The court also said that the restrictive provisions of that bill would prevent a citizen to take on the burden of public office and far outweighs any legitimate public interest to be served,' and I think that if we don't prepare an Ethics Bill directed to the heart of the problem, we're going to be involved with the same kind of a constitutional question in our own Supreme Court."

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

Brian B. Duff: "Would the sponsor answer a question, please? On page. . ."

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

Brian B. Duff: "On page 2, Section 3-10, lines 11 through 14, ah, this reads that no state official may accept any economic opportunity under circumstances where he knows or should know that there is a substantial opportunity that the opportunity is being afforded him with intent to influence his conduct in the performance of his official duties. Is it your opinion, sir, that this would prohibit, for example, holding office in the employment of a municipality?"

Paul Stone: "Yes, it it would if he were accepting it with the as it says with the substantial possibility that the opportunity is being afforded him with intent to influence his conduct in the performance of his official duties. If that were true, then it would."

Brian B. Duff: "Well, in other words, you feel that if somebody were employed by a city or a county or another level



of government that also employed five, ten or twenty other state legislators, that this could be a conflict?"

Paul Stone: "It would if there was a substantial possibility that the opportunity were being afforded him with the intent that he influence his conduct in the performance of his official duties."

Brian B. Duff: "Well, how would you determine that. A specific, for example, could I accept a job for the City of Chicago, and still be in the legislature under this?"

Paul Stone: "Sir, I don't know what you could do. I do know that under on the previous page of the of the in Section 3.8 in the amendment, it says that no state official shall accept directly or indirectly from any person with legislative interest in payment for services or property, compensation or a price in excess of the fair value thereof, and if you are doing a days work for a days pay, I don't know what difference it makes, whether it is for the City of Chicago, or for the City of Streator, or for the city which you happen to live in. I am a lawyer and if I performed services for the city of Sullivan, and I had reason to believe that I am performing those services because of a substantial possibility that the opportunity is being afforded me with the intent to influence my conduct in this legislature, I should not accept that that employment, otherwise, I should."

Brian B. Duff: "Well, how would that determination be made?"

Paul Stone: "Just like any other determination of similiar



character has to be made by you and by me, each day, as we practice law."

Brian B. Duff: "Thank you."

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

Fred J. Tuerk: "Will the sponsor yield to a question?"

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

Fred J. Tuerk: "Ah, if I might pursue Section 3.8 for a moment, you just discussed that possibility. Does the language in that section pre-empt a state employee, a state official from holding a job, say with a company within in the State of Illinois?"

Paul Stone: "I'm I'm sorry, I didn't understand the question."

Fred J. Tuerk: "I'm asking does that language in Section 3.8 pre-empt a state official from having employment from a company particularly with that language with legislative interest. I can think of instances where a company may have some legislative interest because of the basic participation within the system, you see, and if that state official happens to work for that company, it would seem to me that that language would pre-empt them from holding a job, is that is that true?"

Paul Stone: "Well, no, I think it would not prohibit his employment as long as he were only paid one days wages for one days work."

Fred J. Tuerk: "What do you mean, one days wages for one days work? It says from any person with legislative interest."

Paul Stone: "He can not receive compensation in excess of the



fair value of his services."

Fred J. Tuerk: "Well, I see what it says but I don't know what it means and I'm not sure you're explaining what it means."

Paul Stone: "Well, if you mean can someone work for Caterpillar Tractor Company for example, . . ."

Fred J. Tuerk: "Or Illinois Bell or any company within the state. . ."

Paul Stone: "Yes, yes, yes they can. As long as they are not hired or receive for their service more than the value for their services."

Fred J. Tuerk: "Well, who determines the value of those services?"

Paul Stone: "Well, your employer, as he employees other employees for doing the exact same job you're doing. In other words, if you are put on the payroll of a large insurance company, before a bill comes up down here and you receive a large sum just because you happen to be in the legislature, you're not doing a days work for a days pay."

Fred J. Tuerk: "Well, I can understand that, but I think that the way this is worded leaves an awful lot for the interpretation and I think you're going to have problems with that section if it remains as is, Paul."

Hon. W. Robert Blair: "Is there further discussion? The question is on the adoption of, does the gentleman care to close? All right, the gentleman from Moultrie, Mr. Stone."

Paul Stone: "Mr. Speaker, Ladies and Gentlemen, the sponsor



of the bill objected to the amendment on the basis that there were too many prohibitions in the amendment and the main part of the amendment in my judgement, merely replaces two paragraphs that are prohibitions and I think that the prohibitions that are in the present bill are not wide enough. Number, Section 3.8 merely states that no member of the General Assembly may accept compensation or participate in any case before the Court of Claims or before the Industrial Commission when the State of Illinois is the respondent, and I believe that that should be expanded to include all practice before all commissions and I believe my amendment does that. Section 3.9 which is replaced is a further prohibition. And it says that no member of the General Assembly during the term for which he was elected or appointed may be a public official or an employee of any other governmental entity to receive compensation for services rendered to any governmental agency, and I, it seems to me that this section was put in to take care of a couple mayors who happened to be members of the General Assembly and those members of this General Assembly who also happen to work for the City of Chicago. I think I think that this should be expanded to include all people and my amendment attempts to do that. I think it's a good amendment and should be adopted."

Hon. W. Robert Blair: "The question is shall the House adopt Amendment Twenty. All those in favor, a roll call has been requested. All those in favor shall vote 'Yeas' the



opposed 'No'. The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Mr. Speaker, I just again reiterate in explaining my vote that I do not personally want to be part of an amendment that says again on the bottom of page 1 and page 2 that you can accept ah ah gifts and loans and so forth, it prohibits accepting them except in the form of political contributions. Now, the one of the major thrusts of this legislation is to not only make these disclosures, but to make it clear that that no public official should accept any compensation in any form, political contribution or otherwise, in his official duties, and so I think this is a bad amendment, no one has any idea how far this amendment goes, and it has been in the previous government ethics act, it's never been effectively relied upon for any type of prosecution under that act and I think it's extremely vague, that act was our first effort at ethics in Illinois, it has not proved successful, this is why we are going on House Bill 3700, and I would urge everyone to vote 'No' on the adoption of this amendment."

Hon.W. Robert Blair: "Have all voted who wished? The clerk will take the record. On this question there are 93 'Yeas' and 36 'Nays' and the amendment is adopted. Further amendments?"

Jack O'Brien: "Amendment Number Twenty-One, Berman. Amends House Bill 3700 as amended on page 3, line 23, by striking the word 'corporation' and inserting in lieu thereof 'corporation or not for profit corporation'."



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

Arthur L. Berman: "Thank you, Mr. Speaker, Amendment Number Twenty-One, is not a, is merely a corrective type of amendment. . ."

Hon. W. Robert Blair: "What, for what purpose does the gentleman from Jackson, Mr. Williams rise?"

Gale Williams: "Mr. Speaker, on that last amendment after voting on the prevailing side, I move that the vote by which that amendment was adopted by reconsidered."

Hon. W. Robert Blair: "For what purpose does the gentleman from McHenry, Mr. Lindberg rise?"

George W. Lindberg: "Ah, Mr. Speaker, I would ask for a ruling of the chair on a point of order."

Hon. W. Robert Blair: "Ask."

George W. Lindberg: "Ah, all right, am I to understand that by the adoption of this amendment that we have now eliminated the double dipper provision which is Section 3-8, 3-9? I need a clarification, Mr. Speaker, on just what just happened. It was just brought to my attention that we may have inadvertently eliminated 3-9 from House Bill 3700, which provides that no member of the General Assembly during the term which he was elected or appointed, may be a public official or employee of any other governmental entity or receive compensation for services rendered to any governmental agency."

Hon. W. Robert Blair: "If that was the import of. . ."

George W. Lindberg: "If that was the import of this amendment"



I don't think it was brought to the attention of the membership."

Hon. W. Robert Blair: "For what purpose does the gentleman from Moultrie, Mr. Stone rise?"

Paul Stone: "Mr. Speaker, on two occasions, I read the provisions of 3.8 of the present bill and also 3.9 of the present bill and it was brought to the attention of this assembly, at least it was brought to the attention, maybe they weren't listening, and Mr. Speaker, I second, I move that Representative Williams' motion lie upon the table."

Hon. W. Robert Blair: "If you'll hold that for just a moment until we resolve, I mean your motion to table. but let us resolve, I had inquiry raised by the gentleman from McHenry. Well, on the gentleman's question, Section 3-9 ah is stricken on under Amendment Number Twenty, line 20. The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Well, I don't know what our procedure is but apparently there's been a motion that this bill be reconsidered and I support that motion and I hope that there's a motion to table that we reject the motion to table and reconsider this bill and give a fair public hearing to the issue of double dippers which is one of the major important issues to House Bill 3700, Mr. Speaker."

Hon. W. Robert Blair: "All right, now, we're back to the gentleman from Moultrie, Mr. Stone's motion to table the motion to reconsider. All those in favor, a roll call's been requested. Motion is to table the motion to reconsider. All



those in favor of the motion to table will vote 'Yeas' and those opposed will vote 'No'. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, in explaining my vote, Mr. Speaker, I am voting red because a green vote is a vote to preserve one of the most substantial conflicts of interest in the legislature, namely the municipal employee who is sent down here to do the bidding of his employer rather than that of his district. Now, I listened, both on the floor and in my office through the voice box to impassioned criticism of lawyers having a conflict of interest, you can find conflicts of interest anywhere you go. The most substantial conflict of interest anywhere in the State of Illinois is between those people who march down here enboxed up to do the bidding of their employer, rather than their constituency. And by voting green you have taken that prohibition out of that bill and you've left a lot of other prohibitions in. I'd think it'd be a major victory for the mayor of the City of Chicago and a defeat for those of us who've been trying to avoid conflicts of interest with meaningful legislation. I hope you'll vote red."

