

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED FOURTH LEGISLATIVE DAY

NOVEMBER 2, 1971

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
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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 Thomas R. Houde - no reason given;

Representative Harold A. Katz - no reason given.



Doorkeeper: "All those who are not entitled to the House floor, will you please retire to the gallery. Thank you. All those who are not entitled to the House chamber, will you please retire to the gallery. Thank you. All who are not entitled to the House chamber, will you please retire to the gallery."

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

Dr. John Johnson: "We pray. You tell us in your word, O Lord, that righteousness exalts a nation while sin is a reproach to many people. You also tell us in your word that government has been established as your servant for the common good. Teach us as a nation to respect both the offices and the citizens who are elected to fill those offices, since they serve as your representatives of government. And then teach those of us that have been elected to these offices to recognize that we have a responsibility not only to the electorate but above all to you O God, to whom all government, all power and all authority are ultimately subject. Make all of us more conscious of that fact that the righteousness that exalts this nation must begin with us, that the sin which is a reproach to our people may not begin with us. To that end give us wisdom daily to seek your will and to carry it out in your name. Hear us, blessed redeemer. Amen."

Hon. W. Robert Blair: "Roll call for attendance. The Clerk advises that through inadvertence, House Bill 3700 was left



off of the calendar and . . .and at the request of the Minority Leader, we have had it put on in red. It should be on your calendar in red. First page, last line at the bottom, 3700 should be in. With leave, with leave of the House, we'll go to House Bills third reading. House Bill 3734."

Fredric B. Selcke: "House Bill 3734, a bill for an act to add Section 71a to the 'Revenue Act of 1939'. Third reading of the bill."

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

Paul J. Randolph: "Mr. Mr. Speaker, Members of the House, regarding House Bill 3734. When it became evident in August of this year that the State Supreme Court would not reconsider in position before declaring the elimination of the personal property tax based upon an ownership classification is unconstitutional, the now Lake Shore famous Lake Shore decision, the House Revenue Committee was promptly convened into a special interim meeting. This, because I believe it is the responsibility of the legislature to reflect the will of a majority of the people and the people had overwhelmingly spoken on the question of the policy and the burdensome and hard paid tax. In fact, the people had spoken so clearly that I could not help but feel that the mandate made manifest in November of 1970 could not go unheeded. On September 8, the Revenue Committee held its first meeting on this question and at that time we heard expert testimony from representatives of concerned organ-



izations and department of state government. Generally when these witnesses address themselves to an interpretation of a Lake Shore decision, and to find alternatives in their view remain for the General Assembly to consider if it was to find a suitable solution to this dilemma. By the start of the Revenue Committee's second interim meeting held on September 28, no one harbored any misconception regarding the resolution of this problem. It was clear to all that the Supreme Court decision clearly does not define limits for constitutionally permissible property tax classification which would alleviate the individual's tax burden, while simultaneously retaining the tax on corporations. At the same time we all had a renewed and growing appreciation for just how complicated this problem really was. In the course of our deliberations, we worked hard and were confronted not only with attempting to establish a constitutionally acceptable procedure for removing this yoke from the individual tax payer's drooping neck, but with considering alternatives whose fiscal effect would be far more reaching. Any of the proposals offered for our consideration would have required substantially increasing existing taxes or the creation of new additional taxes. While the reconvening of the General Assembly, the Revenue Committee continued its inquiry into this matter. We gave new thought and consideration to those proposals brought before us by members of the House. There were four from both sides of the aisle, Representative Shapiro, Alsup, Blades, Ed Mad-



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igan, and then we arrived at our decision. It was the sense and desire of the committee that the committee's recommendation be made in the form of a committee bill. House Bill 3734 represents the Committee on Revenue, the consensus of opinion on the most equitable manner to solve this vexing problem. This bill entitles every tax payer whether individual or corporate to a standard deduction not in excess of \$20,000.00 from the excess evaluation of the personal property. In no case, would any taxpayer be entitled to any more than one standard deduction. Procedure procuring out the provision of this section are to be conducted in a court with regulation and instruction to be issued by the Department of Local Government Affairs. This amendatory act would take effect on November 1, or if approved later, then upon becoming law and therefore will require 107 votes. It is my sincere belief that House Bill 3734 achieves and carries out to the greatest degree possibly the desire and intent of the people which was made so clear in November, 1970. I have every confidence that the standard deduction contained in this bill, that we of the Revenue Committee are proposing to you is a classification made under Article IX, Section 5a of the Illinois Constitution which needs a necessary constitutional test in this area. Until the mandate for the abolition of all the ad valorem personal property taxes found in Article IX, Section 5c of the Illinois Constitution is effectuated, I believe we should in that the proposal, the Revenue Com-



mittee has brought before you. It alone satisfies the legal test, but perhaps more importantly, it satisfies the practical test to which every member of your constituency will put it. I urge your favorable vote on House Bill 3734."

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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen, I rise in support of this bill. I have been told by many people at many times and rightly so, I would think to a degree, that perhaps in some way this deduction of \$20,000.00 from personal property tax assessment is irresponsible by the legislature. However, I do not feel that it is. Take the entire picture into consideration. It is true that if we and the others that are responsible in this field of taxation do nothing, there is a possibility that local governments can only recover this source of funds by raising the real estate tax, which does scare me. But, I recall when we authorized a vote on the personal property tax for the elimination of it, not too long ago, and that vote was subsequently passed. This legislature at that time did not provide the place where that money should be coming from, if that personal property tax was taken off. Now, I would say that there were many responsible members of this body. Notably, Representative Fennessey, who offered various bills which would have restored any monies that were lost from the constitutional amendment eliminating the



personal property tax and tried to restore money to local government. They were not adopted. I would say that the issue of responsibility is not alone the issue of the legislature. We have a responsibility. We used to have the authority to enact legislation that has been pretty well diminished under the present constitution. We still have the technical right to make appropriations, which can be changed. We still have the technical right to raise revenues, which can be rewritten and submitted back to us. But I think that the responsibility is broader than just the responsibility in this body. We have first of all a primary responsibility to the tax payers of this state who told us that they want the personal property tax of this state eliminated. Now, we have a crazy provision in the current constitution and I know some people aren't going to like to hear that term, but it says that what is eliminated we have to apply another tax on the same tax payers in the same amount. Language that is almost impossible to make effective in any way in the State of Illinois. This is only stop gap measure, which would give us time for the people to amend the present terms of the constitution of the State of Illinois and would still give them a major portion of the relief which they told us last November that they wanted. Now, I would say that the rest of the responsibility lays within the Executive. That they can come up with less spending in this state. They could come up with savings of money, which we and our technical right to ap-

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appropriate would be very happy to reappropriate from other spending provisions to provide that money for the local governments who will lose money by virtue of this deduction. I can tell them several areas where they can do that. I would first of all suggest that they could eliminate the Bureau of the Budget outright and completely. The Bureau of the Budget has been an agency of this government which was supposed to make us modern and save us so much money which has managed, in its very short life, to triple the cost of government in the State of Illinois, and although it might have been cumbersome, we used to have a Budgetary Committee of this legislative assembly when the legislature had the primary duty of appropriating monies and providing the monies for the State of Illinois, which although it may have been cumbersome and may not have worked the way that we would liked to have had it work in every situation, was certainly far less expensive than the Bureau of the Budget that we now have. I would suggest that in some other areas the Governor could simply not issue bonds. The billions of dollars in bonds that have been saddled upon the people of this state and the debt service that would then have no longer be required upon those bonds, could then be used for redistribution of local governments. I would suggest that many of the \$35,000.00 and \$45,000.00 salaries might be lowered and we could save some small amounts that could be redistributed. I would suggest that many, many millions of dollars that are spent on independent contracts



in which there are salaries and expenditures to individuals of fantastic sums, could themselves be eliminated and that we could save additional amounts of monies. I would suggest that we have a primary responsibility here to the tax payers of the state to lower their personal property taxes at this time as they have demanded and in addition that we will hold ourselves ready at any time that the Executive will cut the expenses and spending in the State of Illinois and eliminate unnecessary agencies such as the Bureau of the Budget that we will gladly, gladly reappropriate them those sums and make them available to local governments who will lose revenue by virtue of this enactment. This is a must proposition for the people of the State of Illinois and I along with all of you stand ready to meet the rest of our obligations to provide the funds that local governments may lose by virtue of this enactment. I strongly urge that we adopt House Bill 3734."

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

Bradley M. Glass: "Will the sponsor yield for one brief question?"

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

Bradley M. Glass: "Representative Randolph, do you have an estimate as to the amount of dollars dollar loss resulting from this bill?"

Paul J. Randolph: "The Department of Local Governments, the Department of Local Governments have only given me a rough estimate of between \$30,000,000.00 and \$50,000,000.00 or



\$55,000,000.00 and they said this was only a guess, they have no way to give me any accurate figures. The tax payers association have stated that it will be less than that."

Bradley M. Glass: "Ah, if I may speak to the bill. I'm interested in that figure, because information provided by the Legislative Council indicates that in 1969 ah there was approximately \$344,000,000.00 collected in personal property taxes and I'm pleased that the loss will only be in the area of \$50,000,000.00 or \$60,000,000.00 by virtue of this exemption, that is somewhat of a relief and I am in favor of this bill because I agree with Representative Tipsword that we must provide relief for the taxpayers of this state who in effect have been promised relief from the personal property tax. I do not share his views, however, merely by asking the Bureau of the Budget and the administration to do some better job of allocating funds that were deceiving anyone into thinking that there is going to be more money available. I think it is going to be our responsibility to provide local government with a loss of revenues that are going to result from these exemptions and I and I believe that we should face up to that responsibility at the same time we're considering passage of this bill. Thank you."

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

Arthur L. Berman: "Would the sponsor yield for a question?"



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

Arthur L. Berman: "Ah, Representative Randolph, we have in existence now an exemption of one household or property, ah, one household of furniture and one automobile as it applies to individuals. Ah, what effect would this bill have on that type of exemption? Is that exemption repealed or is it still in affect?"

Paul J. Randolph: "That's what they included in the \$20,000.00 flat deduction."

Arthur L. Berman: "So am I correct in saying that this exemption is just an addition to the present exemption of one household of furniture and one automobile, would that be correct?"

Paul J. Randolph: "Yes."

Arthur L. Berman: "Now, now, am I correct in also saying that we have no print outs of the loss of income that this bill would result in, to for example, any of the school districts throughout the state? We don't have those figures. Ah, Mr. Speaker, if I may address myself to the bill."

Hon. W. Robert Blair: "Proceed."

Arthur L. Berman: "I believe that we are putting the cart before the horse in presenting this type of bill. We have at the present time an exception of one household full of furniture and one automobile that was passed by this legislature with the view of relieving the little fellow from having the pay the personal property tax. Now, we do not have available figures as to what this is going to cost the



Chicago Board of Education or any other school district throughout the State of Illinois as far as loss of revenue. We have no other alternative plan to reimburse these local governments with the revenue loss and on top of it, what we are doing is to give a break, I believe, of \$20,000.00 which would represent approximately \$200.00 in taxes to an area of government which already is undertaxed and that is to the business community. Illinois does not impose a fair share of the tax burden upon businesses and this bill is just going to make it easier as far as businesses and corporations fulfilling their tax obligations. The average householder, the average home owner does not have to pay a personal property tax because of the present exemption, so the only people that we are helping here are either the very rich individuals or businesses, and I don't think that there is the kind of fee expressed as far as equity of taxation where we have to support this kind of a bill at this time. Now, if we had a companion bill to distribute some state revenue back to the local governments, that will be losing this revenue, then I think it would be time to reconsider this. But at this time I don't think that we are being fair to the people who need it most, to the school children, to the local taxing bodies by giving an affirmative vote to this bill. I would urge that we do not pass House Bill 3734 at this time."

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

David C. Shapiro: "Mr. Speaker, Mr. Speaker, Ladies and Gen-



ttlemen of the House, without a doubt as far as I am concerned House Bill 3734. . ."

Hon. W. Robert Blair: "Why don't you move to your next mike, you've got a problem with that one."

David C. Shapiro: ". . .Mr. Speaker, Ladies and Gentlemen of the House, without a doubt as far as I'm concerned, House Bill 3734 has to be the most important issue facing us in this fall session of the General Assembly. This bill does nothing more than a referendum did that we had last fall in which the people of this state overwhelmingly supported by a ratio of 7 to 1. Many people in this House want to make this a downstate Cook County issue. I want to point out to you that the plurality in Cook County exceeded the plurality in downstate Illinois by over 100,000 votes. In other words, the people of Cook County supported this bill, this referendum to a greater extent than we in downstate Illinois did. This bill allows under the new constitution a deduction of \$20,000.00 per taxpayer. One such deduction for each taxpayer, so it does not go as far as a referendum of 1970 did. This is done under Section 5a of the Revenue Article of our new constitution, which states, 'the General Assembly by law may classify personal property for purposes of taxation by evaluation, may abolish such taxes on any and all such classes and may authorize the levy of taxes in lieu of taxation of personal property by valuation. There is a new paragraph created in the Revenue Article under the deduction article which allows for this particular bill to



be effective. Now, I am not trying to be facetious when I say the repayment features of the revenue loss of local governments is the same, exactly the same, as that which we had after the referendum was approved, namely \$8,000,000.00 in one bill to our lesser units of local governments, \$13,000,000.00 in the school aid formula. In addition, the assessed evaluations due to the quadrennial assessment in most of the counties throughout the state have provided additional assessed valuations for units of local government, and in addition many and most units of local government in anticipation of the personal property tax being abolished as to individuals and started to tighten their belts, when the Supreme Court replaced the personal property tax assessed valuations increased in addition to the quadrennial assessments, approximately ten to fifteen per cent. There is a repayment bill that is a companion of this bill, essentially the same as we have had in the past. When the next session in the Spring comes in, there will be an appropriation bill to allow for replacement monies for the loss of personal property tax. In addition, I want to point out one thing that many of you might not be aware of. But the exemption which allows for the automobile and the household furniture for the head of a household is in jeopardy. This exemption is definitely hinged on the ownership aspect which the Supreme Court ruled unconstitutional, and from information that I have there is a suit being filed up in the northwest part of the state to declare this exemption



unconstitutional. And more than likely, the Supreme Court of this state will hold it to be unconstitutional. The \$20,000.00 deduction will cover this exemption as it exists today, and one thing more, it will also allow the small business man and the farmer out from under the hated personal property tax. Gentlemen, as I see it, this bill is a must and I urge everyone in this House, be he Democrat or Republican, Cook Countian or downstater, to support the bill. Thank you."

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

Samuel C. Maragos: "Mr. Speaker, thank you, Mr. Speaker. Mr. Speaker and Members of the House, I think this is the first time that Representative Berman and I have been on the opposite sides on an issue that concerns broadly the State of Illinois, and I am rising in support of this measure, because we in the Revenue Committee have had several hearings as pointed out by our chairman, and we find that downstate especially, and throughout the state, there is a great demand that we restore what the people thought they had restored and that is abolishment of personal property tax for the small home owner and the small businessman. We are very much aware of the needs of the school districts. We are much aware of the needs of the various communities or better tax base. However, the personal property tax has been the most confiscatory, the most unfair and most unenforceable tax we've ever had in the history because of economic conditions that exist in our state. We have to be



very much aware that no matter how many laws we pass regarding personal property, they will never be uniformly enforced, because enforcement of personal property taxes is very difficult because of the nature of the animal. We have to, therefore, find some solution since the Supreme Court of our state ruled that a tax would eliminate personal property taxes have been eliminated from individuals and not from corporations was unfair and not uniform, so we had to find some uniform base as explained earlier. Also, as pointed out by Dr. Shapiro, the present exemption of household goods and automobiles will not stand according to our best thinking if it's tested by the courts because using the same logic that the Supreme Court has had in the other cases of Corsen, we feel that that will be thrown out and therefore we need a better base, a more constitutional approach to this question of giving exemptions to the small people. As pointed out by the Chairman in his debate on behalf of the bill, the tax that we anticipate is \$30,000,000.00 to \$50,000,000.00 because they have no experience factor by which they can give a sound base. A sound answer. However, in answer to Mr. Berman's request, what are we going to replace this tax with? Where is this revenue going to come from? As was required under the new 1970 Constitution, I have an answer personally, because I have filed the bill, #2461 which is still in committee, which would increase the franchise tax and change the basis from stated capital to paid in surplus to the value of its issued



and outstanding shares. That's House Bill 2461. Which which tells me in effect and from what the best figures that can be obtained would replace about the same amount of money that this tax that this bill if passes would eliminate. I've held House Bill 2461 purposely to see what would happen on this particular bill and therefore any corporations that would be exempt or any corporations that would get some benefit from this tax and therefore would not be truly alleviating only the small tax payer, I think 2461 can take care of bringing that revenue back in as required by our 1970 Constitution. So therefore, Mr. Speaker, Members of the House, I urge that we pass this tax and get the relief to the small taxpayer, make it constitutionally sound that we can meet the tests of the Supreme Court as stated and therefore go on in January to pass 2461 which would replace the revenue if this law passes. Thank you."

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

Kenneth W. Miller: "Well, Mr. Speaker, and Members of the House, I too am strongly in favor of the passage of this bill. I'm going to keep my remarks very short, Mr. Speaker because I think the ground has been pretty well covered. However, I must give an answer to the gentleman from Cook who rose in opposition to this proposed legislation, it is in my opinion, absolutely essential that the State of Illinois does take steps so that the local taxing bodies will



not lose the needed revenues when this bill becomes law, but I'd like to call the gentleman's attention and also any members of the House who might be thinking that he is right in his conscience that there is a bill now on third reading before this House, and I hopefully believe that it will be called today. This bill that I'm referring to is House Bill 3647. This bill does provide a temporary mechanism for the protection of those local taxing bodies who will lose revenue because of the reduction in our personal property tax. This bill, in my opinion, will solve the problem and the objections in completely for the benefit of the gentlemen who are in opposition to House Bill 3734. I'm not going to discuss the other bill, but that will be coming up very shortly, take a look at it and please vote green on House Bill 3734."

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

Gerald W. Shea: "Mr. Speaker, will the sponsor yield for a question? Could you tell me the rate at \$6.00 a hundred on either personal or real estate tax the \$20,000.00 exemption the way I figure it would be about \$2,400.00 to a tax payer who has \$20,000.00 ah of personal property tax, or what \$240.00?"

Paul J. Randolph: "\$1,200.00."

Gerald W. Shea: "\$1,200.00?"

Paul J. Randolph: "\$1,200.00."

Gerald W. Shea: "Now, it's \$1,200.00 for a tax payer that has \$20,000.00 worth of personal property. Do you know how



many individuals in the County of Cook have this amount?"

Paul J. Randolph: "The assessed valuation is \$40,000.00."

Gerald W. Shea: "I'm sorry, Representative Randolph, I couldn't hear you."

Paul J. Randolph: "Yeah, . . ."

Hon. W. Robert Blair: "Can, is it on now? Now, now, no, it wasn't, you'll have it. . ."

Paul J. Randolph: "The assessed valuation of \$40,000.00 that is cut in half, \$20,000.00, what you'd be taxed on."

Gerald W. Shea: "Well, ah, may I speak to the bill, Mr. Speaker."

Hon. W. Robert Blair: "Proceed."

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I too feel that this body has a responsibility to do something with regards to personal property tax, but I am not sure that this is the vehicle to do it with. Ah, \$20,000.00 is far in excess of what any, of what almost anybody any individual in this state has an assessed personal property and it seems to me that what we are doing here is giving the corporate tax payer an extra added advantage. We are not replacing the revenue as required by the new constitution and we just sure as hell are going to raise property taxes in this state with this bill and I don't think we can afford to raise property taxes, at least in my part of the state, the suburban home owner in Cook County is paying a high tax now, the the home owner in the City of Chicago is paying a high rate and this is going to



do nothing but raises those taxes. When we were in Revenue Committee, Representative Madigan pointed out so succinctly that unless we come up with some type of a replacement tax, there is only one place for local government to turn and that's to the property tax, and we just can't afford to raise it. Let me give you some interesting figures. Not from Cook County, but from some of your downstate counties, and the County of Winnebago, there are 1409 corporations that have an assessed evaluation of less than \$500.00. That will cost the County of Winnebago \$700,000.00 in lost revenue. There are 446 corporation that have between \$5,000.00 and \$10,000.00. That will cost the county \$450,000.00 in revenue. There are another 1300 corporations that have over \$10,000.00, and that is going to cost \$2,250,000.00. It's going to cost Winnebago County, \$3,200,000.00 in loss revenue under this bill if it becomes law from corporations alone, not taking into consideration what it's going to cost from the loss of people. Now, I don't know, I'd like to, the Representative from Winnebago could probably explain to me where the money is going to come from to make up the \$4,000,000.00 or \$5,000,000.00 loss in personal property tax revenue in that county and unless we take some affirmative action to replace this revenue at a state level, to get it back to the local people, with the passage of this bill, we are going to force real estate taxes up and I think they're just too high at this point."

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



Edward L. Kipley: "Mr. Speaker, I move the previous question."

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

Paul J. Randolph: "Mr. Speaker and Members of the House, I do not believe that this will raise real estate taxes, this bill grants neither an exemption, nor does it abolish the personal property tax. Instead it allows every tax payer in the State of Illinois a standard deduction. It applies to corporations, unincorporate bodies, and to individuals. It gives tax relief to the small business man and to the farmer. And I urge your support of House Bill 3734."

Hon. W. Robert Blair: "The question is shall House Bill 3734 pass with the provision that it shall become effective immediately upon its becoming a law. All those in favor will vote 'Yeas' and the opposed 'No', and this requires 107 votes. The gentleman from Cook, Mr. Ewell."

Bernard E. Ewell: "Mr. Speaker, Ladies and Gentlemen, at one point we used to have men for all seasons, and it appears now that we have men for election season. I'd like to point out that if the only loss that the State of Illinois is going to achieve is between \$50,000.00 and \$60,000.00, if we divide that by the number of people, we're talking about approximately \$5.00 per person, and I'm sure that the people of the State of Illinois would be willing to pay \$5.00 per person to see that their schools are adequately



funded. What we're exercising here is a matter of sleight of hand. We are again attempting to deceive the public. The public will not benefit by any \$5.00 reduction in their average taxes. Ladies and Gentlemen, what we're talking about here is a give away for people who pay \$20,000.00 worth of assessed valuation. That's where the money's going and I suggest that the \$5.00, that this bill might save the average person in the State of Illinois is unjustifiable and we should vote against this bill. Thank you."

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

Clarence E. Neff: "Ah, Mr. Speaker, in explaining my vote, I am quite surprised that we're not going along with the wishes of the people, when they voted to remove the personal property taxes approximately 7 to 1. The personal property tax really hurts the farmer the most. I hope everybody realizes that. This personal property tax when it was established approximately one hundred years ago, was a time when the income of the State of Illinois was derived from the farm. Approximately 85 per cent of our income came from the farmer. Now, today, that has been reversed itself, and it's just the opposite, and yet today this tax is set to where the farmer pays much more proportionally than anyone else. Everything a farmer has sets out in the open, he can not deny having it, he pays full price for this, and I think if nothing else, we should relieve the farmer of the personal property tax. Thank you."

Hon. W. Robert Blair: "Have all. . .The gentleman from Madison,



Mr. Calvo."

Horace L. Calvo: "Mr. Speaker, before the debate was cut off, I had a question, so maybe I can explain my vote and in such a way that the sponsor could reply. Maybe I don't need to, now, I don't know. Mr. Randolph, what I was wondering about is if this bill provides that corporations are operating in more than one township, if each township accessor gives them a \$20,000.00 exemption, they would end up with perhaps \$200,000.00 or \$300,000.00 in exemptions. I wonder if there is any protection in the bill in this regard? If there is, I'd be happy to vote for it."

Hon. W. Robert Blair: "All right, the Chair will recognize the gentleman from Cook, Mr. Randolph, to explain his vote."

Paul J. Randolph: "In explaining my vote, they would only be allowed one \$20,000.00 standard deduction."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. William Walsh, 'Present'. On this question, there are 116 'Yeas' and 28 'Nays' and this bill having received the vote required under the constitution is hereby declared passed. Jaffe, 'Present'. Barnes, 'Present'. Barnes, 'Present'. Pierce, 'Present'. Pierce, 'Yeas'. Terzich, 'Present'. Scariano, 'Present'. Caldwell, 'Present'. B. B. Wolfe, 'Present'. Yourell, 'Yeas'. Harold Washington, 'Yeas', 'Present'. Ike Sims, 'Yeas', 'Present'. Ron Hoffman, 'Present'. Ted Meyer, 'Present'. Richard Walsh, 'Present'. Harber Hall, you want to talk. All right, the gentleman from McLean, Mr. Hall."



Harber H. Hall: "Having voted on the prevailing side, I now move that the vote by which this was taken be reconsidered."

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

Kenneth W. Miller; "Mr. Speaker, I move that that motion lie on the table."

Hon. W. Robert Blair: "All in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the motion to table prevails. The gentleman from Wayne, Mr. Blades, for what purpose do you rise sir?"

Ben C. Blades: "A point of order, Mr. Speaker. Have you announced the results?"

Hon. W. Robert Blair: "Yes, I have."

Ben C. Blades: "All right."

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

Peter C. Granata: "Mr. Speaker, I rise to a point of personal privilege."

Hon. W. Robert Blair: "Proceed."

Peter C. Granata: "Mr. Speaker, certain newspapers have written stories. A certain newspaper has seen fit to carry stories concerning my alleged ownership of race track stock. And said it was carried in my wife's name. For the edification of all members of this honorable body, I want to put the record straight. Neither I nor my wife Johanna or any member of my immediately family, my two boys, own any race track stock of any kind, whether in or out of Illinois. Not now or ever did, directly or indirectly.



Ladies and Gentlemen, I have been down here longer than anyone else in this chamber, and I am proud of my record, of the friends that I have made on both sides of the aisle. I ask you have ever you known me to lie? Have I ever gone back on my word? Well, I intend, when I intend to leave this honorable body I am not going out with a cloud hanging over my head. If these so-called investigative reporters for these newspapers see fit to publish untruths without checking the person concerned, whether they are correct in their situation, and if they are in other stories, then I can tell you Ladies and Gentlemen of the House, they are liars and you can not count on anything they ever write. A simple telephone call to my office could have put these so-called reporters and what I call them as on the correct path, but no, they don't want to do that, they think that they're having fun defaming anyone who might possibly not care one bit about what they say. Well, I don't care what they say about me, but when they bring my wife into the act, I get pretty burned up. My wife at the time was in the hospital, at the time these stories ran, and I was ashamed to let her see the papers, so I kept them from her. If these great investigating reporters of these papers will do a little honest reporting, they could have looked up the Illinois Blue Book and go back 20 years and learn that my wife's name is Johanna, the same as it was the day I married her. I'm sorry to see you honest reporters following along the lines of these half truth reporters. Don't pick up



anything that they might write, but just as in my case, you might be following the line of least resistance and could possibly get yourselves and your papers in trouble. I know you gentlemen, ladies, an editorial from the Daily Journal Star, Peoria, Illinois, is posted as Granata's stock is in his sister's name. Another lie, ladies and gentlemen. I indulge you, Ladies and Gentlemen, too long already. I just wanted to get the record straight. If they dare say anything like this about public officials that they can not move then you must remember that the public will soon catch on to this investigating reporters and no one will believe them. It is about time that these editors and publishers take these fellows to come up with the truth and I can point out in my own case, that of my wife as an example, of the ill-concern, ill-concern for the truth and the people really are. They are liars, they have never heard the last of this from me yet, and they'd better stop it and I can prove it. Thank you."

Hon. W. Robert Blair: "3647."

Fredric B. Selcke: "House Bill 3647, a bill for an act to add sections 11, 12, 13 and 14 to an act in relation to state revenue sharing with local governmental entities. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Logan, Mr. Madigan.
Edward R. Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3647 is the bill that Representative Miller alluded to a few moments ago and that it sets up the



machinery to refund to units of local government from state tax sources, all monies that they may lose as a result of the implementation of House Bill 3734. The bill merely broadens the scope of the property tax replacement fund that we created in this legislation, to aid units of local government that were covered by that bill."

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

Ben C. Blades: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this bill. House Bill 3647 really should be or could be a companion bill with the bill that we just passed. I share the concern of this lost revenue locally going on real estate. That I am not in favor of. So, the revenue to the local entities of government must be made up and this bill sets them the mechanics up for the State of Illinois to reimburse those local entities of government for the money that they will lose in implementing the \$20,000.00 reduction in the bill that we just passed, so I urge your support of this bill."

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

Joseph Fennessey: "Will the sponsor yield to a question?"

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

Joseph Fennessey: "Representative Madigan, I didn't hear your answer to Representative Krause. Is this the same formula as you presented two years ago?"

Edward R. Madigan: "That's right. It's the same amendment



that I attached to Senate Bill 816 in 1969."

Joseph Fennessey: "Will the increase, any increase will be subtracted from the loss exemption, is that right?"

Edward R. Madigan: "That's right."

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

Harber H. Hall: "Would the sponsor yield for a question?"

Colleague, am I right in assuming that the basis for making up any loss in revenue would be based upon the amount collected in a prior year for any ah ah taxing body compared with the year 1971 and payable in 1972?"

Edward R. Madigan: "In the first section of the bill and then in the second section of the bill it would be in 1972 payable in 1973 and that two year period of time is the extent of the time that the bill addresses itself. I think it is the responsibility of the legislature within this next two year period of time to find a more appropriate and more suitable solution to the question of personal property tax in Illinois, that is either contained in this bill or in the 1970 Constitution. And in line with Representative Tipsword's earlier remarks, I think that a much better provision could be contained in the new constitution and I think that this legislature can come up with that and cause it to be submitted to the electorate and what we're doing here is buying a two year period of time to get that job done."

Harber H. Hall: "Ah, yes, I agree with that, but I I would still like to know for my own benefit whether for example



a taxing body collects let us use \$10,000.00 in one year. Then the only basis by which we determine whether they're entitled to state money is if they don't collect \$10,000.00 the subsequent year, irrespective of the amount they may have drawn and the amount of new taxable property on their books, the fact that the measurement is dollars collected in year number one, versus possible dollars to be collected in the subsequent year."

Edward R. Madigan: "No, the measurement is a formula based upon the assessed evaluation for the prior year as opposed to the assessed valuation of the subsequent year with a multiplication of each of those figures by the tax rate levied in the prior year and it would be possible for a unit of local government to experience a growth and assessed valuation through the location of the new industry, through the extension of a pipeline facility, through the development of a sub-division or several sub-divisions that would be possible for units of local government to experience a sufficient growth in their assessed valuation, so that their assessed valuation would be equal to or in excess of their prior assessed valuation regardless of this \$20,000.00 deduction proposed in 3734."

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

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

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

Gerald W. Shea: "Ed, as you full well know I share with you



the concern over this loss of local revenue and as I read 3734, the provisions of that bill will become applicable immediately if it's signed into law by the Governor and it would, that exemption would apply for as I read the bill, for '71 taxes collectable in '72, which would mean our first revenue loss would take place in calendar year '72 and under this bill, no replacement will be available until calendar year '73."

Edward R. Madigan: "No, under this bill, it addresses itself to the taxes extended in '71, payable in '72 and the taxes extended in '72 and payable in '73, so House Bill 3647 would oblige the State of Illinois through the Department of Local Government to make refunds in the calendar year 1972."

Gerald W. Shea: "Where, where is that language in the bill?"

Edward R. Madigan: "Ah. . ."

Gerald W. Shea: "Is that the first part of Section 13?"

Edward R. Madigan: "Yes."

Gerald W. Shea: "All right, now, so that the payments under this first section would be due in 1972, the early part of 1972 which would fall within this fiscal year from July, 1972 until June 30, 1972."

Edward R. Madigan: "No, as a practical matter, it would not. I'll explain to you why. Mechanically, it would not be possible for any unit of local government to make plans to the Department of Local Government Affairs for a reimbursement until the Board of the Tax Review, you know, Board of Review, had completed their work. Actually no unit of



local government would know what their yield was going to be until the Board of Review had considered all of the claims for changes presented to us. That actually would take place after June 30 and I site that to you from the experience that the Department of Local Government has had with regard to the already existing property tax replacement fund."

Gerald W. Shea: "Well, I guess I'm already somewhat confused because I know that we collected a certain amount of taxes in '71 based on the '70 levy and we will get some taxes in '72 that will be diminished for somewhat in '72 and that there will be a shortage of money in if not in your down-state areas, certainly in Cook, but what bothers me is that I think we ought to be appropriating some sum and I think it is going to be needed now, and then I'm I'm interested in the last sentence of your new language, and that's where it starts out 'except for the amount appropriated by the General Assembly for the payment of assistance grants is insufficient to pay such grants in full, the sum appropriated shall be prorated among the taxing districts entitled thereto', so that if the General Assembly finds that it has insufficient revenues to run both government and attempt to repay the local districts, and let's assume as Representative Randolph said, it's a \$60,000,000.00 tab and we in the General Assembly only appropriate \$6,000,000.00, then our local districts get 10¢ on the dollar and have only one place to look for the revenue and that's the real estate



tax."

