

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

THIRTY-SEVENTH LEGISLATIVE DAY

APRIL 6, 1973

10:00 O'CLOCK A.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

Murphy: "The House will please be in order. We'll have a pray by Mr. Joe Carry."

Carry: "As they were coming down from the mountain he strictly enjoined them, not to tell anyone until he had risen from the dead. Amen."

Murphy: "Committee Reports."

Fredric B. Selcke: "Mr. McAvoy from the Committee on Banks and Savings and Loans to which House Bill 651 was referred, was reported the same back with the recommendation that the Bill do pass. Mr. North, from Cities and Villages to which House Bill 435 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, those amended do pass. Mr. North, from Cities and Villages, to which House Bill 458 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, those amended do pass. Mr. North, from Cities and Villages, to which Senate Bills 140 and 141 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Bluthardt, from Elections, to which House Bill 326 was referred, reported the same back with the recommendation that the Bills do pass. Mr. Bluthardt, from Elections, to which House Bill 351 was referred, was reported the same back with the recommendation that the Bill do pass. Mr. Bluthardt, from Elections, to which House Bill 375 was referred, reported the same back with the amendments thereto, with the recommendation that the amendments be



adopted, those amended do not pass. Mr. Bluthardt, from Elections, to which House Bill 502 was referred, reported the same back, with the recommendation that the Bill do not pass. Mr. Capuzi, from Human Resources, to which House Bill 547, 553, 631 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted those amended do pass. Mr. Capuzi, from Human Resources, to which House Bill 753 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Duff, from Judiciary, to which House Bill 377 was referred, reported the same back with the recommendation that the Bill do not pass. Mr. Duff, from Judiciary II, to which House Bill 719 was referred, was reported the same back with the recommendation that the Bill do pass. Mr. Duff, from Judiciary II, to which House Bill 737 was referred, was reported the same back with the recommendation that the Bill do pass. Mr. Kosak, from Registration and Regulation, to which House Bill 23 and 706 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, Bills amended do pass. Mr. Kosak, from Registration and Regulation, to which House Bill 395 was referred, reported the same back with the recommendation that the Bill do not pass. Mr. Kosak, from Registration and Regulation, to which House Bill 446 was referred, reported the same back with the recommendation that the Bill do pass. Mr. R.A. Walsh, from Revenue, to which House



Resolution 103 was referred, reported the same back with the recommendation that the Resolution be adopted. Mr. Neff, from Transportation, to which House Bills 592 and 657 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Neff, from Transportation, to which House Bill 656 was referred, reported the same back with amendments thereto with the recommendation the amendments be adopted, those amended do pass. Mr. Neff, from Transportation, to which House Resolution 105 was referred, reported the same back with the recommendation that the Resolution be adopted. Mr. Bluthardt, from Elections, to which House Bill 328 was referred, reported the same back in pursuant to Rule 23(d) the Bill was ordered tabled. Mr. Pappas, from Motor Vehicles, to which House Bills 304 and 316 were referred, reported the same back in pursuant to Rule 23 (d) were ordered tabled. Mr. Klosak, from Registration and Regulation, to which House Bills 366 and 367 were referred, reported the same back, pursuant to Rule 23 (d), the Bills were ordered tabled."

Murphy: "Introduction of Bills from First Reading."

Fredric B. Selcke: "House Bill 1005, Douglas et al. Prohibits the distribution of cigarettes to the general public for free. First Reading of the Bill."

Murphy: "Constitutional Amendments."

Fredric B. Selcke: "House Joint Resolution Constitutional Amendment #20, Collins. Resolved by the House of Represent-



tatives, 78th General Assembly, State of Illinois, the Senate concurring herein that there shall be submitted to the Electors of this State at the General Election next, occuring at least 6 months after the adoption of this resolution, a proposition to amend Section 5, Article 3, of the Constitution to read as follows: Article 3, Section 5, Board of Elections. A State Board of Elections shall have general supervision over the administration of the registration and election laws throughout the state. General Assembly by law shall determine the size and manner of selection compensation of the Board. First Reading of the Resolution."

Murphy: "Mr. Sims, from Cook, moves that the House recess until 10:00 am. All in favor signify by the usual manner, 'aye', so ordered. The House stands in recess until 10:00 am."