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

Bernard B. Wolfe: "On the contrary, Mr. Speaker, I'll explain my vote. A green vote means that you're standing for constitutional government. For non-discrimination of a member of this House. 3.9 not only discriminates against a local



employee but it also discriminates against school teachers who are a member of this House. We looked at that particular provision and attempted to make a valid constitutional revision of it but there is no way to do it. Now, our state constitution of 1970 took up this very matter and there is a prohibition in the constitution of Article IV, Section 2 Sub-Section (e) in which this very problem is looked at by the convention and there was no prohibition against a public employee holding a position in this General Assembly any more than there is against a private employee who has a conflict of interest from holding any such position in this General Assembly. Traditionally, this legislature is a citizen-legislator composed of part-time people. And it was said once before on this floor, if you want to change that concept and make that a full time job, let's do that and just have people here at \$35,000.00 or \$40,000.00 a year making the laws of this state, rather than drawing upon every interest, every background, every profession and every business which goes to make up the law making process since 1818. That's what it means, a green light stands for not discrimination and constitutional government in the General Assembly. No second class citizens. Everyone treated alike."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Mr. Speaker, I think that the membership should have the opportunity to determine whether or not Re-



presentative Hyde is correct or Representative Wolfe is correct. The question is here, I think is in the public interest of having that question fairly debated, which subsequent amendments do. I personally was distracted here, my assistant was not available, and I think that this amendment ought to be reconsidered now and for that reason I would ask for a 'No' vote and then let's get to the issue of the double dipper."

Hon. W. Robert Blair: "All right, the Clerk will take the record. On this question, . . .The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Mr. Speaker, I indeed hate to take the time of the House, but what was the vote? 85 to 6-."

Hon. W. Robert Blair: "85 'Yeas' and 66 'Nays'."

George W. Lindberg: "All right, I think that is a pretty substantial difference. Everybody seems to be pretty much here, so I won't ask for a verification."

Hon. W. Robert Blair: "All right, lets get back to Amendment Number Ten. And the motion to table prevails. I announced the roll call. Now, the Minority Leader asks if we could go back to Amendment Number Ten."

Jack O'Brien: "Substitute Amendment Number Ten, Choate. Amend House Bill 3700 as amended on page 6, by inserting between lines 22 and 23 the following: 'Section 3-11. No state official may acquire, or own while in his term of office or within 3 years after his term expires any financial interest in any business entity regulated by the Illinois



Commerce Commission, Liquor Control Commission, Illinois Racing Board, Department of Financial Institutions, Department of Insurance. This section shall in no way be construed to limit or prohibit any individual from depositing funds in any institution regulated by the Department of Financial Institutions and receiving the current amount of interest paid on said deposits."

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

George W. Lindberg: "Ah, I wonder if the who's offering this amendment, Mr. Speaker?"

Hon. W. Robert Blair: "Mr. Choate."

George W. Lindberg: "All right, and would you in a capsule or a nut shell tell us what you're trying to do here."

Clyde L. Choate: "Be happy to. That's what I was waiting for my light for, George."

George W. Lindberg: "This isn't. . ."

Clyde L. Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is for all practical purposes, the amendment which we discussed yesterday and then took out of the record because the Chief Sponsor of the bill said that he wanted to talk to me about it, and it has been changed. It simply states as I stated yesterday that no state official may acquire or own while in the term of office or three years after his term expires any financial interest in any business regulated by the Illinois Commerce Commission, Liquor Control Commission, Illinois Racing Board, the Department of



Financial Institutions or the Department of Insurance. Now while as I stated yesterday, I, for one, am ready to discharge myself of any businesses that I might have a part of that is regulated by any of these agencies, and if we are going to have ethics in government, then let's have ethics in government. I stated yesterday, I stated yesterday that if you own interest in these businesses and you don't watch your voting record closely, then there would be to some people's minds probably a possible conflict of interest. I stated yesterday that because of the news media, because of the hysteria to a certain degree being brought about as far as ethics in government is concerned, I think this amendment does what, evidentially, the sponsor and others who intend to vote for House Bill 3700 want, it makes it a strong code of ethics for government, and I would encourage the membership to vote 'Yeas'."

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

George W. Lindberg: "Ah, a question of the sponsor. Clyde, does this affect all state officials or just members of the General Assembly?"

Clyde L. Choate: "Ah, this is one of the words that I corrected out of yesterday's amendment, at your suggestion. I had public official and it now says no state official, period."

George W. Lindberg: "Well, yesterday it said no state official and it was supposed to hold public official."

Clyde L. Choate: "Yesterday it said no public official."



George W. Lindberg: "No, yesterday it said no state, but we won't argue the point. The effect of this amendment in my opinion is to completely destroy the concept of citizens participation in government. The effect here is for example that no farmer, you don't have Agriculture in here, but that no person for example who owned a motel or tavern could participate in government in anywhere in Illinois. No person engaged in the finance business could or owns any interest regulated by the Department of Finance, Department of Insurance, the or any of the myriad forms of business which these regulatory agencies control. Now, it is important whether you are talking about state officials or whether you're talking about public officials. If it is state officials, we don't define that in our act, so the amendment would be highly improper. And in addition to that, prohibiting a person from doing something three, for a period of three years after they have left office is clearly in my opinion clearly unconstitutional. It would be my attitude that if this particular amendment were to be adopted, I don't think I could support the continued effort to pass House Bill 3700, because you would be eliminating from government service a broad broad spectrum of people who serve as good citizens in government. So I think it's vague, it's unconstitutional, it's entirely too broad, and it destroys the citizen concept of participation in government. So this amendment should be defeated."

Hon. W. Robert Blair: "The gentleman from Rock Island, Mr.



Henss."

Donald A. Henss: "Mr. Speaker, will the sponsor of the amendment yield to a very few questions?"

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

Donald A. Henss: "All right, first, I would like to know what provisions are made for the enforcement of this prohibition. How would it be enforced, first of all, as to those people who are now state officials and second, those who have left the governmental service within that three year period."

Clyde L. Choate: "It'd be enforced, it'd be enforced in accordance with the rules and regulations as set forth in House Bill 3700, ethics."

Donald A. Henss: "Is it your intention, that a person could not hold state office if he had an interest in one of these regulated. . ."

Clyde L. Choate: "He should divest himself of those interests as I stated yesterday."

Donald A. Henss: "Would he be prohibited from holding office? I I see nothing in the bill that we have drafted that applies to this matter and especially with regard to those who have left governmental service. How do you enforce it against a person who has no longer in state office?"

Clyde L. Choate: "Well, I would hope, I would hope that the Government in Ethics, Ethics in Government Commission would have the authority. Now I did not put the authority on the amendment, as you well know, because I thought for sure that the draftees of the bill surely gave the the



Commission the authority to enforce the acts as far as as the bill is concerned. This would only be another portion of the bill for it to enforce."

Donald A. Henss: "Well, the fact is that the bill as originally drafted, made no such problem with regard to people who had left governmental service. So there is no enforcement provision already existing in the bill, and my question is would be what what do we do about a person who has left governmental service?"

Clyde L. Choate: "It doesn't act retroactively to start with, Representative."

Donald A. Henss: "All right, say that you have a member of the General Assembly who leaves governmental service and within the period of three years which you have mentioned, he acquires an interest in one of these regulated firms. What do we do?"

Clyde L. Choate: "Well, as I said, I would think that the drafters of the bill certainly put the ability of the commission to take care of the enforcement of same. That they would be charged with the responsibility of enforcing this and I would assume that they would take one to court."

Donald A. Henss: "I have nothing further, Mr. Speaker. I would very briefly say that not only is the provision invalid in my opinion, but and unconstitutional, but there is certainly a great ambiguity here and vagueness in the enforcement provision."

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



Clyde L. Choate: "Mr. Speaker, I have consistently told this House and I have consistently told the sponsor of House Bill 3700 that I was not going to do anything to weaken his endeavors to have a Code of Ethics for the State of Illinois. Now, my legal advisors standing around me here tell me that with all probability, this is not workable as far as House Bill 3700 is concerned, because the enforcement portions of that bill would not provide the proper enforcement procedure for this particular amendment. So, consequently, Mr. Speaker, I would like to take Amendment Number Ten out of the record, and well, to table it, or do whatever is necessary to kill it, but I want to tell the members of this House that if and when House Bill 3700 is passed and it goes to the Senate then I'm going to still try to work this amendment out and take it over there and see if I can get it put on then in the Senate."

Hon. W. Robert Blair: "All those in favor of the motion to table say 'Yeas', the opposed 'No', the 'Yeas' have it and Amendment Number Ten and Substitute Amendment Number Ten are tabled. Further amendment?"

Jack O'Brien: "Amendment Number Twenty-One, Berman. Amends House Bill 3700, as amended, on page 3, line 23, by striking the word 'corporation' and inserting in lieu thereof 'corporation or not-for-profit corporation'."

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

Arthur L. Berman: "Thank you, Mr. Speaker. Ah, the purpose of this amendment was to include in the words set forth in



the definition under the technical term 'persons', both corporations and not for profit corporations in compliance with the previous amendment that has been adopted, stating that only not-for-profit corporations rather than only for profit corporations could contribute. Now, I offer the amendment. I don't think it hurts the language, but I would be willing to stand corrected if having deleted the first paragraph of Chapter 5, Section 5, it's been obviated, but I think that Amendment Number Twenty-One could still be included in the definition so that there be no misunderstanding as to what the definition of 'person' would mean."

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

George W. Lindberg: "Mr. Speaker, I would ask that we just stand at ease for just a moment, to resolve a particular point. If I would withdraw Amendment Number Three defining 'corporations' then it would not be necessary to adopt Amendment Number Twenty-One and I wanted to ask Mr. Berman his opinion on that matter."

Arthur L. Berman: "Yes, ah, that would be correct. If Three were withdrawn, I'll withdraw Twenty-One."

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

George W. Lindberg: "Ah, Mr. Speaker, the Amendment Number Three was to clarify that when we spoke of corporations being prohibited from making contributions, we meant for profit corporations. Now, that language has been stricken



prohibiting corporations and unions from contributing, so therefore, there is no reason to have Amendment Number Three and for that reason I now move that the vote by which that amendment was adopted be reconsidered."

Hon. W. Robert Blair: "All right, well, does the gentleman have leave to table Amendment Number Three which was adopted yesterday?"

George W. Lindberg: "Leave."

Hon. W. Robert Blair: "All right, ah, consent's given and Amendment Number Three will be tabled. All right, and the gentleman from Cook, Mr. Berman, also ask for leave to table Amendment Number Twenty-Two, Twenty-no, all right, Amendment Number Twenty-One. Hearing no objection, consent will be given. Amendment Number Twenty-One is tabled. Further amendments?"

Jack O'Brien: "Amendment Number Twenty-Two, B. B. Wolfe. Amends House Bill 3700 on page 6, by striking lines 8 through 12."

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

Bernard B. Wolfe: "Mr. Speaker, Ladies and Gentlemen of the House, may I have leave to table Amendment Number Twenty-Two as the previous amendment has already been adopted which takes care of Amendment Number. . ."

Hon. W. Robert Blair: "All right, consent given? All right, Twenty-Two will be tabled. Further amendments?"