Edward R. Madigan: "No. Jerry, that language is exactly the same as exists in the personal property tax replacement fund. And the language is necessary because whatever the Department of Local Government does is going to be an estimate. Now, they made an estimate of \$8,000,000.00 for the implementation of House Amendment Number One to Senate Bill 816 in 1969. And following that they felt that the \$8,000,000.00 was not going to be sufficient, so they began to pay \$.75 on the dollar. The first claims they paid were \$.75 on the dollar. As the claims for reimbursement settled, they found that \$8,000,000.00 was sufficient, so they began to pay \$1.00 on the \$1.00 and they are paying \$1.00 on the \$1.00. Now, the Department of Local Government would have the option. If the funding was not sufficient to ask for supplemental appropriation, if the legislature was in session, or a deficiency appropriation in this knowledge accrued to them when the legislature came back in session, but that is not does not represent any change from the program that we already have in effect."

Gerald W. Shea: "Thank you."

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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen, I'm very happy to stand and support this bill of Representative Madigan's and I congratulate him in offering this proposal to us. I think this is good, not only because it



does provide monies for our local governments, in replacement for monies that were lost in our last vote. But I think it also indicates and there's a very important indication to the Executive Department of this State and to all of the people of this state, that we're not only willing to eliminate the personal property tax, but that we stand willing and ready whenever we are able in any way to replace the losses of local government would find themselves by virtue of our last enactment. I'm very pleased that this is presented. I've talked to many people about this bill and many people who are knowledgeable about the field of revenue and government financing, tell me that this bill is not going to be sufficient to take care of all of our needs, but it is an important step in the right direction to meet the losses that local governments will sustain. I would urge everybody in this body to support this enactment as a step in the right direction. I wish it was far enough to take care of everything and perhaps as Representative Madigan said, additional appropriations can make it such that it can cover almost every situation. We have this obligation to the schools all over the state of Illinois, to the local governments wherever they exist, we have an additional special responsibility to the fast growing areas of our state, to the suburban areas, and those areas that are overnight mushrooming and having additional and additional costs to their government of all kinds. I would urge that we pass this bill, but I would caution each and every



members here that we do not then set back and say that this is the complete answer to this situation, but that then we have to go ahead with I hope the help of the Executive Department and provide the additional funds that are needed by local governments in all areas and to provide for those special, unusual and newly occurring financial costs and needs that we find in various special areas of the State of Illinois that we keep continuously after this problem until we have it met in all areas of local government. Thank you."

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

Samuel C. Maragos: "Mr. Speaker, Members of the House, I, too rise in support of this measure. I feel, however, that this is not going to be the answer to all of the dearth of tax money, that will be needed to take care of many of the local government activities, especially the school districts. It is a step in the right direction and it has taken part of the load off the facts of the school districts in local government areas, however, we have to think very seriously this coming Spring session of how to get more replacement and more money to these local school districts who have lost a lot of revenue because of the personal property taxes abolishment. Now, I may say this to many of us, to all you that one thing that I do like about this bill more than anything else is the fact that it encourages the local districts, taxing districts not to rely on the real estate tax evaluation as a further source of more money and it



allays the fears of many of us had that if we took off the personal property tax that it would strengthen or increase the real estate portion of the tax assessment. This, in itself, will do some, will alleviate that end of it because it gives the taxing bodies the incentive not to go in that direction unless they have, as was pointed out by Mr. Madigan and others, unless there's been additional sub-divisions created for other tax basis because of growth rather than because of rate. And therefore, I'm in favor of this bill and I hope we all support it and let us get on our way of doing our business and also increasing our formulas to aid these ailing areas. Thank you."

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

Ed Lehman: "Thank you, Mr. Speaker. I move to the previous question."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it, the previous question's been moved. The gentleman from Logan, Mr. Madigan, to close."

Edward R. Madigan: "Roll call."

Hon. W. Robert Blair: "All right, the the question is shall House Bill 3647 pass with the provision that it shall become effective immediately upon becoming a law. All those in favor vote 'Yeas', the opposed 'No', this requires 107 votes. Have all voted as wished? The Clerk will take the



record. On this question there are 157 'Yeas' and no 'Nays' and this bill having received the vote required under the constitution is hereby declared passed. Ah, for what purpose does the gentleman from Cook, Mr. Harold Washington, rise?"

Harold Washington: "Mr. Speaker, Members of the House, I would like to take just a moment to introduce to you, a charming, vivacious and talented young citizen of Chicago, in the balcony to my right on the Republican side, Miss Rose Marie Gulley, the Executive Director of the Independent Voters of Illinois."

Hon. W. Robert Blair: "The, ah, 3700."

Fredric B. Selcke: "House Bill 3700, a bill for an act requiring the disclosure of economic interests by and political contributions and expenditures made to or for the benefit of certain public officials and candidates, prohibiting certain financial transactions by or on behalf of public officials and candidates for public office, prescribing penalties for its violation and repealing an act herein named. Third reading of the bill."

Hon. W. Robert Blair: "All right, the gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3700 as most of you know by now is the initially at least the work product of the House Ethics and Government Commission, which was created by this body approximately six months ago. There has been,



as we all know, considerable debate, not only on the floor of this House, but also in the press, as to the fate of House Bill 3700 in its present form. Many of the members have approached me and ask for my recommendation as to what action they should take as individuals with regard to the third reading stage on the bill, and my answer to them and my answer to this body are that I think that House Bill 3700 even though it has some, in my personal opinion, serious defects, is nonetheless one of the most progressive types of ethics legislation that has ever been conceived and presented to the legislature of any state in the union. Let me just emphasize for the moment, that Articles IV and V, Article IV being the disclosure of financial interest and Article V being the disclosure of political funding for campaigns of every level of Illinois government are among the most progressive steps that this body could take in attempting to restore confidence in government. Certainly, as you all know, some of the most incisive provisions of the original House Bill 3700 have been emasculated from the bill and I refer specifically to the elimination of the prohibition toward contributions of corporations and unions and the elimination of the requirement that reports of political funding be filed by the 15th of the month preceding the election and of course the provision against dual job holding. These were severe blows, in my opinion, to a truly strong ethics bill, but they are by no means fatal to the basic provisions of this bill which were intended to



be a disclosure legislation. I would ask I would answer if I were asked whether this bill were a good bill or a bad bill to indicate that in its present condition it is 80 per cent good, with about 20 per cent bad in it and it is the intention as myself, as Chairman of the Ethics and Government Commission, to consider to continue to pursue this bill when it gets over in the Senate and to meet the Senate sponsor and the committee of the Senate who considers the bill with an eye toward restoring to the bill the most important elements of it and making sure it is the kind of bill that public officials at all levels of Illinois government can live with. I do regret that there is a provision in the bill that may in effect destroy citizen participation in our government both at the state and local levels. I would hope that the Senate would take a very good look at that particular provision when it gets over there. But for now, Mr. Speaker, I think the House has expressed itself during a long period on second reading last Thursday, I think the bill is in a good condition to be sent to the Senate. The debate is by no means over and it may well be that the final bill will be written in a conference committee, but nonetheless, I think that the House should now pass House Bill 3700 in its present condition and I would ask for the support of the House."

Hon. W. Robert Blair: "The gentleman from Livingston, Representative Hunsicker."

Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of



the House. I, for one, rise in opposition to this bill. Personally, I think we're overstepping our authority just a little bit. But on one hand we want good candidates to offer themselves for public office and on the other hand we knock them down with rules and regulations. There are two things, my friend, that we can not legislate. One is honesty and the other is love. When what a candidate has in line of income is his own private business, he's supposed to pay both state and federal income tax on it, but not advertise what he owns in every newspaper over the radio and television. Is anyone in this house naive enough to believe that ethics law will make an official honest? The tax paying public is entitled to know what his public salary is, because they pay the bill. Even the Internal Revenue Services recognizes the fact that when a person's income, whatever a person's income happens to be is his own private business, by not giving out or publishing this information. Now, the General Assembly proposed to pass a bill making it mandatory for a candidate for public office to let everyone know how much property he owns, what his income is, contributions for running for office, expenses for being elected and so forth. I ask you in all sincerity why should a prospective candidate be asked to turn himself insideout to show the public what makes him tick. There's enough abuse heaped upon him by the public and by the press I might add, after he's elected. This General Assembly has passed laws prohibiting the disclosure of public aid



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recipients' names and amounts which I must help pay to sustain and in a fashion in some cases which exceeds the poverty level. Some of them drive a better car than I do. We have passed laws which prohibits an employer from inquiring from his prospective employee if he has ever been elected. Why, I ask you, make not second class, but about fifth or sixth class citizens, out of people who offer themselves for public office? Now, until such time as this legislature body sees fit to publish the names of the welfare recipients and the amounts that they receive, and an employer permitted to question an applicant who applies for work if he's ever been arrested for a crime, I for one am voting 'No' on such ethics legislation as this proposal requires."

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

Daniel M. Pierce: "Ah, Mr. Speaker, will the sponsor, the gentleman from McHenry, yield to a question?"

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

Daniel M. Pierce: "Ah, Representative Lindberg, you indicated that 20 per cent of this bill you felt was bad and I think I understand that that is the part that makes this bill a prohibition against local officials and state officials owning public utility stock, insurance stock, mutual insurance companies, and also the part eliminating the double job holding. Do you intend to recommend to the Governor that he uses amendatory veto power to change the bill so it



is 100 per cent good in your opinion, should this bill pass the General Assembly in its present form. Do you intend to make that recommendation to the Governor?"

George W. Lindberg: "I think that would be a legitimate subject matter of the House Ethics and Government Commission to make a decision on since they are also the co-sponsors of this bill. I personally have not made a judgment on that regard."

Daniel M. Pierce: "Now, Mr. Speaker, if the commission does make that recommendation to the Governor and the Governor does change this bill back into its original form by amendatory veto, it will come back to us perhaps in a special session called the Governor, and I understand that it will require only 89 votes in this House rather than 107 to make it become effective upon becoming a law. That's my understanding. Ah, I am concerned that this that Mr. Lindberg perhaps should support Senate Bill 81 which is the Governor's bill over here in the Senate and is being handled in Executive Committee and perhaps we in the legislature could write that bill in a manner that will stand up and we would be writing the laws of the state rather than the Governor. Now, I too agree with Representative Lindberg, that this bill should be a disclosure bill, we should be required to disclose on a two tier level or a one tier level, whichever is determined by the legislature, and we have so far determined a two tier level, we should disclose our sources of income and our assets. I also agree with him that the bill



should not prohibit should not prohibit local and state governmental officials from owning certain types of stock so long as he discloses that ownership. A park commissioner, there's nothing wrong with a park commissioner, in the Village of Wilmette owning shares in Commonwealth-Edison. There's nothing at all wrong with a trustee of a Mosquito Abatement District in Deerfield, Illinois, owning stock in the Insurance Company of North America. There is no conflict there. There is no potential conflict there. That ownership should be revealed, should be disclosed, and that's why I supported Representative Lindberg's amendment yesterday to remove the prohibition features and keep this a full disclosure bill. What I'm afraid of, what I'm afraid of is that this bill will finally be written, not in a conference committee between the House and the Senate but by Governor Ogilvie working with the sponsor of the bill in the Governor's Office in an amendatory veto which will come back to us in a put up or shut up basis. Based on the sponsor's recommendation that he still thinks the bill is better than its the better features outnumber the bad features, I think he had it out in an 80/20 ratio, I'm not sure of that, based on his recommendation, I intend to vote for this bill, but I do have very very serious misgivings about what we in the House have done by amendment to this bill and I am afraid that we are losing our authority and when this bill gets to the Governor, he will rewrite it and send it back to us on a put up or shut up basis, and



that is why I wish the sponsor could have answered the question on whether he's going to encourage the Governor to rewrite the bill by amendatory veto."

Hon. W. Robert Blair: "The gentleman from Bureau, Representative Barry."

Tobias Barry: "Mr. Speaker and Ladies and Gentlemen of the House. I've heard a lot about this bill, about how Mr. Lindberg wanted to take all the prohibitions out, but I didn't see that with all the amendments, but I disagree with Representative Pierce and his comments a minute ago, because I think we all know this bill goes a long long way. It includes prohibitions as well as disclosures, and I think maybe it does a pretty good job of it, at least it does a much better job than I've seen in the 12 years that I've been here. And Representative Lindberg also said that it's going to drive good people out of government. Now, I'm willing to put myself on the line, I don't know that I'm the great white father from the little town allowed for this legislature, but I think I contribute a little something and I'm willing to stick my neck out, as many members of the press know my income tax is available. It is available to all of you gentlemen or any of you in the House or to anybody in the State today, it has been in the past and it will be in the future. Also, all of my assets and all of my liabilities. You know, I sit here as a guy who is castigated by the press in 1965 because I was one of 13 people who voted against ethics legislation and here we are again,



the same old story, and I say to you I'm no different today than I was then. I'm not proud of everything I've ever done, I'm sure none of you are. And most people are not proud of everything they have ever done, and I'm not very damn proud of my income, because in 1970 and I keep it inside my left pocket in case anyone wants to see it. And if I'm around, most of you know I have my coat off most of the time, so it's there to see. In 1970 I earned about \$27,000.00 including the income from this legislature. I'm trying to say to you that I have nothing to hide. I can vote for any kind of ethics bill that anybody else can, but I think we're going to have to make sense somewhere along the line here, and my position is that ethics is for everyone, not for just the holders of the race track stock, like the man who sits to my left, but for everyone, and I'm . . . I think I'm somewhat of an example of what I'm trying to say. Honest people will continue to be honest and dishonest people will continue to be dishonest, only in a more devious way, and really all we're doing here is making noise, I think for the news medias. I don't know what's going to come of this thing, but I can tell you that I've got nothing to hide. I'm willing to open everything I've got in my office as I have to even to the state income tax people, if you will, regarding my 1969 income tax. They've already audited that one. And I told them come on down, I'll open the safe, you take a look at the records. And that's exactly what we did and they've yet to find something of any



consequence. I don't know what this is all about. We've wasted about two and a half days of the people's money, we haven't got a good bill yet, but I say to you, so far as I am concerned, as a person, I am no different today than I was in 1965 when I voted against an ethics bill. And incidentally, that bill was prompted by the press, and you may recall that the ethics bill came out of committee the day after a Chicago newspaper printed a transcript of what was claimed to be a bug conversation among lobbyists discussing the morals of legislators. It was regarding currency exchange. I was on the banking committee that turned that that bill down, I voted to turn it down, and yet when that bug conversation came out, a friend of mine, who was then a member of the House, was named on the tape and he wasn't in the committee. Now, I for one get sick and tired of getting castigated by the press being pressured by the news media when I've got nothing to hide. And I repeat, my income tax return will be in the left hand coat of my pocket, I'm available to answer all questions regarding assets and liabilities and I think maybe this will make a good citizen's legislature if most of us will do this. I repeat, I can vote for anybody's ethics bill and live with anybody's ethics bill and George, let's pass this one out and I'll bet you it never comes back to us in the same form."

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

Charles W. Clabaugh: "Mr. Speaker, Members of the House, I



want to give my respects to this committee and its Chairman for tackling an impossible job, a job that most of us know, knew from the first day it was in debate, knew it was not going to pass this General Assembly in anything like the forms that they brought out from their committee. I don't know how the people in my district feel about so-called ethics legislation. I think the majority of them don't care, they just want ethical members of the General Assembly. To those people who are so hepped up whether they are in the public or the press, are perfectly willing to have a bill signed and say it's ethics legislation and then just write horse feathers in it and then pass it and they'd say we have passed an ethics bill. I'm more concerned about one or two of the things that are in this bill, but even more concerned about some of the things that are not even in this bill. In the first place, it's a double standard bill, it doesn't apply the same to everybody. It doesn't apply the same to me and to a good many people in this House, as it does to lawyers, doctors and other people who are licensed by the Department of Registration and Education, even including horse shoers who would have to they get a better classification than some of laymen would get. I do know that there is one thing that the people in my district don't like that's going on in the State of Illinois, and that is what we know as double dipping. We don't have to go any farther than that. They're against it, and I said to a newspaper man who called me several weeks ago and be-



gan to ask me what I would vote for and what I wouldn't vote for and I said at that time that I wouldn't vote for any bill that did not have in it a prohibition in it against what we call double dipping, though I think there should have been some limitations in the bill that it shouldn't apply to people who just ah make a few dollars a year in a job in a public office. But that part was deviously taken out by an amendment and I say deviously, because what was taken out was never explained on the floor by the sponsor of that amendment, but there was a quite long explanation of what went in place of it. I think the bill was also hurt very badly by the amendment by the gentleman from Union, who went by the press, was said that the bill was strengthened to death. Now, I'm not at all concerned with the disclosure, I'm not at all concerned about the amount of money that you could spend, the limitation of money, when I heard you fellows talking about 7¢ and 10¢ per person, well, I never did spend 1¢ per person in the population of my district, and I don't think I'd be trying to come down here if I had to spend as much as 1¢ for each person who lives in my district. But I'm quite sure that the 300, 400, or 500 people in my district that believe that just anything, even if it was just the horse feather bills that I said just a minute ago, that if you voted against it, I'd spend the balance of my time for the next half a year explaining to them why I didn't vote for this bill because it, because of what it included and what it



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excluded and they wouldn't know anymore about it after I explained it to them, than some people that I tried to explain it to yesterday right here in Springfield and not from my district. And I'm too old and I've been in this business too long and I've got far too many things of importance to do, than to explain why I didn't vote for a bill that I know is never going to become law anyhow, so I'm going to take the easy way out, I'm going to vote for horse feathers, because I think that's all I'm voting for so I won't have to take up my time explaining it, I know the bill will never become law as it is and I hope to vote for it and support Senate Bill 81 that I understand is going to come to us later on and is limited, I think, to what it ought to be limited to anyhow."

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

Leland H. Rayson: "Well, Mr. Chairman and Members of the House, this is a most difficult bill for anyone to rise and address himself to the bill and it's perhaps far more of a bill to rise yourself and in regard to some sort of personal witness. I for one have never been too enthusiastic about the bill ever since I read on page 6, Article IV, that political parties would be exempt from the provisions of this bill. To me, it suggested a whole new avenue of ways of which tough provisions could be circumvented. However, I do wish to credit the distinguished Chairman and sponsor of this bill who worked long hours to try to come



up with something within the realm of realism, so that the people of Illinois could feel a little better about ethics and government. I feel it's missed a mark, however, but I don't think that that's the purpose of me getting up and talking about the affirmatives of the bill. It seems like no matter what we vote on today, we're not going to vote on the finished product. We have the scrutiny of the Senate. We have the pan of the Governor and if we do pass this legislation, I am sure that when we do have to put up or shut up, we'll be talking about a bill a little bit closer to the realm of reality. But to get back to personal witness, when the Governor last February came out with a strong statement, I hailed this and I supported his concern and the revelations that we've lived through about certain corruptions in politics and I to display my concern and support for this approach, did unobtrusively go to the Ethics Board and file my income tax return for last year and my statement of net worth, only to dramatize the need to go something beyond the what we've done in this thing. And because of this I feel that no matter what we do things tend to remain the same and I for one am sick of supporting reforms for reform sake only and not really tackling the problem. But I know when all is said and done if we come out with an ethics bill now, and if we follow it through with other ethics bill approaches that will be considered, that I have sufficient faith in the legislative process that eventually we will deal with reality and work



work with something that might be better than what is. I for one feel that by supporting this bill now, that I will not be coming back next year, I own a lot of stock in a bank, and to divest myself of this interest, I will lose my directorship of the bank and it's a question of whether or not I can without a real loss of income. But be that as you may, we must preserve the concept of ethics in government and I as the last speaker has said, might suggest it's horse feathers, but I'm going to vote for it."

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

Roscoe D. Cunningham: "Mr. Speaker and Members of the House, some years ago it was my pleasure to recommend a very to represent a very near and dear lawyer friend in the probate of his father's last will and testament. And when that matter was concluded, this particular client said, Roscoe, you haven't charged me enough, I insist on giving you one share of common stock in Peoples Bank, Lawrenceville, Illinois. This particular beau geste is something that rarely happens to lawyers, it has rarely happened to me, but I was grateful and said, Robert, thank you for the one share of stock in Peoples Bank, Lawrenceville, Illinois. This share pays \$1.60 a year dividend. It has never paid more. I am not a member of the Board of Directors. I take no part in the management of the bank, but as I read the bill that is before us, if I am to be eligible to remain here, I have to divest myself of the ownership of that one share



of stock. Now, I do not wish to deprive my constituents of my services in the next meeting of the General Assembly, but for the, wait a minute, I'm not through, but for the reasons that I have also suggested, I do not propose to divest myself of that one share of stock. In fact, I will see the self-anointed keepers of the public morals and ethics in Hades before I'll ever voluntarily divest myself of that one share of stock. I remain persuaded that there is absolutely no need for any additional ethics legislation. All that's needed is faithful administration of the legislation that is now on the books, but notwithstanding that conviction, as you may have well noted, I have supported this legislative effort throughout the its development, and its sad progress today. You may discounting for a moment the pride of authorship. It may well be that Amendment Number Twenty-Seven offered the last best chance for meaningful ethics legislation under the meaning of H.B. 3700, but it got precisely 37 votes. The leadership on my side of the aisle had no difficulty whatsoever in perceiving the fatal weakness of Amendment Number Twenty-Seven. That fatal weakness was that it was workable. They spitted it hip and thigh and voted against it by the majority, but then when the distinguished Minority Leader, and I grudgingly salute him here and now for the manner in which he has demonstrated his legislative skill, when he applied the least of lick to the 3700, the majority on this side of the aisle, the leadership smiled benignly upon that bill



and it's a matter of record that 4 out of 5 voted for Amendment Number Thirty-Two that crippled this bill. Ah, you can look at the figures, it was 99 and 14 just as said, and I'm proud to say that I was one of the 14 who voted to leave 3700 on the form that could be defendable before our particular constituents. Now, the argument was made that we should pass this bill as some kind of vehicle. A vehicle to where I do not know. We've had enough trouble with these vehicles as has been pointed out here by the previous speakers, there are other bills that are available in the ethics department. 81, S.B. 81 comes to mind. It is in my opinion a shameless abdication of our legislative responsibility of passing this particular meaningless legislation in the form that the blushing sponsors say is unenforceable on the proposition that the Senate will rescue us from our own ineptness just as they did in H.B. 245 and returned to this House meaningful legislation. Let us do our duty now and be done with 3700. It has been here too long for the good that it's done, we yet have another opportunity. It isn't a sacred number. We can, we will and we must make S.B. 81 in a form that is acceptable to our people. I was almost persuaded by the comments of my great friend, Charlie Clabaugh, his horse feathers ethics legislation, but not quite enough to disregard my duty and I say to each of you that you have no duty to vote for a bill that is not enforceable. Without apologies to anyone, I'll vote 'No' and my constituents will understand.



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

Webber Borchers: "Mr. Speaker, Fellow Members of the House, as far as I'm concerned, I'm going to be ethical, as this bill ought to carry out the dictates of the people of this state, now that they have asked us to. I'm going to be ethical. I can not accept this bill, there's nothing to it that enforces ethical government in this state. The only thing that I can do is to vote 'Present'. I can't vote against ethics, but I can't vote for this bill, because it completely emasculates the right of the people participating in government. Getting to think about it, I see that one of the few groups that will be able to conscientiously serve in this legislature are those on welfare. If they are elected to the legislature, then all they have to do is to ah get off of welfare, because there'll be a \$17,500.00 salary, and that automatically takes them off welfare, and so we will have mostly legislature composed of welfare recipients and I can imagine where this state will go from there, so when you consider what it does to the abled citizens of this state who no longer will be able to belong to this legislature without investing themselves and their property and paying, I'm sure in some cases, a good deal of capital gain tax for the changing of property from one person to another so that they can comply with the law, ah, I think it's again, as I said yesterday, completely ridiculous and the only thing that's logical for anyone to do, since



we can not vote against against ethics, is just to vote 'Present' and that is what I'm going to do."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, in commenting on this bill, I'd like to reply to the distinguished gentleman from Lawrence who referred to the leadership on his side of the aisle voting for the so-called Choate amendment. I would like to state that in my humble opinion, and I mean no disservice to the distinguished Minority Leader, I view that amendment as a bluff and I view my vote for it as calling that bluff and I have a prediction if that amendment stays on the bill over in the Senate, then the distinguished Junior Senator from Massachusetts will become the premier driving instructor in the country next year."

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

John S. Matijevich: "Ah, Mr. Speaker, I thought another member of the House Ethics and Government Commission and being from this side of the aisle ought to say something. I really hadn't made up my mind to saying anything until I heard some of the remarks on the other side of the aisle, because I don't really think that Ethics and Government ought to be a political thing. Now, I've heard much said about 'strengthening this bill to death' and some of the remarks from the other side of the aisle referred specific-



ally to the Choate amendment and the Stone amendment. I've heard it said that the bill has been 'weakened to death' too, by some of these amendments. Now, I think we ought to put this thing into perspective and maybe the gentleman from Lawrence ought to look back to his vote, I don't know how he voted, but really when we get down to the truth of the matter in this ethics bill, the crucial amendment was Amendment Number Four. Amendment Number Four was the one that shed a tear, as you might say. I don't know if anyone shed a tear about it, but this was the crucial amendment that changed this bill completely from what it was to when it was in the Ethics and Government Commission. It made a two tier approach out of the ethics bill. Now, that was amendment was offered by the sponsor of the bill. Anybody who knew Morry Wexler and learned about him from serving on that commission would know, and I read where this bill would be a testimony to Morry Wexler. But anybody who knew his feelings, his convictions about ethics legislation would know that he would not have approved of the two tier approach because the one tier really places everything out in the open and by that the public could determine and make a judgment, so I'm not too impressed when I hear about all these statements about weakening or strengthening the bill and trying to place blame on this side of the aisle or that side of the aisle. Frankly, what I saw on the matter of Amendment Number Four, it was a bi-partisan thing, because truthfully the sponsor of the bill and he is sincere



about this approach, but he met with some independent Democrats and they overnight drafted up Amendment Number Four, which drastically changes this bill. Now, personally I feel that in spite of all this, we still have the strongest ethics bill in the country, and I think it deserves our favorable passage. But I I take personal affront that anybody should want to make a political issue out of ethics. Because it is a bi-partisan thing, there isn't honesty in government, Democratic and Republican, it's a matter of both and I think we ought to both work together to try to solve this very crucial problem. And I urge passage of this bill."

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

Roman J. Kosinski: "Mr. Speaker, may I address the bill, please."

Hon. W. Robert Blair: "Proceed, sir."

Roman J. Kosinski: "Mr. Speaker and Ladies and Gentlemen of this very bewildered House, it attempting to achieve an in vote, I was faced as a Freshman with two inponderables. One, after examining the final bill as amended, I was neither certain whether it was a practicable, workable piece of legislation or that it would in fact truly implement the ethics of which we were all insert. While I'm certainly in favor of ethics in government, in fact of all of society, and in favor of any tools which would achieve that end, I am not convinced that we, even in our sincerity,



are herein providing such a tool. It appears that we may be, I repeat may be, unintentionally deluding the people of the State of Illinois, and to the end result of this action because of the areas of government and government influence not covered. Secondly, I presumed I came here to represent the people of my district, as I also assume the rest of you legislators did. With that knowledge, it was obvious to me from past concerns of our constituents that when an important issue arose it was popularized in the news media, our constituents wasted no time in letting us know their stand on the matter. When scenic bills became an issue and was noted in the press, we all received great quantities of mail on the subject. In fact, were the size of candy bars to vary due to our legislation and the issues so popularized we would be deluged with mail. With that in mind, I deliberately polled the membership of this assembly because of my own experience in this matter and found something quite startling. Conceding any minor error, error of addition, I found that of the 146 legislators polled, 102 legislators said they received absolutely no mail at all on the subject of ethics. 12 said they received one letter each. 13 said they received two letters each. 13 guessed they received between five and ten letters. 2 said they received about fifteen, and only 3 said they had received more than fifty, one of which was over a three year period. This lack of response to me as a Freshman was startling. Startling to say the least. Particularly on as emotional



an issue as I was lead to believe this is. I received no mail on the subject. My running mate from the Sixteenth District, Representative Capparelli received no mail. My astute Republican companion, the Majority Leader, Representative Henry Hyde said that he received no mail. And now our mutual district is composed of people normally responsive and interested in even most minor issues who are quick to offer opinion, correction and criticism. In my vote this morning, I then face a dilemma. Of course, I'm most certainly in favor of ethics in government, anyway. Any thinking man would be. And any implementation that could effectively, equitably and generally achieve that in. Therefore, I could not in conscience dispite the inability of this bill to provide that end to vote against this ethics bill. However, I have heard absolutely nothing from my constituency; when I understood from the news media that this was a paramount issue, therefore, I'm not convinced, I'm reflecting the concerns of my good citizens with me, so I would not be able to vote for this bill. With humility and confusion I face this dilemma and when the vote finally comes, I shall be forced to vote 'Present'."

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

Harry Yourell: "Thank you, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to take to take just a moment to update Representative Kosinski's tabulation



on letters received concerning this so-called important legislation. This morning I finally received two letters concerning ethics legislation. One was from Tom Rose in Elmo McClain's district and the other was from Senator Arrington's district up in Evanston. So I have yet to receive one letter from the sixth district, which I am presently represent. I would like to also say that the failure of the members of this House either to enact and to come up with a really good ethics piece of legislation is paramount in the fact that we failed to adopt C. L. McCormick's amendment that would have made the news media a part of this bill and would have required them to have registered as lobbyists and to disclose certain income and corporate structure. I don't think that you could talk about ethics and confine it to government. I don't think you could talk about ethics and confine it to individuals. And I would like to point out to the news media present today that in the last issue of the Chicago Journalism Review, two former public relations men employed by the Marge Everett related accounts of how newspaper reporters were wined and dined by her and were able to work favorable stories not only in the sport pages but through all the other sections of the newspaper. At absolutely no cost to her. Many of these reporters who had been wined and dined and dined and awarded favorites by Miss Everett had also received favorable response as far as employment was concerned at her different race track facilities. Now, what I am re-



lating to you is documented evidence as presented by the Journalistic Review. It is open to the public inspection and if any legislator had been awarded the same kind of treatment awarded by the reporters who presently today are demanding demanding by the news media and certainly not by public opinion. You heard Representative Kosinski verify the fact that there had been very few communications from members of their constituency to the Representatives of this General Assembly. Now I don't know how I'm going to vote on this bill, I'll probably vote for it and then go back to my district and go through the district and tell them what a bunch of fools the news media have made out of them. You heard Representative Granata stand on the floor of this House and state very simply and elegantly how a certain spectrum of the news media has treated him. I don't think there is any member of this House or any member of the Senate that hasn't been accorded the same treatment by certain sectors of the news media and the State of Illinois. And I call your attention to the fact that when my news media bill was presented and voted down by this House, that since that time I have received more favorable responses from members of the House who voted against that bill at that time and who have indicated to me that if I don't recall that bill in January for passage, they certainly will. As I said before, ethics is not a matter of group, ethics is not a matter of a person involved ah in a certain part of our society, ethics is a personal thing. And



as our good Representative Minority Leader Clyde Choate has said, you can't legislate against morality, you can't legislate against honesty, for or against religion. What did the news media say about that statement? They completely turned that around and said that you can't invoke religion, you can't invoke morality and you can't invoke ethical conduct by our public officials. So you're going to pass this bill out of this House today, you know you are, and as other speakers have stated, the bill that you'll get back in this House, you won't even recognize, and I appreciate the horse feathers statement by Representative Claibough, because that's what you're going to be voting on. You're going to be voting on horse feathers and when Senate Bill 81 gets over here, you're going to see a different story and that bill also is going to be changed drastically by the time it gets back from the Governor's Office with a number of amendatory vetoes attached thereto. So you go right ahead as I will and vote for ethics legislation, but I'm telling you right now, I'm not voting for ethics legislation because the news media has indicated the public demands it. I'm going to vote for ethics legislation, because I'm going to demand ethical conduct from the news media and then I hope they support that part of ethical conduct as they seemingly supported this."

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

Peter J. Miller: "Mr. Speaker, I move the previous question."



Hon. W. Robert Blair: "The gentleman has moved the previous question. All those in favor signify by saying 'Yeas', the opposed 'No', the previous question has been moved, and the gentleman from McHenry, Representative Lindberg, to close the debate."