W. Robert Blair: "The House will be in order. The invocation this morning will be by Dr. Johnson."

Johnson: "Pray. Mindful of your injunction Oh Gracious God, to pray not only for ourselves but for others who stand in need. We pray this morning for those in Illinois and our neighboring states whose lives have been so directly touched by yinindating waters and ravishing floods. We ask you who are ruler of wind and wave to have compassion upon those who suffered losses of fields and homes. Assist all who are efforts to stay the destruction and to redress the ills. Remind us and all our citizens anew that you use calamity to speak to us of our own helplessness in the



face of such destructive force, but that you also use such as opportunities to seek your faith in humility and to cast ourselves upon you as our only refuge and strength. Great God of our nations, hear our prayer while at your feet we fall, yet humbly with united cry to you now for mercy call. Amen."

W. Robert Blair: "Roll Call for Attendance. Gentleman from Cook, Mr. William Walsh."

Walsh: "Mr. Speaker, will the records show that Representatives Granata, Wall and Grotberg are absent because of illness."

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

Shea: "Would the Journal show that Representative Carter, Krause, and McPartlin are absent do to illness."

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

Fredric B. Salcke: "A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives, that the Senate has concurred with the House of Representatives to pass the Bill of the following title, House Bill 201, together with the following amendment, in the adoption of which I'm instructed to ask concurrence of the House, passed the Senate as amended April 5th, 1973. Edward E. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed the Bills of the following title, the passage of which I'm instructed to ask concurrence of



the House, Senate Bill 18, Senate Bill 208, passed the Senate April 5th, 1973. Edward E. Fernandes, Secretary."

W. Robert Blair: "Committee Reports."

Fredric B. Selcke: "Mr. Washburn from the Committee on Appropriation, to which House Bill 749 and 785 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, those amended do pass."

W. Robert Blair: "Gentleman from Union, Mr. Choate."

Choate: "Yes, in addition to the names that Representative Shea mentioned, Mr. Speaker, will you please have the record to indicate that Representative Craig is absent due to serious illness to his wife, Mrs. Craig."

W. Robert Blair: "The Journal will so indicate."

Fredric B. Selcke: "Mr. Tuerk, from the Committee on Industrial Affairs, to which House Bills 312 and 368 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted, those amended do pass."

W. Robert Blair: "Second Reading."

Fredric B. Selcke: "House Bill 3, Hanahan. A Bill for an Act in relation to settle the difference between the public employers and public employees in providing for Collective Bargaining. Second Reading of the Bill."

W. Robert Blair: "The gentleman from McHenry, Mr. Hanahan..... one moment.... the gentleman from Cook, Mr. William Walsh."



Walsh: "Representative Hanahan..... Representative Grotberg, ah... who is hospitalized has an amendment for this Bill that I suppose he had talked to you about."

Hanahan: "Right."

Walsh: "I don't know if anyone else is knowledgeable to talk ah... to present the amendment. If it's at all possible it would appreciated if you could hold this ah... until Representative Grotberg gets back."

Hanahan: "As long as..... I have no objection as long as I don't run out of time on this because I wanted to call it previous and I've been waiting for other..... Representative Hyde has amendments and Representative Ewell has an amendments and I understand that there are three or four other amendments going to be offered on House Bill 3. I'm very willing to hold the Bill, as long as I don't run out of time on when I have to call the Bill."

Walsh: "Ya, absolutely."

Fredric B. Selcke: "Ah.... this Bill has been ah... read a second time and amendments 1 through 6 were considered. The next amendment is Amendment #7, Ewell."

W. Robert Blair: "Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Well, Mr. Speaker, Representative Ewell has an amendment, Representative Tuerk as amendments, Representative Grotberg has amendments, and Representative Hyde has amendments. I see that some of the Members are not here that have amendments and ah.... I don't know what to do. I'll



from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, thank you very much. My point of order is just this. I was wondering if those last two speeches are necessary?"

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

Cunningham: "We can conclude here very shortly. We thank Mr. Stone for his inquiry, Mr. Speaker. I went to these brothers Lester and Bill and ask them if either of them had been involved with the Decatur Police. They said no, they hadn't so I was at a complete loss to understand as to the wince of the story. I want to thank again my esteem colleague, Weber, for his defense, wish him the best of health and assure him that I in no way intended any harm and regretted his fall."