Jack O'Brien: "Amendment Number Twenty-Three with McCormick



is withdrawn."

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

Jack O'Brien: "Amendment Number Twenty-Four, Barry. Amends House Bill 3700 on page 6 by inserting between lines 22 and 23 the following: 'Section 3-12. No member, official or employee salaried at \$12,000.00 or more of any unit of local government shall have any fiscal interest in any regulated business which is regulated by a unit of local government of which he is a member, official or employee during his term of office or employment or within three years thereof.'"

Hon. W. Robert Blair: "Say, there's a question about order. Whose, whose is this, Mr. Barry? Yeah. We added Section 3-12 in Amendment Number Twenty, and the gentleman from Bureau, Mr. Barry."

Tobias Barry: "I I I think you'll find that Amendment Number Twelve, pardon me, Amendment Number Twenty, includes Amendments through 3-15, so I would ask the Clerk to mark mine considering other Amendments that are going to be considered here, give it another number, like 3-18, I know of 3-16 and 3-17, about to be added, or you can give me 3-16 if you choose."

Hon. W. Robert Blair: "All right, it'll be 3-16. For what purpose does the gentleman from Cook, Mr. Simmons rise?"

Arthur E. Simmons: "I would like to ask the sponsor of Amendment Number Four a question? If he'll yield."

Hon. W. Robert Blair: "Twenty-Four? Twenty-Four?"



Arthur E. Simmons: "Aren't we considering Mr. Barry's amendment?"

Hon. W. Robert Blair: "Twenty-Four, and it hasn't been read yet."

Arthur E. Simmons: "Oh, I see."

Hon. W. Robert Blair: "And the Clerk will read the amendment."

Fredric B. Selcke: "Amendment Number Twenty-Four, Barry. Amend House Bill 3700 on page 6 by inserting between lines 22 and 23 the following: 'Section 3-16. No member, official or employee salaried at \$12,000.00 or more of any unit of local government shall have any fiscal interest in any regulated business which is regulated by a unit of local government of which he is a member, official or employee during his term of office or employment or within three years thereof.'"

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

Arthur E. Simmons: "I would like to ask the sponsor a question."

Hon. W. Robert Blair: "He, . . . Mr. Barry."

Arthur E. Simmons: "At the end of your amendment you said 'or within three years thereof'. Does that mean prior to and three years thereafter also?"

Tobias Barry: "Yeah, I'm sure, because of its position in the amendment it means thereafter."

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

Tobias Barry: "Well, Mr. Speaker, I think that this is a simple amendment and simply understood to include anyone



who works for or is an official in a local unit of government and receives compensation to the extent of \$12,000.00 must be included in this act the same as we are. I think what is good for the goose is good for the gander, I don't know of many more problems on the lower level than on this level of government and I submit that it is a good amendment and it should mandate that those local officials should live by the same rules that we live by. It is not a facetious amendment. I would hope for its adoption."

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

George W. Lindberg: "Well, Mr. Speaker, I would object to this amendment again on the basis of the three year period, in my opinion, is purely unconstitutional, and although I know that's not our function to decide those questions, I don't think it is wise, it is vague as Representative Simons indicated, but beyond that we are imposing with this amendment a much more severe limitation on local officials than we do on ourselves. House Bill 3700 again is a disclosure legis- ah, bill, it is not a prohibited activities bill for the most part and I think that I can see all kinds of difficulties with this type of amendment, principally because of the three year problem, ah, but also with the \$12,000.00 cut off we have all kinds of governments for which no funds are paid in salary and so I would urge the defeat of this amendment."

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



Tobias Barry: "I tend to agree with George Lindberg and I would gladly strike the line 8 and I will run down to the Clerk's Office and do that right now, adding a period after the word 'employment' in line 7."

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

Harold A. Katz: "Ah, will the gentleman yield to a question?"

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

Harold A. Katz: "I can not find a copy of your amendment, would you explain what it does, what it will do in the amended form?"

Tobias Barry: "Yes, sir. It reads as follows, Mr. Katz.
'Section 3-16. No member, official or employee salaried at \$12,000.00 or more of any unit of local government shall have any financial interest in any regulated business which is regulated by a unit of local government of which he is a member, official or employee during his term of office or employment'."

Harold A. Katz: "What would be the kind of situation that you visualize, you're only dealing here with self-dealing, where the local official is for example, buying supplies from a company that is he is both a director of and at the same time the Village or whatever it is is buying from him, would there be a problem where for example, the Village official owns automobile stock and the village is buying automobiles for its police cars, or something like that."

Tobias Barry: "I doubt that very much, Harold, but you can



realize the import of this as you recognize that there are some industries and businesses that are solely regulated by the State, to which banks and savings and loans, race tracks and businesses and institutes of that sort. Now, anything and everything else is regulated, generally speaking, by local units of government, or may be, particularly under home rule, and I'm suggesting hereby that anyone that receives compensation to the extent of \$12,000.00 may not deal in those interests that are regulated other than by the State."

Harold A. Katz: "Well, could you give me any example of local units of government that you think this should be applicable and is applicable to actual situations that do arise in local units of government?"

Tobias Barry: "Well, I could stand here and give you examples that I know of or have heard of for years, but I can just suggest to you that it includes any operation of local government. School boards, licensing of all sorts. I'm suggesting hereby that no local official who is other than a ministerial official, and that is the reason for the \$12,000.00 cut off, shall be dealing with local units of government in any respect."

Harold A. Katz: "Now, I gather, Mr. Lindberg that you oppose this proposal, I'm not sure I understand why you oppose this proposal. I thought that under your bill it was your intention to prohibit self-dealing between officials and the units of government that they were officials of to in-



fact prevent any conflict of interest. Would you explain again why you oppose Mr. Barry's amendment? I'm not sure I understand why you opposed it."

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

George W. Lindberg: "Well, primarily because I think it's now that the three years has been eliminated from it, I think that it might simply re-iterate the provision under prohibited activities, Section 3-1 where we have 'no public official may be financially interested in any contract, and so forth, may sell or lease property, may purchase, lease, and so forth', I think that we have more than adequately covered that subject matter and ah, I'm getting weary enough here that I'm not sure the exact implication of this amendment. I don't know of an actual fact situation that comes to my attention that this would have prohibited."

Harold A. Katz: "All right, now, back to Mr. Barry, as I understand your amendment if a local official was earning less than \$12,000.00 he would be able to have a financial interest in a regulated business in the unit of government by which he was employed. In other words, it seems to have a double edge. It prohibits the official if he is earning more than \$12,000.00, but it would, at the same time, seem to say to local union officials, that if you're earning under \$12,000.00, it is perfectly okay for the local village to buy from you, even though you're sitting on both sides of that table, and that concerns me."



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

Tobias Barry: "Mr. Katz, you seem to be hung up on people that sell to a local unit of government. That's covered by our statutes otherwise and that is not involved here at all. I'm suggesting that people who earn \$12,000.00 or more shall not deal in any respect with that government. We have other laws that cover the situation which you fear, have had for many years."

Harold A. Katz: "Wouldn't that appear to exclude from local employment, or is it your intent to so exclude, for example, a real estate broker in the community who might be employed as an official of a local unit of government or somebody who perhaps is in the insurance field, in fact, under the broad definition of home rule which we now have, unless we pass some sort of prohibited legislation, all of those people would be prohibited from being local union officials."

Tobias Barry: "I disagree, the last word in line 3 is 'salaried not commissions.'"

Hon. W. Robert Blair: "Any further discussions? The gentleman from Bureau care care to close? The question is shall the House adopt Amendment Number Twenty-Four. All those in favor vote 'Yeas' and the opposed 'No'. The gentleman from Cook, Mr. Lindberg, or McHenry, Mr. Lindberg."

George W. Lindberg: "Ah, Mr. Speaker, ah, in explaining my vote, I'll try to reemphasize my concern. First of all, I'm not sure of the full import of this particular amendment, because I don't recall during our deliberations in



the committee that any issue arose that would be affected here. I am aware that some cities and municipalities regulate for example, under the Public Health, restaurants and so forth. It would appear that a restaurant employee who might earn more than \$12,000.00 would be prohibited from serving in government and also a tavern owner, for example. And, while I don't think that is too critical, I think that we are unnecessarily eliminating from public service, fine citizens in our state and I would prefer to see this considered by the commission and have the statute amended next spring, perhaps. I'm just not sure that this is wise."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. 60 'Yeas' and 50 'Nays' and the amendment's adopted. Further amendments?"

Fredric B. Selcke: "Amendment Number Twenty-Five, McCormick, withdrawn."

Hon. W. Robert Blair: "Further amendments?"

Fredric B. Selcke: "Amendment Number Twenty-Six, Shea. Amend House Bill 3700 on page 5, in lines 15, 19, 21 and 24, by inserting after the word 'agency' the following: 'of the state'; and on page 5, by striking line 31 and inserting in lieu thereof 'state of which he is a member.'"

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

Gerald W. Shea: "I have discussed this amendment with the sponsor, it just cleans up the language and gets four sections to conform. He tells me he has no objections and I would move for the adoption of the amendment."



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

George W. Lindberg: "Well, again, Mr. Speaker, ha, ah, if the sponsor will assure me that this amendment has no substantive effect on House Bill 3700, I would not oppose it, I just can't be sure of that, but if he gives that assurance, then I'll be glad to agree with him."

Hon. W. Robert Blair: "Is there any further discussion? All right, the question is shall the House adopt Amendment Number Twenty-Six? All those in favor say 'Yeas', the opposed 'No'. The 'Yeas' have it and the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Twenty-Seven, Roscoe Cunningham. Amend House Bill 3700 on page 1, by striking lines 2 through 7 and inserting in lieu thereof the following: 'persons receiving state warrants for the rendering of personal services and prescribing penalties for its violation.'; and by striking everything after the enacting clause and inserting in lieu thereof the following: 'Section 1. Each person who has received a state warrant in payment for personal services rendered shall file with the Secretary of State a verified copy of his federal income tax return for the taxable year in which any such warrant was received at the same time such return is filed under the federal Internal Revenue Code of 1954, as amended. For purposes of this Section 'personal services' includes any services rendered by an individual whether as a State of-



ficer, as an employee, on a contractual basis or otherwise and irrespective of the item of an appropriation act, as classified and standardized by Section 13 of 'An Act in relation to State finance', approved June 10, 1919 as amended, from which such a warrant is payable. Section 2. The Secretary of State shall keep the returns filed under Section 1 as a matter of public record and, upon written request and payment of a fee of \$10.00 per copy, shall furnish a copy of any such return to any person requesting it. Section 3. Any person failing to file a return as required by Section 1 shall be fined not more than \$1000.00 and, in addition, forfeits any elective state office held by him at the time of such failure to file. Actions to enforce this Act shall be brought by the State's Attorney of the county in which the person violating this Act resides."