George W. Lindberg: "Well, Mr. Speaker, let me just say that I want to express my personal deep appreciation to the members of the Ethics and Government Commission, including Representative Matijevich, Representative Tipsword, Representative Berman, Representative Duff, Representative Hall, Representative Henss, who worked diligently on what it is clearly appears now is a practically impossible task, and that is to draft a bill, an ethics bill that would satisfy each and every member of this House. As I listen to the observations of the members in discussing this bill, I have found that each one of them had a separate complaint about the bill, none of them seemed to be in agreement. I would challenge any member of this body to produce a piece of legislation in this regard that would be satisfactory to an high percentage of the members of this body, but it has been suggested that this is an empty bill, an empty gesture, that we may be just passing a bill that is known as an ethics bill without doing anything really important, and I submit to you that the disclosure of economic interest as provided in this bill is one of the most significant steps that could be taken in the direction of meaningful ethics legislation. I don't think anyone can deny that



fact. Certainly there are people who are disturbed by the fact that we require economic disclosure, but from the very beginning that has been the gist and the objective of the ethics and government commission and this bill is very much intact with that particular point. So again I would ask that the members do support this bill. We know that the Senate is going to have their own ideas on this issue, but I think that's the legislative process. It's a difficult, unrewarding task to try to impose a body of ethics on government officials. Many people say we don't need such ethics, because most of the people are honest, and I agree with that fact, that most of the members of this General Assembly have sustained their public trust in a very honorable and distinguished fashion, but the fact is that there are a few in the history of this body who have not, sustained that trust, and therefore we must impose, not only on this body, but on all public officials, a code that will police ethics in public officials so that we don't have these disclosures which tend to diminish confidence in the institutions of our government. So I would ask that you support House Bill 3700."

Hon. W. Robert Blair: "The question is shall House Bill 3700 pass? All those in favor will vote 'Yeas' and the opposed 'No'. The gentleman from Cook, Mr. J. J. Wolf."

John Jacob Wolf: "Mr. Speaker, I just learned with some surprise that I was recorded as voting 'Yes' on Amendment Number Thirty-Two, I don't know, I can't explain how that



happened, because if I voted for that I'd be saying that I couldn't continue to serve in this body. I would like to suspend Rule 64 and get unanimous consent of the House to change my recorded vote on Amendment Number Thirty-Two to House Bill 3700 from 'Yeas' to 'No'."

Hon. W. Robert Blair: "Well, you hold that request up. We're on explanation of votes right now, and that's not in order. The gentleman from Macon, Mr. Borchers."

Webber Borchers: "Mr. Speaker, I would like to be marked 'Present' and just remark in explaining my being marked

'Present' is to me just nothing but a Halloween Apple filled with razor blades."

Hon. W. Robert Blair: "Have all. . . the ah gentleman from Cook, Mr. Ewell."

Raymond W. Ewell: "Mr. Speaker, Ladies and Gentlemen, I'm going to vote against this bill because I don't desire to wear the proverbial white hat and say here I am. This bill is again one of the bills that we can call a bill for election season. It's meaningless and does very little. We had a previous ethics bill in which every member was allegedly to disclose his interests, and on the floor of this House I did insult several members for their interest in various legislation when they held interest exactly to the contrary. Now, if we're going to have any meaningful ethics I don't think we can do it with the type of bill we have here. What we need is the equal enforcement of the law. If we enforce the law, the criminal law, there would be no

need for ethics, because the proper place would be found for all people. I'd like to say that when we considered the prior ethics bill that we had, the prior disclosure, it, too, amounted to a fraud, just as this one did, and if we noticed in that bill, there were very few members of this House or the other House who disclosed anything. Needless to say, some members did follow the ethics in the bill and did in fact make disclosure of all their interests. Ladies and Gentlemen, again we're trying to ride the white horse and run in on election season by saying we're all good fellows and we're all for ethics. What we ought to befor is the equal enforcment of the criminal law and I vote 'No'."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, we've heard from a great number of white hats, all right, but I thought maybe somebody with a black hat ought to stand up. And sometimes, you know, you find somebody with a black hat that might be more honest than someone with a white hat. Basically honest. I heard Representative Lindberg say that there have been some men in this House who have tarnished the image of this House. I don't know who he is referring to, because I've known these men for lots longer than he's known them and I've never known anyone that's tarnished the image of this House. Now, if you want to talk about buying race track stock, buying it and paying for it by check and taking it in your own name,



selling it and making a profit. That's right, I did that and I don't apologize to anyone at all, told my own newspaper, I'm just sorry I didn't get more, I would have liked to have had some more, and I if I get a chance for more, and this hasn't passed yet, I'll buy some more. Thank you. Representative Lindberg also said the bill's only 80 per cent good. I have hopes that we didn't tarnish the reputation of a possible candidate for Secretary of State by amending this bill, the way we have amended it. I did vote on Clyde Choate's amendment to make this a real strong bill. I voted against the Amendment Number Twenty, Representative Stone's amendment, I voted against that because I thought double dipping should not be. I think if they want to have you as Representative McCormick said, in a glass bowl, let's go in a glass bowl, let's really have it. I am afraid really to vote on this bill, because I didn't get permission from the people at the Peoria Journal to vote on it. And I hate to be guilty of a conflict of interest and the only reason that I would possibly vote on this amendment, this bill would be so that the newspapers would not talk about me. There's more ways of being dishonest than just taking money. You can be dishonest by voting for this bill because you're afraid of the newspapers, and as far as I'm concerned I think the biggest thing you can make down here is being a hypocrite and I will not be a party to hypocrisy and consequently I think I take great pleasure in voting 'No' against this bill."



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

Clyde L. Choate: "Mr. Speaker and Ladies and Gentlemen of the House, I've listened with great interest this morning to some of the words that have been said. The most meaningful words, I think, that have been said here this morning was by the Chairman of the Ethics and Government Committee and the Chief Sponsor of this bill, when he quite candidly said, and he is exactly right, that to some respect, this bill is no different than any other bill, as to its final shape is concerned. Simply because I agree with him, it is hard to satisfy the individual legislator and the exact contents of which this bill should contain. You know and I know that there's probably 177 different opinions as to the exact content that should be included in this piece of legislation on this floor, and when it reaches the Senate, there will probably be 59 more opinions added to the 177 that comes from here. But as I stated early in the game, if this is what the majority of the members of this House and the Senate wants, if this is what the general public wants, and I'm still not convinced that that is so, if this is what the members want to follow the lead of the news media on, I stand full willing and ready to give it with the exception of one thing, I've said that I want the strongest code of ethics to apply to all public officials of this state. Now, as far as my friend, the distinguished Majority Leader is concerned, Henry, this is no bluff. This is no bluff whatsoever. And



I've told you in private conversation that I wanted to strengthen the bill, and I like maybe your remarks that you made to the press, if they quoted you correctly, that it was your personal opinion that maybe it was strengthened to death, however, you was going to vote for those strengthening bills, however, and hope that your colleagues would join with you. I'd hate to say something like I'm about to say, but in my 26 years here I've seen members on both sides of the aisle, simply for the purpose, I feel, it's my personal conviction, waving their arms in past years, talking about ethics in government and how much we need a code of ethics in the State of Illinois. Well, I'm saddened indeed through the last few days to find some of those members, and incidentally, I'm not talking about the Chairman of this Committee, and I'm not talking about the Chief Sponsor of this Bill, but I'm saddened indeed to see members from both sides of the aisle who have been playing to the news media in years passed, now looking for an opportunity to hang their hats on something and say this is too strong a code of ethics. I agreed yesterday to eliminate the word 'public official' if it wanted to be done and limit the amendment that I brought about as part of the bill, to 'state official' and I'm going to ask my friends in the Senate to do this, incidentally. I agree with one thing that one reporter said. That I left out of the amendment and that is that I should give time to those officials who would fall under the jurisdiction



of this amendment to divest themselves of any interests they might have that would fall under this particular amendment. This I'm also going to ask my friends in the Senate to do, to give them one, two or no more than three years to divest themselves, but I'm saying to you my friends of this House of Representatives, that I'm going to vote for House Bill 3700, I'm going to continue doing to other pieces of legislation that concerns itself with ethics exactly what I told you two weeks ago that I would do. I will continue to introduce amendments that will make them stronger than they are in their original form if I can do it. I don't believe I don't believe that you should single out certain categories as far as state or public officials are concerned and say that it's good for them to abide, but it sure isn't good for someone else to abide. I'm still strong in my convictions and I don't give a damn what the press says, whether I'm sincere, whether I'm not, and I personally don't care what some of the membership says, I know what Clyde Choate feels, and I know how Clyde Choate feels about any portion of this bill and I know what he's going to do. He's going to persist in his efforts to make it a strong code of ethics, the strongest that we can possibly have, and if the strengthening part of it is taken out some where along the way, I'll still vote for the diluted bill, but I'll tell you one thing, I'll be back in the next session and I'll bring those strengthening measures back again."



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

George M. O'Brien: "Mr. Speaker, to explain my vote and relatively briefly."

Hon. W. Robert Blair: "Oh, all right, the gentleman will bring his remarks to a close now, because we're on two minutes now."

Clyde L. Choate: "I would say that the membership, Mr. Speaker, I would encourage more than 107 members to vote for this piece of legislation, vote as I do, and vote 'Yeas'."

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

George M. O'Brien: "Mr. Speaker, I have the notion that if Morris Wexler were here, God rest his gifted soul, who had a lot to do with the original draft, he'd have a lot of concern and be relatively seriously disturbed. My notion is if he were going to advise me how to vote, he'd say go for it even in its present form. Ah, it's been ah said before by others, the best continues to be the adversary of the good. I think this is in substance a good bill. My own personal feeling is that disclosure is the heart of the matter and any restraints in a bill of this sort that limits the opportunity of a citizen to run for office, such as the legislature, is not a good restraint. Of course, the Senate is going to have its say in this matter, but my conviction is that out of the whole legislative process, we're going to get some decent and commendable standards that we can live by and be proud to take home."



to our constituents. Thank you."

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

Paul Stone: "Mr. Speaker, Ladies and Gentlemen. It's rather hard sometimes to say what you think needs to be said. The sponsor of this legislation has indicated from the beginning that it was intended to be a disclosure bill and not a bill of prohibition. As I read the bill, I saw that Section 3-2 would elimination some of these who are commonly called double dippers. I then searched my soul to see if these were the worst people we had in this legislature, as far as voting pressure, and Mr. Speaker, I couldn't find it in my heart to say that these gentlemen were the worst by being influenced by bad people. The biggest prohibition in the bill was the so-called double dipper provision. I looked around this body, Mr. Speaker, and I saw those who in my judgment were influenced by the fact that they were employed either as attorneys or otherwise by large public utilities, and I saw as I looked over the blue book that there are many members of this body that are interested in banking. I knew that I myself represent some banks as an attorney and I also know that what those bankers think had some influence on the way I vote here, and Mr. Speaker, I also noticed that there are many of us who are interested in the insurance industry. There are some of in this body and the one across the way that own large chunks of insurance companies and they represent insurance companies and



no place in this bill could I see where they were being taken care of and where the influence of their employers had on them was being taken care of by this ethics bill. In my amendment, I attempted to see that all of us were treated alike. Now, in reference to the so-called double dipper amendment, I would like to say Mr. Speaker, that this was called to the attention of this body three times. The sponsor of the bill when it was first being discussed, asked me if this took out the double dippers. I think if you will check the transcript of the debate, you will see that he asked that question of me and we discussed it. It was. . ."

Hon. W. Robert Blair: "All right, the. . .gentleman, you know, we're two minutes on explanation of votes, and I we ran over there, so bring your remarks to a close, please."

Paul Stone: "Thank you, thank you very much, sir. And the body knowing that this exclusion was in there voted on it. Then there was a motion to reconsider the vote and in this discussion it was discussed, and this body voted to keep it in. The sponsor of the bill then offered another amendment which would put it back in and Mr. Speaker, we voted on that three times and I think if we are going to talk about strengthening and weakening the bill, the bill was destroyed as a disclosure bill when the two tier amendment was put on. Thank you, Mr. Speaker."

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



Fred J. Tuerk: "Mr. Speaker, Members of the House, briefly in explanation of my vote, I feel that the majority of this body wants to enact some form of ethics legislation to strengthen that which is now on the books. And offer to the electorate of the State of Illinois, a feeling that the General Assembly is addressing itself to this important issue, but I feel strongly that House Bill 3700 is a product of over-reaction, a product of extremism, a product of emotion. The bill is deficient in so many aspects that I can not support it. I shall not take the valuable time of the House to enumerate the ill-conceived aspects of the bill. Let me say the bill as drafted left much to be desired, but the so-called, and I repeat, the so-called strengthening amendments damaged the bill beyond repair. My vote is not a vote against ethics. It's a vote against the bill and I shall accept the responsibility of explaining to my electorates why I voted in this manner if that electorate feels it needs an explanation."

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

James VonBoeckman: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to explain my vote for various reasons. I think if we go back a number of years ago we talk about ethics, we talk about former people who had represented the State of Illinois in Congress, and I'm referring to the esteemed Senator from Pekin, Illinois, Everett Dirksen. When he was approached by the press on this very issue, what



did he tell them? I'm going to tell you what he told them. He said it's nobody's damn business but my own. Then we'll look on the other side of the aisle and see the esteemed Senator Douglas who was one of the promoters of ethics in the State of Illinois, and what did he do? He published his holdings and everything and what did it get him? He got beat. And Dirksen won. Then I want to go on to make a quote by one of the foremost statesmen of our times, and this is what he had said, 'I would like to point out to public officials, don't corrupt each other, that behind every bribe taker in government is a bribe giver and behind every fix is a fixer, and behind every influence peddler is someone who wants influence, and behind every lobbyist is a pressure group and who are they? Why, they are the people, and sometimes they are not cheaters or scum, but the same respectable people who demand that all officials in government, by the govern¹, be cleaner than the govern², cleaner than themselves', and I'm referring to our esteemed Governor who has passed away, Adlai Stevenson. I'm going to vote for this bill, but I don't think it is going to have a real impact on the general public. Thank you."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Thompson, R.L."

R. L. Thompson: "Mr. Speaker and Ladies and Gentlemen of the House, I have listened to many explanations and discussion on House Bill 3700. I have heard it said that it's a product of over-reaction. I concur in that thinking. An ex-



treme is not the word to explain it. I have talked to various members of this House and they say I'm going to vote for that bill in hopes that they will kill it in the Senate. I think it is hypocritical voting. It has been said and very well said, that you can not legislate love, you can not legislate religion, you can not legislate honesty. If this bill passes, there will be devious actions taken by individuals to scrape the meanings of the bill and I think that hypocritical voting in order to satisfy the people in your district, in order to satisfy the news media, in order to satisfy others who might approach you on how and why you voted the way you did, or whether you abstain from voting is something that you are not that should not be done. Yes, the news media quotes you wrong many times. I just looked yesterday, my name appeared in the paper. It said that I voted 'Present' and then changed my vote. I did not vote 'Present'. I wouldn't. . . I wish some of the news media would print some of the things that are truthful that happen in this House. Now, if I have to vote for a bill just to hope that it gets killed in the Senate, then I'm hypocritical in my voting. I'm voting 'Yes' for this bill and I'm in hopes that this does not get killed in the Senate and the hypocritical voters, I hope it clamps down on them just like it does every other individual who votes 'Yes' on it. Thank you very much."

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



Robert G. Day: "Mr. Speaker, Ladies and Gentlemen of the House, I too can not understand those who have green lights up there who stated that they were going to vote for this bill because the newspapers would put pressure on them if they didn't. Nor can I understand those who said that I know in my own heart that this is a bad bill, I know in my own heart that this bill is unconstitutional, but I'm going to vote for it anyhow. Nor, can I understand those who said this bill has serious defects in it, but we'll send it over to the Senate, we'll approve it and send it over to the Senate and we'll hope they'll straighten it out. All of these statements made in the name of ethics. Now, this bill has serious defects in it and I'll call your attention to only one, and that's in Section 3-9 and if you want to put your stamp of approval on this and if any newspaper in the state wants to put its stamp of approval on this, I think they have a lot of explaining to do. Now, that section provides that no state official may solicit accept or agree to accept gifts, loans, gratuities, discounts, favors, hospitality or services having an aggregate value of \$100.00 or more in any calendar year from any person known to have legislative interests under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence him in the performance of his official duties'. \$100.00 limit. The law today is prior to the passage of this bill is that if you accept \$1.00 under circumstances under which it would



reasonably be inferred that a major purpose of the donor is to influence you in the performance of your duties, you have committed an offense. But we're raising it, we're putting a limit of \$100.00 on it. You can solicit from as many a individual people as you want \$99.00 with the understanding that that money is being paid to you to influence your vote. Furthermore the same section specifically provides that it doesn't apply to campaign contributions. Is that what you want to put your stamp of approval on? Is this what you want to go back to your district to defend? Is this what the newspapers are advocating? We adopt in this House? Gentlemen, our reputation isn't built. . . ."

Hon. W. Robert Blair: "All right, the gentleman, . . . the gentleman bring his remarks, bring his remarks to a close."

Robert G. Day: ". . .today on what the Senate does, it is based on our own vote."

Hon. W. Robert Blair: "Have all voted who wished? The gentleman from Cook, Mr. Hoffman."

Ronald K. Hoffman: "Mr. Speaker, Members of the House, what much debate is going on with regard to ethics and I would be the first one to rise on behalf of ethics and disclosure and ethical behaviour both here and in the district, but I reject, I repeat I reject an attitude wherein this bill we create a position where certain members of this House put themselves in the position of being a second class citizen or second class candidate. I will not be a party



to this type of legislation. I believe that all of us are here to the best interest of the State of Illinois and to our constituents, and I look at the board when we talk of hypocrites, I wonder how many votes that are shown green there are hypocritical in the participation that they have back in their districts. I will not be a party of this. I'm engaged in the legitimate business that is restricted by this bill, and therefore, Mr. Speaker, I ask at this time to be voted 'Present'."

Hon. W. Robert Blair: "Record the gentleman as voting 'Present'. The gentleman from Ogle, Mr. Brinkmeier."

Robert E. Brinkmeier: "Mr. Speaker, Ladies and Gentlemen of the House. Briefly in explaining my vote, I simply want the record to show that I am totally in favor of complete disclosure of income and assets. But on the other hand, and this is what I want the record to show. I'm completely opposed to the discriminatory language that is contained in this bill. I certainly hope that when the bill gets over to the Senate that it will be rectified. And if not there by conference committee, or either by the Governor, just so it is corrected, I hope someone shows better judgment than we have. Thank you."

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

John C. Hirschfeld: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I as a Freshman legislator, I think I would have to apologize for not having the eloquence of



diction and facilities of speech that's been so ably demonstrated by my good friend Representative McCormick, but I even as a Freshman, I can not sit here and vote 'Yes' to vote this bill over to the Senate in its current condition. This is not an ethics bill. This is a bill that has been dreamed up by the press. I went back to my district over the week-end and I spoke to literally hundreds of constituents, and not one of them felt that this bill should be passed. This is not an ethics bill, it's an anti-citizen legislator bill. All this bill does is make second class citizens out of the members of this legislature. And excluding myself from consideration, I must say that knowing the other 176 members of this body, I do not consider them as second class citizens, but rather as a cut above the rest of the citizens of this state, because they take the time and trouble to leave their businesses, their occupations, their vocations and their families, or to come down to Springfield or to go wherever else they must go in this State to pass what they consider to be in the best interest of this state. Now, I think the deacon could correct me, but somewhere in the bible it says 'first comes death and after death the judgment'. And the day is going to come for all of us when we reach the twilight of our years and these days in the General Assembly have passed and each of us is going to hear the bewitching call of reveille, personally, and I would like to be able to look back and I think I can and one of my last conscious thoughts at that



time would be of this body of the State of Illinois of the members of the House of Representatives of the Seventy-seventh General Assembly. The only way we're going to be able to look to ourselves with pride is to vote down a bad bill and not be knuckled under because we are afraid that the press may put in the paper that Representative so and so voted against an ethics bill when the true statement should have been that Representative so and so voted against a truly atrocious bill. I'm going to vote 'No'."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Arrigo, a point of order."

Victor A. Arrigo: "I want to explain my vote."

Hon. W. Robert Blair: "Oh, all right. We'll get to you. Sir, ah, what reason does the gentleman from Cook, Mr. B. B. Wolfe, rise?"

Bernard B. Wolfe: "On a point of parliamentary inquiry, Mr. Speaker."

Hon. W. Robert Blair: "Yes, state your point."

Bernard B. Wolfe: "Is a motion under Rule 71a in order to recommit this bill to committee?"

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

Bernard B. Wolfe: "And I may I briefly explain my position in this regard, Mr. Speaker."

Hon. W. Robert Blair: "No. Ah, the Chair will rule that that motion is not in order. The gentleman from Cook, Mr. Arrigo."

Victor A. Arrigo: "Mr. Speaker, Ladies and Gentlemen of the



House, it was my pleasure a year ago to serve as a member of the Bill of Rights Committee of the Sixth Constitutional Convention. One of the most important issues brought before that Bill of Rights Committee was the right to privacy. The preservation of the right of privacy is an inviolable right that must be zealously guarded at all times. Our Chairman of the Commission, and I am quoting the Chairman in a statement that he made a few moments ago, said, and I am quoting him, 'a code that will police ethics of public officials'. May I repeat this. 'A code that will police ethics of public officials'. The next step will be a code that will police the ethics of the people of the State of Illinois. It was my privilege during World War II to serve as a military government prosecutor in a fascist country, and I would not be honest with myself nor with my oath of office if I voted for a bill that is typical of the bills upon which, typical of the laws upon which fascist countries predicated their code of government ethics. I want to remind the members of this House that it was Thomas Jefferson who said 'eternal vigilance is the price of liberty' and that vigilance should be applied to all vigilance of our state, including public officials. I want to say that the term 'vehicle' was used in reference to a description of this bill. It was indeed a vehicle. This can be likened to the cart that carried the people to the guillotine during the French revolution. This would be the vehicle that would bring many people to the legislative guillotine.



And I'm afraid that all of you that are voting 'Yes' are acting the part of a Madame Lafarge, and I vote 'No' on this bill."

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

Kenneth W. Miller: "Mr. Speaker and Members of the House.

This is my first occasion to make any comments at all concerning so-called ethics legislation. I, too, would have no objection to disclosure of financial statements or investments and then let the voters decide whether or not I have a conflict of interest and whether or not I am a proper individual to represent them in this General Assembly. But Mr. Speaker and Members of the House, I come from a downstate area, I come from an area where it is very very difficult to get good people to run for school boards, town clerks, supervisors, township highway commissioners, village trustees in the small villages, or members of the city council. I can not, Mr. Speaker, support legislation which says in effect that these people cannot be a candidate for these types of offices when they are involved in selling insurance, when for example they might have one trust in which they might haul farmer's grain or livestock to market because they're regulated under the Commerce Commission. Mr. Speaker, it is a slap in the face when good citizens of the caliber that we should have in local government downstate. Mr. Speaker, for these reasons, I can not bring myself in good conscience to vote for this legislation.



Therefore, I must be recorded as voting 'No'."

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

J. Glenn Schneider: "Thank you, Mr. Speaker. I'd first of all like to commend Representative Lindberg on his perseverance in making unusual amenities which I fear no one no ethics legislation. But a previous speaker has referred to the present bill as a stop, but perhaps it is a stop because we know the amenities of trying to seduce legislators into defining the boundary of ethical conduct. The legislative net tossed out to capture these noble ideas has been frustrated, I think, by the reality of trying to capture the frailties of individuals. The holes in the net have gapingly been shown in the final product, but we also have become entangled, I think, in the net in our earnestness to achieve an impossible dream. So, it seems to me, Mr. Speaker, that the stop or the bill, whatever you call it, no matter how strong, will placate few consciences but may satisfy those who feel that economics is the essence of Illinois politics, and somehow doing away with conflicts will purify the political process and not the person. But there is no way to resolve honest political and philosophical differences. That is to me a greater motivation among most of the legislators in this House and not the jobs we hold or the source of our income or possibly our encourageable friends. So, I encourage those of you that are voting that you vote 'Yeas' on this bill



mostly for those who define political and human motivation so narrowly economical."

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

David J. Regner: "Mr. Speaker and Ladies and Gentlemen of the House, before even considering running for office, I held several business interests that under this bill I would have to divest myself from. I think 3700 as it is presently written is discriminatory, it's nothing but a cheap p.r. gimmick by the promoters and the sponsors of the bill. I'm for ethics, I'm for disclosure, but I certainly can't support 3700. I do pledge to support a disclosure bill if it ever comes to us and therefore I'd like to be recorded as voting 'Present' on 3700."

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

Roman J. Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, after two and a half days of discussion, last evening, it was most apparent to me that we were in a very chaotic state. There is diversion of opinion on each side of the aisle, one to another. This chaos as I arrived here this morning was compounded by the factual information that I presented of lack of constituency response. However, as I view that board and the overwhelming number of green lights, it is apparent to me that the finest leadership in this House, the most astute legislators, the most astute political leaders are in accord with this legislation. It is therefore apparent to me that there may be areas which I have not been investigated or exposed to thoroughly. In



consequence, I yield to the leadership of both sides of the aisle the presumption that their hope is the further ethics, even through this bill which may be incomplete and I shall cast a vote of 'Yes'."

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

Corneal A. Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I'll assure you I'll exercise the three b's, I'll be brief, be sincere and be seated. The influence in this debate here, and I've listened attentively, that we ought to be perfect. Well, let me tell you that there's no perfection in human flesh. Therefore, then, there's no perfection in human legislation. My bible when I open it tells me that there is no difference. We all have sin and come short of the glory of God, therefore, I will not attempt to erect a halo on my head by talking about the sins of others. Let me give you just some insight on my 30 years experience in here. I worked for a bill known as F.E.P.C. for almost 18 years and it was killed time and time again over in the Senate and finally when the bill was passed and it came back over here, somebody said it passed your bill over there and it took me two days to find out if it was my bill and when I read it I still didn't believe it was my bill because it wasn't the kind of bill that I sent over there. Now, in legislation there must be some compromises and all of us know it. By your own works you shall be known, and I'm not a hypocrite because I'm sitting here on this floor by my 'Yeas' vote. I'm for some kind of



ethics legislation and even though this might not be perfect, this might be the road by which we get a bill that will have some essence of perfection in it."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question there are 133 'Yeas' and 20 'Nays' and this bill having received the constitutional majority is hereby declared passed. 3 'Present'. The gentleman from Cook, Mr. Peter Miller, for what purpose do you rise, sir?"

Peter J. Miller: "Well Mr. Speaker, I voted on Amendment Number Twenty to House Bill 3700. I didn't speak on the bill on the amendment and I didn't address myself to explain my vote, I want to have the permission of the House to change my vote on Amendment Number Twenty because it doesn't determine the outcome of the amendment. I did not understand the amendment at the time. I thought it exempted school teachers and I understand it's a double dipper provision and I want to just explain why with this address, one of the few times I've ever asked permission to change my vote. I had a position in the Sanitary District of the Metropolitan Sanitary District of Chicago as a pay master, I was civil service, I resigned that \$13,500.00 a year job to run as a full time legislator and I made a promise to the organization that I had as a Republican Committeeman that I would not hold another governmental job. I did not want to mention this during the bill for fear I might influence one or two votes, so I'm asking my



colleagues permission to get off of the Amendment Number Twenty to this bill because it will not determine the outcome, Mr. Speaker."

Hon. W. Robert Blair: "All right, is there objection? The gentleman will have leave. For what purpose does the gentleman from Cook, Mr. Taylor rise?"

James C. Taylor: "Mr. Speaker, I'd like to be recorded as voting 'Present' on House Bill 3700, please."

Hon. W. Robert Blair: "All right, record him as voting 'Present'. The gentleman from Macon, Mr. Borchers."

Webber Borchers: "Mr. Speaker, Fellow Members of the House, I would like permission to change my vote of 'Present' to 'No'. I can't accept all of this."

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

Jacob John Wolf: "Mr. Speaker, I'd like to renew my request to have my vote changed on Amendment Number Thirty-Two from 'Yeas' to 'Nay'."

Hon. W. Robert Blair: "All right, does the gentleman have leave? The Journal will so indicate. For what purpose does the gentleman from Cook, Mr. B. B. Wolfe rise?"

Bernard B. Wolfe: "I had risen before on a point of personal privilege, but I'm not recorded on the vote for 3700. I'd like to be recorded as voting 'Yeas' at this time and I may I have that privilege?"

Hon. W. Robert Blair: "All right, if it's been recorded. . ."

Bernard B. Wolfe: "Now that I'm recorded ah, Mr. Speaker, I'd



like to move to reconsider the vote by which House Bill 3700 has passed this House and I'd like to speak on that motion to reconsider."

Hon. W. Robert Blair: "All right, I'll tell you where that bill is. It's already over in the Senate. House Bill 1541."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "There was a message prepared on that bill before it was passed and as soon as it was passed it was sent to the Senate, right, Mr. Clerk?"

Fredric B. Selcke: "Correct. House Bill 1541, an act creating a commission to survey and study problems pertaining to solid waste management, defining its powers and duties, making an appropriation connection therewith. Third reading of the bill."

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

Romie J. Palmer: "Mr. Speaker, another of like nature went was passed out of the House over to the Senate and I will ask at this time that House Bill 1541 be tabled."

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

Romie J. Palmer: "Leave to table that bill."

Hon. W. Robert Blair: "Is there objection? Motion will be, ah, . . . the ah, 1541 will be tabled. What's your point?"

Bernard B. Wolfe: "A point of order. Before anybody leaves this House, Mr. Speaker, I ask the Speaker whether or not that bill is still under the control of this House?"

Hon. W. Robert Blair: "I've already ruled on that and you're out of order. 3680."



Fredric B. Selcke: "House Bill 3680, a bill for an act relating to control of the erection and maintenance of billboards and other outdoor advertising devices and so forth. Third reading of the bill."

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

C. L. McCormick: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, this is the bill that we discussed Friday on the floor of the House, and at the time Representative Craig and some others ask that it be held over and that it has been discussed. I would be glad to go into any of the details that I can with you. This bill means that Illinois will come into compliance with the federal act and it is a means that we will receive something like \$30 to \$32 million dollars extra a year, extra money, but we won't be fined that much money for not complying with the federal act and I would certainly appreciate a favorable vote on this bill. And I might add this that we have many years before worked on a bill like this and we have never been able to work out agreements between the industry, the Department and the federal government. And now that that has been achieved, it is a monumental success as far as the highway people are concerned and the people of Illinois and I'd appreciate an 'Yeas' vote."

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

Voices: "Roll call. Roll call."

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



Robert S. Juckett: "Mr. Speaker and Ladies and Gentlemen of the House, this is the same bill and it's in the same condition that we rejected last week. The particular thing that amazes me is that because the federal government or its regulatory agency says we shall do it or we shall lose money, then we all like little puppets dangling on a string line up at the cross to be fed by the great master from Washington. The question is are we going to prostitute ourselves to Washington? And if the answer is yes, then all that we have left to do is to determine the price at which we are going to prostitute ourselves. At this particular junction I guess we're selling ourselves for \$40 million dollars, and what's going to happen when the price is \$10 million or \$5 million or maybe even down to the lowly price of \$5.00 or \$10.00 and is it going to be for the evening, the day or by the hour, or even maybe by the year as long as that. I think that if we passed this kind of a bill which has been totally dictated by Washington, we are advocating our responsibilities of ruling the sovereign state of Illinois and instead of saying that we come from the State of Illinois, we should say that we come from the Department of Illinois and we have no right or business of being in the General Assembly and I urge a 'No' vote on this bill."

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

Arthur E. Simmons: "Ah, Mr. Speaker, we have according to my records here four amendments. I believe Amendment Number



One was tabled, but Amendment Number Three and Amendment Number Four are in conflict with each other."

Hon. W. Robert Blair: "The gentleman. . .all right, we'll look at those. All right, would you repeat your ah ah point again, I'm looking at the amendments."

Arthur E. Simmons: "Ah, on Amendment Number Three as I recall on Page 4, Line 16, it changes a figure. I don't remember the figure. Then on Amendment Number Four, . . ."

Hon. W. Robert Blair: "Now, wait, wait just a minute now."

Arthur E. Simmons: ". . .it attempts to change the figure that Amendment Number Three took out."

Hon. W. Robert Blair: "All right, the the Amendment Number Four has been corrected by the Clerk so that it reads amend House Bill 3680 as amended and then on line 7 of Amendment Number Four on page 4, line 16 by striking the number 4.08 rather than 4.06, so now it would read, in Section 4 would read Sections 4.01 through 4.09, all right?"

Arthur E. Simmons: "Okay."

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

Roscoe D. Cunningham: "Mr. Speaker, will the sponsor yield to a question?"

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

Roscoe D. Cunningham: "C.L., is it a necessary by-product of this legislation to force county zoning through the areas involved in to enable those who wish signs to come under the exclusions set forth in the act?"