W. Robert Blair: "Well, Mr. Stone, your point was well taken. Proceed."

Fredric B. Selcke: "House Bill 16, Merlo. A Bill for an Act to require automatic fire sprinkling systems in high rise apartment buildings. Second Reading of the Bill. One Committee Amendment. Amend House Bill 16 on page 1, line 13, by deleting 'those jurisdiction' and inserting in lieu thereof 'the jurisdiction of which'."

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

Merlo: "Mr. Speaker and Members of the House, this is a language correction made by the Reference Bureau and I ask the adoption of Amendment #1."

W. Robert Blair: "Discussion? The question is on the adoption



hold the Bill but you know ah.... if those who have amendments want to debate it ah... the amendments they would like to offer now, I have no objection, but otherwise hold the Bill until Representative Grotberg and Ewell are back in attendance here at the House Meeting. That's all I can suggest."

W. Robert Blair: "All right, then the gentleman has ask to take it out of the record? O'kay. For what purpose do you rise, Mr. Borchers?"

Borchers: "Mr. Speaker and fellow Members of the House, I rise on a point of personal previlage and I think you should listen to this because in a sense all of our honor and dignity is ah... failed. I won't read the whole article, I just would like to read one paragraph of an incident occurred which is been by the newspaper reporters, and I waited until they were all seating in their seats, I hope the other side is full too. I would like to read what one of them had to say. 'Borchers then took an unexpected fall with a little help from Cunningham, who had sneaked behind his chair while Borchers was speaking and pulled it out from under him, drawing laughter.' Now I want to tell you that I was speaking, it's true. Roscoe Cunningham as my seatmate. He had to pass behind me so he pushed the chair out to pass behind me so he pushed the chair out to pass by because he didn't want to disturb me while speaking. And at that time I did stop speaking. And as a result he no time to push the chair back, and I did fall



down. Now, I was speaking ah... against the E.R. ah... the Equal Rights Amendment, and all these ladies in the gallery, who were obviously urked at me because I was speaking against what they thought was in their best interest, laughed and were happy. But what I resent is that the newspaper reporters cast an implication against the people in this House, the Representatives House, that this is the way we act. I resent that they accuse my seatmate sneaking behind me with a deliberate intent of trying to ah... maybe perhaps in indicating humiliation of myself, ah... which in turn is a humiliation of the House. I just want to say that I wish they would retract this story and do something about it because ah... there's no truth in it, and I again resent it and I hope that the House concurs with me."

Fredric B. Selcke: "House Bill 13, Barnes. A Bill for an Act to amend the Mosquito Abatement District Act. Second Reading of the Bill, no Committee Amendments."

W. Robert Blair: "For what purpose does the gentleman from Lawrence, Mr. Cunningham rise?"

Cunningham: "A point of personal preivilage, Mr. Speaker. I realize that it's a long day and we have many things to cover today, but I do want to point out that this defense that comes from my esteem colleague and friend was entirely unsolicited. I had no advance warning of it. I cannot say that it was unappreciated. I deeply regretted the



misfortune the other day. I've assured Weber and all others concerned that I had no knowledge whatever that he would fall. I thought that it was most unfortunate. I resent the use of the word sneak, it has evil connotations of not being straightforward. Somebody suggested to me there was damage..... it might have caused serious damage to his hips that are different from other peoples hips, but I did want to say too, that in regard to this particular newspaper, it is not the first time that I have been the victim of their perverted wit. A couple of years ago, there was an unfortunate traffic incident in an... Decatur, and immediately thereafter for the enlightenment and amusement and the sales of their papers for the next few days, there was a lurid account of a State Representative that happened to have my identification number and license. I'll explain that a little bit further ah.... was picked up and went off and left the Deputy Sheriff and it was front page for many days thereafter to the great anguish of all of my friends. And then as you, the older Members remember, we had two Cunninghams in the House, at that time, Bill and Lester ah..... three yes, counting myself. And these two.... I went immediately....."

W. Robert Blair: "Wait a minute, please....."

Cunningham: "This is relevent, Mr. Chairman."