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

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, my amendment has the happy facility that is so plain and simple that no one can misunderstand how it operates. Conversely, these other proposals are so involved, so intricate, so inter-woven that they are the answer to a bureaucrat's prayer. I ask you to think just for a moment the number of new jobs that would be created in Illinois if 3700 in its present amended form were enacted. We would have accountants and lawyers running in all directions. The entire new industry would be created in this state. Our courts would



be clogged with bonafiding cases seeking to interpret the incomprehensible. I would not accuse the membership of this House of deliberately doing so, but there isn't a one of you that sits in your chair now that does not realize that in the present form of 3700 it can never clear both Houses. Maybe you didn't plan it this way, but it just won't do it. Now, I am not persuaded that there's any need for any more ethics legislation. I've said it before and I say it to you again, what is rather needed is one successful criminal prosecution under the present existing conflict of interest laws on the books. That would do more good for the public morals, for the ethics of public officials, than all of the 3700s that we could ever ever pass. We need to, at this time, be urging the State's Attorneys throughout the State to be doing their duty in this regard. It's interesting to know, Ladies and Gentlemen, that of all of the sorted facts that were brought to light, by the news media in regard to the race track scandal, of all of those facts, the only politician that got scalded was the one that lost his cool. The rest of those people involved are as secure or seem as secure as ever before. I said it before and I want to say it again, we should here and now, resolve to have no more lit-, no more legislation about ethics, as long as the Federal Judges who receive race track stock at bargain rates continue to sit on the bench. That is the things that we should be doing if we want to move in the proper direction. The omnipotent news media have



have moved their passing interests off to other interests. Perhaps we would do well to follow suit and go on to some other field. But, if it be the considered judgment of the majority of this members of this House of Representatives that we should demean ourselves by burying our financial bones, then Ladies and Gentlemen, let's have the decency to do it in an honest, upright and forthright manner. Let's not engage in such political eye wash and nonsense as two tier disclosure. Two tier disclosure apparently means that we confess to a select committee of our own and they won't tell unless and until they get mad at us. When all of the shouting of the tumult dies, you must recognize that the one earthly agency that all of us, politician and public alike fear most, is the Internal Revenue Service. If we're ever going to tell the truth, Ladies and Gentlemen, it is to the Internal Revenue Service. When we go to the bank and float a loan, we puff our assets. When our wife wants to buy something we depreciate our assets. But when we write out income tax return we are afraid to other than tell the truth, so the conclusion is inescapable. When we fill out our income tax return we tell the truth, and when you reveal the income tax return you reveal it all, and you well know that any bright high school freshman can look at the income tax return and determine how much the person makes, from whence it came and estimate with great accuracy the net worth of the individual. It has been said by the sponsor of this long winded legislation that it's a dis-



closure bill. If it's a disclosure bill, let's disclose the only thing that actually tells the story, the whole truth and nothing but the truth and that's the income tax bill. As the admirable clerk when he read my amendment a moment ago pointed out, my bill is so simple, it only takes a second to recite it to you, it's provides that everyone who receives a state check for services rendered in the State of Illinois, will file a copy of his income tax return with the Secretary of State in the year immediately following that service. And then happily anybody that wants a copy of that, all they have to do is just write the Secretary of State and say here's my ten dollar bill, I want a copy of so and so's income tax return. It can't be any simpler than that, it can't be any finaler than that. I want to say to you in complete sincerity, and I regret that it's so late in the day and I want to thank all of you for staying and patiently listening, but if you actually in your heart believe in ethics bill, if you're for a disclosure bill, if you want to see a workable ethics bill on the statutes books of the State of Illinois, you give me a green light, but if you don't want a workable bill on the statute book, if you want to continue this charade of talking always of things that are impossible, you put up there a red light or just stand on the sidelines. I would appreciate your green lights for this amendment. Thank you very much."

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



George W. Lindberg: "Mr. Speaker, I won't belabor this amendment. It is essentially a rewrite of the bill and it throws everything out the window that the House Ethics and Government Commission has very carefully been considering and that this body has been considering now for two days. It has no application. This amendment does not impose any obligation on disclosure on county and municipal officials, whatsoever. It tells us nothing about whether or not a person, for example, is investing in horse race stock. You do not necessarily get that from an income tax return. Ah, this amendment is so brought with, yeah, there's the spouse and the minor children and the light, an income tax form is just not an adequate disclosure and the gentleman, I think, the gentleman offering this knows it and certainly if this amendment is adopted, I will be forced to table House Bill 3700."

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

Horace L. Calvo: "Will the sponsor of the amendment yield for a question?"

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

Horace L. Calvo: "Mr. Cunningham, under your amendment would the gentleman who cuts weeds for two days for the Highway Department takes his tractor and mower and cuts weeds for a couple days and makes maybe \$40.00. Would he have to file his income tax return with the State of Illinois?"

Roscoe D. Cunningham: "Absolutely."

Horace L. Calvo: "Do you think anybody will cut weeds for the



State Highway Department if this passes?"

Roscoe D. Cunningham: "Why, certainly. Why shouldn't they?"

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

Roscoe D. Cunningham: "Yes, I would like to close. I want to say this in reply to the the sponsor of the original bill. Now, we've had three occasions here where he's said he'd have to drop the bill if this happened or that happened. The only difference between this, my amendment and the bill as proposed, with all these amendments is my amendment is workable. If you're for workable ethics legislation, give me a green light. You can't laugh this thing away. It's just that simple. I'll appreciate your vote."

Hon. W. Robert Blair: "All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 27 'Yeas' and 48 'Nays' and the amendment is lost. Further amendments?"

Fredric B. Selcke: "Amendment Number Twenty-Eight, Lindberg. Amend House Bill 3700 on page 7, line 2 by striking 'or lease' and inserting in lieu thereof the following: 'lease or classification for land use purposes'; and on page 9, line 5, by striking. . ."

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

George W. Lindberg: "Ah, Mr. Speaker, this is an amendment for clarification on a point that Representative Washburn raised earlier, as to zoning boards. He very carefully pointed out



to me that under our description of boards and so forth, while we included those who expend funds for purchase and lease of equipment and so forth, the zoning boards around the State of Illinois do not do that particular thing as such and yet they have a very dramatic attempt, opportunity to engage in dishonest activities, not that I'm impugning anybody that served on a zoning board but the opportunity is there. So this amendment would simply include boards who have the power to classify lands for use purposes, which of course would be zoning boards, and I urge the adoption of this amendment."

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

Gerald W. Shea: "George, does this just add as I read it, it adds people who I guess are classificational land use, but would you please explain the lease to me."

George W. Lindberg: "I believe it just picks up the amendment says on page 7, line 2, by striking 'or lease' and in lieu thereof inserting the following, 'lease or classification'. In other words, it's a grammatical change just to make it appropriate."

Hon. W. Robert Blair: "Is. . ."

Gerald W. Shea: "In other words what you do it for is you strike 'or lease' and then you make it comma, 'lease or classification for land use purpose'."

George W. Lindberg: "All right."

Hon. W. Robert Blair: "Any further discussion? The question is shall the House adopt Amendment Number Twenty-Eight."



All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Twenty-Nine, Shea.

Amend House Bill 3700 as amended, on page 14, by striking lines 20 through 35; and on page 15 by striking lines 1 through 6; and on page 14, line 20 by adding the following:

(a) A political committee shall file a complete report in conformity with Section 5-6 within 30 days after each election in which it received political contributions and made political expenditures. (b) A candidate shall file a complete report in conformity with Section 5-7 not more than 15 days after each election in which he received political contributions and made political expenditures. (c) An elected public official shall file his report of political expenditures at the time he takes his oath of office or assumes his office."

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

Gerald W. Shea: "Mr. Speaker and Ladies and Gentlemen of the House, I think this makes a substantial change in the sponsor's bill. We've discussed it and I think we have an honest difference of opinion. Under the bill, as it is now structured, a political committee would have to file semi-annual reports and would have to file a report prior to the General election and prior to the primary. A candidate for public office would have to file reports on a monthly basis that if between the time of the primary and the date



of the election, there are seven months, we would have to file a report every month for seven months and then we would have to file a report within fifteen days before the election and another report ten days after the election. I think that what this would do would be to say that we must make public any contributions that we receive and we must do it after the election, which I think ties in well with the amount of expenditure we can make under the provisions of this bill, but I think that to make a candidate or a political committee to make a report every thirty days of their contributions, puts us in the position where the administration, whether you're with it or against it, and where there's a chance that your contributors can get dried up very quickly. Now, I have no objections to recording a complete and full disclosure of how much money I get in campaign contributions and who that money comes from, but I think to do it every thirty days, and you've got to remember that this is not only members of the General Assembly, but every elected, for every elected office in this state, so there would be a myriad of reports flowing in someplace every thirty days from a man who wants to run for Trustee, or a man who wants to run for Mayor, small town people that run for elected school boards and I think to do it once would be sufficient."

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

George W. Lindberg: "I've discussed this amendment with the



sponsor extensively and it does go to the heart of Article V, which is the Political Contributions Reporting Provision Under Representative Shea's amendment, we would lose the value of having the public be aware of from whence campaign funds are coming in excess of \$100.00 amounts. It's my opinion that if he would have us under this amendment report these campaigns funds substantially after the horse was out of the barn. What good does it do an opponent to have this information secret just before the election? This is the time where if a candidate is receiving funds from sources that are very questionable, the electorate should know that, just as much as he does the identity of assets and income and liability, so this would absolutely in my opinion gut the political reporting provision of this Code of Ethics and I certainly hope that we can defeat this amendment, because it means essentially, who cares after the election who you got your money from. It's important that it be known when it counts and that's before the election. So, I urge the defeat of this amendment."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, look full well at what we're doing here and see what the original bill does. Now, let's not kid ourselves that when candidates for elected offices in this state spend hundreds of thousands of dollars to run, they get political contributions and those contributions in many instances certainly come from many people, and if your opponent knows



where they're coming from and can exert any pressure on them, he's going to dry them up and certainly if he's in a position to do that, I think that this would be absolutely wrong. I think that the purpose of this bill is to disclose where the money came from and I feel well that this amendment would require you to file where every how much money you got in contributions, how much money a political party got in contributions and it will report it so I can't understand the sponsor's reluctance to accept the amendment and I would ask for the support of the House."