C. L. McCormick: "Why, it doesn't force anybody to do anything as far as zoning is concerned."

Roscoe D. Cunningham: "Well, as I read the act it makes only areas that are zoned commercial eligible to have signs in the 660 feet that the Highway Department undertakes and controls. Do you agree with that?"

C. L. McCormick: "That sounds like you're right."

Roscoe D. Cunningham: "Well, if that be true, doesn't it follow a necessity that you would have to get your county zoned if you use if you intended to have any signs?"

C. L. McCormick: "Well, under the bill any any zoned area, county or city, like Cook County or Chicago or some of the downstate counties, their zoning takes precedence over the bill, that's true. But it doesn't force anybody to do anything."

Roscoe D. Cunningham: "Well, the persuasion of of the exemption. But I would ask you in regards to the funds that you fear that will be lost, has there been any determination by the federal government that the Illinois eligibility will be terminated?"

C. L. McCormick: "Yes, on October the 1st of this year, Illinois was notified that in 60 days from that date they would be considered in non-compliance with the act and would come under the penalty section of the federal act, which is our allotment is something like \$320 million dollars a year of the federal funds, and that means that we would lose ten per cent of those funds, which would mean \$30 to \$32



thousand dollars a year, which is equivalent to thirty mile of four lane highway or something like sixty mile of regular lane highway."

Roscoe D. Cunningham: "But is it not still possible for the Attorney General to go in and reverse that administrative decision?"

C. L. McCormick: "Well, I wouldn't dare to tell you what is possible in the courts. The only thing that I do know that Illinois can't afford to gamble \$32 million dollars on a court decision if you'll look back over the history of the court decisions for the last few years and then in addition to this, Representative Cunningham, this is the first time in the history of this state that we've been wrestling with these kinds of problems that we've been able to come to an agreement with the industry and with the people concerned, and I think that in itself deserves your concern, because you, like myself, live in an area where roads are vital."

Roscoe D. Cunningham: "Mr. Speaker, if I might speak one moment on the bill."

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

Roscoe D. Cunningham: "As C.L. has so admirably stated roads are vital to my particular area as I am sure they are to each legislator, but the fact remains that this particular bill has a necessary side effect of compelling the zoning of all the counties if the merchants and business people there are to have advantage of the exemptions set forth in



the statute. And if your people are not in favor of zoning, you have logical necessity have to vote against this bill because if you let it go through as it is, the only way they can put up the signs is to zone the county and that is true whether you only have inter-state and primary roads, keep both, and that's a fact that we need to watch very closely, so it's with great reluctance that I'll have to vote 'No' on this bill."

Hon. W. Robert Blair: "Is there any further discussion? The question is shall House Bill 3680 pass? All those in favor shall vote 'Yeas' the opposed 'No'. The gentleman from Vermilion, Mr. Craig."

Robert Craig: "Mr. Speaker and Members of the House, I've been the other day I rose and wanted this bill held because there were misunderstandings, I thought, and I was told at one time that I thought this was agreed to by everyone involved and as some of the previous speakers said, I think it was agreed to as far as the counties that have been zoned, but in my particular district, there is no county that has been zoned and I feel that this is something that is a direct slap at those people and it is a controversial issue in my area, whether a county should be zoned or not be, and I think this is a step to say that you're going to have to be zoned, that you're going to have to if you're going to have any sort of a sign being able to put up along any of these highways. Furthermore, a talk about the money you're going to lose, and I've been here for several years



and I've heard that cry for ten, fifteen, sixteen years, about all of the federal money that you're going to lose, if you didn't do this, if you didn't do that. And I think up to the very date today, that we've never lost that first penny in federal money, and again I think this is a step in trying to force the counties that haven't been zoned in to a zoning ordinance whether they like it or not, and I'd urge you to vote present or refrain from voting for this measure, because I think a lot in particular in your down-state counties if you're voting with a green light here against a lot of the people in your district, and I'd like you to think twice before you vote a green vote. I urge a 'No' vote, please."

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

Carl T. Hunsicker: "Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to explain my vote. We're having the bite put on us here to enact legislation for 30 pieces of silver, in other words about \$30 million dollars. I won't predict what's going to happen. We went along with the federal government on the Wholesome Meat Act and we put about 65% of the locker plants in Illinois out of business. We're putting the funeral directors out of the ambulance service because of stringent regulations, so John Q. Public is going to have to take up the tab through taxes as townships, municipalities and counties will have to provide such services. Now, we're starting out on the



sign and outdoor advertising industry. Who's going to be next? I don't know, but I'm going to predict that there will be more and my vote's going to have to be 'No'."

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

Raymond J. Welsh, Jr.: "Mr. Speaker, I'd like to be recorded as 'Present' on this bill."

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

The Clerk will take the record. Maragos, 'Present'.

Carroll, 'Yeas'. Redmond, 'Present'. Houlihan, 'Yeas'.

Boyle, 'Present'. Kosinski, 'Yeas'. Palmer, 'Present'.

Tuerk, 'Present'. Waddell, 'Present'. Kleine, 'Yeas'.

McGah, 'Present'. Matijevich, 'Yeas'. Jacobs, 'Yeas'.

Laurino, Laurino, 'Yeas' to 'No'. Yourell, 'Present'.

On this question there are 108 'Yeas', 108 'Yeas', 16 'Nays', 9 'Present', and this bill having received the constitutional majority is hereby declared passed. The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker, having voted on the prevailing side, I move that the vote by which this bill was passed be reconsidered."

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

Ray J. Kahoun: "I move that motion lie on the table."

Hon. W. Robert Blair: "All those in favor of the motion say 'Yeas', the opposed 'No', the 'Yeas' have it and the motion to table prevails. House Bill 3744."

Fredric B. Selcke: "House Bill 3744, a bill for an act amending an act relating to the lobbying activities. Third



reading of the bill."

Hon. W. Robert Blair: "All right take it out of the record. Take it out of the record until he's ready for it. 2351."

Fredric B. Selcke: "House Bill 2351, a bill for an act to provide for the specification of repair products and services by repairmen and to provide penalties for the violation thereof. Third reading of the bill."

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

David J. Regner: "Mr. Speaker, Ladies and Gentlemen of the House, this bill is a consumer protection bill and what it does is that it requires an itemized receipt for all repairs, listing the costable parts and labor furnished on all items being repaired and it does provide penalties for first, second and third offense and I would request a favorable vote on House Bill 2351."

Hon. W. Robert Blair: "Further discussion? The gentleman care to close? The question is shall House Bill 2351 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 130 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. House Bill 1611."

Fredric B. Selcke: "House Bill 1611, a bill for an act to amend Sections 7-12, 7-14, 8-9, 8-10 and 10-14 of 'The Election Code'. Third reading of the bill."

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



Jacob John Wolf: "This is a merely, Mr. Speaker, Members of the House. It merely sets up procedures for the Secretary of State to place names on the ballot and move your support."

Hon. W. Robert Blair: "Discussion? All those in favor, the gentleman from Cook, Mr. Shea."

Gerald W. Shea: "What does it do? I have something that says 'strike everything after the enacting clause and'?"

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

Jacob John Wolf: "Well, if you remember, Mr. Shea, we amended this bill in the Election Committee. Ah, ah, taking the rotation aspects out and lifting a page from the Election Code using the same procedure that's used for the Judicial Retention Ballot of placing members on with the longest years of service first."

Gerald W. Shea: "Yeah, but what's this section 8? Ah, rotate on the ballot is required in Section 7-14. Is that that section? Is that where they rotate by senatorial district statewide?"

Jacob John Wolf: "What section was that?"

Gerald W. Shea: "It's on page 3, section 8 of the bill."

Jacob John Wolf: "No, that's just the same provisions, as now done for statewide officers."

Gerald W. Shea: "All right, thank you."

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

Robert E. Mann: "Thank you, Mr. Speaker. Will the gentleman yield for a question?"



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

Robert E. Mann: "Ah, Jake, ah is this bill like Representative Simmons in that it prescribes the ballot order or ballot placement? I'm not quite sure exactly what it does."

Jacob John Wolf: "It's it's not, the same thing only different. It's not quite the same as Representative Simmons. His specifies, I believe, that an incumbent shall be placed first and what this bill specified, we took the same language that's in 16-6.1 of 'The Election Code' which is what they do for the judges on the Judicial Retention Ballot and the language is exactly the same. It says the name of the person with the greatest length of time served in the specific office shall be listed first in each group."

Robert E. Mann: "Well, Mr. Speaker, Mr. Speaker, . . ."

Hon. W. Robert Blair: "Yes, go ahead."

Robert E. Mann: "May I address myself to the bill, please?"

Hon. W. Robert Blair: "Yes, go ahead."

Robert E. Mann: "Mr. Speaker, I realize that the gentleman's intention here is to clarify the language and perhaps to offer a procedure which he thinks is fit, but I think I ought to call attention to the membership, a decision which was handed down by a three judge court in two cases, one was Weisberg -vs- Powell and the other one I'm very familiar with, because it was Mann -vs- Powell, in which the federal district court of Northeastern Illinois, a three judge court, found to be unconstitutional and in violation of the 14th Amendment a designation of seniority or a ballot



order by seniority. It said that discretion could not be used to break down ties and that it said that a designation of seniority was not an equitable one, because it discriminated against non-incumbents and on December 5, 1969, a three judge court handed that decision down and on December 30, 1969, it was affirmed, rather, and the court said that the only fair manner would be to draw by lots or some other non-discriminatory manner. Now, Mr. Speaker and Members of the House, I think that we're confronted here with a situation where we've had litigation speaking to this issue, a district court did rule on this question and I frankly do not think as a matter of public policy that an incumbent ought to have this advantage, nor do I think we need it. It was very interesting that the testimony which came out in this case from many political scientists was, on the one hand, being first on the ballot means nothing, so why proceed with the suit? Well, if being first on the ballot means nothing, why do we need a law which will artificially insulate our position? I would assume that all of us are able to run on our records and I think that the fairest way is for everyone to have equal access to an equal place on the ballot and since there is this decision, which has been rendered by United States District Federal Court and since I see no reason for reversing it, I'm going to oppose this bill and I would ask you to join me that opposition."

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



Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, let the distinguished spokesman who recently just spoke said, as of course, is true, however, since that decision, the United States Court of Appeals, in an opinion of which the former Governor of this State participated, rejected a claim brought by some people, that placing the Democratic party first on the ballot, which is always the case in Cook County, gave any advantage to the Democratic party. They suddenly realized the theory of the cases that the distinguished gentleman participated in, which urge that valid position was significant and they said that it isn't significant when it applies to the party, so in view of that decision, where they consolidated the practice of having the Democratic party first on the ballot, routinely and religiously, in view of that decision as against the earlier decisions in the district court that the distinguished gentleman from Cook County just talked about, I think the waters are considerably muddied and I think this bill might give the court another opportunity to clarify this situation, so I'm going to support the bill."

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

Charles W. Clabaugh: "Mr. Speaker, in the confusion that we have in trying to follow many of these bills and many of our books were gone, I'd just like to have the sponsor of the bill tell me what this bill does. I've got a little inkling from the questions that've been asked, but I



couldn't understand anything he said about it when he was explaining."

Hon. W. Robert Blair: "The gentleman indicates he'll answer."

Jacob John Wolf: "I'd be very happy to answer the gentleman's question from Champaign. Charlie, what this bill does, it's an attempt to clarify. I have a copy of the of the court decision in the case of Robert E. Mann and Bernard Weisberg versus Paul Powell here and what they really said is that the Secretary of State cannot arbitrarily break ties. What this attempts to do is set up by statute the matter of how to place the names on the ballot and I use the language exactly, I discussed this with Don Ed, down in the Index Division, we took the language exactly the way it is. When you have the judges on the Judicial Retention Ballot says that the names will be put on in the following order: those with the longest length of service will be placed on the ballot first. After that is done, any newcomers will be placed on alphabetically, so we now have a precedent in the statute for the Secretary of State to follow, rather than just arbitrarily break ties in some manner that he sees fit."

Charles W. Clabaugh: "Well, does it apply only to the candidates for the judiciary?"

Jacob John Wolf: "No, my bill is for the candidates of the General Assembly."

Charles W. Clabaugh: "Well, all right, you're getting down to the meat of the thing."



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

Jacob John Wolf: "Well, Mr. Speaker and Members of the House, I think it's pretty clear in everybody's mind now and it was brought out Representative Simmons has a similar bill, the language is somewhat different, it places the incumbents on first. Now, the argument was made about being a fair or unfair, well sometime it might work to a disadvantage to know that those members with the longest seniority are first. When they want to throw the rascals out, all they've got to do is vote against the top names and get all the independents on the bottom and everybody else and vote for them. I just move your favorable support and I think we should pass this bill. Thank you."

Hon. W. Robert Blair: "The question is shall House Bill 1611 pass? All those in favor vote 'Yeas', the opposed 'No'. The gentleman from Cook, Mr. Mann."

Robert E. Mann: "Thank you, Mr. Speaker. I just want to explain my vote and reiterate the fact that I believe that we are today passing a bill which flies directly into the teeth of an order of a three judge court of the Northeastern Federal District Court of Illinois, which has ruled that designation by seniority or by incumbent is not a fair and equitable manner of ballot placement, that it violates the equal protection clause of the 14th Amendment. Now, we've done one thing today that I think many of us have some qualms about. We are now going to reactivate this whole issue of



equitable and fair ballot placement for no sound public policy reason at all. I don't think we need this advantage. I don't think this advantage is in the public interest and I would urge you to reconsider your vote because I would think that this statute would be stricken down at a subsequent time. Thank you, Mr. Speaker."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are 134 'Yeas' and 11 'Nays' and this bill having received the constitutional majority is hereby declared passed. For what purpose does the gentleman from Cook, Mr. Scariano rise?"

Anthony Scariano: "May I be recorded as voting 'No' on that last vote, please?"

Hon. W. Robert Blair: "Record the gentleman as voting 'No'. The gentleman from Cook, Mr. J. J. Wolf."

Jacob John Wolf: "Just for the record, Mr. Speaker, that bill required the 60% vote and you didn't announce it."

Hon. W. Robert Blair: "All right, the printed bill does show that, it's not on the calendar and that bill having contained the provision that it would become effective upon its becoming a law is hereby declared passed with the required 107 votes. 2079."

Fredric B. Selcke: "House Bill 2079, a bill for an act to amend Section 604 of an act in relation to a system of Unemployment Compensation. Third reading of the bill."

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



John Jerome Hill: "Thank you, Mr. Speaker. House Bill 2079 is ah exactly as it reads in the digest. The authorizes payment of unemployment compensation benefits to persons locked out by an employer and I'd appreciate your 'Yes' vote."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman care to close?"

John Jerome Hill: "I've already closed, Mr. Speaker."

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

Eugene F. Schlickman: "Will the sponsor yield to a couple of questions?"

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

Eugene F. Schlickman: "Representative what is the practice now with regard to payment of unemployment compensation to those individuals on strike?"

John Jerome Hill: "Where the individuals are out on strike and it is a bona fide strike, they are eliminated from receiving any pay whatsoever."

Eugene F. Schlickman: "All right, a strike is a labor dispute, they a walk out is also a labor dispute, is that also correct?"

John Jerome Hill: "Not under this bill. What has been happening, and it's only happened in a couple of places in the State of Illinois that I know of, and it usually happens in the smaller concerns where they negotiate a contract and while they are negotiating, after the contract has run



out, and while they are, the company bcks the door and refuses to negotiate, and this is what is considered a lock out."

Eugene F. Schlickman: "Is a lockout, is that phrase, a word of art and one that can be defined, or do you define it in your bill?"

John Jerome Hill: "It is defined in the bill itself."

Eugene F. Schlickman: "One more question, what would be the cost of this bill?"

John Jerome Hill: "I would assume it'd be very small, for the reason that it doesn't happen that much. I only know of one place in all of the State of Illinois that has, it has not been brought to my attention in any other place, that this occurred. Usually, you'll find that management and labor, even though the contract does run out, either will labor will strike or they will continue to negotiate. This will not affect a company and union where even though the contract has run out and they continue to negotiate, which happens in many many incidences, this would not affect that particular place."

Voice: "Roll call."

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

Fred J. Tuerk: "Will the sponsor yield?"

John Jerome Hill: "Yes, sir."

Fred J. Tuerk: "What in the event, Representative Hill, we have a wild cat strike, illegal walk out, which eventually then would lead to what you term a lockout. Would the em-



ployees then be subject then to the unemployment comp?"

John Jerome Hill: "If they are under a contract, no it would not apply."

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

Thomas J. Hanahan: "Mr. Speaker, Members of the House, I fully support the concept of this bill. A break down in labor negotiations occurs very seldom where there is a lock-out, but if our whole concept on unemployment compensation as we have for the last 30 years had is that we grant benefits to people who cannot and want to work, but they cannot work through no fault of their own, then therefore this bill would just be a reiteration of our past practice of providing unemployment compensation. These workers who were locked out want to work, it's not a matter of a strike, it is a matter of someone saying to them that no, you can no longer work here. This bill is endorsed by the A.F.L.-C.I.O. and the Teamsters' Union and I urge its adoption."

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

Bradley M. Glass: "Well, Mr. Speaker, Members of the House, although I have a great deal of respect for the sponsor of this bill, I was on the sub-committee that heard it and I do rise to oppose the bill. I think in the collective bargaining process there are certain economic sanctions that unions can take against employers and strikes are one of them. On the other hand, lockouts are economic device that employers can use under certain circumstances. I think



when you meddle into the collective bargaining process by saying in effect you even though there is a lock out, nevertheless the person locked out will receive unemployment compensation, you have upset the balance significantly, and I don't think this is something we ought to be tinkering with and therefore I urge the defeat of this bill."

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

Samuel C. Maragos: "Mr. Speaker and Members of the House, I was a member of the sub-committee that considered this House Bill and after much discussion of the pros and cons, a sub-committee voted in favor of it and the Judiciary Committee voted recommended do pass and the main consideration in our action was that we understand, that even though that we do understand at times of labor disputes, that there are economic factors on both sides of the fence. In this particular case, we felt that this legislation should pass because of the fact when these conditions exist the employer should not benefit economically by his locked out position and especially when there are harsh consequences involving the employees who have no other alternatives, they can't get any other relief or any other help to support their families. So in many cases the smaller employers, we're not talking about the major corporations who abide normally with the rules, but we're talking about many small employers who have few employees who themselves are not as sophisticated or aware of their remedies under the national labor relations board and other agencies who come in and



have to suffer and use this as a wedge in order to during negotiations and after much consideration we felt that this was a good bill and we ask your support at this time and I ask for green lights because we thought it over very clearly and I'm very much in favor of it."

Hon. W. Robert Blair: "All right, the gentleman from Sangamon Mr. Gibbs."

W. Joseph Gibbs: "Mr. Speaker, will the sponsor yield to a question?"

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

W. Joseph Gibbs: "In your definition of a lock out, if an employer, through no fault of his own or through the fault of a labor dispute can not provide the employment, the way I interpret this bill, then the employee would be entitled to unemployment compensation, is that correct?"

John Jerome Hill: "Are you talking about 'c' where it says if total or partial unemployment is due to the existing of a lock out?"

W. Joseph Gibbs: "Yes, I'm talking under 'c' when you define a lock out. When you say a lock out exists when he can not provide employment, either through his fault or because of a labor dispute or because it might not be his fault. Is that right?"

John Jerome Hill: "Well, it seems to me that if a lock out exists in the first part, number one, an employer fails to provide employment, well it seems to me that he would automatically collect it there. But where when the cases I'm



talking about, where there is work and the only reason for the lock out is that the contract date has expired, they refuse to negotiate and he closes the place down even though all of the people present themselves to work under the old contract, not under the new contract, but under the old contract, and then he locks the door and says, look fellows, you're out of work."

W. Joseph Gibbs: "Well, I understand your interpretation of it, but the way I look at this bill it defines the lock-out as whenever the employer fails to provide employment period. Then it goes on in the subjunctive and says or another reason."

John Jerome Hill: "Or an employer makes an announcement that work will be available after expiration of the existing contract only under terms and conditions that are less favorable to the employee than those terms immediately prior to such announcement, yes."

W. Joseph Gibbs: "I understand, thank you."

Hon. W. Robert Blair: "All right, does the gentleman care to close? The question is. . .the gentleman from Kane, Mr. Hill."

John Jerome Hill: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, as I had stated in my original presentation, that this very seldom happens in the State of Illinois. Most of the corporations and the businesses in the State of Illinois do not resort to a movement of this nature. As I say I only know of one case and this case was approx-



imately two years ago that happened in my district. I don't know of any others. It could be possible that they have existed, but it doesn't happen much, usually the manufacturers want to negotiate a contract, and all this will cover is when the contract runs out that they either continue to negotiate and they're not locked out of their jobs if they present themselves to work. I certainly would appreciate a 'Yes' vote."

Hon. W. Robert Blair: "All right, the question is shall House Bill 2079 pass? 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 110 'Yeas' and 17 'Nays' and this bill having received a constitutional majority is hereby declared passed. For what purpose does the gentleman from Cook, Mr. Maragos rise?"

Samuel C. Maragos: "I move that the vote by which this piece of legislation passed by reconsidered."

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

Daniel J. O'Brien: "Mr. Speaker, I move that that motion lie on the table."

Hon. W. Robert Blair: "All those in favor of the motion to table say 'Yeas', the opposed 'No', the 'Yeas' have it and the motion to table prevails. 2222:"

Fredric B. Selcke: "House Bill 2222, a bill for an act relating to the reporting of cases of suspected lead poisoning, investigations by the Department of Public Health, and the prohibition of the manufacture or sale of certain products



containing lead. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from. . .discussion?
The question is shall House Bill 2222 pass? All those in
favor will vote 'Yeas' the opposed 'No'. Have all voted
who wished? The Clerk will take the record. On this ques-
tion, there are 146 'Yeas', no 'Nays' and this bill having
received the constitutional majority is hereby declared
passed. 2396."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "Don't read it. The Chair recognizes
the gentleman from Cook, Mr. Palmer, with, he has a motion,
I understand."

Romie J. Palmer: "Not on this bill your honor. I'm sorry,
Mr. Speaker, your honor."

Hon. W. Robert Blair: "All right, do you want 2396 called?"

Romie J. Palmer: "With leave, I'd like 2396 and 2397 be call-
ed together. They're related to state's attorneys pay bills
out of outside of Cook County."

Hon. W. Robert Blair: "Okay, is there leave? All right,
read, well, read both 2396 and 2397."

Fredric B. Selcke: "House Bill 2396, a bill for an act to
amend Section 7 of an act concerning fees and salaries, and
to classify the several counties of the state with refer-
ence thereto. Third reading of the bill. House Bill 2397,
a bill for an act to amend Section 1 of an act fixing and
providing for the payment of the salaries of state's att-
orneys and their assistants, defining their duties, pro-



viding for the appointment of assistants, and to provide for the collection and disposition of fees, fines, forfeitures and penalties provided by law or to be paid to the state's attorney, and to repeal all acts in conflict herewith. Third reading of the bill."

Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Palmer."

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2396 concerns itself with the amount of money that is paid by the State of Illinois out of its treasury to the State's Attorney in each of the counties in the state. And it proposes an increase to \$12,000.00 from the out of the state treasury, to each of the State's attorneys. The it also provides that assistant state's attorneys in counties having institutions of higher learning or higher education be granted some additional pay, \$14,000.00 a year each for employment on a full time basis for two assistant state's attorneys, and in towns or counties having state universities with a combined full time enrollment of more than 20,000 students. This is one of the bills that was proposed by the State's Attorneys association. I have checked it out all the way through, and if the bill passes here, I am sure that the Governor will sign the bill. I ask your favorable consideration."

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

Gerald W. Shea: "Ah, will the sponsor yield to a question?"



Hon. W. Robert Blair: "Yes."

Gerald W. Shea: "Could you tell me, I thought, it was my understanding there was a sub-committee of the judiciary committee that had this problem under consideration. Do you know if that has reported back yet?"

Romie J. Palmer: "Mr. Shea, I don't, I know that there is a sub-committee of the Judiciary II to study State's Attorneys bills and that committee was appointed recently. I did not know that that study was in lieu of or had anything to do with the passage of these bills. It was my understanding that those bills, that the sub-committee would go into the question of compensation of state's attorneys throughout the State of Illinois. And so far as equalization of pay is concerned, which would mean then that we would possibly change the constitution and a change of designation from State's Attorney to District Attorney."

Gerald W. Shea: "All right."

Romie J. Palmer: "But not particularly in these bills."

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

Thomas J. Hanahan: "Yes, would the gentleman yield?"

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

Thomas J. Hanahan: "How much money is this going to additionally cost the State of Illinois? What is the additional cost of this bill being passed?"

Romie J. Palmer: "\$553,600.00."

Thomas J. Hanahan: "Sir, have you, sir have you introduced



an appropriation bill for that amount to be paid from general revenue?"

Romie J. Palmer: "I do not believe any such bill has been introduced. I'm not aware of such."

Thomas J. Hanahan: "Well, Mr. Speaker, members of the House, I'm not so much opposed to a raise in pay for State's Attorneys or Assistant State's Attorneys as long as the county pays for them, and it seems to me that the counties in downstate Illinois the 84 township related counties seem to have so much money that we could have special elections for supervisors, counties officers in the coming election in February and April, I don't see the great need of relieving the counties of any additional pay for State's Attorneys or Assistant State's Attorneys. It seems that their Senators representing those counties did not vote to change the primary date and the election date for supervisors to the regular election date, that they wanted to spend the tax payers' money on the special election dates, and I don't see any great benefit to these counties as long as they've got so much money that they can spend them on elections that they can't continue to spend it toward their State's Attorneys salaries and not drain the general revenue fund of the State."

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

Romie J. Palmer: "I should have explained House Bill 2397, which was also called. House Bill 2396 only has to do with the state's contribution to the State's Attorney. That's



all. That's all it has to do with. House Bill 2397 sets up a schedule by county, by population classification as to what the pay is or will be, and that amount is this: that in counties of 20,000 or less the minimum will be \$8,000.00 for State's Attorneys and the maximum will be \$15,000.00. Counties with population of 20,000 to 80,000 the amount that the county will have to set by way of resolution will be the floor will be \$10,000.00 and the maximum of \$15,000.00. In counties of over 80,000 population, there is a flat \$20,000.00 amount to be paid by the county, with the proviso that the State's Attorney shall not engage in the private practice of law."

Hon. W. Robert Blair: "The. . ."

Romie J. Palmer: "This is the rest of the explanation of the bill. I don't know how much is in response to your question, there might be."

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

Rolland F. Tipsword: "Mr. Speaker and Ladies and Gentlemen, I'm co-sponsor of one of these bills, however in regard to 2396, of which I am a co-sponsor, I have some difficulty in reconciling my views of this situation with the bill as it presently stands and as this total package is presented. I recall that we've had some bills here, especially from some of the very smaller counties in downstate Illinois who could not afford to pay coroner's \$8,000.00 or \$8,500.00 and I would suggest that this is about the same amount that



the very small counties are going to have to contribute under this set of bills to a State's Attorney. If they can come up with that kind of money, I would suggest that the amount of money that is now being set as a minimum of \$20,000.00 in every county of the State, no matter what its size, would certainly keep us from ever providing any kind of a unitization of smaller counties in the State, insofar as prosecutors are concerned. Under our new constitution, we have the authority to have State's Attorneys would be full time but who could prosecute for two or neighboring counties and that they might share in the costs of the State's Attorneys office. I would suggest that the State's Attorney, once they get their salaries up to \$20,000.00 in each and every county are going to be very reluctant to have their type and kind of office changed because they're going to have a very cushy situation until our economic situation changes much more than it is at the present time. And they're certainly going to try to perpetuate themselves. I would wish very strongly that these bills might be held until the committee that has been appointed by this body from the membership of the Judiciary Committee, might have an opportunity to have hearings and present legislation here. We will be back this next year and we could still pass legislation that would certainly be effective before State's Attorneys are elected again. And they will not be elected again, until a year from this November, so in that time we could certainly pass laws that would apply salary



wise to the new State's Attorneys or to all the State's Attorneys who are elected or re-elected a year from now and I think I would ask the sponsor if he would consider holding these bills until the Committee that was appointed by this body within the last couple of weeks, which has not even had an opportunity to organize due to the work of this body, might have a chance to look into this situation and see what they might be able to do. I know that the State's Attorneys situation has been somewhat embarrassed, when they tried to fix a proper salary schedule because in raising the salary of the State's Attorneys in the larger counties who really deserve it by virtue of the work that they do and the work that is required of them, can't get their raise unless they satisfy the other members of the State's Attorneys association, the vast majority of whom come from the very very small populated counties of the State. Thank you."

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

James D. Nowlan: "I wonder if the sponsor would yield to a question?"

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

James D. Nowlan: "Representative Palmer, you stated earlier that there was a proviso in this legislation stating that the State's Attorneys would not practice law in private practices. Is this encompass counties of all classification?"

Romie J. Palmer: "No, this encompasses counties of 80,000 or more population and there are about 13 or 14 of those counties."



Now, that in answer to your question. Now, let me say this that it is very difficult and it's impossible in my position to equalize compensation of State's Attorneys throughout Illinois unless there is a constitutional amendment to that affect. I think most of us realize that. What we're trying to do here is at least pay them a little bit more money than what they are now receiving and until such time as the sub-committee does come up with some recommendation in this direction and as far as equalization of salary which probably would mean combination of counties into a district, I suggest, it is impossible to take a county of less than 80,000 population or practically impossible, and not have the State's Attorney practice law. Now, that is the private practice law. Now, that's a current situation in Illinois, it's deplorable, I think that this is a step in the right direction."

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

Ken Boyle: "Romie, I'm wondering. In view of the fact that the raise of will not be able to take effect until after the next November election, which means that we'd have ample time here, I'm wondering if you would consent to let the sub-committee that's been appointed and that this House voted on take a look at these bills and we'd have ample time to report back shortly after January, which would be after the first of the year and would give the membership the benefit of the sub-committee's hearings and



testimony and recommendations, so these might very well be good bills and ultimately should be enacted in the law, but I think that it would be bad for us here to set a precedent here of creating this sub-committee and appointing the membership thereon and we haven't even had a chance to look at these bills, and I wonder if you'd consent to let us, to let the sub-committee look at these bills before they're passed out."

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

Romie J. Palmer: "I have two answers. One is that insofar as 2396 the state's contribution is concerned, that will have to be in next year's budget, which the Governor will have to present, probably earlier than we will have to meet. Insofar as the bills are concerned, they've been kicking around here for quite a while. Now, I've talked to Mr. Choate about the bill, I've talked to Mr. McCormick who was quite concerned about Pope County and some of these smaller counties. Again, I think it's a step in the right direction. We're talking about pay raises for these people and I think it's in order and that the other reason is that I understand that these bills are going to have to be out of here today."

Ken Boyle: "Mr. Speaker, or Romie, just let me ask this question. The limitation on the practice of law, if the State's share is raised, pursuant to your bill to \$12,000.00, where is the, what is the population cut off on the restriction of practicing law on the side?"



Romie J. Palmer: "Well, . . ."

Ken Boyle: "The double dipper state's attorney."

Romie J. Palmer: "Well, I wouldn't call it that at all. Ah, I've never construed the practice of law in that light. Ah, the population figure by county is 80,000. Over that the we feel that there is enough business in those counties to require a full time state's attorney, not only full time but that he do nothing else but state's attorney work. We would like very much to have the same provision as far as counties under 80,000 are concerned, but it's. . ."

Ken Boyle: "All right, but. . ."

Romie J. Palmer: ". . .not practically feasible or possible at this time. We will work towards that goal, however."

Ken Boyle: "Now, as I understand the bill, the state share for counties say of 40,000 population county, the state share would be \$12,000.00 is that right?"

Romie J. Palmer: "\$12,000.00 for every county."

Ken Boyle: "Pardon me?"

Romie J. Palmer: "\$12,000.00 for every county."

Ken Boyle: "Of under 80,000?"

Romie J. Palmer: "Every county, 102 counties of this state, presently it's \$7,200, it's going to be kicked up if the bill passes and signed into law to \$12,000.00."

Ken Boyle: "I see, but the provision on the non-practice of law, the non-practice private only applies to counties in excess of 80,000 right?"

Romie J. Palmer: "80,000; that's right. Yes, above 80,000



there's about 13 or 14 counties."

Ken Boyle: "Now, then, do these companion bills, and I have not had a chance to look at them, do these companion bills also change the county share?"

Romie J. Palmer: "Yes, in those counties under 20,000, the floor, the county board can set it between \$8,000.00 and \$15,000.00 and from 20,000 to 80,000 from between \$10,000.00 and \$15,000.00."

Ken Boyle: "Fine, thank you."