W. Robert Blair: "Would you mind? There is a point of order which is being raised by a Member, which is quite proper. Now if you'll just hold, I'll recognize him. The gentleman



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of Amendment #1. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The amendment is adopted. Are there further amendments? Third Reading."



Frederick Selcke: "House Bill 18. Hyde. An Act to establish the penalty of capital punishment for specified categories for the crime of murder which the Act creates. Second Reading of the bill. This bill has been read a second time the next amendment is ah.. Amendment, this bill having been read a second time previously--Amendments 1 and 2 were tabled, Amendment 3 was adopted."

W. Robert Blair: "Gentleman from Cook, Mr. Hyde."

H. J. Hyde: "Thank you, thank you, Mr. Speaker. Ah.. Amendment No. 3 which was previously adopted, provides in the capital punishment, that following a conviction of guilty, on any one of the nine categories that are.. that are.. enumerated in the bill, the State's Attorney has the discretion of seeking the impaneling of a three-judge court for purposes of imposing the ah.. death penalty. Ah.. upon reading some additional law through the very good offices of Art Harrison, the superb staff man for Judiciary II, and further conferences with ah.. ah.. some law professors, I have reluctantly concluded that the prosecutorial discretion might very well be a constitutional pitfall in this bill. Ah.. philosophically, I disagree but as a matter of ah.. law and ah.. as a matter of Supreme Court mandate, I do believe that we have to eliminate this discretion. And, therefore, I ask leave to table Amendment No. 3 which was previously adopted."

W. Robert Blair: "All right. The Gentleman is asking leave to table Amendment No. 3. Is there objection? Gentleman



from Cook, Mr. Duff."

B. B. Duff: "Would the sponsor of the amendment yield to a question, please?"

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

B. B. Duff: "Ah.. Representative Hyde. I'm a little confused, because we have had up until a couple of weeks ago, a number of discussions on this bill. Ah.. it was my recollection that ah.. you moved to table Committee Amendment No. 1 when this bill was on Second Reading about two weeks ago. Ah.. and now are amending it.. at that time as you have just said, ah.. there was still a question on prosecutorial discretion and now you are putting on Amendment No. ah.. 3 which until this very moment, I've been unaware of. And ah.. I wonder if this Amendment No. 3 goes back substantially to Amendment No. 1? Or at least in large part?"

H. J. Hyde: "Ah.. Mr. Duff. I am tabling Amendment No. 3 which is the posture the bill is in now, and I'm offering Amendment No. 4 which I will address myself to once we get 3 tabled."

B. B. Duff: "Ah.. well, my question is..oh, I see. Very well."

W. Robert Blair: "All right. Any objections, then. He's asking leave. Hearing no objections, leave is granted. Amendment No. 3 is tabled. Further amendments."

Frederic Selcke: "Amendment No. 4. Hyde. Amend House Bill 18, as amended."

W. Robert Blair: "Gentleman from Cook, Mr. Hyde."

H. J. Hyde: "Thank you, Mr. Speaker. Amendment No. 4 ah..



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takes away the discretionary aspect where the prosecutor then seeks to have the chief judge set up a three-judge court to hear evidence in aggravation and to determine whether the facts of the crime fits any of the nine categories and hence must impose a mandatory death penalty. Ah.. the thrust of Amendment No. 4 simply says that, upon conviction by the jury, the trial judge shall notify the chief judge and the chief judge shall then and there impanel a three-judge court to hear evidence as to whether the facts sufficiently qualify it for the imposition of the death penalty. In other words, in Amendment No. 4 there is no discretion whatsoever on the part of the prosecutor. Once the conviction is had, the three-judge court must be impaneled. Ah.. I personally, think there should be discretion ah.. because there are some cases where perhaps the death penalty might not be appropriate. But, I am convinced the law would frown upon any discretion and so I ask ah.. that Amendment No. 4 to House Bill 18 be adopted."

W. Robert Blair: "Gentleman from Cook, Mr. Duff."

B. B. Duff: "Mr. Speaker, I have searched in vain over my desk for this ah.. amendment and I can't find it--it's not in my bill book and it's not on my desk any place at all. It's a very important subject which we have had some dialogue for some eight weeks on now. Ah.. I would appreciate the privilege of having an opportunity to view this amend-



ment ah.... and would ask the Sponsor if he would be willing to hold this amendment for a moment while we might look at it and discuss it."