Hon. W. Robert Blair: "Any further discussion? The question is shall the House adopt Amendment Number Twenty-Nine? All those in favor will vote 'Yeas' and those opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 73 'Yeas' and for what purpose does the gentleman from Cook, Mr. Scariano rise?"

Anthony Scariano: "I switched my vote wrong, would you vote me 'Yes' instead of 'No', please?"

Hon. W. Robert Blair: "Record the gentleman 'Yeas', 74 'Yeas' and 54 'Nays' and the amendment is adopted. Further amendments?"

Fredric B. Selcke: "Amendment Number Thirty, Lindberg. Amend House Bill 3700 as amended on page 5, line 8 by adding the following: 'Section 3-9. No member. . .'"

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

George W. Lindberg: "The gentleman ah, this is a very simple



amendment, Mr. Speaker, but it gives this body the opportunity to make the decision on whether a member of the General Assembly during the term for which he was elected or appointed may be a public official or employee of any other governmental entity. In other words, Mr. Speaker, this is the double dipper provision. Now, the members of the House have a clear shot at it. They can decide whether to retain the former now, provision against double dipping or whether to kill it for real, so I would ask, Mr. Speaker, that we support Amendment Number Thirty which would restore the anti-double dipping provision in this code."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Berman rise?"

Arthur L. Berman: "A point of order, Mr. Speaker. I believe this amendment, if it was read properly by the Clerk, is out of order and it would be in conflict with the previously adopted amendment. We have another 3-9 that has been adopted. I . . ."

Hon. W. Robert Blair: "It says amend House Bill 3700 as amended."

Arthur L. Berman: "No, no. Well, could he read it, I don't have a copy of it."

Hon. W. Robert Blair: "That's what it says, I know."

Arthur L. Berman: "No, but that, you already have a 3-9 and so . . ."

Hon. W. Robert Blair: "Right, and so we're amending it by whatever it does, it strikes this and puts this in. All



right, one moment while we resolve this. All right, ah, it will have to be 3-17. 3-17. Your point is well taken. It's 3-17 instead of 3-9. He's adding, he proposes to add a 3-17. For what purpose does the gentleman from Cook, Mr. B. B. Wolfe rise?"

Bernard B. Wolfe: "A point of parliamentary inquiry. I believe on Amendment Number Twenty, a motion to reconsider was made and a motion to table was adopted and under rules, does this now violate Rule 73b?"

Hon. W. Robert Blair: "All right, the Chair's ruling is that the gentleman from Cook, Mr. B. B. Wolfe's point is well taken. There was a motion to reconsider the vote by which Amendment Number Twenty passed and that was tabled and in Amendment Number Twenty there did appear language which struck Section 3-9 from 3700 and in reading proposed Amendment Number Thirty, which would add a Section 3-17, I find that the language in this proposed new Section 3-17 is identical in every way, word and punctuation with the 3-9 that was part of the tabling involved in the tabling involved in the reconsideration of Amendment Number Twenty, so the gentleman's point is well taken and for that reason Amendment Number Thirty would be out of order. Further amendments?"

Fredric B. Selcke: "Amendment Number Thirty-One, Berman. Amend House Bill 3700 as amended on page 6, line 13, by striking 3-10 and inserting in lieu thereof 3-17."

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



Arthur L. Berman: "Thank you, Mr. Speaker. This is a simple amendment. With the adoption of Amendment Number Twenty, we find ourselves with two sections 3-10, my amendment merely seeks to correct the numbering to put old 3-10 in as 3-17 and I would move the adoption of Amendment Number Thirty-One."

Hon. W. Robert Blair: "Ah, for what purpose does the gentleman from Cook, Mr. Hyde rise?"

Henry J. Hyde: "Par-parliamentary inquiry, Mr. Speaker. It appears that this juncture, there are two 3-10 sections before this House, and I am questioning whether the 3-10 section that was adopted in Amendment Number Twenty is therefore out of order."

Hon. W. Robert Blair: "Ah, for what purpose does the gentleman from Cook, Mr. Berman rise?"

Arthur L. Berman: "I'd like to comment on the inquiry by the Majority Leader. If you look at Amendment Number Twenty, all of the sections that were inserted were inserted in lieu of Sections 3-8 and 3-9. Old Section 3-10 was not stricken but merely by Amendment Twenty, Sections 3-8 of Amendment Twenty through 3-15 of Amendment Twenty were inserted where 3-8 and 3-9 used to be. So that what you have in the bill as amended at the moment are Sections 3-8 through 3-15 that were inserted there by Amendment Twenty, a Section 3-16 that was put in there by Representative Barry and then a section 3, which is now numbered 3-10, which sits in the bill after Section 3-16. My amendment



seeks merely to change the improper numbering of old 3-10 so that it's in its proper order of being 3-17. The previous amendments did not affect old Section 3-10."

Hon. W. Robert Blair: "So as I understand the thrust of the point of order raised by the gentleman from Cook, Mr. Hyde, it was whether or not at the time of adoption of Amendment Number Twenty, it would not have been in order. And, if that is the thrust that then I guess the inquiry, the judgment will be based upon the time of the of the point of order that is being raised now. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, a further parliamentary inquiry with reference to Amendment Twenty. Amendment Twenty on lines 20 and 21 simply says by striking Sections 3-8 and 3-9 and inserting in lieu thereof the following. There is no page number listed in this amendment and therefore the absence of that I am asking for the Chair to rule is a fatal defect to the amendment."

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

Arthur L. Berman: "Well, Mr. Speaker, if I just might point out to the Chair and to the Majority Leader. When we're in this process of trying to amend a bill that is the amended, it has always been the practice not to cite pages and lines because as amendments are adopted, those pages and lines are changed and to avoid ambiguity, many times the Chair and previous bills and at previous times has allowed merely references to specific sections. That is the



way, actually, that the enrolling and engrossing and the House can follow the bill without getting thoroughly confused as to pages and lines. I don't think there is anything wrong, and in fact, Amendment Number Thirty-One would put the bill into its proper order, especially in view of the motion to adopt and further motions to lay upon the table and reconsider and lay upon the table Amendment Number Twenty was subjected to."

Hon. W. Robert Blair: "Is that the explanation why on page 1 was put in on page 2 and on page 5 on line 10 of Amendment Twenty?"

Arthur L. Berman: "Well, Mr. Speaker, the reason that pages and lines were referred to in the beginning portions of Amendment Number Twenty, was because there were no other amendments pending prior to that that affected those sections. However, there were other amendments that were pending, before and after Amendment Number Twenty that affected Sections 3-8 and 3-9 and unless we're going to have to hold up every amendment and not submit it before every other prior amendment that is going to be offered, we would never get anyplace and every amendment procedure would take us days and days."

Hon. W. Robert Blair: "The gentleman from Moultrie, Mr. Stone."

Paul Stone: "Mr. Speaker, I think the Majority Leader's objection is not well taken. Line 10 of the amendment says on page 5, between lines 11 and 12 by inserting the follow-



ing. Then it says Section 2-17, 2-18 and by striking Sections 3-8 and 3-9 and inserting in lieu thereof, and it's one continuous sentence and that there is no failure to say where it belongs. It belongs on page 5 as it says on line 10, on page 5 between lines 11 and 12 and by inserting the following, and it just keeps going and it happens to say and and I think it's quite obvious that his objection is not well taken."

Hon. W. Robert Blair: "Well, that's is part of the problem that you make right there. Because the Section 10 is on page 6 of the bill, not page 5."

Paul Stone: "No, . . ."

Hon. W. Robert Blair: "Yes it is."

Paul Stone: "I understand. . ."

Hon. W. Robert Blair: "It's 3-10 is on page 6 of the bill and not page 5."

Paul Stone: "Well, Mr., I understand, yes, sir, I understand, and and. . ."

Hon. W. Robert Blair: "And and the insertion is on page 5 between lines 11 and 12 and so all the insertions would have to end on page 5 with the explanation that you're giving."

Paul Stone: "Well, they do."

Hon. W. Robert Blair: "It is your same argument given now on your Amendment Number Thirty-One as to why you inserted page 6 there on line 2? The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Well, Mr. Speaker, may I indicate that



that amendment was prepared after these other amendments. Now, I'd like to raise a point of parliamentary inquiry. Now, if I do nothing with Amendment Thirty-One, for example table it or withdraw it, is it in the capability of enrolling and engrossing to renumber Amendment old Section 3-10 so it's in its proper numerical order since Amendment Number Twenty has been adopted and locked up?"

Hon. W. Robert Blair: "All right, the Chair is going to rule that the House may consider Amendment Number Thirty-One."

Arthur L. Berman: "Thank you, Mr. Speaker, in the interim just to refresh everybody's memory, all that Thirty-One does is to renumber an amendment that is improperly numbered in view of previous amendments, I would move the adoption of Amendment Number Thirty-One."

Hon. W. Robert Blair: "Further discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment Number Thirty-Two, Choate. Amend House Bill 3700 as amended on page 6, by inserting between lines 22 and 23 the following: 'Section 3-18. No public official may acquire, or own while in his term of office any financial interest in any business entity regulated by the Illinois Commerce. . .'"

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

Clyde L. Choate: "Well, I think, Mr. Speaker, this will finally get a chance to vote on it, one way or the other,



whichever your young heart desires. This is a substitute for Amendment Number Ten. We really started talking about it yesterday. I changed a word, made it no public official that the Chairman of the, the Sponsor rather suggested so that it would be contingency as far as the rest of the wording of the bill is concerned, and I put in a violation that you asked about a moment ago so that it could be enforced. It simply says again that a public official can not own any financial interest in organizations regulated by the Illinois Commerce Commission, the Illinois Racing Board, the Illinois Department of Financial Institutions and the Department of Insurance and I think, Mr. Speaker, that this is a step in the right direction for once in all having a strong code of ethics and I would urge the members to vote 'Yeas'."