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

Clyde L. Choate: "Ah, Representative Palmer, used my name as far as the support of these bills concerned and he's absolutely right. And I want to bring to the attention of the House that two things that happened from my district, and Representative Williams and McCormick's districts, in relation to these bills. One member of the State's Attorneys Association, I understand, said came up here and said that the high salary he was getting that the caseload in his county was so terribly small that he would not feel right if the salary was increased. Well, if you'll talk to the people of that county that he is from, you'll find out that their opinion is that he could have a heck of a lot of more cases if he would use the powers of his office. In other words, he could keep busy. This, the second thing is that in the second district, in Saline County, you have a young man there, that I forgot what his salary is, it's something like \$10,000.00 or \$12,000.00 a year. He is con-



stantly busy, he has one of the heaviest caseloads of any of the young state's attorneys that I've ever seen and at the same time the Illinois Bar Association has stepped in and prohibited him from practicing law on the side. Now, you have a young guy here who conscientiously doing a fine job and especially in the drug control portion of his duties and he's trying to raise a family of two children, a wife and pay for a new home, all on this \$10,000.00 or \$12,000.00 a year, and it's completely ridiculous. These are the people that I think that Representative Palmer and I are attempting to help in this under these bills."

Hon. W. Robert Blair: "Does the gentleman care to close? The question is shall these two bills pass? All those in favor vote 'Yeas', the opposed 'No', and the Clerk will take two copies. Have all voted who wished? Lechowicz, 'Yeas'. The gentleman from Rock Island, Mr. Henss."

Donald A. Henss: "I'd like to be recorded as 'Yeas' on 2396 and 'Present' on 2397."

Hon. W. Robert Blair: "All right, so record the gentleman. The gentleman from Moultrie, Mr. Stone."

Paul Stone: "Mr. Speaker, Ladies and Gentlemen, my son is State's Attorney in the County where I live and one of the counties I represent, and I would like to be recorded as voting 'Present'."

Hon. W. Robert Blair: "All right, record the gentleman as voting 'Present'. The gentleman from Christian, Mr. Tip-sword."



Rolland F. Tipword: "Mr. Speaker, for the reasons I previously stated, I'd like to be voted 'Present' on this bill at this time."

Hon. W. Robert Blair: "Record the gentleman as present on both bills? Both bills. All right, have all voted who wished? The Clerk will take the record. Pappas, 'Present' on both bills. On each of these bills the vote is 121 'Yeas', 9 'Nays' and each of the bills having received the constitutional majority is hereby declared passed. 3 'Present'. House Bill 3682."

Fredric B. Selcke: "House Bill 3682, a bill for an act to amend Sections and to repeal Sections of 'The Election Code'. Third reading of the bill."

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

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, ah, because of reapportionment and the fact that some legislative districts now overlap county lines, legislation was required to reconstitute legislative, representative districts and committees. Ah, House Bill 3682 as amended does just that. It would provide that in legislative districts which include a portion of any county containing a million or more inhabitants. The, ah, Representative Committee, which consists of the committeemen of such party representing each township or ward in the county and in counties of less than a million, it would constitute the membership would be the County Chairman of the counties



under a million. This is the amendment that was worked out by the Speaker and the Minority Leader. I would attempt to answer any questions that the membership may have and I would solicit your support of the bill."

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

William J. Cunningham: "Representative Collins, your explanation of House Bill 3682 seems to differ from the digest a little bit. Could you help me out. The digest indicates that what you're talking about is providing that a proclamation of opening and closing of the polls shall be oral."

Philip W. Collins: "Ah, yes, ah, Representative Cunningham. Amendment Number One affected a slight change in the bill in that we struck everything after the enacting clause."

William J. Cunningham: "Well, Mr. Speaker, it seems like to me that we're getting into one of these situations again where the hell with the digest and what we have studied, because we can come in here and unbeknownst to anyone else, other than the normal inadequate provisions of showing us the courtesy of giving Mr. Simmons the amendment, we have suddenly a new bill, a brand new bill that nobody gets a chance to study. I think it's bad legislation, it's wrong legislation, wait up a minute, you'll get your chance, it's a bad way to run a railroad."

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

Philip W. Collins: "Ah, yes, in answer to the gentleman, Mr. Speaker, ah, this should not be a surprise to anyone that



was in attendance last Friday, because it was debated fully at that time. Not only this amendment, but a subsequent amendment which well which was defeated at that time and then was subsequently adopted on another bill, so this amendment has been before the membership since before Friday of last week. Since Friday of last week."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I just wanted to add my support to this bill. I think it's essential that this bill pass. If it doesn't pass we will have confusion and chaos in trying to determine the number of representatives that are going to be running in each district. This restores some order to this situation, I think it's essential legislation and I hope it'll have the support of the membership."

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

Clyde L. Choate: "I certainly agree with the Majority Leader, Mr. Speaker, that this is very important piece of legislation, because we are all aware of the fact that this needs to be done to bring order as far as the filing of candidates is concerned. I just can't help resist, though, saying that it has been passed once before and the Governor vetoed it."

Hon. W. Robert Blair: "All right, the question is shall House Bill 3682? With the provision that it shall become effective immediately upon its becoming a law. All those in favor will vote 'Yeas', the opposed 'No', and this requires 107 votes. Have all voted who wished? The Clerk will take the



record. On this question there are 155 'Yeas' and no 'Nays' and this bill having received the required vote under the constitution is hereby declared passed. House Bill 3695. Cox, 'Yeas'."

Fredric B. Selcke: "House Bill 3695, a bill for an act to amend Sections of 'The Election Code'. Third reading of the bill."

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

Philip W. Collins: "Ah, yes, Mr. Speaker, ah, House Bill 3695 merely provides for the rotation of the order of columns on political parties on the ballot. This bill is not merely a question of fairness in my view, but the in the case of Weisberg -vs- Powell it was made clear that ballot position is a matter of equal protection, to be judged by the United States Supreme Court. I would urge your support of this bill."

Hon. W. Robert Blair: "Is there any further discussion? The gentleman from Cook, Mr. Shea."

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

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

Gerald W. Shea: "Is that case you just talked about Weisberg -vs- Powell, the one that the Majority Leader is no longer said, or said is no longer controlling law in the state?"

Philip W. Collins: "I can't speak for the Majority Leader, Representative Shea."

Gerald W. Shea: "Now, as I read this bill, that say in a you



rotate parties by precincts, is that correct?"

Philip W. Collins: "Yes, that's correct."

Gerald W. Shea: "All right, in other words, that if there's a socialist party and a I don't know, four or five parties, that we would rotate them so that the progressive is the first one, then the socialist first, then in the next precinct the Republican and in the next precinct the Democratic party, and in the next precinct?"

Philip W. Collins: "Ah, that's correct."

Gerald W. Shea: "Now, could you tell me with regard to those counties using voting machines what the additional cost is going to be to set up programs and changes?"

Philip W. Collins: "Ah, I can't tell you. You used a figure in committee which I have no way of verifying."

Gerald W. Shea: "And do you think that what's going to be the additional cost to the county clerks throughout the State of Illinois if this bill is passed?"

Philip W. Collins: "Ah, I've heard no comment from them and I've heard no opposition from them, either, so I don't have an answer for you, sir."

Gerald W. Shea: "I'd like to speak to the bill."

Hon. W. Robert Blair: "Proceed."

Gerald W. Shea: "Mr. Speaker, I think this is a bad piece of legislation. It's going to impose hundreds of thousands of dollars of additional costs on local units of government, and again it is where the state is imposing these additional costs without any way of getting them back. I



don't know, I believe one of the Representatives of the County Clerk's Association said that in those areas where they use vote-a-matics that there is no way of setting up the machines for handling this type of situation and you'll remember that we passed bills out of this House and have been signed into law by the Governor requiring all counties over 40,000 to have these voting machines. I think that this is just bad legislation and I'd appreciate the support of the House in the position that these bills should not pass."

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

Henry J. Hyde: "Well, I just want to comment, Mr. Speaker, on the comments on the distinguished Assistant Minority Leader. It has become ritualistic that the Democratic Party is first on the ballot in Cook County in the City of Chicago. A federal court, U.S. Court of Appeals has held, or possibly with the three court, three judge court on the district level, I'm not sure, but I do know the former Governor of the State of Illinois was part of that opinion, held that valid position isn't important. We all know that just isn't so and this bill will give an opportunity to each party to get a chance to be first on the ballot. Now, if the objections of the distinguished Assistant Minority Leader are true that this will impose an intolerable financial burden, then why not throw us a bone next year, Jerry, and put the Republican Party first. Thank you."

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



yield to that question?"

Gerald W. Shea: "What kind of a bone does he want? George for Secretary or what?"

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

Arthur L. Berman: "Would the sponsor yield for a question?"

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

Arthur L. Berman: "Ah, Phil would this provide that all parties including socialist, labor and any of these others that are down around three and four and five columns, they'll get up to the top, also?"

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

Philip W. Collins: "The answer is yes, all parties will be rotated, all parties that are on the ballot."

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

Gerald A. Bradley: "I was wondering if the sponsor would yield to one more question? I was wondering, Phil, in the places where we have voting machines in downstate counties, isn't it true that a special, or at least one separate computer would have to be set up for each one of the precincts, say that the Republicans would be on top on Precinct 1 and 5, and the Democrats on 2 and 6 and the laborers on 3 and 7, and in order to get a rapid count, we would have to get a computer set up to count the ballots in each one of these special precincts, or each one of these precincts, I'm sorry."

Philip W. Collins: "Ah, I'm not I am not an expert on computer



counting of ballots, however, in committee it was brought out that this would not be a problem and that the computers currently in use could be programmed properly so that this would create no problems. I can only I can only speak for the testimony which we have heard in the Election Committee and if I remember correctly, it was testified that Sangamon County which has this type of computer operation now would be able to cope with this type of operation quite easily and without substantial additional cost."

Gerald A. Bradley: "Mr. Speaker, I wonder if I could just talk very briefly to the bill."

Hon. W. Robert Blair: "Proceed."

Gerald A. Bradley: "Well, Mr. Speaker and Ladies and Gentlemen of the House, we had a bill in Election Committee this fall asking for some additional parking space or something in one of our Representative's districts, that they needed parking area to get into the only computer available to count the ballots in this particular county. Now, if they have got one computer, obviously they're going to have some problems if we enact this piece of legislation today. Ah, I can recall an experience we had in our own county, the first time that we used the voting machines in cumulative voting. Ah, we had a problem getting a correct count, we were only getting one vote instead of three or one and a half or one, I'm not convinced that our computers and the way they're set up for real reliable today and I think that this would only compound the problem of getting a correct



count in the counties where we were using the voter machines.

Thank you."

Hon. W. Robert Blair: "Any further. . . the gentleman from DuPage, Mr. Redmond."

William A. Redmond: "Would the sponsor yield to another question?"

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

William A. Redmond: "Does this would this bill apply to paper ballot counties as well as those with machines?"

Philip W. Collins: "Ah, yes, this is all ballots."

William A. Redmond: "You mean that the County Clerk in DuPage will take the Democrats off the back of the ballot and put us on the front and once in a while have us first?"

Philip W. Collins: "I'll refer to my colleague, Vice-Chairman Philip, but I don't think that happens."

Hon. W. Robert Blair: "All right, the gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I would respectfully suggest that there is a difference when we talk about alignment of political parties as compared to candidates. When we talk about candidates, we're talking about a listing, one, two, three and four, but I think there's a mass difference when we talk about the alignment of political parties. I really think, Representative Collins, that part of the whole electorate process is trying to educate voters. And for example, if you had five different political parties running in the next general



election, I think you can't only determine who's going to be first, but you're going to mix them up first on a ballot in placement, then you're going to have to mix them up in all the other placements also. Now, what are you going to do when you come to specimen ballots when you're trying to educate the voters how to vote, because I think all you're going to do is to create a lot of confusion amongst the voters. I recall in our Lake County, you know that Cook County isn't the only county, we have in the County of Lake in 1968 I joined the Democratic Central Committee in suing the County Clerk, because of his placement of the Democratic Party. And it wasn't because of the way that he placed the parties on the top of the ballot, but by placing, we've got vote -a-matic, but by placing by the placement of the arrow, one would believe that he were voting for the socialist labor party rather than the Democratic Party. So, I think that your bill, Representative Collins, would only lead to confusion. I happen to voted against the other bill when it dealt with the candidates in itself, because I think that was patently unconstitutional or contrary to the court decision. But this bill, I think is improper and I urge the defeat of it."

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

Philip W. Collins: "Ah, yes, very briefly Mr. Chairman, Mr. Speaker, reference has been made to difficulty in parking around computers in smaller counties, well, I don't think



that this is a real problem, we're not bringing any more results into the county center, we're just bringing them in different order, and the computer, I'm told, could be can be programmed to count the ballots as accurately and as swiftly as in the past. Representative Matijevich raised the question of educating the voter. Well, I think to educate the voter, it's not as to what levers to pull or what lines to vote, but it's to educate the voter as to the candidate and the and the issues. I know many times in Cook County, I've seen precinct captains wearing the letter 'A' to vote the 'A' line, well, this is not my idea of educating the voter. I think this bill reflects basic fairness and equal protection and I would urgently ask the members to support this good bill."

Hon. W. Robert Blair: "The question is shall House Bill 3695 pass with the provision that it shall become effective immediately upon its becoming a law. All those in favor shall vote 'Yeas', the opposed 'No', and this requires 107 votes. The gentleman from Cook, Mr. Collins."

Philip W. Collins: "Ah, Mr. Speaker, it would appear that the socialist labor party is in real trouble."

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

James D. Carrigan: "May I ask the sponsor a question, please."

Hon. W. Robert Blair: "Well, we're on explanation of vote, he can answer you when he's on his explanation of vote. Go ahead, ask. . ."



James D. Carrigan: "What happens if we don't pass this bill, Phil?"

Hon. W. Robert Blair: "Oh, well, that we'll get to shortly. The gentleman from Cook, Mr. Maragos."

Samuel C. Maragos: "Mr. Mr. Speaker, I would normally be voting against this legislation, but since it's a member from my own district, I'll be voting 'Present'."

Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Ah, Mr. Speaker, parliamentary inquiry."

Hon. W. Robert Blair: "Yes, what's your. . ."

Philip W. Collins: "Would it be proper at this time to move to strike the portion requiring the emergency portion of the bill?"

Hon. W. Robert Blair: "Well, ah, Rule 51 addresses itself to the question of emergency expressed in the preamble or body of an act, and ah it lays out what will happen if the required vote isn't passed. Now, the Chair is going to rule that the intent of that rule would be to apply to this type of legislation, where it's to become effective immediately upon becoming law and that is an emergency in that sense, and Rule 51 would be applicable and it provides that if it fails to get the three-fifths, then the vote on the bill shall be deemed reconsidered and the bill shall be subject to amendment by striking out such portion thereof that expresses an emergency in the time of taking affect and then the bill shall be upon consideration upon its



third reading with the emergency clause and time taking effect stricken, provided that the amendment striking out the emergency clause shall be printed and placed on the desks of the members before the bill is again considered on third reading. So, it's the Chair's ruling that you would have to have the bill reconsidered now under that rule and that you will have to have an amendment prepared to do that and have it on the desk before it can be taken up again on third reading, which can be done today. The gentleman from Cook, Mr. Shea."

Gerald W. Shea: "Ah, now, I'd like to get some clarification. You're reading Rule 51."

Hon. W. Robert Blair: "Right."

Gerald W. Shea: "That's clearly says emergency clause."

Hon. W. Robert Blair: "Right."

Gerald W. Shea: "Now to read earlier effective date."

Hon. W. Robert Blair: "I'm I'm reading that's what I said, that the language that's being now expressed in these bills is tantamount to what we did consider as an emergency provision under the old constitution."

Gerald W. Shea: "Right. Now, is it my understanding that the sponsor of this legislation is now asking to postpone consideration of this bill to bring it back to second reading and further amend it? Because at this point, I have no clear indication that he doesn't have 107 votes and if he wants to postpone consideration and bring it back and a further amend it, I believe under our rules that he gets



one more whack at it."

Hon. W. Robert Blair: "Well, the bill, if ah ah under that rule the sponsor can have the amendment drafted, placed on the desk and at that time for consideration, the bill can be taken back to second reading, the amendment put on to take that off, go back to third reading and be considered at that time and that can be done in one day. The gentleman from Cook, Mr. Ewell."

Raymond W. Ewell: "Parliamentary inquiry."

Hon. W. Robert Blair: "Proceed."

Raymond W. Ewell: "Does not Rule 51 require that you at least have a majority of said members before we can take this bill back? In other words, if he doesn't have a majority, then. . ."

Hon. W. Robert Blair: "That's right, that's right."

Raymond W. Ewell: "Oh, okay."

Hon. W. Robert Blair: "But we're going to run the board here and he has to have 89 votes up there before Rule 51 becomes valid. All right, the Clerk will take the record. All right, does the gentleman have leave to postpone consideration? All right, we'll place it on postponed consideration. 3696."

Fredric B. Selcke: "House Bill 3696, a bill for an act to amend 'The Election Code'. Third reading of the bill."

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

Philip W. Collins: "Ah, Mr. Speaker, Ladies and Gentlemen of



the House, Senate Bill, or House Bill 3696 is an amendment to the Election Code which merely provides that additional supplemental lists may be provided to the Board of Election Commissioners at any time prior to the first day of November of the even numbered year. As you know, at the present time the Chairman of each county central committee furnishes a supplemental list and this just changes the act to make it 'or lists'. I would ask for your 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: "Representative Collins, I believe under the new constitution adopted by the people in 1970, it said election laws will be uniform and apply equally throughout the state. I notice that you're only amending that portion of the Election Code that deals with the Board of Election Commissioners. Now, is there some reason you want to file supplemental lists, say within the City of Chicago and Springfield and for some reason you don't want to file supplemental lists in Kane County and DuPage County and some of our downstate areas?"

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

Philip W. Collins: "No, I have no argument with supplying additional lists elsewhere. Ah, of course, you are not only talking about Chicago, you are talking about Board of Election Commissioners which are in, I believe it is



in 11 cities in the State of Illinois. There was no desire or intention to make this exclusively theirs. This does only pertain to Board of Election Commissioners, you're right. But I have no argument with supplemental lists throughout the State."

Hon. W. Robert Blair: "Is there. . ."

Gerald W. Shea: "Well, I have, really I have I think that if we made this apply statewide it might not be such a bad bill, and I have no objections if you want to hold it and make it applicable statewide if we possible could get it out of the House in the Spring."

Philip W. Collins: "Well, why don't we get it out of the House now and in the Spring we can get you the other bill out so that it can all be uniform in time for the election."

Gerald W. Shea: "Oh, I'd love to see them just both together so that the amendatory veto process can work correctly."

Philip W. Collins: "Well, . . ."

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

Philip W. Collins: "Ah, ah, Mr. Speaker, I don't think that there is any serious objection to this bill. I know the distinguished Assistant Minority Leader is sincere in his desire to provide this type of legislation statewide and I certainly will join him in that effort at the time that he presents his bill, I would hope in light of that promise that he would see fit to support this bill and I would ask for your support."



Hon. W. Robert Blair: "All right, the question is shall House Bill 3696 pass with the provision that it shall become effective upon its becoming a law. All those in favor vote 'Yeas', the opposed 'No', and 107 votes are required. All, . . . all right, only 89 are needed on this one, it does not have the provision that I referred to. The gentleman from Cook, Mr. Kipley."

Edward L. Kipley: "Mr. Speaker, I rise to explain my vote and to bring to the attention of the House that this bill got a very thorough hearing in the Elections Committee. There was no objection by anyone in the committee at that time and if it was thought that the bill should be amended, it would seem to me that that was the time that it should have been done. It came out of the Elections Committee with a 17-0 vote. It is not a bill that hurts anybody in any way. As a matter of fact, most of us have supplemental lists and this is no problem for those of us outside of the Board of Election Commissioners. This is a good piece of legislation, it will provide and give help to those areas where Board of Election Commissioners apply. And I see no reason why we shouldn't get a lot of green votes up there. Thank you."

Hon. W. Robert Blair: "The gentleman From Cook, Mr. Shea."
Gerald W. Shea: "In explaining my vote, I'd very much like to vote for this type of legislation, but if I read the constitution right, it says uniform laws throughout the state with regards to election. And I think it would be



wrong to vote for a piece of legislation that only affects Boards of Elections and not County Clerks and like I said, I'd be very happy when this bill is statewide to support such legislation."

Hon. W. Robert Blair: "The gentleman, Maragos, 'Present'.

The gentleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Well, Mr. Speaker, I'm at a loss to explain why there aren't enough votes up there to pass this bill. It certainly doesn't do anything to gore anybody's oxen. It gives everyone an opportunity to provide ample judges of election come election time. Now, this question of uniformity, of the Entire Election Code, has differences between the Boards of Election Commissioners, the County Clerks, and what have you. If, I don't know if the Assistant Minority Leader is arguing that we should have no differentiation between the different authorities, and perhaps you have only one overall state election authority, but I haven't heard that argument in the past, so it would seem to me that if Boards of Election Commissioners are to continue to function as far as their historic sense, then there would be nothing inconsistent with this bill such as presented today. I've already stated that I can appreciate his desire if such supplemental lists are necessary, needed or even desired elsewhere, then I would join in with him in any effort that he would pursue or present at any time to make this a reality and I would be very ah happy to work on this legislation with him. In the mean time, I do think



that this is a bill that has some importance. I, as sponsor of the bill, am from Cook County, I'm used to I should say from Chicago, and working within the Board of Election Commissioners. I think that at least our side would like to provide such supplemental lists and would like to have the opportunity to do so and I would assume that such occasions would arise on the other side. There are I don't think there's anything insidious or threatening to either political party in this bill, and I again would implore you to support this piece of legislation."

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

Gerald W. Shea: "A question of the sponsor. Phil, if you want to pull it out, I'll come over and work with you and I think we can get it in shape today."

Hon. W. Robert Blair: "All right, leave to take it out of the record? All right, we'll take 3696 out of the record. 2683 through 2685, the gentleman requests leave to have those heard as a package, if there's leave, the Clerk will read the three bills."

Jack O'Brien: "House Bill 2683, a bill for an act to amend Section 55a of 'The Civil Administrative Code'. Third reading of the bill. House Bill 2684, a bill for an act to amend 'The Illinois Horse Racing Act'. Third reading of the bill. House Bill 2685, a bill for an act making an appropriation in the Department of Law Enforcement. Third reading of the bill."



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

David J. Regner: "Mr. Speaker, Ladies and Gentlemen of the House, these three bills provide that race track security shall be provided by the Illinois Department of Law Enforcement. There is an appropriation of \$123,800.00 from the Agricultural Premium Fund and it also creates the Race Track Security Revolving Fund where these funds would go for the operation of this security force by the Department and I would urge your favorable support of these three bills."

Hon. W. Robert Blair: "Is there discussion? The gentleman from St. Clair, Mr. Krause."

James G. Krause: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have to rise in opposition of these bills. First of all, what they do is to eliminate the people that belong to the unions down in St. Clair and Madison County that are security guards at the race tracks. This is going to put them under the state and no longer will they be able to belong to the union down there, so I certainly ask that these bills be defeated."

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

Rolland F. Tipsword: "Will the sponsor yield to a question?"

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

Rolland F. Tipsword: "Representative, why should the state pay for these security guards instead of having the the track pay for them?"

David J. Regner: "It's coming out of the Agriculture Premium



Fund where the tracks originally go, Representative Tip-sword, and what these bills will do is to create a profes-sional type of security force."

Rolland F. Tip-sword: "Don't they have security forces now which they pay for?"

David J. Regner: "They do not have any actual police auth-erity. They operate mainly as bouncers, is about all you could explain about the people that they have now. But they would have the full powers of a police officer for arrest, for investigation, throughout the state, not just on the particular track where they are working."

Rolland F. Tip-sword: "Actually, this is just just setting up some more state jobs, is it not?"

David J. Regner: "Pardon me, sir?"

Rolland F. Tip-sword: "Is it not just setting up some more state jobs where we have local police forces to handle these police matters?"

David J. Regner: "No, it wouldn't, it's a total of about 8 people would be involved in the overall operation. There are approximately that many revolving around in the security in the tracks right now, Representative Tip-sword. And as I said, the tracks are paying for it now, and the monies will come out of the Agriculture Premium Fund which is es-tablished tax on the race tracks."

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

Harry Yourell: "Would the gentleman yield for just one ques-tion?"



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

Harry Yourell: "Dave, who who would recommend this personnel on appointment?"

David J. Regner: "The Department of Law Enforcement. They would be members of the Department, Bus."

Harry Yourell: "Would they be members of the State Police?"

David J. Regner: "They could be members of the State Police, they could be members of the Illinois Bureau of Investigation or any of the peace officers under the Department of Law Enforcement. It was purposely set that was as to give the Director the flexibility in assigning the best men in the Department and not relegating them just for coming from one of the forces."

Harry Yourell: "Would they be professionally trained individuals in enforcing procedures, or would they be political appointees?"

David J. Regner: "No, sir, they would be completely trained professional peace officers."

Harry Yourell: "Thank you."

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

Monroe L. Flinn: "Thank you, Mr. Speaker. There are only two tracks outside of the Chicago area, I understand that as a fact. They are down in my part of the state. Now, we have got security people down there with no problems. We have not had many problems in the many years that the tracks have been operating. The people down there belong to Local 100 and have for a good many years and I don't see



any reason why we should change it, so I stand opposed to these bills."

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

James D. Holloway: "Would the sponsor yield to a question?"

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

James D. Holloway: "Now there's only \$50,000.00 annually taken out of the Agricultural Premium Fund to operate all the county fairs in the State of Illinois. How much money do you propose to take out of the Agricultural Premium Fund for the operation of the I.B.I. at the race tracks?"

David J. Regner: "It would be \$123,800.00 for the rest of the fiscal year, that includes \$43,000.00 for personal services, \$33,000.00 contractual services, \$4,000.00 travel, \$2,000.00 printing, equipment necessary, radios and so and so forth, \$26,000.00, automobiles, \$6,000.00, telecommunications, \$5,000.00."

James D. Holloway: "Thank you."

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

David J. Regner: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, just in closing, I'd like to say that the principal advantage of the proposals that would place sworn peace officers with full powers of arrest on each location of any enterprise and provides a significant revenue for the State of Illinois and that it could attract diverse and undesirable elements, and it provides many opportunities



to defraud. The security staff of the present Bureau of Race Track Police has recourse only to citizen's arrest and is unable to follow any investigation as police agency beyond the confines of the race track. Now, if these bills are passed and enacted into law, they will provide professional police protection on race tracks and I urge a favorable vote on these three bills."

Hon. W. Robert Blair: "All right, the, we're going to take separate roll calls on all of these three bills, because the first two do have emergencies and the third one does not, so with regard to House Bill 2683, the question is shall it pass with the provision that it will become effectively immediately upon its becoming a law? All those in favor will vote 'Yeas' and the opposed 'No'. Choate, 'Present'. The gentleman from Lake, Mr. Murphy."

W. J. Murphy: "I don't see the Peoria Journal up there on the rostrum, Mr. Speaker, and I don't know whether I have permission to vote on this or not, this is a race track bill isn't it?"

Hon. W. Robert Blair: "Yes, it has to do with race tracks."

W. J. Murphy: "Well, okay, I think I'll just take a chance and vote anyhow."

Hon. W. Robert Blair: "Record the gentleman anyhow. Have all voted who wished? The gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Well, Mr. Speaker, in explaining my vote I just want to say that I think it's important that we have professional trained security at our race tracks for two



reasons. First of all, the state has a tax interest in seeing that money wagered at the tracks actually gets placed at the mutual window. Now, it is my common knowledge and my limited time spent around race tracks has shown me that there are book makers who work the tracks and take bets from people there that never do get to the mutual window and they're protected by the so-called security police who let them ply their trade. The result is the taxes never do get processed through, the state never does get the tax money, and it would seem to me that that would be in the best interest of the State of Illinois to have a very professional, responsible agency with central responsibility and training to provide this security at the tracks, if only to protect the tax interest that the state has, in addition we all know that the tracks are a great haunt for people of very unsavory background and a local security officer will be about as effective in eliminating that person as a bouncer in a neighborhood saloon. It just won't happen. But if you have the arm of the state behind the security police, I think you can effectively police the track and make sure the wrong people aren't having an influence there and you will safeguard the money that the state ought to get from these race tracks. If we are going to have tracks, if we're going to have racing, let's see that it's run on a very professional basis and security at the tracks is important. I think that this is a good bill and ought to be supported."



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

Tobias Barry: "Mr. Speaker and Ladies and Gentlemen of the House, it seems to me that we ought to let the tracks pay for their own policing and that's what they do when we beat this bill. In addition to that, I think we're contributing enough to the race tracks by all of the uniform State Police that I see around them handling all of the traffic. I think we ought to stop right there and let the tracks pay for their own policing."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Lechowicz."
Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Just to set the record straight, the race tracks will pay for their own policing by an amendment that was placed on the bill in conjunction with the sponsor that the money gathered from the race tracks would go into the revolving fund for the security purposes at the track. Just to set the record straight."

Hon. W. Robert Blair: "All right, have all voted who wished? The Clerk will take the record. Does the gentleman have leave to postpone? All right, place it on postponed consideration. The question with regard to House Bill 2684 is shall it pass with the provision that it will become effective immediately upon its becoming a law? All those in favor will vote 'Yeas', the opposed 'No', and it requires 107 votes. All right, the gentleman from Cook, Mr. Regner."

David J. Regner: "Mr. Speaker, 2684 and 2685 were companion



bills with 2683 and I'd like to ask to take both of these bills out of the record for the time being."

Hon. W. Robert Blair: "All right, have leave to take it out of the record? All right, the question with regard to House Bill 2685 is shall it pass?"

David J. Regner: "The same request on 2685, those three were companion bills and I did want them heard together."

Hon. W. Robert Blair: "Oh."

David J. Regner: "I'd like to have allthree taken out of the record for now. -83 is postponed consideration."

Hon. W. Robert Blair: "All right, we'll take 84 and 85 out of the record, if there's no objection and 2683's already been placed on postponed. 2703."

Jack O'Brien: "House Bill 2703, a bill for an act to add Section 63b2.1 to 'The Civil Administrative Code'. Third reading of the bill."

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

Norbert G. Springer: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2703 directs the Department of Conservation to procure for each employee of the Department, designated by the Director of the Department, without cost to him public liability insurance, protecting him against any liability arising out of his employment to the extent of the policy limits not exceeding \$100,000.00. I urge your favorable support."

Hon. W. Robert Blair: "Discussion? The question is shall this



bill pass? All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The clerk will take the record. Duff, 'Yeas'. On this question, there are 96 'Yeas' and 10 'Nays' and this bill having received the constitutional majority is hereby declared passed. 2719."

Jack O'Brien: "House Bill 2719, a bill for an act to amend sections of an act relating to the Illinois State Fair.

Third reading of the bill."

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

Philip W. Collins: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2719 is a bill which would raise the salary of the Superintendent of the State Fair from to \$24,000.00 a year. Ah, this bill would bring his salary within range of other agencies and departments that have similar duties. This is a job that combines the requirements for a businessman, farmer, and entertainment man. It's a full time job. We now have a new full time state fair superintendent and I think the bill warrants your support and I ask for a favorable vote."

Hon. W. Robert Blair: "All right, the question is shall House Bill 2719 pass? All those in favor will vote 'Yeas' the opposed 'No'. Have all voted who wished? The Clerk will take the record. All right, does the gentleman. . . Jake Wolf, 'Yeas', does the gentleman have leave to postpone? All right. 1869. Does the gentleman have a motion on that one?"



Romie J. Palmer: "Ah, Mr. Speaker, I would like leave of the House to table House Bill 1869."

Hon. W. Robert Blair: "All right, is there objection? Leave will be granted then to table 1869. 3600."

Jack O'Brien: "House Bill 3600, a bill for an act to amend sections of the 'Bingo License and Tax Act'. Third reading of the bill."