W. Robert Blair: "The Clerk advises that the amendment has been on the desk for some period of time."

Duff: "Well, in that case, Mr. Speaker, I would ask the Sponsor if he would give me the opportunity to find the amendment, and look at it."

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

Hyde: "I certainly want to accommodate the distinguished Chairman of Judiciary II, ah.... so I would do so in the prayerful expectation that we will be able to move this Bill to Third today. I will provide him with a copy of the amendment myself."

W. Robert Blair: "As soon as that has been accomplished, the Chair will be happy to return to that item of business if the gentleman will notify me as to when that time is and ah....the Clerk will proceed."

Fredric B. Selcke: "House Bill 20, Cunningham. An Act to amend an Act to require the mandatory death penalty. Second Reading of the Bill. This Bill was read a second time, amended, and advanced to the order of Third Reading and called back to the order of Second Reading for further amendments. The next amendment is Amendment #2, Cunningham. Amend House Bill 20 by deleting everything after the enacting clause inserting the lieu there of the following and so forth."



W. Robert Blair: "Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker, ah... the first amendment was adopted, which is the Sub-Committee amendment and then with further discussion of the Sub-Committee it was decided that a very slight change needed to be worded and the wording needed to be made, so the second amendment was adopted. Further study shows that it needs to be changed just a little bit more. So for that reason, I would like at this time to withdraw the second amendment and strike the first amendment and offer for adoption the third amendment, which is the Sub-Committee's amendment in this matter, offered by Representative Gibbs who has been detained at this time, but I would like to present it for him if I may."

W. Robert Blair: "All right, in order to keep the record straight the gentleman offers to move the adoption of Amendment #2 and then move to table Amendment #2. Does the gentleman have leave to table Amendment #2? Hearing no objections leave has been given. Amendment #2 has been tabled."

Fredric B. Selcke: "Amendment #3, Gibbs. Amend House Bill 20 as amended and so forth."

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

Cunningham: "Members of the House, Amendment #3 is the Sub-Committee amendment to this Death Penalty Bill. It provides for what is described as the bifurcated proceeding after there has been the determination of the guilt of the murderer, then there is a separate finding by the initial



trier of fact as to whether the offense fits into eight categories that are innumarated. We respectfully move that Amendment #3 be adopted."

W. Robert Blair: "Any discussion? All right, the question is on the adoption of Amendment #3. All those in favor will say 'aye', the opposed 'no'. The 'ayes' have it and the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 25, Sevcik. A Bill for an Act to amend the School Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 25 on page 1 and so forth."

W. Robert Blair: Gentleman from Cook, Mr. Sevcik."

Sevcik: "I move for the adoption of Committee Amendment #1."

W. Robert Blair: "Is there any discussion? Gentleman has offered to move the adoption of Committee Amendment #1 to House Bill 25. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."



line 11, by..."

Arthur Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, and Members of the House. Amendment No. 1 is being brought forth in the House in compliance to my request of the Committee when we heard it, that to eliminate the language dealing with sail boat regattas and only restrictive to motor boat races and ask that Amendment No. 1 be adopted."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move for the adoption of Amendment No. 1 to House Bill 358. All in favor signify by saying aye, the opposed, no, the Amendment is adopted. Are there further Amendments? Third Reading."

Fred Selcke: "House Bill 362. Hill. A Bill for an Act relating to mechanics leans. Second Reading of the Bill. Apparently, there were two Committee Amendments. One Committee Amendment was...evidently tabled in Committee. Committee Amendment No. 2. Amend House Bill 362 on page 1 by..."

Arthur Telcser: "The Gentleman from Kane, Representative Hill."

Hill: "Mr. Speaker, and Ladies and Gentlemen of the House. I move Amendment No. 2 be adopted."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. 2 to House Bill 362. All in favor, signify by saying aye, all opposed, no. The Amendment is adopted."



Are there further Amendments? Third Reading."

Fred Selcke: "House Bill 363. Hill. A Bill for an Act relating to an Act for mortgages, utilities, second reading of the Bill. One Committee Amendment. Amend House Bill...."

Arthur Telcser: "The Gentleman from Kane, Representative Hill.

Hill: "This Amendment, all it does is change the word forfeit to liable for and I move the adoption."