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

George W. Lindberg: "Well, Mr. Speaker, this is an amendment that certainly looks very attractive. It does violate the spirit of 3700, however. 3700 is basically and particularly now, after all these amendments, essentially a disclosure law. The basic concept of the Ethics and Government Commission was let the electorate decide. If you own racing stock and of course you are required to disclose it under this bill, then it's up the ah, to the electorate to make the decision. Ah, similarly, if you own shares of the telephone company or any transportation company or anything



that is regulated by the Commerce Commission, you should make disclosure of that fact and let the electorate decide. If you own bank stock or an interest in the savings and loan or some other type of financial institution, let the people decide. The Department of Insurance is included here as a regulating agency. Here again, we would be prohibiting not just General Assembly members, not just members of this body, which might be more palatable, but anybody who is a public official. Insurance men would not be permitted to serve in our local government, nor would our bankers nor the other people associated with the telephone company and the like. For that reason I think that we should hold to the line of the basic concept of the original proposal House Bill 3700 and if after two or three years we find that people are continuing to purchase racing stock or otherwise exerting some type of influence over decisions of regulatory bodies, then let's come in with a prohibition bill, such as this amendment, but at the moment, I would like to give financial disclosure a opportunity to work and I think that for that reason I would object to this particular provision, because among other things, many people own insurance policies, for example, in mutual companies, and they pay a dividend of \$1.19 a year or some such, and you wouldn't be able to own an insurance policy if you were serving anywhere in government in Illinois, with a mutual company where you might get a \$1.10 dividend. So, I think this is entirely out of the



context of the bill and I certainly hope that we can defeat this amendment and see how well disclosure will work."

Hon. W. Robert Blair: "Any further discussion? The gentleman care to close? The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, Ladies and Gentlemen of the House, I stated yesterday and I've stated previously and I state again today that if we are going to have a Code of Ethics, then let's have one. And let's don't only have one for the members of the General Assembly, that isn't the only public official in the State of Illinois, that is placed in a position of trust by the electors of this State. There is many other spots besides members of the General Assembly. I have said consistently, and I say again today, that I am going to vote for 3700 and I'm going to vote for others. And I believe that because of all the furor that has been created, that probably the public, although I have not received any mail, maybe the public does want a Code of Ethics, but if they want one, let's give a strong one. And the last sentence on this amendment, as far as the enforcement is concerned, simply says that any interest acquired or owned in violation of Section 3-18 shall escheat to the State of Illinois. Now, I don't know how much more enforcement you would want than that. And I don't know how much more fairer than you would want to be as far as these regulatory agencies are concerned. I said yesterday that I had some interest that would be in conflict as far as this amendment would be concerned, and I stood ready to



divest myself if I come back to this legislature or ran for public office, and I don't know why anyone else, if we're going to have a code which we'll resent doing the same thing that I'm talking about. I say that if you want good ethics code, then you'll vote for the amendment."

Hon. W. Robert Blair: "The question is shall the House adopt Amendment Number Thirty-Two. All those in favor will vote 'Yeas', the opposed 'No'. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, I find myself in the rear position of disagreeing with my distinguished colleague on my right, the gentleman from McHenry, I find this amendment may well in the words of one journalist, strengthen the bill to death, but it certainly strengthens it, I am told, and I don't know that it is true, that there are political insurance firms in Chicago that write insurance policies on big institutional buildings, like civic centers and McCormick place, and as I read this amendment, while those boys are knocked out of the box, for that reason alone, I'm happy to support this amendment."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 100 'Yeas' and 14 'Nays' and the amendment is adopted. Further amendments?"

Fredric B. Selcke: "Amendment Number Thirty-Three, Lindberg. Amend House Bill 3700, as amended, on page 6, line 8 by adding the following: 'Section 3-19. No member of the



General Assembly during the term for which he was elected or appointed may receive compensation for services rendered to any other governmental agency."

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

George W. Lindberg: "Well, Mr. Speaker, we might call this amendment the double dipper revisited. Ah, we did change the language of the earlier proper amendment so that we would not have the objection to its being considered, so this is the amendment that would prohibit a member from the General Assembly from receiving compensation for services rendered to any governmental agency, any other governmental agency, and this again is still the double dipper provision and I think we should have a roll call on this particular matter."

Hon. W. Robert Blair: "What purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "May I ask the sponsor a question?"

Hon. W. Robert Blair: "Yes, he indicates he'll yield."

Gerald W. Shea: "Ah, this amendment then would prohibit a teacher from teaching, a teacher member of the legislation from teaching, is that correct?"

George W. Lindberg: "That, unfortunately, is correct."

Gerald W. Shea: "And it would prevent a lawyer member of this legislature body from performing any services for any governmental unit?"

George W. Lindberg: "That is correct. You can't get paid for



it, you can render services uncompensated, but you can't get paid for it."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. B. B. Wolfe, for what purpose do you rise?"

Bernard B. Wolfe: "A point of order, Mr. Speaker, I believe the Chair, I didn't hear the entire amendment, and I don't have a copy on my desk, but it seems to me that you previously ruled, under Rule 71b, on the reconsideration of the question, which is what the rule says and that this now submits, resubmits the same question on which the Chair has previously made a ruling."

Hon. W. Robert Blair: "This is a different amendment."

Bernard B. Wolfe: "Well, I understand it's a different amendment, the ah, Chair did rule on on. . ."

Hon. W. Robert Blair: "And for that reason your point of order is not in order. Any further discussion? The gentleman from McLean, Mr. Hall."

Harber H. Hall: "Well, Mr. Speaker and Ladies and Gentlemen of the House, in respect to so-called double dipping and the question regarding teachers, it's perfectly a matter of record, it's perfectly all right for an individual who is elected to this General Assembly to take a leave of absence in the terms that they want to serve in this General Assembly and in that case they don't receive compensation for that time from their school district, for that period that they have been serving with the General Assembly, and when they get through, whether it's one term or two terms or



half a year, they go back to teaching and that's perfectly all right, so I suggest that this is a good amendment, it was a part of the original package, it should be kept in and I believe that those cases of so-called double dipping or conflicts of interest that the public is tired of seeing and wants stopped, then I think that we can support this."

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

Anthony Scariano: "I wonder if the gentleman would yield for the purpose of a question?"

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

Anthony Scariano: "I'm having a little trouble keeping up with this bill now. We don't prohibit anybody from receiving compensation for services if he's a member of the legislature, if he works for in a capacity for a race track or a liquor business, do we?"

George W. Lindberg: "Not by this amendment, Representative Scariano."

Anthony Scariano: "Or anyplace else in the bill, so isn't that right?"

George W. Lindberg: "Ah, no you may wish to propose that amendment, though."

Anthony Scariano: "Well, no, the trouble that I'm having the difficulty I'm having is that if you can get compensated by a race track or by a liquor business or a currency exchange why would you prohibit a teacher from receiving compensation from a school?"

George W. Lindberg: "Well, . . ."



Anthony Scariano: ". . .while he's a member of the legislature.

What is the distinction? What is the rationale?"

George W. Lindberg: "The distinction is not to make any distinction between the types of government service. We are not in a position to say that working for a municipality is bad or good and working as a teacher is bad or good and I think if we attempted to exclude teachers from this amendment, that we would be in an unconstitutional position on having special legislation."

Anthony Scariano: "Well, I think you are all ready. Mr. Speaker, I want to address myself to this, I think you're already in untenable constitutional position, because you are depriving people from the equal protection of the laws. I can't see the reasonableness for the classification, that is the test in a constitutional matter, the reasonableness of the classification. And I fail to see the reasonableness of preventing a teacher from getting paid from teaching, when it's a matter of public record and yet you have people who get compensated from performing services for industry which are highly regulated by the State and you tell me that there is no difference, that the distinction is that there is no distinction. I don't understand it and I think it's absolutely unconstitutional and unfair."

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

Henry J. Hyde: "Well in an attempt to answer the distinguished gentleman who last spoke, if he doesn't know it, and I think he does, one of the most formative lobbying groups



who have a great legislative interest is the teaching profession. And if you sit in the Education Committee, and as the gentleman occasionally does, he'd see them marching in there with their programs and their pressure. Now, the purpose of this bill is to remove as much conflict of interest as is possible. The largest single entity, bigger than insurance companies and utilities are municipal employees, and the conflict of interest as they march into this legislative hall is prodigious. And so to get it at the heart of conflict of interest, we are eliminating as this amendment is adopted, the largest conflict of interest between doing your job uninhibited, as the legislator of the people who sent you down here and untrammelled by the special interest group which you secondarily, or too often, primarily represent. That's what this does, it's an excellent legislative effort and I trust that you do see the difference now and will support it."

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

Robert G. Day: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it seems to me that what this amendment does in effect is to set up a new qualification for eligibility to be a member of the General Assembly. Now, the constitution in Article IV, Section 2 specifically says who is eligible to be a member of the General Assembly. The Section of the constitution dealing with the subject of financial disclosure laws is Article XIII, Section 2, pertaining to the question of statement of economic interest and that



Section clearly directs the General Assembly to require the filing of statement of economic interest and conflicts of interest, but it does not authorize the General Assembly to set forth any additional eligibility requirements for those who may run for the General Assembly. I I I think that the amendment would make the bill unconstitutional."

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

George W. Lindberg: "Well, Mr. Speaker, I'd just like to direct the most recent speaker's attention to the balance of Article XIII, Section 2 wherein it says 'this section shall not be construed as limiting the authority of any branch of government, and this only applies to members of the General Assembly to establish and enforce ethical standards for that branch, and that is exactly what this particular amendment does."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. B. B. Wolfe, for what purpose do you rise, sir?"

Bernard B. Wolfe: "On the question on which you are speaking. I'll repeat what I said before on this, not only is it unconstitutional, but the Chief Sponsor of this bill has repeatedly taken the floor of this said, and I'm going to quote, 'that what we are doing in House Bill 3700 is making it a strict disclosure bill and let the electorate decide'. Now, using that as a base, the electorate has already decided when they adopted the 1970 Constitution when they said



we accept the constitution, we agree with the constitutional convention. No member, and I'm quoting from Article IV, Section 2, no member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly. There is no qualification or restriction as to who may serve in this body. Now, the amendment directs itself to a specific group and whether it be a lawyer, an insurance agent, a broker, a farmer, a school teacher, any discrimination in this area is unconstitutional. In addition to that, the Section just quoted by Representative Lindberg that each body make it own rules, is a good contest that means that within the body of the Executive Branch or the Judicial Branch, or the Legislative Branch, we may make rules in addition to the statutory or constitutional requirements. Such a rule is pending in the House Rules Committee since February 2, 1971, which does for this House what House Bill 3700 attempts to do. And no action has been taken on that motion and on that amendment to the rules, and I would say that in order to preserve equality in this House, in order to preserve constitutional government, that we defeat this amendment and not make second class legislators or citizens out of any particular group or profession."

Hon. W. Robert Blair: "Any further discussion? The gentleman care to close? All right, all those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the



'Yeas' have, all right, all those in favor of the adoption of the amendment vote 'Yeas', the opposed 'No'. The gentleman from Cook, Mr. Scariano."