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

John G. Fary: "Ah, this bill, Mr. Speaker, is amendatory bingo legislation. After talking to some of the organizations who have put the bill into affect, Monsignor Mozerius, Monsignor Brogan, Monsignor Korscho, Father Gress, Father Gregowski, the Elks and the Eagles, Congressman Libonati, representing the American Legion, Veteran of Foreign Wars, thousands of religious, charitable, labor, fraternal, civic, education and veterans' organizations throughout the State of Illinois are eligible to conduct bingo. However, many of these organizations have social centers or recreation halls which are limited in size and since the purpose of conducting bingo games is to provide recreational and fund raising opportunities, little can be realized financially under the present bingo law. Under our bingo legislation all cards that are sold are for the maximum number of 25 games which can be played on that date. There are no provisions made for conducting special games and the 25 regular game which can be played are often completed in one hour. Each particular organization has to buy bingo equipment and



supplies, tables, chairs, pay for janitorial services, purchase attractive prizes, buy a bingo license, pay over \$200.00 and also contribute ten per cent to the state of the gross take. Because of the limitation under the present bingo legislation, less than ten per cent of those eligible organizations have actively taken out bingo licenses. This amendatory House Bill 3600 makes it possible to sell extra copies of cards for special games of bingo which will bring in additional income to the sponsors and to the state. It would also make bingo more desirable to the patrons. These special cards could only be sold once and would only be used for five special games which would be included in the total of 25 games for the evening. There wouldn't be any extension of games whatsoever. The additional special games would provide for a longer evening of entertainment and recreation and would enable the sponsor to attract larger crowds and provide more attractive prizes. I am sure that most of you legislators present have heard from some of the not-for-profit organizations in your respective districts that the present bingo legislation does not serve the purpose intended. The amendatory legislation will serve that purpose by providing the sponsor of the opportunity of offering special gain. In addition to the sale of extra cards for special games, amendatory veto bill will make it possible for many organizations who can not conduct weekly bingo to obtain a special license enabling them to conduct bingo twice a year at picnics and in-door and out-



door festivals for a period not to exceed five days each, instead of having to obtain a bingo license at a fee of \$200.00, this bill allows these organizations to obtain a special license fee for \$50.00 which would still enable them to participate in this method of fund raising on a limited basis. I ask for a favorable vote."

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

Gene L. Hoffman: "Would the sponsor yield to two questions?"

John G. Fary: "Yes, with pleasure, go ahead."

Gene L. Hoffman: "I either didn't hear you indicate it or you didn't indicate what is classified as a civic organization? In other words, what is covered by the bill now that would be covered under the new definition?"

John G. Fary: "Well, first of all we are deleting the word 'civic'. Civic was intended for raffles and chances and not for the bingo bill and so we have deleted that by a committee amendment. Now, the new part of the law in this particular bill will be that an organization will be permitted to obtain a bingo license to operate twice a year, five days each time, inside or outside, for a fee of \$50.00. They do or would qualify for a \$200.00 license but they don't want to run every week, they only want to run say twice a year and they're willing to pay \$50.00 for that privilege."

Gene L. Hoffman: "Give me an example."

John G. Fary: "Well take for instance my church, Father Gregowski although he had one of the most successful illegal



bingo games, he doesn't feel that with everybody else going into this act, that it would be very profitable for him. And so he said I'd like to run maybe two shots a year, the Spring Festival and a Fall Festival. Now, for that I'd be willing to pay not \$200.00 for a license, but \$50.00. This would give him the privilege to run an outside or inside carnival for five days each time, twice a year. Does that explain it?"

Gene L. Hoffman: "Are you saying then that church is a civic organization?"

John G. Fary: "I'm talking about any charitable, non-profit, labor, fraternal, education and veterans' organizations throughout the State of Illinois would be eligible."

Gene L. Hoffman: "What is this, under this then what would be the maximum for any one in an evening with the special games?"

John G. Fary: "Ah, it averages out about \$3.00."

Gene L. Hoffman: "Thank you."

Hon. W. Robert Blair: "All right, any further discussion? The gentleman care to close? The gentleman from Cook, Mr. Fary."

John G. Fary: "I ask a favorable vote so we can continue with keeping these little old grandmothers happy with a social night out."

Hon. W. Robert Blair: "All right, the question is shall House Bill 3600 pass with the provision that it shall become effective immediately upon its becoming a law. All



those in favor will vote 'Yeas', the opposed 'No', and this requires 107 votes. Have all voted who wished? All right, the Clerk will take the record. On this question, there are 119 'Yeas', and 19 'Nays' and this bill having received the votes required under the constitution, is hereby declared passed. 3671."

Jack O'Brien: "House Bill 3671, a bill for an act to amend Section 28-1 of the 'Criminal Code of 1961'. Third reading of the bill."

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

John G. Fary: "Mr. Speaker, may I ask that 3671 and -72 be heard at the same time as they are companion bills."

Hon. W. Robert Blair: "Is there leave? All right, read 3672."

Jack O'Brien: "House. . ."

John G. Fary: "At the present time the Attorney General's Office has a list of more than 5,000 registered not-for-profit organizations in the State of Illinois. The majority of these organizations have to depend on the solicitation of funds from the general public for running benefits to sustain operations. In addition, there are approximately 10,000 other not-for-profit organizations that are not legal in scope or membership which must also conduct fund raising campaigns. Most of these funds raising campaigns deal with the promotion of raffles and chances. Presently the sponsors of these 10,000 organizations conducting the sale of raffles and chances are breaking the law. The



people who purchase the tickets are breaking the law, those who print, public or promote the sale of these tickets are also breaking the law. Now that the word 'lottery' has been stricken from the new constitution, it is possible under House Bill 3671 and House Bill 3672 to legalize the sale of raffles and chances for the thousands of organizations who conduct this type of fund raising activity. As well as for more than 1,000,000 people throughout the State of Illinois who assist these worthwhile organizations by buying raffles and chances. Let me ask this question here today. Are there any of you here present that have not been asked by your constituents to sell or purchase raffles or chances in the last year or within the last month or within the last week. For that matter 'it isn't this also true regarding the members of your family who have been asked to participate in fund raising for worthwhile organizations and various charities in your district? Under the terms of these bills, the State would receive a yearly fee of \$50.00 from every organization conducting this form of fund raising as well as 5% of the net proceeds thereof to be paid to the Department of Revenue and to be deposited in the common school fund. Through the passage of House Bills 3671 and -72, thousands of not-for-profit organizations as well as the State of Illinois would realize a substantial gain through the legalized sale of raffles and chances. This is an untapped source of revenue. I ask a favorable vote."



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

Eugene F. Schlickman: "Will the sponsor. . ."

Hon. W. Robert Blair: "Oh, one moment, would the read 3672, because they're both being. . ."

Jack O'Brien: "House Bill 3672, a bill for an act making lawful the conducting of raffles and chances by certain non-profit organizations and requiring licensing and prescribing regulations therefor. Third reading of the bill."

Hon. W. Robert Blair: "All right, the gentleman from Cook, Mr. Schlickman."

Eugene F. Schlickman: "Would the sponsor would the sponsor yield for a question?"

John G. Fary: "Yes, sir, go ahead."

Eugene F. Schlickman: "Representative, the bingo act is administered by the Department of Revenue, licensed applications must be submitted to the Department of Revenue and then licenses are granted by the Department of Revenue. In the process, of course, the Department has established an office which it has staffed for the administration of that act. By House Bill 3672, you are now authorizing the Secretary of State to establish a parallel organization for the administration of this act. I'm wondering why you have the Secretary of State administering, rather than the Department of Revenue, which is already set up and established board administration."

John G. Fary: "In the Senate, the Senate Sponsor will amend



it to make it the Department of Revenue. I talked to Willard Ice about that and Willard Ice ask me to submit that amendment and they are agreeable to handle it in the Department of Revenue, as they are equipped for it."

Eugene F. Schlickman: "Do I understand, then, Representative, that it's your intention that if and when the bills go to the Senate you will have the Department of Revenue substituted for the Secretary of State for administrative purposes?"

John G. Fary: "Ah, the Department of Revenue will handle the entire program and also we're going to ask that the five per cent, that the increase that the ten per cent, I talked to my Senate sponsor over there and he agreed to submit those amendments."

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

Robert S. Juckett: "Mr. Speaker, would the sponsor yield to a question or two?"

John G. Fary: "With pleasure, go ahead."

Robert S. Juckett: "Ah, when I first read the bill, I thought I knew what a chance or a raffle was and then as I kept on reading the bill, it indicates that they'll be able to erect locations for conducting raffles and chances that they could not have more than 25 games in a day. What kind of ah games do you play with raffles and chances?"

John G. Fary: "That, Mr. Juckett is an error and is going to be eliminated in the Senate also. We we have a time schedule here and I'm I couldn't pull it back. It's part of



the bingo bill that was accidentally typed in, but I just wanted to say this. It would be awful lopsided if somebody if some of the organizations, the Veterans' Administration, the American Legion or even the Churches or organizations would have a bingo game or a carnival on the outside and they have the tents and booths out there and they have jar deals and they're raffling off an automobile or a television or a radio or anything else, or having to spin wheels raffling off hams and bacons which would be illegal. All I want to do is make it legal so it falls in one category and the state will get an income from a new source of revenue."

Robert S. Juckett: "Okay, you indicated in Section 4 on page 2 that the amount of the merchandise awarded on any single day can't exceed \$1,700.00. You also indicated that the prizes can not exceed \$50.00 case or its equivalent for any one game. And if that's so, how can you raffle off an automobile or any kind or a television set as is often done or trips to various places around America, how would those kind of games ever be possible with this kind of a bill, with these kinds of limitations and wouldn't you in effect be eliminating most of the typical raffles or chances?"

John G. Fary: "No, I don't think so. I I didn't read the bill to tell you the truth, at the same time all I was asking was to legalize raffling and chances, now they did get the two bills mixed up, the bingo bill and raffles and



chances, and that's that's how the other wording got in. Now, we're going to amend that thing in the Senate and to eliminate it. Willard Ice and I went over that very thoroughly."

Robert S. Juckett: "All right, now on Section 4 on page 3, where the bingo bill I think you're correct, I think they took the language from the bingo bill but I notice that they change, they don't give out 10% of the net as they do in bingo. They only give 5% of the net and that goes in to the common school fund. What happened to the Mental Health fund?"

John G. Fary: "Well, the Governor of the Great State of Illinois decided that he wanted it put in the General Revenue fund rather than the original earmark, Mental Health and Education. Now, if he wants to put it in the General Revenue fund, it's all right with me. I would rather see 10% of the gross and not 5% of the net. We intend to amend it justly in the Senate."

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

J. Theodore Meyer: "Question of the sponsor, Mr. Speaker."

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

J. Theodore Meyer: "Representative Fary, would would this permit the and I don't mean this to be, would this permit a group which is a loosely associated, so called a civic association, to run a policy game on the West side and issue chances?"

John G. Fary: "Yes, I imagine it would."



J. Theodore Meyer: "Mr. Speaker, this is probably the worst bill we've seen in this November session. I don't think the people of the State of Illinois in the City of Chicago want a legalized policy in Chicago."

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

Bradley M. Glass: "Will the sponsor yield for a question?"

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

Bradley M. Glass: "Mr. Speaker? Ah, Representative Fary, with reference to House Bill 3672, Section 1, ah I've been looking at the definition of the organizations which would be entitled to a license under the bill and I notice as I read it, an organization would qualify for a license only if it had for the past five years it had dues paying members? Am I correct in that interpretation?"

John G. Fary: "No, no, that's also some of the bingo wording. All all. . ."

Bradley M. Glass: "You mean the entire Section 1 is to be deleted?"

John G. Fary: "That is right, all we want to do is legalize raffles and chances. And you know what a raffle and chance is? And also to prevent the undesirable elements from printing tickets in basements and selling phony and fictitious raffles and chances and the people don't have a chance of winning, because they don't get the counter bowl that your Irish, you know what a counter bowl is? It comes from Ireland, it's your receipts for Irish Sweep-stake Tickets. A lot of them are printed in basements,



people buy them, they don't know that they're getting phonies. This bill would correct that. You would get receipts, the money would be used for proper purposes and it would be legalized all the way around, where it'd be made within the pale of the law. Whereas, now it's going on every day, going on all the time, it's strictly illegal, but it's still going on."

Bradley M. Glass: "Well, I merely trying to determine what organizations would qualify for a license and ah. . ."

John G. Fary: "Anybody at all, anybody that wants to whatsoever, boy scouts, cub scouts, little league, anybody that's selling raffles and chances now. They would have to pay a license and pay ten per cent of their gross receipts of this to the state."

Bradley M. Glass: "Well, then Section 1 of House Bill 3672 is not accurate, is that correct, as it now reads?"

John G. Fary: "It won't be when the Senate gets through with it."

Hon. W. Robert Blair: "All right, the gentleman care to close?"

John G. Fary: "If this thing is going to cause all of this commotion, I would just as soon get a fast reading on that gambling machine up there and see what it looks like, and if it looks too bad, I'd like to postpone it and sit down with Willard Ice and have a complete new bill made up. But remember you fellows, raffles and chances are going on every day, you've got them in your pocket. Now, if you don't



want to legalize it, you want it to run just as it is now, illegally, it's okay with me, but you're going to run into some very difficult problems in the very near future."

Hon. W. Robert Blair: "All right, the question is shall each of these bills pass? All those in favor shall vote 'Yeas', the opposed 'No', and the Clerk will take two records. Have all voted who wished? All right, the gentleman from Cook, Mr. Fary."

John G. Fary: "I ask to postpone consideration, Mr. Speaker."

Hon. W. Robert Blair: "All right, does the gentleman have leave? All right, we'll place 3671 and -2 on postponed. All right, 3744."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "The gentleman ask leave to ah take the bill back to second reading for the purposes of an amendment. Are there objections? Hearing none, the bill will be taken back and the Clerk will read the amendment."

Fredric B. Selcke: "House Bill 3744, McCormick. Amendment Number One. Amends House Bill 3744 on page 1, line 5, by adding after the second period the following: 'For purposes of this act, unless the context clearly requires otherwise, the following definitions shall apply:' between lines 5 and 6, insert the following: 'Compensation' means any money, thing of value or financial benefits received or to be received in return for services rendered or to be rendered for influencing a public official in the exercise of his official public duties. between lines 9 and 10, insert the



following: 'Political committee' shall mean any person, group of persons, committee, association or organization which accepts contributions and makes expenditures for the purpose of aiding or promoting the success or defeat of a candidate or a political party or ballot issue in Illinois between. . ."

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

C. L. McCormick: "Ah, Mr. . . ."

Hon. W. Robert Blair: "The gentleman from. . .the gentleman in front of Mr. McCormick, if they would. . ."

C. L. McCormick: "I can't see. . ."

Hon. W. Robert Blair: "Yeah, if would the gentleman there in front of Mr. McCormick, thank you."

C. L. McCormick: "Yeah, now, this is amendment, Mr. Speaker, on 3744 as you know was we tried very unsuccessfully to amend 3700, the Ethics Bill, to cover this particular issue and the Speaker, and I say rightfully so, ruled that it wasn't germane to the bill. So, because because as today is the day of regeneration in Illinois, and this is the day that we have all taken our bath with the detergent with all the phosphates in them, and cleaned ourselves, now this bill needs a few things in order to clarify itself. Now, actually what we've done under the compensation division, we have used the same description that is found in the 1967 Lobbying Act. On the political committee, we have used the same description as House Bill 3700 that we have just fin-



ished. They're just clarifying. Another thing on page 1, we have fixed it so that they will file semi-annually by January the 10th of each year. Now, this is the report of expenditures of candidates and issues in the general election to broaden it to make it public policy. Another section on page 1, line 23, by listing spells out the information required in the semi-annual reports of political advertising, rates charged, identify the candidate, and then over on the and on the same as line 28, it just continues on in giving a full description, Mr. Speaker, of what actually that this covers, Mr. Speaker. Now, it says that in Section 3 it provides for no discrimination as far as advertising rates are concerned for political or public interest. In other words, if I have an ads for my dollar store in Vienna, and it's \$10.00 I could have the same size ad in the same paper for the re-election of C. L. McCormick as Representative for the same price, and at the present time in Illinois there is quite a variance in the price that you pay for political advertisement and for commercial advertisement. Now, also this covers referenda items, public issue, public projects that people might support or fight. Also, it adds one section over on page 3, a credit or interest or a face value or fair market of more than \$1,000.00. It adds interest and debts of the people that own the papers and private industry. So, I think that this amendment is mostly clarifying and it does add some of the language that we had in 3700, plus it it



brings in the 1967 Act and Mr. Speaker, I would move the adoption of Amendment Number One."

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

Fredric B. Selcke: "Amendment Number Two, McCormick. Amends House Bill 3744 on page 1, line 2, by striking the period and inserting in lieu thereof the following: 'in relation to the press, regulating political and public service advertising rates. . .'"

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

C. L. McCormick: "Mr. Speaker, Members of the House, all this amendment does is broaden the scope of the title of the bill, so that ah we are hoping that you won't be forced into making the same kind of ruling that you made last week. That, very frankly, is what it's for. And I would move its adoption, Mr. Speaker."

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

Fredric B. Selcke: "Amendment Number Three, Yourell. Amend House Bill 3744 as amended, by adding after Section 5 the following: Section 6a, and so forth."

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



Harry Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Amendment Number Three merely adds a new section to House Bill 3744. Section 6 which provides for penalties and for failure to file and for lobbying for compensation. It also takes care of the old Section 2 and broadens the language in Section 2 and adds penalties therein. That's all that it does, it just adds Section 6 to House Bill 3744, providing for penalties for failure to file and for lobbying for compensation. Mr. Speaker, I move for its adoption."

Hon. W. Robert Blair: "Discussion? All those in favor of the adoption of Amendment Number Three say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. House Bill 2881."

Fredric B. Selcke: "House Bill 2881, a bill for an act to in relation to the payment of wages due non-governmental employees for their employers, to provide for the enforcement thereof through the Department of Labor, and to make a violation thereof a misdemeanor. Third reading of the bill."

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

Allan L. Schoeberlein: "Ah, Mr. Speaker, if I may have consent of it, I would like to have House Bill 2882, it's companion bill, read at the same time."

Hon. W. Robert Blair: "All right, is there leave? Read 2882."



Fredric B. Selcke: "House Bill 2882, a bill for an act to repeal an act relating to wages due employees from corporations doing business in this State. Third reading of the bill."

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

Allan L. Schoeberlein: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2881 is a bill that was drawn for the Labor Laws Commission and was heard in committee and I believe it was passed out of committee with four amendments and passed out unanimously. It is an act in relation to payment of wages for non-governmental employees. It givesthe Director of Labor the power to assist in the collection of wages due up to \$1,000.00 and it also permits, provides for certain willful violation penalties. As I mentioned, it did come out of the Labor Committee, I believe unanimously, it was laid over for three months to see if there were any other amendments we would like to attach to the bill, and I would like your support, please."

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

Thomas J. Hanahan: "I, too, Mr. Speaker, Members of the House would like to join with Representative Schoeberlein in commending this bill. At the present time Director of Labor could only enter into what wages claims up to \$300.00 and when that law was passed many years ago, \$300.00 seemed to be an adequate amount of money for the Department of



Labor to intercede in a wage claim, because of inflation, because of higher wages, many times employees are gypped out of wages of two and three weeks duration and if it was over \$300.00, the Department of Labor could not intercede. This way, with passage of this bill, up to \$1,000.00 in wages can be attached by the Department of Labor and it's a good bill, supported by the A.F.L.-C.I.O. and I urge its adoption."

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

Tobias Barry: "Will the sponsor yield to a question?"

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

Tobias Barry: "Is there any additional cost involved with this, Al, or is it merely the \$300.00 raised to \$1,000.00?"

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

Allan L. Schoeberlein: "The Department of Labor with their regular force will take care of it."

Tobias Barry: "Thank you."

Hon. W. Robert Blair: "All right, the question is shall these two bills pass? All those in favor will vote 'Yeas', the opposed 'No', and the Clerk will take two records. All voted who wished? The Clerk will take the record. On these questions, there are 147 'Yeas', no 'Nays' and each of these bills having received that vote and the constitutional majority are hereby declared adopted. House Bill 3744."

Fredric B. Selcke: "House Bill 3744, an act to regulate certain



lobbying activities and to require economic disclosure ancillary thereto in relation to the press. Third reading of the bill."

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

C. L. McCormick: "Mr. Speaker, I would, and Ladies and Gentlemen of the House, would request unanimous consent of the House for suspension of Rule 47a so that this bill can be completed today before the deadline."

Hon. W. Robert Blair: "Is there objection? All right, hearing none, the provision of 47a which requires an amendment that's adopted shall be placed on the desk for one day for such amended bill shall be considered on third reading is suspended. Read the bill. All right, he's, it's been read a third time. The gentleman from Johnson, Mr. McCormick."

C. L. McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, I think that we have heard the discussion on this bill very thoroughly for the past two or three days. I think that it is only fair that legislation for the people of Illinois to be completely covered ethically by all people who have anything to do with public process of making laws in Illinois. I'm looking at the Federal Communication Commission's regulations as far as the television people are concerned and as far as the radio is concerned, and in this Country, and they are prohibited from making separate rate changes for political advertising, or for referenda advertising, than then they do for the regular commer-



cial advertising. I think that in Illinois that we have come to a place in our state where the people maybe not the people as a violent group of people, but by their representation of the news media have called for the complete cleanliness of all things that have to do with public life in Illinois. And I thoroughly agree with that and I think that the Governor's right when he says that we should all step into the clear bowl and be seen that way. And I would appreciate very much, Mr. Speaker, 107 votes on this bill so that it could become effective on passage in the Senate and on signature of the Governor."

Hon. W. Robert Blair: "All right, one of the amendments did add that provision so that it will become effective if it receives the 107 votes now. The gentleman from Rock Island, Mr. Henss."

Donald A. Henss: "Mr. Speaker, Ladies and Gentlemen of the House, I know that we suspended the rule that required amendments to be on the desk for one full day, but we have adopted amendments and we don't have them on the desks, even now. Ah, it never was explained what was in Section 6 which was added. I wonder if the sponsor of the bill could tell us what the penalties are for violation of this provision."

C. L. McCormick: "I would refer you to the sponsor of that amendment, inasmuch as I now just received it myself. Representative Yourell."

Harry Yourell: "Yes, thank you. . ."



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

Harry Yourell: "Thank you, yes, thank you, Mr. Speaker. The penalties that are provided under Section 6 and I'll read it to you under sub-title (a), a person, company or other business entity who fails to file a report as required in Section 2, that is Section 2 of the bill, before this amendment, shall upon conviction thereof, be punished by a fine of not more than \$10,000.00. Any person, company or other business entity which knowingly files a report under Section 2 containing false information or omitting required information shall, upon conviction thereof, be punished by a fine not to exceed \$1,000.00 for each item of false or omitted information. Do you have a copy now, Representative? And the other part on line 9 and 10 by a fine not to exceed \$1,000.00 for each item of false or omitted information. Now, in Section (b) on lines 16 and 17, be punished by a fine not to exceed \$1,000.00 who willfully files a statement under Section 4 in the bill containing false information. Then, on page 2 of the amendment under (d) line 3, in violation of Section 5 or such activities engaged in for compensation. Now, this is the area dealing with lobbying for compensation, shall upon conviction thereof be punishable by a fine not to exceed \$5,000.00 or three times the value of the compensation, whichever is greater, and shall be imprisoned in an institution other than the penitentiary for a period not to exceed one year."

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



Henss."

Donald A. Henss: "As I understand there is a penalty of imprisonment up to a year for violation of what provision now?"

Harry Yourell: "For a public official in violation of Section 5 where such activity as such as lobbying is for compensation."

Donald A. Henss: "For lobbying by the press for compensation?"

Harry Yourell: "Any person, it says, who violates this act by having any activity with a public official in the area of lobbying for compensation shall be subject to the fine and the imprisonment stated in Sub-section (d) of Section 6."

Donald A. Henss: "So what you're saying it's illegal from now on to lobby for compensation, is that the the import of this bill?"

Harry Yourell: "It says simply this. Any person who violates this act, this amendment merely adds the penalties to the original act of 1967 for lobbying for compensation. There were no penalties in the old act for lobbying for compensation. This merely adds in section 6 the new part under Sub-section (d) those penalties."

Donald A. Henss: "I find that I still don't know who will be affected by this?"

Harry Yourell: "This does not, does not, Representative Henss, eliminate lobbying as we know it. It eliminates and provides by penalty both monetary and by imprisonment for lobbying for compensation as defined in the act of 1967 in this act 3744."



Donald A. Henss: "Now, is there a fine up to the amount of \$10,000.00 for members of the press involved in this?"

Harry Yourell: "Going back to Section 1 (b) under the new Section 6, any person who fails to file who fails to file a timely verified written statement of economic interest under Section 4, or who willfully files a statement under Section 4 containing false information required by that section or who knowingly files such a statement omitting information required, shall upon conviction thereof, be punished by a fine not to exceed \$1,000.00."

Donald A. Henss: "And who does Section 4 apply to?"

Harry Yourell: "Section 4 under the old act applies to any person."

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

Tobias Barry: "Just to suggest the amendments are now being delivered to the desks."

Hon. W. Robert Blair: "Is there further discussion? If not, does the gentleman from Johnson, Representative McCormick, wish to close the debate?"

C. L. McCormick: "Mr. Speaker, I feel like that everybody knows the bill and the amendments are being passed out now. I would appreciate 107 votes or better. Thank you."

Hon. W. Robert Blair: "The question is shall House Bill 3744 pass with the emergency clause? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. The gentleman from Lake, Representative Pierce, to explain his vote."



Daniel M. Pierce: "Mr. Speaker, I don't have these amendments. This bill was amended about fifteen minutes ago. We don't have the amendments, and I don't intend to vote for this bill until I have a chance to read them. The bill should have gone to committee like every other bill. There's something unusual going on here and I think we ought to put this over and study it and send it to Representative Lindberg's committee for someone to give us a report on the bill. I don't know what it purports to do, I don't think anyone else in the House does."

Hon. W. Robert Blair: "O'Hallaren, 'Yeas'."

Daniel M. Pierce: "I intend to vote 'Present' until I understand what this bill does."

Hon. W. Robert Blair: "Record Representative Lindberg as voting 'Present'. The gentleman from Johnson, Representative McCormick, to explain his vote."

C. L. McCormick: "In explaining my vote, Mr. Speaker, I am not a bit surprised at some of the fellows taking their tails and putting them between their legs and running, because that has happened on the floor of this House many times when it comes to trying to bring under the same kind of rules and regulations that affect everybody else, the media in Illinois. I don't even want to pretend to try to convince anyone to do anything that they don't want to do. But I want to tell you one thing for sure. When you go to your newspaper and you put an ad in for your candidacy and you pay nearly twice as much as you do when you put it in



for your business, there's something wrong with that kind of a program, it isn't fair. Now, Mr. Speaker, it looks to me as though in Illinois, you're going to have three kinds of people in the State of Illinois. You're going to have the citizen that is confused by the legislative process in Springfield because of the way that the news is distributed to the people in Illinois. That, we know, is a fact we know that's going to continue. We also know that people like myself and many more in this House voted for 3700 because we thought that the people back home would think that we were up to something if we didn't. Everybody in this House also knows that the press has a free rein to do anything that they please to anybody they want to on any innuendo that they want to make. For instance, I was just reading a little article here, Mr. Chairman, Mr. Speaker, about a man by the name of Robert Cox. They said that he is an obscure consultant. And here is a man that has worked for five presidents of the United States, Democrat and Republican. Here is a man that has a a background that is unimpeachable as far as anybody is concerned in this House. He worked for H.E.W., Bureau of the Budget, he's worked with Selective Service, Social Security, but they say he's an obscure person. Now, let me tell you this. You can be the obscure person next year if you want to be, but let me tell you something else. This makes me think of last night I went back out to the motel and I laid down to go to bed and I happened to reach over and pick up a little pamphlet



that was on the bed beside me and it had a little old story and it wasn't very long and it made me think of the way the press gets by with everything. Anyway, this fellow, he went out to the night club and he picked him up a real pretty girl, you know, and he was a pretty hot shot himself. And he took her out and he said, you know, honey, he said, I would like for you to model for me. And this is kind of like the press does us, we're supposed to model for them. Only, he said, I'd prefer that you do it in the nude and that is what they'd like for us to do, but they don't want to become in the nude. And she said, but honey, she said, that would be in the nude and I'm not a model. He said, well, honey, that doesn't make any difference, I'm not an artist either. So, when you fail to give me the 107 votes that it takes to pass this bill on making it effective immediately, it means that you think that you ought to become naked before the people of Illinois, but that the very people that stripped you of the decency that you were elected to be for up here, you've not got the guts or the courage or the back bone to ask them to step in the same fish bowl with the rest of us."

Hon. W. Robert Blair: "Have all voted. . . ."

C. L. McCormick: "That's all."

Hon. W. Robert Blair: "Have all voted, . . . The gentleman from Macon, Representative Borchers, to explain his vote."

Webber Borchers: "Ah, Fellow Members of the House and Mr. Speaker, a few years ago in Decatur and our newspaper is



not over enthusiastic about me, we they wrote an editorial about a matter I won't go into that, it's not important now, but they wrote an editorial severely criticizing some actions of mine in relation to this House. And, so I went down and ask to put in a letter to the editor to answer them. They refused me permission to answer. So, I had to go to I got a mimeograph machine and I figured my letter and well, I might step back one moment and say that I asked twice to ask permission to put in my letter to the editor, and when I did mimeograph the letter and pass it around the town, putting them in the banks and various office buildings, and one thing or another, I very carefully put at the top of my letter to the editor the two dates that I was refused permission to answer the editorial. Now, this is certainly controlling the press in an most unjust way. I personal experience of this. I'm personally happy to vote green, because I think that what has been said once before on another matter today or this week on the House floor, what is good for the goose is good for the gander, and this is certainly a case of what is good for the goose is good for the gander and we certainly shouldn't be afraid to put some green lights up there and support Representative McCormick's bill. He is fighting for us and we should support him."

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

George W. Lindberg: "Well, Mr. Speaker and Ladies and Gentlemen of the House, just to take a moment to explain the



reason why I'm voting 'Present' on this bill. I'm advised that this bill was not the product of a commission, which isn't necessary, but it also didn't get a hearing before a committee, I'm advised. Opponents to this bill did not get the opportunity to come down here in the legislative process and be heard. The next thing we know, we're on second reading and then third reading and then back to second reading with amendments, and now we're on third reading with amendments that apparently no one has seen, and from what I can ascertain, we don't even have a printed bill, so it seems to me that there's quite a distinction between this particular bill and the way it's been handled here and 3700, so for that reason I don't know what I'm voting on, so I'm going to vote 'Present'."

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

Harry Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, you know I read in the newspapers not too long ago since the debate began and somewhat before that debate on 3700 that you fellows that voted against this ethics legislation, regardless in what form it took, were certain to lose your next election and not return to this House whether it be the House or the Senate. I'll guarantee you one thing, when the vote comes out in the evening papers, wherever you live in the State of Illinois, tonight that those who voted for the legislation will be obscured somewhere in that newspaper, but I'll guarantee you this, that



those who voted against it will be in big black bold bold type somewhere in that newspaper. Now, you know those people who are opponent to freedom of the press, and I'm certainly one of those, cry to me continually about the first amendment to the constitution, the freedom of the press, the freedom of speech, and all these other very nice connotations. And I tend to agree with them, but the first amendment and the freedom of speech that they speak of can be violated and has been from time immemorial, and you know that because we've added amendments to our constitution to correct injustices that have been done from time to time. There isn't a man or a member of this House that hasn't been violated his freedom of speech, his freedom of action, his freedom of thought has not been violated by a member of the news media that sits up in that press gallery, and all you have to do if you haven't proven it to yourself by now is pick up any copy of the paper downstairs today and I'll guarantee you that the 'NO' votes on the ethics legislation will be in big black bold type. And you are not coming back to this House. That's the kind of influence the news media has on the electorate today and if there's something wrong with guaranteeing freedom of the press, freedom of speech for everybody and not saying to us that the only ones that are entitled to that specific freedom are people who write the speeches words for the newspapers or other forms of the news media. And I say to you here's an opportunity to get on your two feet and say to the news media



it's about time that you start printing the facts and not the connotations and the innuendoes that you've been printing for years and years and years. I say to you also this, go downstairs and find the newspapers and convince yourself. There's nothing wrong with this legislation, if we're going to have ethics legislation apply to us, apply to all public officials, then we should have some ethics legislation apply to those who have so much to do with formulating public opinion that generates that type of legislation. Now, you know that I voted for ethics legislation, I'm going to vote for Senate Bill 81 when it comes over here and I'm going to vote for every piece of ethics legislation simply because I want to be consistent, and by being consistent I mean I insist that members of the news media and anybody else that has something to do with formulating your public opinion and your actions on the floor be covered likewise. I ask you get the green lights up there."

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

Donald A. Henss: "Mr. Speaker and Ladies and Gentlemen of the House, because of the way that this bill has been handled with the amendments and coming in so late, it is difficult to piece together what it is. But if I can interpret the thing correctly, Section 4 says no member of the press shall have any activity with a public official for the purpose of influencing him, or which may reasonably be expected to influence him in the exercise of his official public duties



except by publication to the media. Now, for violation of that they get up to one year in the jail. Ah, what foolishness. Backbone is one thing, but foolishness is another. This is so vague it must be invalid. What do we mean when we say that they shall have shall not have any activity with a public official? Just what does that mean? And if there is something wrong with it, if there's something wrong with that activity, what happens to the legislature when he is influenced, do we share in that one year term? I would suggest that we find some more red lights on this bill."

Hon. W. Robert Blair: "Have all voted who wished? Take the record. Duff, 'Present'. On this question, the 'Yeas' are 101, the 'Nays' are 33, . . . Representative McCormick, for what purpose do you rise, sir?"