Arthur Telcser: "The Gentleman has offered to move the adoption of Amendment No. 1 to House Bill 363. All in favor of the adoption, signify by saying aye, the opposed, no. The Amendment is adopted. Are there further Amendments?"

Fred Selcke: "Amendment No. 2. Maragos. Amend House Bill 363 as amended, and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker, and Members of the House. Amendment No. 2 on House Bill 363 revises the Bill to exclude any mortgagees who a...mortgagors, who do not want there business recorded as mandatory under terms of the Bill. Its a Committee requested Amendment and I move for its adoption."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. 2 to House Bill 363. All in favor of the adoption, signify by saying aye, the opposed no. Amendment is adopted. Are there



Fred Selcke: "House Bill 51, Pappas. Bill for an Act to amend an Act, State Police, second reading of the bill. No committee amendments."

Arthur Telcser: "Are there any Amendments from the floor? Third Reading."

Fred Selcke: "House Bill 58, Craig."

Arthur Telcser: "Is Representative Craig on the floor? Take now the record."

Fred Selcke: "House Bill 63,"

Arthur Telcser: "It's Representative Craig again, he's not on the floor."

Fred Selcke: "House Bill 64, North. A Bill for an Act to amend the Vehicle Code, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor?" Third Reading.

Fred Selcke: "House Bill 65, North. A Bill for an Act to amend the Vehicle Code, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor?" Third Reading."

Fred Selcke: "House Bill 56, North. A Bill for an Act to amend the Vehicle Code, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor? Third reading."



Fred Selcke: "House Bill 67, North. A Bill for an Act to amend the Vehicle Code, Second Reading of the Bill."
No committee amendments."

Arthur Telcser: "Are there amendments from the floor? Third Reading."

Fred Selcke: "House Bill 68, North. A Bill for an Act to amend the Vehicle Code, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor. Third Reading."

Fred Selcke: "House Bill 90, Brinkmeier. "A bill for an Act relating to an Act relating to the Advisory Commission and Compensation, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor? Third Reading."

Fred Selcke: "House Bill 91, Brinkmeier. An Act relating to the Advisory Committee on Compensation Committee members of the General Assembly, Second Reading of the Bill. No committee amendments."

Arthur Telcser: Are there amendments from the floor? Third Reading."

Fred Selcke: "House Bill 121, Maragos. A Bill for an Act to amend the Income Tax Act. Second Reading of the Bill.
You don't want it?"

Arthur Relcser: "Out of the record please. Take that out of



the record."

Fred Selcke: "House Bill 143, Capparelli. A Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Two committee amendments."

Arthur Telcser: "Representative Skinner, for what purpose do you rise, sir?"

Skinner: "If it would be possible, a...I'm the one offering the amendment to this...a...bill, and I worked with Representative Caparelli on it and I wonder if it would be possible to do it now? We've been waiting for-like two or three weeks."

Fred Selcke: "A Committee Amendment No. 1. Amending House Bill on page 2, 143, by deleting lines 13 through 17 and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative Caparelli."

Caparelli: "Mr. Skinner will offer the amendment."

Arthur Telcser: "Okay, the Gentleman from McHenry, Representative Skinner."

Skinner: I do not believe we wish to offer amendment No. 1. It's amendment Nos. 2 and 3, that we still offer."

Arthur Telcser: "Is there an amendment No. 1, Fred."

Fred Selcke: "I just read Amendment No. 1."

Arthur Telcser: "Okay, the Gentleman has moved that Amendment No. 1 to House Bill 143, be tabled. All in favor of the Gentleman's motion to table, signify by saying aye, the opposed no. The amendment is tabled. Are there further



amendment?"

Fred Selcke: "Committee Amendment No. 2. Amend House Bill 143, page 1, line 1, and so forth."

Arthur Telcser: The Gentleman from McHenry, Representative Skinner."

Skinner: "I move for the adoption of this Amendment."

Arthur Telcser: "The Gentleman has offered to move the adoption of Amendment No. 2 to House Bill 143. All in favor of the Gentleman's motion to adopt signify by saying aye, the opposed no. The amendment is adopted. Are there further amendments?"

Fred Selcke: "Amendment No. 3, Skinner. Amend House Bill 143 as amended and so forth."