Anthony Scariano: "Mr. Speaker, in explaining my vote, I want to remind the Majority Leader, that just a few years ago he voted for a bill which provides that a member of the legislature may teach school and if he's a teacher that that school district must give him a leave of absence. That's a requirement and he voted for it and all of the sudden he is against teachers as an internal lobbying force in the legislature. I just can't understand it. All I say is this is supposed to be a disclosure bill, not a prohibitory or an inhibitory bill, it's a disclosure bill and as long as you know that that man or that woman is teaching, that's all you need to know. Now, if you really wanted to make this a bill prohibiting these things, then I think you ought to give members of the legislature a good decent salary, say \$30,000.00 or \$35,000.00 with a staff, office and expenses paid and prohibit all other forms of employment. That's what you ought to do, but to say that you're going to take only certain people and exclude others makes it unconstitutional and I predict that you'll have a legislature composed of housewives, hobos and dilettantes if this keeps up."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Mr. Duff."

Brian B. Duff: "I just wonder if the Representative who just



last spoke if he will still be here?"

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

John F. Leon: "Mr. Speaker and Ladies and Gentlemen of this House, during the Constitutional Convention, of which I was a member, this issue was debated long and lengthily. The membership of that convention in their wisdom decided that public employees could be elected to the General Assembly, provided they did not receive pay for the time they were in attendance as a member of the General Assembly. I believe the intent of the constitution would preclude the adoption of such amendment as you are now entertaining."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 58 'Yeas' and 82 'Nays' and the amendment is lost. Further amendments? Third reading. For what purpose does the gentleman from Cook, Mr. Katz rise?"

Harold A. Katz: "A point of inquiry, Mr. Speaker. Ah, Mr. Speaker, we've been passing on amendments all day, and voting some up and some down, I would like to have, and I imagine the other legislators would like to have an exact copy of the way the bill will be on third reading and I wonder if we might have some assurance that we would have a copy of the bill on third reading before we get to third reading and before it's actually called to hearing on third reading?"

Hon. W. Robert Blair: "The ordinary procedure for the House will prevail. The bill itself is in your bill book, or



should be, and the amendments as you know, are required to be on the members' desk for one day before they can be considered on third reading. The gentleman from Cook, Mr. Katz."

Harold A. Katz: "Does that mean, Mr. Speaker, that the Clerk will redistribute the amendments or that what we now have is what we're going to be to end up with?"

Hon. W. Robert Blair: "Well, it means just what I said, that before the bill could be called on third reading, it's required that the amendments be printed and on the members' desk for one day, and if at the time that the bill is called on third reading that isn't a fact, I'm sure somebody can raise that question, and at that time the Chair will rule on it."

Harold A. Katz: "Well, Mr. Speaker, I'm not trying to make your life difficult, or the Clerk's life, I have large numbers of amendments here, some of which were presented, some which weren't, some of which were adopted, some of which weren't, and it just seemed to me that it would be very useful, and I'm not arguing the rules, but that it would be very useful to us if the Clerk could give us in one sheet the printed bill, and it would be very helpful, and that is all I wanted to say."

Hon. W. Robert Blair: "All right, ah, I recognize, well, we are going to go to third reading for just amoment, I am going to, because we've got a problem with Messages from the Senate on a series of bills there, but so that you'll



understand the procedures for the rest of the day, I'll recognize the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, I now move or ask for unanimous consent to suspend the provisions of Rule 32c, that portion of it which provides October 29 last day for third reading and passage of House Bills. This is done so that we may go beyond tomorrow as the final date for the third reading and passage of House Bills, simply because we've been here so long on so few bills and I understand this is the agreement with the distinguished Minority Leader, so I ask for unanimous consent to suspend that portion of Rule 32c pertaining to October 29, which is tomorrow, as the final date for reading and passage of third reading bills."

Hon. W. Robert Blair: "Is there objection? All, well, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Ah, Mr. Speaker, I will withdraw my motion and simply state that tomorrow I will renew that motion, however, we will have a rule change prepared tomorrow and it will be adopted. Ah, if anything is predictable in this House, making Monday the final date for third readings and passage of House Bills, and that will be done by rule change tomorrow."

Hon. W. Robert Blair: "Yes, and this is done with agreement with the Minority Leader, the gentleman. . ."

Henry J. Hyde: "This is by agreement with the distinguished Minority Leader."



Hon. W. Robert Blair: "The, I indicated that we have just a few bills here on the third reading, that because of the Message that went to the Senate, out of the Clerk's office, that it's essential that we take action on each of these statutory revision bills that were amended, so with leave of the House, we'll go to those and I'll ask the Clerk to read them and we will then take a one roll call vote on these bills. Just read them by number."

Fredric B. Selcke: "House Bills 3087, 3090, 3093, 3119, 3139, 3140, 3141, 3146, 3147, 3154, 3158, 3196, 3198, 3200, 3202, 3204, 3206, 3221, 3239, 3250, 3251, 3252, 3256, 3276, 3277, 3279, 3281, 3282, 3285, 3286, 3287, 3289, 3291, 3295, 3296, 3299, 3300, 3301, 3305, 3325, 3330, 3334, 3337, 3339, 3343, 3345, 3348, 3353, 3355, 3356, 3361, 3365, 3367, 3368, 3374, 3386, 3389, 3390, 3405, 3417, 3420, 3421, 3423, 3428, 3429, 3430, 3436, 3437, 3441, 3443, 3444, 3445, 3447, 3448, 3453, 3454, 3460, 3462, 3464, 3465, 3471, 3475, 3478, 3479, 3481, 3482, 3484, 3487, 3500, 3501, 3504, 3507, 3512, 3518, 3521, 3523, 3524, 3526, 3527, 3528, 3533. Third reading of the bills."

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

Joseph G. Sevcik: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, these are all agreed technical amendments that Unified Code of Corrections that we passed this morning and I ask for your favorable support."

Hon. W. Robert Blair: "Any further discussion? The question is shall these bills pass? All those in favor will vote



'Yeas' and the opposed 'No' and the Clerk will take one roll call and make a copy of that roll call for each of these bills. Have all voted who wished? The Clerk will take the record. On this question there are 146 'Yeas' and no 'Nays' and each of these bills having received a constitutional majority is hereby declared passed. Now, there are four bills, five bills that are on Vetoes under Amendatory Vetoes - Concurrence Motions that run out of the 15 day rule today, so we're going to have to call those today. They all came over here on the 13th. Okay, Senate Bill 177."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 177 set forth in the Governor's message of August 19, 1971. Signed, Representative Telcser."

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

Arthur A. Telcser: "Mr. Speaker, Ladies and Gentlemen of the House, we discussed this bill a few days ago and the questions to it in reference to the questions on the floor were answered. The bill is in conformity with House Bill 787 and only differs now in the labeling requirements, which was state law in conformity with federal law and I now move that the House concur with the Senate action in reference to the Governor's amendments to Senate Bill 177."

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



Gerald W. Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if we adopt this report, I can assure you that we might just as well go home and let the Governor write the legislation for this body, because they won't need us anymore. In the Senate Bill 177 the Governor strikes everything after the enacting clause and writes an entirely new piece of legislation, 56 pages worth. So, I don't know how many of you people have read what he's done or understand what he's done, but let me assure you that if you adopt this report, you might just as well go home, because every time you send him a bill and he doesn't like it and I don't care if he's a governor from my party or your party, there's too much power in one man's hand, because every time you send him a bill and if he doesn't like it, all he's got to do is strike everything after the enacting clause and write a bill that he wants for some other purpose. And I would respectfully request that the members of this legislature not give this bill 89 votes."

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

Henry J. Hyde: "Mr. Speaker, I listen carefully to the learned Assistant Minority Leader's remarks. What the Governor did is true. There is a 58 page, if I may use the word, amendment. However, he made it he made it identical with House Bill 787, with which the Assistant Minority Leader is a sponsor. Chief sponsor, along with myself. So I don't think he usurped any prerogatives he liked the work we did so well that he adopted it to a Senate Bill, I'm



rather proud of that. The other change that he made is a rather minor change concerning labeling. So, if the Governor wishes to take the Senate Bill and bring it into the shape that Mr. Shea and I think it ought to be in, I think it's a a compliment to us instead of a usurpation, and I hope you'll support the motion."

Hon. W. Robert Blair: "For what purpose does the gentleman from Cook, Mr. Shea rise?"

Gerald W. Shea: "Since the distinguished Majority Leader mentioned me and mentioned a piece of legislation I was Chief sponsor of, I was wondering if I might respond to him?"

Hon. W. Robert Blair: "You're requesting a point of personal privilege?"

Gerald W. Shea: "If that's what you want me to, I will."

Hon. W. Robert Blair: "If that's not what you want to do, then I won't recognize you for personal privilege."

Gerald W. Shea: "Well, Mr. Speaker and Ladies and Gentlemen of the House, if the Governor wanted to put all of 787 with the new language in here, all he would have had to done, was to put an amendatory veto on House Bill 787 and then we would have brought it back to the General Assembly and passed it or neglected to pass it, whatever we thought was wise. But I don't go to what the language of this bill is, I go to the fact that he is taken and stricken everything after an enacting clause and written an entirely new bill, and I will have no part of that."



Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Telcser, to close."

Arthur A. Telcser: "Mr. Speaker and Ladies and Gentlemen of the House, I would first like to tell the House that the Governor was unable to offer an amendatory veto to House Bill 787 simply because the federal regulations came out after the Governor had signed Senate Bill 787, or House Bill 787. Now, Mr. Speaker and Ladies and Gentlemen of the House, we have been debating this issue ever since we came back this fall. The Governor in his action relative to Senate Bill 177 is doing no more than he has done on any other bills. Just today on the parochiaid bills, the Governor did substantially the same type of legislative action. I didn't hear any debate from the other side of the aisle relative to the Governor's excessive power. I say to you Ladies and Gentlemen of the House, that this is not the issue. The issue is Senate Bill 177, the labeling requirements that are added to the bill and the rest of the arguments are just not relevant. We debated this over and over again. I think we beat it to death, and every time after we debate the issue we act on the issue or on the Governor's amendatory veto, and if my memory serves me correct, we've just about adopted every one that the Governor has offered. And, so at this late date, I think it seems foolish not to concur with the Senate action on a bill such as this which would let us put into conformity Illinois State Laws on Labeling Requirements with the federal law, and Mr. Speaker,



I now move that the House do concur with the Senate action relative to the Governor's amendment relative to Senate Bill 177."

Hon. W. Robert Blair: "All right, the question, . . . for what purpose does the gentleman from Cook, Mr. Fleck rise?"

Charles J. Fleck: "I have a substitute motion, Mr. Speaker.