C. L. McCormick: "You know, Mr. Speaker, I think first that this is such an important piece of legislation that you ought to give everybody a chance to have their self called, and I would like for you to poll the absentees at this particular time and let's see who either wants to be on or off."

Hon. W. Robert Blair: "Okay, the gentleman has requested a poll of the absentees. Will, Representative Yourell, for what purpose do you rise?"

Harry Yourell: "Yes, Mr. Speaker, I I would ask leave of the House now to, you know it is very difficult here and the last speaker here before C. L. McCormick spoke indicated that there was something wrong in something that he quite



didn't understand about certain passages in the bill itself. And it's very simple to read what you want to read in a bill. And I suggest and I get up on a point of personal privilege, that this gentleman avail himself of the entire Section 5 and not just the section that appeals to him or he might think there is something wrong with. With leave of the House, I'd like to read the rest of Section 5 which should take care of the objections that this gentleman might have relating to this bill."

Hon. W. Robert Blair: "Does the gentleman have leave? Proceed, sir."

Harry Yourell: "To be complete and factual, this section does not and shall not be construed to prevent any person as a citizen or resident of the United States representing his own personal interest; of a political, religious or philosophic nature from communicating such opinions to public officials. Nor shall this section be construed to infringe upon the right of a citizen to lawfully make known his opinions to his representative and to apply for redress of grievances under the Constitution of the State of Illinois insofar as such is done on behalf of the person himself and not in behalf of others, not in his immediate family and of course not for compensation. Now, that Ladies and Gentlemen is the complete Section 5 and not that Section that might appeal to your own personal judgment."

Hon. W. Robert Blair: "Would the Clerk please read the names of the absentees."



Fredric B. Selcke: "Barnes, Burditt."

Hon. W. Robert Blair: "Present, record the gentleman as voting 'Present'."

Fredric B. Selcke: "Capuzi, Chapman, Otis Collins, Conolly, William Cunningham, Davis, Douglas, Downes, Duff."

Hon. W. Robert Blair: "Record Representative Duff as voting 'Present'."

Fredric B. Selcke: "Dyer, Gibbs, Granata, Houde, Hunsicker, Hyde, Jones, Juckett, Kahoun, Karmazyn, pardon me, pardon me, Kahoun votes 'Yeas', he's voted 'Yeas', Karmazyn, Katz, Keller, Kleine, Lauterbach, Lindberg."

Hon. W. Robert Blair: "Record Representative Lauterbach as voting 'Yeas'."

Fredric B. Selcke: "Lindberg, 'Present', Ed Madigan, McDevitt, Merlo, Kenny Miller, North."

Hon. W. Robert Blair: "Record Representative North as voting 'No'."

Fredric B. Selcke: "George O'Brien."

Hon. W. Robert Blair: "Record Representative O'Brien as voting 'No'."

Fredric B. Selcke: "Philip, Regner, Ropa, Rose, Schoeberlein, Soderstrom."

Hon. W. Robert Blair: "Record Representative Ropa as voting 'Yeas'."

Fredric B. Selcke: "Stone, Jack Thompson."

Hon. W. Robert Blair: "Representative Cunningham, Record Representative Bill Cunningham as voting 'Yeas'."



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

Hon. W. Robert Blair: "Record Representative Hunsicker as voting 'Yeas'. Representative Barnes, 'Yeas'. Record Representative Otis Collins as voting 'Yeas'."

Fredric B. Selcke: "Ah, Jack Thompson, Harold Washington, Zlatnik."

Hon. W. Robert Blair: "Representative McCormick, for what, did you seek recognition, sir?"

C. L. McCormick: "Just as soon as you recognize that vote."

Hon. W. Robert Blair: "On this question, the 'Yeas', record Representative Terzich as voting 'Yeas'. Representative, ah, Representative Keller, do you seek recognition, sir?"

Charles F. Keller: "Yes."

Hon. W. Robert Blair: "Record Representative Keller as voting 'Yeas'. On this question, the 'Yeas' are 108, the 'Nays' are 35, 4 answering 'Present' and this bill having received the constitutional 60% majority is hereby declared passed with the emergency clause. The gentleman from Johnson, Representative McCormick."

C. L. McCormick: "Having voted on the prevailing side, I move that the vote by which this bill passed be tabled, be reconsidered."

William J. Cunningham: "Mr. Speaker, Mr. Speaker. . ."

Hon. W. Robert Blair: "The gentleman from Perry, Representative Cunningham."

William J. Cunningham: "Mr. Speaker, I move that motion lie upon the table."



Hon. W. Robert Blair: "The gentleman has moved that that motion lie upon the table. All those in favor of the gentleman's motion to table signify by saying 'Yeas', the opposed 'No', and the gentleman's motion prevails. House Bill 3647. All right, take, that's already been handled, so. . . House Bill. . .for what purpose does the gentleman from Christian rise?"

Rolland F. Tipsword: "Mr. Speaker, may I rise on a point of personal privilege?"

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

Rolland F. Tipsword: "My point, sir, is that I just sent for a copy of the Illinois State Register and I would like to read from it to you two paragraphs from this bill concerning myself. It says following the vote on tax abolishment, quoting another legislator, proposed a bill which would reimburse local governments for any loss of revenue. This is what I object to. An opponent of the abolishment bill, Representative Rolland Tipsword, and then thereafter I am quoted, I think I spoke on this floor as very very strongly in favor of the bill which provided this deduction and I resent this statement in the Illinois State Journal/Register which goes all over this area, which all of the people who vote in my district live, and I would like to have it corrected immediately. I resent it very much."

Hon. W. Robert Blair: "All right, they've got a series 2780, commencing with 2780, the Clerk will read that bill."

Fredric B. Selcke: "House Bill 2780, a bill for an act to



add Section 8b to an act concerning public utilities.

Third reading of the bill."

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

John H. Conolly: "Mr. Speaker, this is a series of bills, 2780 through 2790, 2802 and 2803, 2806 to 2817 all dealing with the same subject and I would ask leave of this House to consider them in a package."

Hon. W. Robert Blair: "All right, hearing no objection, the bills will be read."

Fredric B. Selcke: "2781, . . ."

Hon. W. Robert Blair: "Was there objection? The gentleman from Lake, Mr. Conolly."

John H. Conolly: "Ah, has there been objection expressed?"

Hon. W. Robert Blair: "I understand that there has been some objection expressed."

John H. Conolly: "Ah, the number is wrong, maybe that is the objection."

Hon. W. Robert Blair: "Yes, 2780. All right."

John H. Conolly: "Do I have leave?"

Hon. W. Robert Blair: "The gentleman has asked leave to have 2780 through 2790, 2802 and 2803, 2806 through 2817 heard as a package as they are related bills. All right, now, . . ."

John H. Conolly: "Thank you very much."

Hon. W. Robert Blair: ". . .there has been objection, now."

John H. Conolly: "You have read the 2780, then, Mr. Speaker?"

Fredric B. Selcke: "Yeah."



Hon. W. Robert Blair: "Yes, 2780 has been read. Want to proceed, . . ."

John H. Conolly: "I'm sorry to take the time of the House, because these bills virtually are the same bill that affects certain agencies, but if there are oppositions or objections, I will handle each bill separately. The first bill that I am discussing is 2780, which amends the act concerning public utilities. Under the act recently approved 1970 state constitution, a home rule is defined, 'a county which has a chief executive officer, elected by the electors of a county and in any municipality which has a population of over of more than 25,000'. At the present time, that is only Cook County. Article VII, Section 6(i), provides that 'home rule units may exercise and form concurrently with the states any power or function of home rule unit to the extent of the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the states exercise to be exclusive'. This language is extremely broad. In fact, it has never been used before in any other state constitution. While many aspects of home rule are desirable, if the legislature were allowed home rule there would be exercised in every area of the state concerned. . ."

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

Gerald W. Shea: "Mr. Speaker, would you please get some order in the chamber please, I can hardly hear the gentleman and



I think these are extremely important bills to the entire state."

Hon. W. Robert Blair: "All right, will the . . . now, if the members would be in their seats, especially those behind you, might be of assistance, there are a number cluttered right there."

John H. Conolly: "Mr. Speaker, I certainly concur with the gentleman who said that these are extremely important bills to the state and I am glad for his encouragement. Certain types of regulated industry are not local in nature. Either through the scope of operation throughout the state or because of the very complexity of its operation, many industries and the people they serve require a regulatory framework that operate on a statewide basis. These bills before you today address themselves to those industries and services and such that need and require the scope and sophistication of a state regulatory agency. These bills are intended to protect the public from the confusion, inefficiency and added expense that would arise both to the public and to the regulated industry, if the powers and functions now exercised by the states under these acts were suddenly subject to the different view points, rules, regulations and ordinances of home rule units in Illinois. This amendment as drafted neither gives to or takes away from any powers from the state or any home rule unit. Instead, it attempts to maintain the status quo so that desirable change can be planned for and arrived at in an



orderly, carefully considered fashion. The duty of the legislature is to protect the public from careless and indifferent attention to the new constitution. These bills if passed will give the state, its people, their home rule units necessary time to study each regulatory industry and then determine after careful deliberation where the public's best interest is served. As I say, 2780 is the first of this series of bills that affects those regulated industries called public utilities. It would be chaotic throughout the state if each home rule district would regulate the utilities, make the rate structure, determine what is the charge by those utilities, is important that the whole state be governed by the Illinois Commerce Commission in the field of public utilities and I urge the passage of these bills."

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

Gerald W. Shea: "I'm wondering if the sponsor might yield to a question?"

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

Gerald W. Shea: "Mr. Conolly, do you know of any power or function presently regulated by the Commerce Commission where there is a home rule unit attempting to exercise concurrently with the Commerce Commission that power at this time?"

John H. Conolly: "Well, . . ."

Gerald W. Shea: "Mr. Speaker, I'm going to object to somebody from the Commerce Commission giving him the answers."



He's the sponsor of the bill."

John H. Conolly: "The answer to your question is no, that at the present time the legislature has given to the Commerce Commission the rules and regulations to regulate the Illinois Commerce Commission and other agencies, the banks and savings and loans, and other fields, and they we are just emphasizing under the new constitution giving them the same powers."

Gerald W. Shea: "What I'm saying is do you know of any concrete example at this time where a home rule unit of local government has attempted to concurrently regulate with the state any power under the Commerce Act?"

John H. Conolly: "There is a licensing in one community where the real estate licensing. . ."

Gerald W. Shea: "Is that under the Commerce Commission?"

John H. Conolly: "Well, obviously you know it isn't."

Gerald W. Shea: "All right, that's why I say is there any under the Commerce Commission?"

John H. Conolly: "At the present time, no."

Gerald W. Shea: "Mr. Speaker, I might like to speak to the bill, if I might."

Hon. W. Robert Blair: "Proceed."

Gerald W. Shea: "Mr. Speaker and Ladies and Gentlemen of the House. A new constitution was voted on in this state giving to local home rule units of government certain home rule powers. For many, many years the units of local government have fought to have these home rule powers. Now, the bills



presented here by the gentleman seek to say although the people in the constitution gave you you units of home rule power to regulate and steer your own destiny, we in the state legislature want to take it away from you. I know of nothing to date that would give anybody any indication that any home rule unit of local government has done anything to adversely affect the state and its power to regulate the Commerce Commission. I might read further that there was a meeting of all municipal officials in Peoria within the last few weeks at which time I would like to read to you the league position with regard to these and other bills presently before the legislature. The league position adopted by the Board of Directors as well as a meeting of all home rule officials is that the state should not pre-empt constitutional local home rule powers before we have had the opportunity of proving ourselves. This position of pre-emption was affirmed by our membership at our recent annual conference. Municipal home rule authority must be protected. Now, I know that the question of what should be for home rule and what should be pre-empted by the state has been before this body on a number of occasions. To that I have introduced yesterday and hopefully will have heard today or tomorrow House Joint Resolution 102. Which specifically adds that there be a joint committee of House and Senate members along with public members to look into this all important question of home rule. I know of no reason at this time why this body should pass these bills. I know



of not one concrete example of a home rule unit operating in any area where the state is functioning with regard to the Commerce Commission, and I would ask that the members of this House support home rule municipalities and withhold enough votes from this bill so that we can let it sit for a while."

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

Ed Lehman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, along the lines that Representative Shea has spoken of, I have a letter from the Honorable Mayor of Belleville, Illinois, which consists of about 50,000 population. He asks me, he says, I respectfully ask you to oppose House Bill 2780 to 2817 and we do not feel that the state should pre-empt constitutional powers of home rule government before we've had an opportunity to prove ourselves. I am speaking in opposition to this bill."

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

Romie J. Palmer: "Will the sponsor yield for a question?"

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

Romie J. Palmer: "All right, by House Bill 2780, and by the words in there of public policy, are you saying by this that there shall be no concurrent jurisdiction by any other governmental body in the State of Illinois with the Commerce Commission over the control, regulation or other aspects of public utilities?"

John H. Conolly: "This bill does not say that, this bill



says that those powers who have the legislature has given to the public utilities in existence today will continue unless they are otherwise changed by the legislature."

Romie J. Palmer: "What about the franchises that in the municipalities give to public utilities of going through their. . ."

John H. Conolly: "It will not affect this, this is the. . . the only powers that they now have will continue."

Romie J. Palmer: "All right, under the home rule powers, it is my conclusion that a municipalities, certainly a home rule municipality, has a right to regulate the obstruction of traffic across railroads, highways, . . ."

John H. Conolly: "Under the. . .under the present act, they have these existing powers that do just what you're saying and it does not change it one bit."

Romie J. Palmer: "This bill will not. . .this bill will not change anything, but they use the word 'excluded'. Can you explain that."

John H. Conolly: "It it retains the equivalent powers that they have as of today, they retain it under the new constitution."

Romie J. Palmer: "If you read this act, I think that you can come out with a very definite different conclusion."

John H. Conolly: "Not the way I've been advised, sir."

Romie J. Palmer: "Thank you."

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

Daniel J. O'Brien: "Thank you, Mr. Speaker. Will the sponsor



yield for a question?"

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

Daniel J. O'Brien: "Representative Conolly, is the intention of this bill, 2780 to extend the Commerce Commission authority into the field of cable television into the City of Chicago?"

John H. Conolly: "It is not, as I say, it's doesn't affect anything other than the current powers that they have now that have been given them by the legislature under the present act. It does not add or subtract anything from the powers."

Daniel J. O'Brien: "Is not the Commerce Commission of Illinois contending that they have jurisdiction over that cable television in Chicago?"

John H. Conolly: "It is my understanding that ah the Illinois Commerce Commission has ruled that cable television is a public utility."

Daniel J. O'Brien: "Now, now, what do you mean by that?"

John H. Conolly: "They are. . ."

Daniel J. O'Brien: "In other words, they are contending that they have jurisdiction, exclusive jurisdiction?"

John H. Conolly: "That is my understanding that that they have considered that a public utility like they have delivery of electric and gas and other utilities."

Daniel J. O'Brien: "Then House Bill 2780 would give the Commerce Commission exclusive jurisdiction over cable television in Chicago, is that right?"



John H. Conolly: "It would give it, as I explained earlier, it would give the same powers that they now have under the present law under the new constitution."

Daniel J. O'Brien: "Mr. Speaker, may I address myself briefly to the bill?"

Hon. W. Robert Blair: "Yeah."

Daniel J. O'Brien: "Just very briefly, Ladies and Gentlemen of the House, I respectfully submit that House Bill 2780 is not intended in any way, shape or form to maintain status quo with regard to local regulation of public utility or any other business, but is in fact intended to expand and render exclusive control to the Illinois Commerce Commission of cable television, of local utilities, utilities properly under the regulation of a township, of a county, of a city under the home rule provision. I respectfully suggest that we vote 'No'."

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

John Jerome Hill: "I wonder if the sponsor would yield to a question?"

John H. Conolly: "Yeah."

John Jerome Hill: "We have a problem in Aurora, Illinois. We built a brand new hospital and for the last two and a half months or so, the Illinois Bell Telephone Company changed the number of the telephone and in an emergency, it takes now about four and a half minutes to get anyone from this hospital. They gave no consideration whatsoever to the people in the Aurora and surrounding areas with re-



gard to this particular telephone number. Now, if I vote against this bill, Aurora being a home rule city, could they then sit down then with the telephone company and come to a conclusion? That they should not do this?"

John H. Conolly: "I'm sorry, I can not hear your question?"

John Jerome Hill: "Can I try again? Can you hear now?"

John H. Conolly: "Yes."

John Jerome Hill: "Can you can you hear now?"

John H. Conolly: "Yes, I can."

Hon. W. Robert Blair: "All right, let's be in order."

John Jerome Hill: "We have a problem in the city of Aurora.

We have a new hospital and for the last two and a half to three months in order to get a call to that hospital, because the telephone company changed the number, and no one knows it unless you follow this procedure, it takes about four to four and a half minutes to get a call to the hospital, and the people are upset. The telephone company didn't think of enough of the people in that area to provide the same number now. Aurora is a home rule community. If this bill is passed, then they would not be able to put any restrictions on the Illinois Bell Telephone Company. If it is not passed, then they could put up procedures to regulate something like that, is this correct?"

John H. Conolly: "Ah, part of your question I would say is incorrect. First of all, I would recommend if you do have this problem that you report it to the Illinois Commerce Commission immediately. Secondly, that the powers that they



have and are still just what they have existing, they will be no further and as I said, that the municipalities have the right to issue franchises and they do to the telephone company, I am sure that they would be able to seek reasons under their situation."

John Jerome Hill: "Mr. Speaker, I'd like to say just a few words in regard to this particular bill. I'm going to vote against it because it is my belief that I can talk to the local authorities much better when my people have a problem in this particular field than I can to the Illinois Commerce Commission and I'd like to point out to you, Mr. Conolly, I've tried talking to them many times in previous matters. I've only won one that I know of. And that was only a partial victory. And I would also like to point out to you that the present Chairman of the Commission lives in the city of Aurora and it seems to me that he should avail himself of correcting the situation, too, because he's supposed to represent the people, not only in my area, but the State of Illinois."

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. Proceed."

Robert G. Day: "Representative Conolly, would I be correct in assuming that if a county that had home rule powers wanted to install a mass transit system, for example, that they would have to get a certificate of convenience and necessity from the commerce commission people before they



could do it under your bill?"

John H. Conolly: "If a county wanted to establish a mass transit transportation, a home rule county, ah municipalities are specifically exempt under the present public utilities act."

Robert G. Day: "Would that include a county?"

John H. Conolly: "Yes, it would. You see, such. . ."

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

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

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

Harry Yourell: "John, John, on line 14 of the act, it says that the provisions are powered to function are of this act are to be exercised by the state and to mean exclusive state power or function and this power or function shall not be exercised concurrently, either directly or indirectly with any local unit of local government. Now, my question is and it gets to this part of the act. I think it's important to those units of local government whether they are home rule units or otherwise, where they have exercised and levied a utility tax and presently are receiving revenue from that source. Under this act would they then be allowed to continue to levy for the utility tax and if they're allowed to do that, would any other unit of local government in the State of Illinois be allowed to levy a utility tax? Because, as you know there are many cities and villages in the state of Illinois that are presently doing that and it's a matter of some concern, I'm sure, to some of these



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units of local government, whether they're to continue to exercise that power or not."

John H. Conolly: "That is a very good question and I because it brings out the point that whatever is the law now, will continue to be the law under with the passage of this bill. This is a status quo bill, whatever is going on in the present can continue to go on. We are not taking any powers away from the cities that they now have. And therefore in the future as you raise the point, in the future they would be able to establish a public utility tax just as they can do in the present."

Harry Yourell: "I I appreciate that answer, John, but if you would read on lines 14 through 18, I don't believe that it says that in this act. I don't see anywhere where it says that those existing taxes of a utility nature or function instituted by a local government as of this date will be continued. Now, it seems to me and is very fairly obvious by the language in the bill, I think, that this can be pre-empted by the passage of this legislation. Now, I know that you have a representative from the Commerce Commission there and perhaps you could ask him if I am not correct in this, and there isn't perhaps some more language needed in after line 18 in the act to provide that that will continue."

John H. Conolly: "I am confident that the that you are misinterpreting line 14, because what we are saying are exclusive state powers are only those powers exercised by the state, not those powers exercised by the municipality as



you point out. We're saying that the only powers that are exclusive are those that are exercised by the state. And this is, I've been advised is the correct stand and correct writing of this bill. And might I point out that this is the same bill as it affects all of the agencies, not only the public utilities, but the banks, savings and loans, the insurance industry, the currency exchanges, and so forth."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, I arise in support of House Bill 2780 and the two bills that I understand will succeed it. And Mr. Speaker and Ladies and Gentlemen of the House, I arise in support of this bill with the background of municipal activity. For five years prior to being elected to the General Assembly, I served as a village trustee, and it was because I experienced restrictions on municipal activity through the municipal code that I became a State Representative. And in the years that I've served here in the General Assembly, I've often times looked upon myself as a glorified village trustee. And at the very outset, Mr. Speaker and Ladies and Gentlemen of the House, I sought and worked for home rule for municipalities. In 1964 I appeared before the platform committee of the Republican State Committee and spoke for home rule. A couple of years later I appeared before newly elected members of the Municipal League and spoke for home rule, and on two different



occasions I appeared before the Local Government Committee of the Constitutional Convention and expressed my support for home rule. Now, Mr. Speaker and Ladies and Gentlemen of the House, I should like to direct your attention to that section of the constitution that is applicable at an issue, and it says in Article VII, Local Government, that home rule units may exercise any power or function pertaining to its government and affairs. Now, Mr. Speaker and Ladies and Gentlemen of the House, I don't think that the delegates intended, and I'm confident on what the people of this state were told and what was presented to them, that it was not intended that the regulation and licensing of the many businesses and professions and occupations are powers and functions which pertain to the government and affairs of home rule units. This bill and its succeeding bill are intended to be clarifying in nature to assure that there won't be conflict. Now, Mr. Speaker and Ladies and Gentlemen of the House, with the time that I have remaining I should like to give you four reasons why this bill is necessary, and in doing so I make reference to the succeeding bills. Number one, the parceling out of licensing and regulatory authority over these various matters to home rule or other units of local government that have serious consequences. Such fragmentation would inconvenience those persons who are regulated into the efficient delivery of services and endanger the protection now afforded the consumers of those services. Number two, those activities



presently regulated by the state are in such a nature as not to be competitive with either concurrent, state local regulation or exclusively local regulation. Many of these activities are conducted within the boundaries of more than one home rule unit. Without the enactment of this bill and the succeeding bill, individuals who worked in more than one home rule unit might be faced with the necessity to obtain a license from each unit and to be regulated by each. Number three, each license unit could require the applicant to pass a qualifying test, substantially different than those of the other home rule units. The imposition of a system of multiple licensing and multiple evaluation in Illinois would be unreasonable and unnecessary. It would be burdensome on the more than 500,000 licensees currently under state jurisdiction and would inhibit the movement of the licensees between home rule unit to impose any additional burden without the prospect of any genuine improvement in the quality of regulation is unwarranted. Finally, Mr. Speaker and Ladies and Gentlemen of the House, adding to the potential complication of multi-unit regulation, is the fact that many of the regulated activities are highly complex. It is doubtful that each local unit would be able to retreat enough qualified personnel to perform the difficult task of regulation, even if the local unit could afford the added budget expenses. Mr. Speaker and Ladies and Gentlemen of the House, this bill is of a clarifying nature, I don't think



the Con Con delegates contended that home rule units have the authority to exercise any power through licensing and regulation over businesses and professions. It certainly was not, Mr. Speaker and Ladies and Gentlemen of the House, the attitude of those who voted for the 1970 Constitution. I think that the four reasons which I have set forth are ample justification and support of this bill and the two succeeding bills and I request for the sake of the State of Illinois it's economy, those legitimate businesses and occupations, that this bill do pass."

Hon. W. Robert Blair: "Any further discussion? The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, much has been said about ethics in this session of the legislature and in speaking to this bill, let me say that I think if a poll were taken of all members of the legislature here now, that they would say that they have some suspicion about the Illinois Commerce Commission. Now, I think if we are going to grant these powers to a unit of local government that serves the public interest, well and good. But we haven't, we have doubt in our minds and let's think for example about the Chicago and Southern crash which was brought to light that Hub Airlines with no no not one incident where there was any faulty airplanes, any pilot error in any of their runs, finally lost their flight to Springfield. Now, I think if we are going to grant these powers and I think if we are going to do some-



thing about ethics, let's have the Ethics and Government Commission start investigating those areas of government where we do have suspicions. Before we pass a bill like this, I would commend to the Illinois Ethics and Government Commission the authority right now, here and now, to start investigating from start to finish, the Illinois Commerce Commission. Let's find out if they serve in the public's interest, because I surely would like to have my doubts and I think many of you do, too. Until we clear up those doubts, I would suggest we vote against this bill."

Hon. W. Robert Blair: "The gentleman from Lake, Mr. Conolly, to close."

John H. Conolly: "Mr. Speaker, as I pointed out, this is a first of a series of many, many bills that affect the various code departments and agencies of state government. If Section 6 is so interpreted, each home unit in absence of a state declaration of pre-emption will be re-empowered to regulate all segments of the various industries of public utilities industry, banks, savings and loans, the insurance company, and so forth. And its jurisdiction would be totally independent of state control. Therefore, let the General Assembly act in the best interest of all the citizens of the State and let it eliminate years and multitudes of legal battles between the municipalities, the state administration, the industry and the citizens, which would benefit none of the adversaries. This is a simple bill, it tells us what our stand is, I urge the adoption of



this bill and the other bills to follow."

Hon. W. Robert Blair: "The question is shall House Bill 2780 pass? All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 102 'Yeas' and 38 'Nays' and this bill having received the constitutional majority is hereby declared passed. House Bill 2781 through 2790."

Fredric B. Selcke: "House Bill. . ."

Hon. W. Robert Blair: "Is there leave to have these bills heard in a series? All right, read the bills."

Fredric B. Selcke: "House Bill 2781, a bill for an act to add section to the 'Illinois Gas Pipeline Safety Act'. Third reading of the bill. House Bill 2782, a bill for an act to add section to 'The Illinois Motor Carrier of Property Act'. Third reading of the bill. House Bill 2783, an bill for an act to amend 'The Electric Supplier Act'. Third reading of the bill. House Bill 2784, a bill for an act to add section to an act to increase the powers of railroad, union depot and terminal companies. Third reading of the bill. House Bill 2785, a bill for an act to add section to an act requiring railroad and railway companies to provide their employees on trains with an adequate supply of water dispensed in a sanitary manner. Third reading of the bill. House Bill 2786, a bill for an act to add section 14 to an act in relation to fencing and operating railroads. Third reading of the bill. House Bill 2787, a bill for an act to amend an act in regard to



dangers incident to railroad crossings on the same level. Third reading of the bill. House Bill 2788, a bill for an act to amend section to an act in relation to the crossing of one railway by another, and to prevent danger to life and property from grade crossings. Third reading of the bill. House Bill 2789, a bill for an act to add section to an act to protect persons and property from danger at the crossings and junctions of railroads by providing a method to compel the protection of the same. Third reading of the bill. House Bill 2790, a bill for an act to add section to an act concerning the use of eminent domain in connection with the transportation, distribution, or storage of gas, and granting rights for the storage of gas in property of the State of Illinois and political subdivisions, municipal corporations and quasi-municipal corporations therein. Third reading of the bill."

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

John H. Conolly: "May I have the next, 2802 and 2803 called now?"

Hon. W. Robert Blair: "Yes, they were included."

Fredric B. Selcke: "House. . ."

Hon. W. Robert Blair: "And 2806 through 2817."

John H. Conolly: "They've all been read."

Fredric B. Selcke: "House Bill 2802, a bill for an act to add Section 1a to 'The Credit Union Act'. Third reading of the bill. House Bill 2803, a bill for an act to add Section 1a to the 'Financial Planning and Management Service



Act'. Third reading of the bill. House Bill 2806, a bill for an act to add Section .01a to an act in relation to the definition, licensing and regulation of community currency exchanges and ambulatory currency exchanges, and the operators and employees thereof, and to make an appropriation therefor, and to provide penalties and remedies for the violation thereof. Third reading of the bill. House Bill 2807, a bill for an act to add Section 29a to the 'Uniform Disposition of Unclaimed Property Act'. Third reading of the bill. House Bill 2808, a bill for an act to add Section 2a to the 'Illinois Development Credit Corporation Act'. Third reading of the bill. House Bill 2809, a bill for an act to add Section 7 to 'An Act authorizing foreign corporations, including banks, and national banking associations domiciled in other states, to act in a fiduciary capacity in this state upon certain conditions herein set forth'. Third reading of the bill. House Bill 2810, a bill for an act to add Section 1a to the 'Sale of Exchange Act'. Third reading of the bill. House Bill 2811, a bill for an act to add Section 8 to an act in relation to the buying and selling of foreign exchange and the transmission or transfer of money to foreign countries. Third reading of the bill. House Bill 2812, a bill for an act to add Section 13a to an act to provide for the incorporation, management and regulation of Pawners Societies and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges and to allow the loaning



of money upon personal property.. Third reading of the bill. House Bill 2813, a bill for an act to add Section 19 to an act to provide for and regulate the administration of trusts by trust companies. Third reading of the bill. House Bill 2814, a bill for an act to add Section 7 to an act authorizing foreign corporations, including banks, and national banking associations domiciled in other states, to act in a fiduciary capacity in this state upon certain conditions herein set forth. Third reading of the bill. House Bill 2815, a bill for an act to add Section 83 to the 'Illinois Banking Act'. Third reading of the bill. House Bill 2816, a bill for an act to add Section 1-2a to the 'Illinois Savings and Loan Act'. Third reading of the bill. House Bill 2817, a bill for an act to amend an act relating to alcoholic liquors. Third reading of the bill."

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

John H. Conolly: "Mr. Speaker, may I have leave to have the same roll call on all these bills?"

Hon. W. Robert Blair: "You mean the last roll call? All right, ah, let's proceed with the discussion. We have leave to have all these bills discussed as a package, and why don't you run through them and then we can take up the question about the vote. For what purpose does the gentleman from Shea, from Cook, Mr. Shea, rise?"

Gerald W. Shea: "I'd like to ask a question, but maybe he'd better explain the bills first."

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



John H. Conolly: "Mr. Speaker, since we now have verbatim reporting could we have the tape run back on this bill?"

Hon. W. Robert Blair: "All right, go ahead and explain the bills."

John H. Conolly: "Mr. Speaker, 2781 affects the same pre-emption and keeps status quo the Illinois Gas Pipeline Safety Act and leaves those powers that are the state's now, the same powers that they will have in the future unless changed by the act of this legislation. And I would urge the passage of this bill."

Hon. W. Robert Blair: "Well, if you'll explain all of them, ah. . ."

John H. Conolly: "Each one as I tried to explain earlier, each one affects a different code department or a different agency, the bill is absolutely the same, except the title, and therefore I would think that one roll call would affect all of them."

Hon. W. Robert Blair: "All right, now, the gentleman from Cook, Mr. Shea."

Gerald W. Shea: "All right, Mr. Conolly, let's talk about House Bill 2817 if we might. House Bill 2817 is an act with regards to alcoholic liquors. At the present time, the state of Illinois and local units of government either home rule or not, concurrently with the state, share many powers, particularly the regulatory functions of places where they sell on site and at the location liquor. Now, I want to read it so everybody knows what it says, it is



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hereby declared to be the public power of the State of Illinois pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution that any power or function set forth in this act is to be exercised by the State in an exclusive state power or function, and such power or function shall not be exercised concurrently either directly or indirectly by any home rule unit of government or any unit of local government, including home rule units, except as otherwise provided in this act. Now, as I read this act and what we are attempting to do here, it will make the Illinois Liquor Control Commission be exclusively and sole agencies for regulating taverns and other dispenser of liquor in the State of Illinois, and I can find no place in this act where the act allows local units of government to license. I can see no place in here that allows them to regulate concurrently with the State, therefore with regards to this act, all regulation of the sale of, and regulation of the dispensers of alcoholic liquor would now be in the State of Illinois."

John H. Conolly: "That is incorrect."

Gerald W. Shea: "Would you tell me in the act. . ."

John H. Conolly: "This act is like all the others, it remains status quo. This act has the same powers, being the same and exclusive that is those powers that the State now exercises are now exclusive, not anything new or anything old. We're not taking anything away from the present policy and powers of local government."



Gerald W. Shea: "You're going way beyond that, Mr. Conolly. You're taking away the right to license these units by local government. . ."

John H. Conolly: "That is incorrect."

Gerald W. Shea: "Would you tell me in the statute where you are allowing them to license?"

John H. Conolly: "The statute is over 100 pages long and in the statute the powers are designated to the local governments and this is we are not changing any of the present law, we are just giving those powers the state now exercise they will continue to exercise under the new constitution."