Skinner: "Mr. Speaker, I would move the adoption of Amendment No. 3."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. 3 to House Bill 143. All in favor of the adoption signify by saying aye, all opposed no. The amendment is adopted. Are there further amendments?" Third Reading.

Fred Selcke: House Bill 161, Cunningham. A Bill for a Act to amend the Unified Code of Corrections, Second Reading of the Bill. No committee amendments.

Arthur Telcser: "Are there amendments from the floor?"

Fred Selcke: "Amendment No. 1, Catania. Amend House Bill 161, page 1, by deleting line 20, and so forth."



Arthur Telcser: "The lady from Cook, Representative Catania."

Catania: "This Amendments provides that brothers and sisters will be able to visit prisoners as well as other members of the immediate family. As the bill was drafted, it provided that parents, spouses, and children would be able to visit. I think including brothers and sisters really broadens the scope and perhaps will provide some companionship for unmarried prisoners."

Arthur Telcser: "Is there any discussion? The Lady has offered to move the adoption of Amendmenc No. 1 to House Bill 163. All in favor of the adoption signify by saying aye, all opposed, no. The amendment is adopted. Are there further amendments? Third reading."

FRed Selcke: "House Bill 167, Barry. A Bill for an Act to amend the Election Code. Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor?. Third reading. Representative Maher, do you seek recognition, sir?"

Maher: "Mr. Speaker, ladies and gentlemen of the House. I speak on a point of personal privilege."

Arthur Telcser: "State your point, sir."

Maher: "During the last few days, I have been receiving letters, three in fact from State of Illinois, Department of Labor, Bureau of Employment Security, from an individual in that organization who apparently is a member of the Illinois



State Employment Service on official stationery, paid for by the State of Illinois, asking me to vote a certain way or to push for certain things. A pay raise for one, repossession of automobiles, and so on and so forth, and investigation of certain industries. It seems to me this is highly improper. Being a new member of this body, I'm not too familiar with what the procedures are, but it seems to me that somebody in the State of Illinois, is using taxpayers money and taxpayers stamps and so forth for their own personal gain, in order to push a particular thing. It seems to me that it is highly improper and it ought to be looked into."

Arthur Telcser: "House Bill 168."

Fred Selcke: "House Bill 168, Blades. A Bill for an Act to Amend the Pension Code. Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor?"

Fred Selcke: "Amendment No. 1, Blades. Amend House Bill 168 on page c, and so forth."

Arthur Telcser: "Is Representative Blades on the floor? Take it out of the records. Representative Berman, for what purpose do you rise, sir?"

Berman: "Is this amendment, floor amendment No. 1 to 168."

Fred Selcke: "Yeh."

Berman: "This is my amendment and I'd like to handle it. It's with the consent of Mr. Blades."

Arthur Telcser: "He's not on the floor, is he?"



Berman: It's an agreed amendment."

Arthur Telcser: "The gentleman from Cook, Representative J. J. Wolfe."

Wolfe: "Well, Mr. Speaker and members of the House. I know the sponsor is not here. He has an amendment, now I understand Representative Berman has an amendment. And I'm going to oppose both of those amendments, because I have amendment No. 2."

Arthur Telcser: "I think we ought to take that out of the record since the sponsor...House Bill 177."

Fred Selcke: "House Bill 177, Londrigan. A Bill for an Act requiring prompt payments by the State, Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there amendments from the floor?"

Fred Selcke: "Amendment No. 1, Londrigan. Amendment House Bill 177 on page 1, and so forth."

Arthur Telcser: "The Gentleman from Sangamon, Representative Londrigan."

Londrigan: "Mr. Speaker, and ladies and gentlemen of the House. This amendments merely clarifies the language and procedure of the Bill. It was requested by the General Services and I ask for your approval."

Arthur Telcser: "Is there any discussion. The Gentleman has offered to move for the adoption of Amendment No. 1 to House Bill 177. All in favor signify by saying aye, all opposed, no. The amendment is adopted. Are there any



further amendments?" Third Reading."

Fred Selcke: "House Bill 180, Ron Hoffman. A Bill for an Act to amend Section 4.2 of a Act in relation of interests, and so forth. Second Reading of the Bill. One committee amendment. Amend House Bill 180, on page..."