I'd like to ask you whether this bill is germane to the in substance to the one we passed out of this House."

Hon. W. Robert Blair: "Well, that's not a motion."

Charles J. Fleck: "Parliamentary inquiry, then. I'd like to have a ruling on the germaneness of this amendment."

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

Henry J. Hyde: "Mr. Speaker, I respectfully suggest that the gentleman's parliamentary inquiry ought not to be answered and ought to be ruled out of order, simply because it is not for the Speaker of this House to determine what the Governor has done under the new constitution is germane or not. We are simply concurring with the action of the Senate and that is the only matter before this House and not a question of germaneness, so I respectfully suggest that the gentleman's request is out of order."

Hon. W. Robert Blair: "Yes, the Chair so rules. All right, the question is shall the House concur in the Senate action regarding the Governor's specific recommendations concerning Senate Bill 177? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The gentleman from Cook, Mr. Carroll."



Howard W. Carroll: "Thank you, Mr. Speaker. By way of explaining my vote, I seem somewhat confused with the explanation from Representative Telcser, Representative Hyde and Shea. I see in my bill book that House Bill 787 was signed into law on August 16 as Public Act 77-757. I see also in my bill book that the amendatory veto message under 9(e) was returned to this legislature on the same day, August 16. It doesn't seem to me possible that the federal government could have passed a law to take affect in between the time of August 16 and August 16. I think that both acts happened on the same day and therefore feel that if the Governor had sought to amend he should have amended through 787 and not through this way of striking everything after the enacting clause, and therefore I vote 'No'."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk the gentleman from Cook, Mr. Glass."

Bradley M. Glass: "Ah, well, Mr. Speaker, I in support of this bill and in explaining my vote, it appears that some of the members may either not be voting or be voting against the bill because they object to the action of the Governor in the rewriting of the bill, and I submit to you that the proper way to address that problem is through an amendment to the constitution, but as Representative Telcser said, to be consistent with the action we've been taking throughout the past week, I see no reason to make this bill an example and vote it down and destroy what is otherwise good legislation."



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

Charles J. Fleck: "Mr. Speaker and Ladies and Gentlemen of the House, Representative Carroll said is correct. What we are faced with here is a complete rewriting of the legislation which passed both the House of Representatives and the Senate and we are faced with this amendatory veto. We either accept, and if we want to go back to the law which we originally passed, we have to garner 107 votes. I think this is patently unfair to the members of the House. It's a vote on this bill would be just a further advocacy of our powers as a legislative body in State government."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 61 'Yeas' and 12 'Nays' and the House fails to concur in the Senate action. Senate Bill 236."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 236 as set forth in the Governor's message of September 27, 1971, signed Representative Regner."

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

David J. Regner: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, this amendment does five things. First of all the use of the term local governmental agencies made consistent throughout the bill. Secondly, the requirements



for membership on the commission have been changed to substantiate qualifications based on general classification, rather than membership in a specific organization. Thirdly, the language in Section 2 and in Section 13 has been altered to insure in accord with the intent of the sponsor of the bill that the commission may set standards without actually being required to operate training and research programs in itself. Fourthly, the language with regard to reimbursement to local governmental agencies of over \$500,000.00 has been rewritten in order to remove ambiguity which would have defeated the apparent intent of the General Assembly. And, finally, the appropriation was reduced from \$148,000.00 to \$30,000.00 which during its initial period will be more than enough for the commission to set the standards for training programs and I move that the House do concur in the amendatory veto on Senate Bill 236."

Hon. W. Robert Blair: "Discussion? The question is shall the House concur in the Senate action with regard to Senate Bill 236? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 145 'Yeas' and no 'Nays' and the House concurs in the Senate action. 349."

Fredric B. Selcke: "Motion. Senate Bill 349. Motion.

Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change



to Senate Bill 349 as set forth in the Governor's message of September 8, 1971, signed Representative Bernard McDevitt."

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

Bernard McDevitt: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 349 was a bill that was sought to amend 'The Juvenile Act'. It was a revisory bill and in affect what it did was to merely change the old language the old reference to the old Illinois Motor Vehicle Law and substitute the Illinois Vehicle Code, but in transcribing the act they left out some of the language of the original act and that was discovered after it got to the Governor's desk, so he sent it back for this amendment, and I would respectfully ask for the last roll call that you gave to Mr. Regner."

Hon. W. Robert Blair: "Discussion? The question is shall the House concur in the Senate action? All those in favor vote 'Yeas' the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 143 'Yeas' and no 'Nays' and the House concurs in the Senate action. Senate Bill 458."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 458 as set forth in the Governor's message of signed Representative McPartlin."

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



Robert F. McPartlin: "Ah, Mr. Speaker, Members of the House, the recommendation for change would reduce the sum transferred to the Grade Crossing Protection Fund from \$500,000.00 each month to \$200,000.00 each month. I would move that the House concur with the Senate in recommendation for change to Senate Bill 458 as set forth in the Governor's message."

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

Henry J. Hyde: "Ah, will the gentleman yield to a question?"

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

Henry J. Hyde: "Ah, sir is this the companion bill to the sky-way bill?"

Robert F. McPartlin: "Yes it is."

Henry J. Hyde: "Thank you."

Hon. W. Robert Blair: "Such candor. All right, the question is shall the House concur in the Senate action with respect to Senate Bill 458. All those in favor vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 130 'Yeas' and 2 'Nays' and the House concurs in the Senate action concerning this matter. Senate Bill 710."

Fredric B. Selcke: "Motion. Pursuant to Paragraph (e) of Section 9 of Article IV of the Constitution of 1970, I move that the House concur with the Senate in the specific recommendation for change to Senate Bill 710 as set forth in the Governor's message of September 1, 1971, signed Representative Tipsword."



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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, this amendment opposed by the Governor and adopted in the Senate is a technical amendment to this bill. This is a bill that provides that those who apply for a license as a Registered Public Surveyor, may as part of their requirements, have gone to school at a public junior college and may receive half of the hours required out of their study in civil engineering or in that field. The difficulty is that we provided that they could receive half of their credits that are necessary for their surveyor's license if they obtained an associate degree from a junior college that offered the civil engineer courses. It doesn't require that they take the civil engineer course, it just or they might have got their degree in finger painting, so that this requires that they have taken those hours in the public junior colleges in the civil engineering field in order to qualify, so I would ask you to adopt this and concur with the Senate in this amendment."

Hon. W. Robert Blair: "Is there discussion? The question is shall the House concur in the Senate action with regard to Senate Bill 710? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 147 'Yeas' and no 'Nays' and the House concurs with the Senate action. On the Speaker's table on the order of conference



committees, appears House Bill 2867 with regard to it, the Chair recognizes the gentleman from Whiteside, Mr. Miller."

Kenneth W. Miller: "Ah, Mr. Speaker and Members of the House, this bill refers to action taken in June. The Senate has refused to recede from their position with respect to an amendment and they have appointed a conference committee and they request that they do likewise, and I request now or I move now that the House appoint a conference committee to deal with the differences with the Senate."

Hon. W. Robert Blair: "All those in favor of the motion say 'Yeas', the opposed 'No', the 'Yeas' have it and the conference committee is concurred in by the House and I will appoint Representative Miller, Representative Phil Collins, Representative Moore, Representative Krause, Representative Davis. Resolutions. Agreed Resolutions, please."

Fredric B. Selcke: "House Resolution 436, Campbell, et.al. House Resolution 438, Schoeberlein. House Resolution 439, Hyde, et.al. House Resolution 440, Robert Thompson, et.al. House Resolution 441, Hyde, et.al. House Joint Resolution 99, Jones, et.al."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, the agreed resolutions, House Resolution 436 is a Happy Birthday to one of our members and I will read it if I may, 'Whereas, The Honorable Robert Craig, 'going like 60', on October 28, 1971, did reach the milestone of his fiftieth



birthday; and Whereas, the 'farmer's farmer' has steadfastly fought for rural interests, and the 'little people', and his legislative career has been checkered with successful enactments of laws in many other fields, including traffic safety, agriculture, and marriage reform; and, Whereas, the 'pride of Indianola' has distinguished himself in many pursuits through the years, establishing himself as the Midwest's most talented auctioneer; and, Whereas, Robert Craig plowed a lot of ground in fifty years, and cleaned many a plow, and this experience has probably led to his only bad habit, that of driving an automobile too slowly in traffic; and, Whereas, the villain from Vermilion has risen by hard work through the levels of responsibility in the Illinois legislature to his present position as Minority Whip; and, Whereas, Robert Craig mixes his friendly spirit with a fighting spirit when he gets his 'dander up,' yet has always managed to be for or against a cause, without being against somebody; and, Whereas, Bob Craig has made life more enjoyable for all of his colleagues, and a lot of other people; therefore, be it Resolved, by the House of Representatives of the Seventy-seventh General Assembly, that we do hereby extend the warmest birthday greetings to the Honorable Robert Craig, with the sincere hope that he will enjoy many more, so that he may continue to spread his genuine kindness and friendliness to all that have the honor of crossing his path of life's journey."

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



Craig."

Robert Craig: "I want to thank all of you for that, except the Clerk when it started out I know that there's a lot of gray hairs here and when he talked about sixty, I thought he thought I was that old. He at least explained that and I hope that you got that right. But I do want to thank you for you've always been very kind to me over these years and these are some of the happiest years that I've spent here working with the people in this General Assembly. And with all of these ethics bills and the security that we're going to have after we pass this, I know we'll be the greatest people on earth. Thank you."

Henry J. Hyde: "House Resolution 438. Best wishes to Bobbie Homfeldt, a Little Leaguer from Elgin, upon his recovery from an injury. House Resolution 439, is a death resolution in memory of Eugene Czachorski, a former editor and publisher and attorney from Chicago. House Resolution 440, congratulates Irvin Tchon upon his receipt of the distinguished service award from the Cook County Superintendent of Schools. House Resolution 441, is a death resolution memorializing a good friend of most of ours, Morris J. Wexler, who was killed one week ago today in the plane crash at Peoria. House Joint Resolution 99 congratulates Jack Myers of Springfield for his fine journalism. I now move adoption of the agreed resolutions, Mr. Speaker."

Hon. W. Robert Blair: "All right, all those in favor of the adoption of the agreed resolution list say 'Yeas', and the



opposed 'No', the 'Yeas' have it and the agreed resolutions are adopted. The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker, I now move that this House stand in recess until 9:30 A.M. tomorrow morning."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the House stands adjourned."

Adjourn at 6:40 O'Clock P.M.

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