Gerald W. Shea: "Would you point out specifically where in the statute those powers are and why this bill does not pre-empt it?"

John H. Conolly: "I would be more than glad to if you wanted me to sit down and read the statute with you, I'd be more than glad to, but I don't think that we should delay the work of the House."

Gerald W. Shea: "Well, Mr. Conolly, I don't want to delay the work of the House any more than you do, but by the same token I don't want to go home and have the Mayors and elected officials of the twelve villages that are in my district tell me that I just took all the power away from them to regulate alcoholic beverage establishments and tell them that this is in within the state exclusively."

John H. Conolly: "I am confident that you will not run into that problem when you get back to your district."



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

Bradley M. Glass: "Ah, Mr. Speaker, ah, I would like to comment on Representative Shea's question, because I think from the reading of the act as Representative Conolly said, it is clear, this is an amendment of the act and the act referred to is an act concerning alcoholic liquors. So that all the powers that are presently in that act that give local governments the powers to control and license taverns and alcoholic liquors, the way I read this would still remain, so I I the language of this seems to me to be clear that all those powers that presently exist in the statute are not changed."

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

Harry Yourell: "Would the gentleman yield to a question? John, under the Liquor Control Act as we know it today, it's the function of the Chief Executive of the local unit of the unit of local government to act as the liquor commissioner and to enforce that part of the statute under his jurisdiction such as rendering decisions as to violations which exist in the corporate authority that he enjoys as chief executive, can you tell me that if with the passage of 2817 whether as the chief executive of the unit of local government, he will continue to exercise the authority invested in him by the Liquor Control Act to act as a arbitrator or as a hearing officers as to violations, as to penalties or the closing of those facilities that serve alcoholic beverages?"



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

John H. Conolly: "Mr. Speaker, to answer that question, there would be no absolutely no change in the present way that the head of a municipality would act. He would continue in the same function. On line 14, it says that those powers exercised by the state, we're not talking about powers exercised by local government, so we are not affecting the local government's powers at all, and I am confident that you will under the administration of this law, there will be no change, it's just keeping status quo in this field such as liquor control."

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

Daniel J. O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the sponsor yield to a question?"

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

Daniel J. O'Brien: "Representative, you cover a very wide and very category of occupations and businesses in these bills. Now, can you show me and prove to me that the City of Chicago will in fact have the right to regulate these businesses after the successful passage of your bills?"

Hon. W. Robert Blair: "The. . ."

Daniel J. O'Brien: "If your bills are successfully passed."

John H. Conolly: "When these bills are passed, the and signed by the Governor, the City of Chicago will have the same powers that they have right now, Mr. Speaker."

Daniel J. O'Brien: "That is not what the bill say, though, is



it?"

John H. Conolly: "It certainly is what the bills say."

Daniel J. O'Brien: "As I read the bills it says that the state is an exclusive, it is an exclusive state power or function, and such power or function shall not be exercised concurrently, either directly or indirectly by any unit of local government, including home rule units, as otherwise provided in this act. You're telling me that it is otherwise provided and I ask you where?"

John H. Conolly: "If you would read the sentence prior to what you just quoted, is that any power or function set forth in the act to be exercised by the State, and that is the point we're talking about, that is the exclusive power, those powers in the act that are set forth to be state powers, we're not discussing those local powers."

Daniel J. O'Brien: "May I address myself to the bill, Mr. Speaker?"

Hon. W. Robert Blair: "Please do."

Daniel J. O'Brien: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, these bills cover gas companies, motor carriers, electric companies, railroads, insurance companies, hospitals, dentists, doctors, pharmacists, banks, real estate corporations, and liquor distributors. I submit to you that there are peculiar problems in a metropolitan area with 5,500,000 people that do not exist in downstate Illinois. And that no state agency can competently and exclusively regulate statewide without creating enormous problems in the



City of Chicago, creating enormous loop holes in the regulation. I submit to you that we have a peculiar situation, this is an attempt to allow the state to use certain and expanded authority over businesses and corporations that are probably under the purview of local regulation.

I would suggest that we vote 'No' on all of these bills."

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

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

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the previous question has been moved. For what purpose does the gentleman from Cook, Mr. Berman rise?"

Arthur L. Berman: "Well, Mr. Speaker, I move for a division of the question as to House Bill 2817."

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

Arthur L. Berman: "I would refer your parliamentarian to page 232 of Robert's Rules which says that a request for a separate roll call on any one of a number of issues, . . ."

Hon. W. Robert Blair: "Well, now, wait a minute. There's no need to go that far, there is Rule 51 which provides that each bill shall have a separate roll call and then the gentleman asked for leave to suspend that rule, then we ah take a separate roll call on all bills. Now, I presume at some point and I reserve that question until now, and you'll recall, I said we had leave to have them all con-



sidered at one time for purposes of discussion. We are now at the point where we are ready to close debate and then I'll wait any motion that anyone would want to make at that time, but I don't think we need to get into that question, because unless there is a motion, there is going to be an individual roll call and we can address ourselves to that motion if and when it comes. Okay? All right, the gentleman from Lake, Mr. Conolly, to close concerning these bills."

John H. Conolly: "Mr. Speaker, I do not want to belabor the point. We all know what these bills do. I am more than glad that each person can have a separate roll call on 2817 I would like to say that there is support from this bill from many industries, from the code department, from the Illinois Council of Churches. This bill, will alleviate anybody's fears, the Illinois Council of Churches is in favor of 2817, and I would ask for a favorable roll call on each and everyone of these bills."

Hon. W. Robert Blair: "All right, the question is shall House Bill 2781 pass? Well, there's been no request made to have a single roll call taken, so I'll proceed with them individually. The question is shall House Bill. . ."

John H. Conolly: "I'll make the request. I thought I had, I beg your pardon, I thought I had requested that we have a single roll call since then. . ."

Hon. W. Robert Blair: "All right, now the gentleman is asking that House that rule 50 be suspended so that these can be



considered on one roll call. Is there leave?"

Voices: "Leave."

Hon. W. Robert Blair: "All right, there is objection. Objection, objection, objection to unanimous consent to suspend 50 has been heard. The gentleman from Lake, Mr. Conolly."

John H. Conolly: "Mr. Speaker, could be get one roll call and then have each person that wants to take his name off to just do it, go up to the Clerk's desk, because there are so many?"

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

John H. Conolly: "Do I understand the only objection is 2817? Could I have unanimous roll call for all bills but not unanimous roll call, but unanimous consent to call all the bills but 2817, is there objection?"

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

John H. Conolly: "Then let's. . ."

Hon. W. Robert Blair: "The gentleman has not received unanimous consent to suspend Rule 50."

John H. Conolly: "I'll move to suspend the rules."

Hon. W. Robert Blair: "All right, the gentleman has moved to suspend the provisions of Rule 50. For what purpose does the gentleman from Cook, Mr. Shea, rise?"

Gerald W. Shea: "Mr. Speaker, I think if we took a roll call vote on 2783 and then I think that there'd be no objection to hearing all the other ones at one time, 'cause I've, but the 2783, I know they want a separate roll call on."



Hon. W. Robert Blair: "All right, let's see if we can't speed this thing up. 2783, correct or not? And 2783 and 2791, 2787, now are there any other situations? 2817. Okay? All right, then the question that the gentleman from Lake puts is may he have unanimous consent to have all the bills that have been read in this series other than 2783, 2787 and 2817, considered on one roll call. Is there objection? All right, objection having been received, the question is shall each of these bills other than 2783, 2787 and 2817 pass? All those in favor will vote 'Yeas', the opposed 'No' and the Clerk will take one roll call and make a xerox copy of that for the balance of the bill. All right, Maragos, 'Present'. Have all voted who wished? The Clerk will take the record. Palmer, 'Present'. D. J. O'Brien, 'No'. Well, I got you 'Present'. Day, 'Present'. Choate, 'Present'. On this question, there are 100 'Yeas' and 27 'Nays' and each of these bills having received the constitutional majority is hereby declared passed. Boyle, 'Present'. B. B. Wolfe, 'Present'. VonBoeckman, 'Present'. Pierce, 'Present'. Fennessey, 'Present'. Schneider, 'Present'. Corbett, 'Present'. Caldwell, 'Present'. Craig, 'Present'. Londrigan, 'Yes'. Hamilton, 'Present'. Barnes, 'Present'. All right, the 2783. Now, inasmuch as these have been pulled out of the series, I think that it might be appropriate that there be some explanation about what what these are, so do you want to explain 2783, Mr. Conolly?"

John H. Conolly: "Mr. Speaker, this bill does the same as



all the others, except it affects the Electric Supplier Act and I do not know why someone would have the objection to this, because unless it could be that they were worried about municipalities. Municipalities are exempt from this act. Industry, the electrical co-ops are in favor of this bill, and therefore I would urge the adoption of this bill, also."

Hon.W. Robert Blair: "Discussion? All right, the question the gentleman from Cook, Mr. Meyer."

J. Theodore Meyer: "Question of the sponsor, Mr. Speaker."

Hon.W. Robert Blair: "All right, he indicates he'll yield."

J. Theodore Meyer: "Does this relate to power plant siting?"

Hon.W. Robert Blair: "Mr. Conolly, the gentleman from Lake."

John H. Conolly: "Ah, this would not affect whatsoever any it adds nothing to the law that isn't already in the law."

J. Theodore Meyer: "It does not affect power plant siting?"

John H. Conolly: "No, it does not affect power plant siting."

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

Eugene F. Schlickman: "Mr. Speaker and Ladies and Gentlemen of the House, this bill is identical to the proceeding bill and the two succeeding bills. Now, we know that there is in the statutes the by-statutes provisions from some of these activities that gives to the state certain supervisory powers, and at the same time there is some concurrent licensing power by units of local government. This bill simply maintains the status quo and if you are to refer to



House Bill 2817 which is not under discussion at this time, but which was referred to earlier, there is the very last sentence which refers to which says that except where otherwise provided in this act, so that the existing law as it relates to the state and existing law as it relates to units of local government will prevail. The sponsor, I believe, correctly stated the situation that by these bills we're simply clarifying what may be misunderstood by some people with regard to that home rule provision in unit ah chapter VII, Local Government of the new constitution, and simply maintains the status quo and for the purpose of preserving, fostering, maintaining intrastate commerce in the State of Illinois, so Illinois can continue to be the outstanding commercial and industrial state which it is among the 50. I earnestly solicit your support in passage of this bill."

Hon. W. Robert Blair: "All right, the question is shall House Bill 2783 pass? All those in favor will vote 'Yeas', and the opposed 'No'. Have all voted who wished? The Clerk will take the record. Palmer, 'Present'. Tipsword, 'Present'. You want to talk? The gentleman from Christian, Mr. Tipsword."

Rolland F. Tipsword: "Mr. Speaker, I'd like to have the opportunity just briefly to explain my vote. I'm voting 'Yes' on this bill, but not with a great deal of satisfaction. I've been very disappointed in the manner in which the State of Illinois has handled the powers that it has under the bills that presently existed in regard to the regulation



of suppliers in the public utilities. I think that the State of Illinois has used their powers very seldom for the good of the people of the State of Illinois with one exception, and that is seeing that there is an adequate power supply, but the rights of the people have been trampled on in many areas, unfortunately, otherwise, in the exercise of the state powers, and I would hope only that by avoiding this fragmentation that we have otherwise, which I would very strongly oppose, that nevertheless, that the state would first and for the first time, not just this administration, but for many administrations heretofore, reverse itself and start operating under its powers in behalf of not only the public utilities, who not only need their guidance and their help, but who also the people of the state of Illinois, whose rights are seldom considered. "

Hon. W. Robert Blair: "On this question, there are 115 'Yeas' and 27 'Nays' and this bill having received the constitutional majority is hereby declared passed. 2787."

John H. Conolly: "Mr. . . ."

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

John H. Conolly: "Mr. Speaker, this bill is another one of the powers that the legislature has given the Illinois Commerce Commission. Just as the previous speaker said, we do not want fragmentation of the regulatory powers of the state and therefore, I would urge the adoption of this bill, also."

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



Krause."

James G. Krause: "Mr. Speaker and Ladies and Gentlemen of the House, 2787 deals with railroad crossings. Now, the sponsor of the bill didn't bring that out and it would appear to me that there ought to be some local control on some of these railroad crossings. You ought to come down through some of southern Illinois and try to get through some of the towns when the railroads are crossing the blockings, or blocking the crossings, and the streets are backed up for two or three miles. It appears to me that some of this power ought to lie locally, it shouldn't all lie with the State. Maybe we can get some of these crossings cleared. Representative Lehman has had a bill in here for the last three years that I know of trying to get this kind of legislation so that we can clear some of the crossings. Representative Palmer has been in the same position on the thing. I think this particular bill ought to be defeated and I think that some of the power ought to be in the local government. Thank you."

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

Horace L. Calvo: "Mr. Speaker, Ladies and Gentlemen of the House, I won't take much of your time. I just want to join my friend and colleague, Bud Krause, and the comments he made, because we have the same problem in my district and I think this is one particular area that it would be well if we had some local authority and I know that's true of a lot of other communities in our state including the city of



Moline, and I would like to see this bill defeated."

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

Samuel C. Maragos: "Mr. Speaker, Members of the House, I, too rise in opposition to this piece of legislation, generally because of the fact that we as a legislative body should be able to bring about better legislation where the Commerce Commission to have more powers to regulate and to control many of the abuses that are present throughout the state. And this is one other area, especially in our district, the 30th District, where there's a hub of railroad activity time and again, we find we have to wait 40 minutes, 35 minutes, an hour sometimes, to have freight trains and other transportation crossed in order that pass in order for the other traffic to cross. I know that the Commerce Commission presently does not have the necessary powers, and we should look into this area and that is why I think I have been voting 'Present' on these series of bills and 'No' on several of them, because we need new legislation and new ideas and concepts of these regulatory functions, and therefore for that reason, I vote 'No'."

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

Eugene M. Barnes: "Mr. Speaker and Members of the House, I'd like to add just a bit of Amen for my colleague from the 30th District, my district, the 28th District, adjourns that district in the City of Chicago, and is one of those areas where we have a great deal of railroad traffic on the ground, and if you are ever inconvenienced by these



long trains standing for long periods of time and where an emergency has arisen in my area, the nearest hospital is cut off, bisect by a train many times people have to wait up to an hour at a time trying to get across that particular intersection. I think that these things should be looked into more closely and if their commission has the power to do so, they should exercise those powers, I don't think they have in the past, and for that reason I think I will agree with my colleague, and I think this particular bill should be defeated."

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

John J. Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, there's a lobbyist of the railroad industry over here lobbying votes on our side of the aisle, and I think there's another one over on the other side, I'd like to have them put off the floor."

Hon. W. Robert Blair: "All right, the doorkeeper will see that those persons not entitled to the floor, are removed therefrom. Is there further discussion? The gentleman from St. Clair, Mr. Lehman."

Ed Lehman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, if by chance you happen to come within the boundary lines of East St. Louis and witness or experience the tie ups that the railroads give us, the only way that you can get out of the city of East St. Louis after you get in there is to cross the river and then go to St. Louis. Now, the city of Granite City has an ordinance just about



two weeks ago to limit the length of trains to 50 cars and the railroad got an injunction against the city of Granite City to keep them from enforcing the ordinances that they pass. I think this is bad legislation and I think the railroads should know that someday they're going to have to allow people to get in and out of a city or overheads or underpasses, so traffic can can move."

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

Romie J. Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, I voted 'Present' because I'm not quite certain on the previous bills because I'm not quite certain as to the theory of the necessity for these bills, nor am I certain as to the impact. But I can tell you one thing, when it comes to railroad companies in this state, I think we should stand up, I think local units of home rule government should be able to keep their streets and highways open, and I think that if we give them this power, and there's some question as to whether or not they already have this power, but where we endorse this bill by voting 'Yeas' for it, they certainly will say that they have the power. Now, they've imposed upon the people of this state long enough. I say vote 'No'."

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

William D. Cox: "Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and the previous question has been moved. The gentleman care to close? The question



is shall House Bill 2787 pass? All those in favor will vote 'Yeas', the opposed 'No'. The gentleman from Cook, Lake, Mr. Conolly."

John H. Conolly: "Mr. Speaker, I'd just like to point out in the wisdom of this House that last week you appropriated \$200,000.00 per month to be expended to improve the railroad crossings throughout the State. This would be administered by the state under this act that we are trying now to amend. So I think that you would defeating the purpose a little bit by one week you amend you appropriate money to be extended by the state and this time you do not give them the exclusive power."

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

John Jerome Hill: "Mr. Speaker, I'd like to explain my vote. That \$200,000.00 that you're talking about, Representative Conolly, can still be expended through the state. Let's not try to fool the people on that score. Now, I'd like to say something even though the idea of trains blocking traffic in municipalities and on state highways is very bad, I've noticed something else that is very bad. Coming down Route 55 in some places Route 66, you find that there are railroad crossings. In the last thirteen or fourteen years that I've been traveling down here, many of the stop and go lights have been changed, they've been made better lights, much better lights, where vehicular traffic crosses. In regards to the railroad crossings, you have the same signs up there today that you had fourteen years ago and



they are very very difficult to see and if you go over to the State Highway Department or the Police Department, you'll find out that there have been many many accidents where automobiles have ran into the sides of these trains and it seems to me that it's about time that someone in this state, whether it's going to be local government, or state government to get these railroads to do something for the people of the State of Illinois and not just for themselves and the select few."

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

Robert G. Day: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I'm going to vote 'Yeas' on this as long as my vote isn't the 108th vote. Because as I read the constitution, we would be taking away if we voted by a three-fifths majority, we would be taking away the authority of a home rule unit to concurrently regulate the rail crossing such as this. So, it seems to me that as long as we do not vote more than a three-fifths majority on these bills, that we are preserving a right of the state agency to regulate and we are not depriving the local governments the right to act concurrently in the same area."

Hon. W. Robert Blair: "Have all voted who wished? Ah, Fennessey, 'Present'. The gentleman from Lake, Mr. Conolly."

John H. Conolly: "I would move to postpone consideration of this or I'd ask leave to postpone consideration on this."

Hon. W. Robert Blair: "All right, leave's been given to postpone, take this one out of the record. 2817."



John H. Conolly: "Postpone."

Hon. W. Robert Blair: "Right, did I say take it out? Postpone. The gentleman from Lake, Mr. Conolly."

John H. Conolly: "The explanation of this bill. This bill has been discussed before and I would urge the adoption, that I said the Illinois Church Federation is in favor of this legislation."

Voices: "Roll call."

Hon. W. Robert Blair: "Is there discussion? All right, the question is shall. . .do you want to talk? All right, the gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Thank you, Mr. Speaker. I'd merely point out to the members of this House that 2817 certainly affects a local interest just as the previous bill concerning the railroads. We're talking about taverns and other selling places for alcoholic beverages. The mainstay of that type of operation involves local control and a vote 'No' on this bill will keep it in local control. I urge a 'No' vote."

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

Webber Borchers: "Mr. Speaker and Fellow Members of the House, I concur with what has just been said by Representative Berman. I feel with taverns in Decatur that the people in Decatur and that the municipal authorities of Decatur should have the right to make decisions. This should be one of the elements of law while we should retain the power of the municipality or county to make the proper decision. So, I suggest also a vote 'No'."



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

Bradley M. Glass: "Mr. Speaker, Ladies and Gentlemen, I think that there is some misunderstanding as to what this bill will do. It will leave under the present act the power in the local Liquor Control Commissioner and the Municipal Authority to set the number of licenses and control the liquor laws within the municipality. In other words, that part of the act is not affected, so I think there is some misconception as to what this bill will do, and I think it's a good bill and I urge your support."

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

W. Timothy Simms: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I would concur with the remarks of Mr. Glass. This bill does, as it restricts merely to the state some of the powers that it now has for liquor control. For example, to liquor distributors, it is up to the State of Illinois for the territories. Another area that gives specifically control to the state and that is labeling. And I don't think any municipality in Illinois would want to get in the position to start labeling liquor or changing labels on liquor, so assume that the best interest of the people of the state would be to vote for these bills."

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

Don A. Moore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, I move the previous question."

Hon. W. Robert Blair: "All those in favor say 'Yeas', the



opposed 'No', the 'Yeas' have it and the previous question is moved. The gentleman care to close? All those in favor of the passage. . ."

John H. Conolly: "I would just move the ah.. passage of this Bill."

Hon. W. Robert Blair: "of the Bill shall vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are 97 'Yeas' and 45 'Nays' and this Bill having received the Constitutional Majority is hereby declared passed. 3636."

Fredric B. Selcke: "House Bill 3636, a Bill for an Act providing for the exclusive exercise by the State of the power to regulate certain professions, vocations and occupations. Third Reading of the Bill."

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

Gerald W. Shea: "Mr. Speaker, I've got two Amendments that I filed with the Clerk. I was wondering if the Sponsor would have any objection of bringing the Bill back to Second Reading with the purposes of Amendments?"

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

Brian B. Duff: "Yes, Mr. Speaker, I would object."

Hon. W. Robert Blair: "The Clerk will read the Bill."

Fredric B. Selcke: "I've already read the Bill."

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

Brian B. Duff: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3636 is a Bill which will provide for the exclusive exercise by the State of the power to regu-



late certain professions, vocations and occupations. The Bill is supported by the Illinois State Medical Society, Illinois State Dental Association, Illinois State Veterinarians, Illinois Nurse's Association, Illinois Nursing Home Association, Illinois Institute of Architects, Illinois Association of Accountants, Illinois Hospital Association, Illinois Optometric Association, Illinois Pharmaceutical Association, Illinois Life Underwriters, Illinois Association of Real Estate Boards, Illinois Society of Professional Engineers and many many others."

Hon. W. Robert Blair: "Discussion? Alright.. Alright..

Discussion? The gentleman from Cook, Mr. Berman."

Arthur L. Berman: "Will the Sponsor yield for a question?

How will we in Chicago be able to enforce our Fair Housing Ordinance once the passage of this Bill as it affects the Real Estate Brokers?"

Brian B. Duff: "Well, I don't think, that you will have difficulty in enforcing it. I do think, that this Bill does establish at the State Level the priority at the State Level the priority of the State to regulate licensed Real Estate Agents."

Arthur L. Berman: "Well, would that priority.... How can the City enforce its Fair Housing Ordinance?"

Brian B. Duff: "Well, the State has priority now and, of course, as you know this Bill maintains that priority."

Arthur L. Berman: "Well, is your answer 'yes', that we can or 'no' that we cannot?"



Brian B. Duff: "You can still enjoin a Real Estate Agency in the enforcement of that Act. You could still take him to Court. You could still come to the State and take his license away and you could still come to the State and have additional Legislation passed to assist you. You could further, also, try to join with others in tightening up the State Real Estate Licensing Act."

Arthur L. Berman: "The City could not revoke a license. Is that what you're trying to say?"

Brian B. Duff: "That's right."

Arthur L. Berman: "On that basis alone, Mr. Speaker, I think, that it justifies a 'No' vote on this Bill."

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

Gerald W. Shea: "Mr. Speaker, will the Sponsor yield to a question?"

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

Gerald W. Shea: "With the regards to the regulation of Real Estate Brokers, as I read Section 1 of your Act, it says the State shall exercise exclusively and shall not be exercised by any unit of local government including home rule units. At the present time, almost every Fair Housing Ordinance in this State is enforced through the regulation of Real Estate Brokers. What this Bill will do is knock out any local regulation of Real Estate Brokers and will just about knock out any Fair Housing Ordinances in the State. Is that Correct?"



Brian B. Duff: "Ah., that's substantially the same question as, I just answered and my answer was that that's not true, because there are many powers that switch the Cities and Municipalities and may exercise in this Area that are not taken away. . ."

Gerald W. Shea: "Well, . . ."

Brian B. Duff: "You must also read the Bill in relationship to Article VII of Local Government. This, of course, as you know, refers specifically to sub-paragraph (h)."

Gerald W. Shea: "But this says exclusive, it doesn't say concurrent. This is what we argued about the other day. My Amendment would have made the power of the State concurrent with units of Local Government. I discussed this with you and that is why I say by making this a complete exclusive exercise by the State, you are, in effect, knocking out any regulation by local units of government of Real Estate Brokers."

Brian B. Duff: "In each instance, as you know, this Section 1 refers to the sections sub-sections of Section 2 in relationship to the Acts. It does not in any other way change those Acts. It does refer specifically to the establishment of priority at the State Level which the Constitutional Convention made possible by writing in sub-paragraph (h) of Section 6 of Article VII."

Hon. W. Robert Blair: "Any further discussion? The gentleman care to close? The question is, 'shall House Bill 3636 pass?'. All those in favor will vote 'Yeas' and the



opposed 'No'. Have all voted who wished? Maragos.. 'Present'. D. J. O'Brien.. 'Present'. O'Brien wants to explain his vote."

Daniel J. O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My vote is 'No' and in explaining the 'No' vote, I would simply like to reiterate that we are giving up a power and authority properly under the auspices of Local Governmental Units, particularly the City of Chicago to regulate these professions. We've had many abuses in recent months in the Nursing Home Business, the Shelter Care Business. We've had Doctors and Dentists indicted for acting improperly, both legally and interms of the Medical Profession. It seems to me that the City of Chicago must, if it is to handle and regulate Real Estate Brokers, professional people, Doctors and Dentists and the incredible complex problems that are like a crowded and congested City like Chicago encounters. Chicago in this regard is entirely different from the Downstate Local Government Unit which incidentally does not have to regulate if they don't feel that they can or if they feel that it is too expensive, and they don't feel that they have the personnel or equipment or facility to do so. We are taking away a power from the City of Chicago that in my opinion is vital to the smooth running of organization of business and the smooth operation of the complex society that exists in Chicago. I urge a 'No' vote."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk



will take the record. On this question, there are 123 'Yeas', 27 'Nays', and this Bill having received the Constitutional Majority is hereby declared passed. The gentleman from Cook, Mr. Simmons."

Arthur E. Simmons: "Having voted on the prevailing side, I move to reconsider the vote by which this Bill passed."

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

Kenneth W. Miller: "I move that that motion lie on the table."

Hon. W. Robert Blair: "All those in favor of the motion to table say 'Yeas', the opposed 'No', the 'Yeas' have it and the motion to table prevails. For what purpose does the gentleman from Livingston, Mr. Hunsicker rise?"

Carl T. Hunsicker: "I'd just like to make the announcement that the Agriculture Committee will meet immediately after adjournment in Room 510."

Hon. W. Robert Blair: "Alright.. On the... We're moving along pretty well now. Ah.. on the order of Consideration Postponed, appears House Bill 206. And, I understand that the gentleman from Lake desires to have that brought back to the order of Third Reading for purpose of consideration. Ah..., is there leave? Alright.. We'll bring that Bill back to Third Reading and it's been read a Third Time. The gentleman from Lake, Mr. Matijevich."

John S. Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 206 is the Bill eliminating the present prohibition against the sale of alcoholic beverages on Election Day. I sincerely solicit your support.

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Voices: "Roll call."

Hon. W. Robert Blair: "Is there further discussion? The gentleman desire to close? All right, the question is shall House Bill 206 pass? 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 112 'Yeas' and McMasters."

A. Thomas McMaster: "Ah, Mr. Speaker, I would like to explain my vote."

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

A. Thomas McMaster: "I would like. . . ah, I believe this bill was heard in committee, at that time I questioned the sponsors about whether it would still be right for the local governmental units, be it city or county to make their own rules as to closing on election days, and as I read the bill at that time, it took that right away from local government. I was wondering if the local government still has that right under the bill as it is so written now?"

Hon. W. Robert Blair: "Well, we're on explanation of votes and we're out of the question period."

A. Thomas McMaster: "Well, . . ."

Hon. W. Robert Blair: "112 'Yeas', 28 'Nays' and this bill having received the constitutional majority is hereby declared passed. Leave of the House, we'll go to the order of resolutions. For what purpose does the gentleman from Cook, Mr. Simmons, rise?"

Arthur E. Simmons: "Are we through with third reading?"



Hon. W. Robert Blair: "We are through with it for today."

Arthur E. Simmons: "I have. . ."

Hon. W. Robert Blair: "Period."

Arthur E. Simmons: "Well, today is the last day, Mr. Speaker, and I've ask for the . . ."

Hon. W. Robert Blair: "The, . . . the. . ."

Arthur E. Simmons: ". . .bill to be called for the last two days, 2485. . ."

Hon. W. Robert Blair: "Well, we're going to suspend the rules for one more day. The gentleman on the agreed resolutions list. We'll get to that before we adjourn."

Fredric B. Selcke: "House Resolution 445, Pappas. House Resolution 446, Randolph, et.al. House Resolution 447, Houlihan, et. al. House Joint Resolution 103, Blair, et.al."

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

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, the agreed resolutions. House Resolution 445 congratulates Ben Friedman upon the receipt of the City of Hope National Humanitarian Award. House Resolution 446 is a memorial resolution on behalf of Emerson T. Chandler, who was killed in the recent plane crash. House Resolution 447 congratulates Miss Mary Ann Grabavoy who was named Miss Teenage Aurora. House Joint Resolution 103 provides that the Illinois Legislative Investigating Commission conduct a full investigation of the problems that Cook County Hospital and the controversy existing there and report back their findings of fact, conclusions and recommendation to the



General Assembly on or about February 1, 1972. I now move adoption of the agreed resolutions."

Hon. W. Robert Blair: "Ah, all those in favor of the agreed resolutions say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolutions are passed. Further resolutions? No further resolutions. The gen-, oh, now, we, the gentleman from Cook, Mr. Hyde, with regard to extension."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, it is the desire of the leadership on both sides of the aisle and the view of the undisposed of business that we have to extend the time for third reading and final passage of House Bills until tomorrow. Therefore, I now move, Mr. Speaker, that the provisions of Rule 32c in so far as they apply to today being the final day for third reading and passage of House Bills, be suspended and that tomorrow, November 3rd, be the final day for third reading and passage of House Bills."

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

Henry J. Hyde: "I ask for unanimous consent."

Hon. W. Robert Blair: "All right, all right, and, just a moment. Now, the gentleman's motion for which he's asking unanimous consent first is with regard to 93b which is concerning changes within the rules and we'll ask for unanimous consent to suspend the provisions of that rule which require these changes be on the desk overnight. All those, is there objection? Hearing none, then we'll suspend that provision. Now, with regard to 32c, all those in favor of



the suspension of that rule so that the last final day for House Bills to be recorded out of the House will be November 3. Hearing no objection, then unanimous consent will be given for that request. All right, there are a few Senate Bills first so that they can be assigned to committee."

Fredric B. Selcke: "Senate Bill 1269, an act in relation of transcripts of debates of the General Assembly. First reading of the bill. Senate Bill 1272, an act to divide the state's legislative districts into three groups. First reading of the bill. Senate Bill 1273, an act to amend the 'Election Code'. First reading of the bill. Senate Bill 1281, an act to amend 'The Illinois Pension Code'. First reading of the bill. Senate Bill 1284, an act making a supplemental appropriation to the Superintendent of Public Instruction. First reading of the bill. Senate Bill 1285, an act to amend 'The Election Code'. First reading of the bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. McDevitt, in regard to an announcement."

Bernard McDevitt: "Mr. Speaker and Members of the House, the Committee on Judiciary will meet immediately after the adjournment in Room 520 to hear one bill, Senate Bill 938. Thank you."

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

David J. Regner: "Mr. Speaker, it's been a long day, the Appropriations Committee will not meet tonight."

Hon. W. Robert Blair: "All right, there are just a couple of



items now on Senate Bills first reading, 1272, all right, it's been read, and with regard to it, the Chair recognizes the gentleman from Morgan, Mr. Rose."

Thomas C. Rose: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, with regard to Senate Bills 1272 and 1273, these are bills which provide for the stagger terms of the Senate members in '72, passed unanimously from the Senate. There is urgency involved. I'd like to move to suspend, I believe it is 38, so that they may be advanced to second without reference to committee. I've checked with the leadership on both sides of the aisle, and I know of no objection."

Hon. W. Robert Blair: "All right, is there objection? And that request includes not only 1273 along with 1272, is that correct? All right, is there objection to to advancing those bills to second reading without reference? All right, hearing no objection, then we will advance 1272 and 1273 to second reading. All right, the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Mr. Speaker and Ladies and Gentlemen of the House, an announcement. We will be in session Thursday because of our problems in undisclosed business, so do plan on being here Thursday, but an effort will be made, strenuous effort to get us out as soon as possible Thursday, so that we will not be in session on Friday. That is our present intention. I now move, Mr. Speaker, that this House do ah stand in recess until the hour of 10:00 A.M. tomorrow morning, November 3rd."



Hon. W. Robert Blair: "All those in favor say 'Yeas', the opposed 'No', the 'Yeas' have it and we're adjourned until 10:00 A.M. tomorrow."

Adjourn at 5:50 O'Clock P.M.

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