Arthur Telcser: "The Gentleman from Cook, Representative Ron Hoffman."

Hoffman: "Thank you Mr. Speaker, ladies and gentlemen of the House. This amendment is based on recommendations received from individual members on the committee and it does four things. I removes the language must be acknowledge in writing by the debtor; it changes one word from give to furnish; inserts a time certain and puts an effective date of January 1, 1974 on it and I move for its adoption."

Arthur Telcser: "Is there any discussion. The Gentleman moves for the adoption of Amendment No. 1 to House Bill 180. All in favor for the adoption, signify by saying aye, opposed, no. The Amendment is adopted. Are there further amendments?" Third reading."

Fred Selcke: "House Bill 203, Deuster. A Bill for an Act to amend the Municipal Budget Law, Second Reading of the Bill. One Committee Amendment. Amend House Bill 203, page 2, and so forth."

Arthur Telcser: "The Gentleman from Lake, Representative Deuster."

Deuster: "A...Mr. Speaker, I wonder if House Bill 203 and 204



can be entered together."

Arthur Telcser: "No, no, no. A...Representative Deuster, were on the order of Second Reading now, it would take a second motion to adopt." You can do it on third reading."

Deuster: "Alright, Mr. Speaker, I ask that amendment No. 1 be tabled to House Bill 203."

Arthur Telcser: The Gentleman has moved that Amendment No. 1 to House Bill 203 be tabled. All in favor of the gentleman's motion say aye, the opposed no. The amendment is adopted. The Gentleman from Cook, Representative Shea."

Shea: "Would the Gentleman explain what the Committee Amendment did and why he's tabling it?"

Arthur Telcser: "He indicates that he will."

Deuster: "Yes, I'll be happy to respond to that. The..a.. Committee Amendment to 203 and 204 I tried to bring the two Bills into line and into consistency and while the Amendments did accomplish that the Amendment No. 2 seeks to accomplish the elimination of an archaic provision of posting notices and in some public places about which there were some a...difficulty to determine what it meant."

Shea: "Well, now Committee Amendment No. 1 was tabled in Committee, is that correct?"

Deuster: "No, sir, Committee Amenment No. 1 was adopted in Committee."

Shea: "Alright, and that was offered by Representative I. Sims. Is that right? And that's the one that you want to table?"



Deuster: "I do not recall who offered it. A...I had it drafted and some member of the Committee offered it on my behalf."

Shea: "Why don't you hold these Bills until we can find out while we are tabling the Committee Amendments, I'm very confused."

Arthur Telcser: "Well, if the sponsor wishes to hold it, it's up to him."

Shea: "Just until we get some explanation of why we're tabling committee amendments?"

Deuster: "Well, as the sponsor...asubsequent to the Committee action, it was suggested to me that the bill could be improved, and further refined by offering amendment No. 2 in lieu of the committee adopted amendment, and I'm just offering it in for that purpose. A...what has happend is hat the amendment No. 2 deletes the last part of the proposal which has to do with going out and tacking up notices around trying to find ten public places and it was my feeling as the sponsor that the bill would be in better shape with amendment No. 2 than with amendment No. 1 and I had them both drafted...that's the reason...I...I just think amendment No. 2 and puts the bill in better shape, so I offer the motion to table No. 1 and No. 2. I don't know whether the offership of any other member are involved."

Shea: "The only question that comes to my mind is the bill comes out of Committee amended, and I just want to know why were striking committee amendments and putting on the second ones."

Deuster: "I want to make it perfectly clear that was my amend-



ment No. 1 that I seeking to table and I'm just trying to table my on product which I discovered later that could be improved upon."

Arthur Telcser: "Okay, the Gentleman has moved that Amendment No 1 to House Bill 203 be tabled. All in favor of the Gentleman's motion to table signify by saying aye, the opposed no. The amendment is tabled. Are there further amendments?"

Fred Selcke: "Amendment No. 2, Duester. Amend House Bil 203, on page 2 by deleting lines 23 through 36, and so forth."

Arthur Telcser: "The Gentleman from Lake, Representative Deuster."

Deuster: "Yes, Amendment No. 2, as I say, is an improvement on Amendment No. 1 and it simply provides that in connection with the units of government involved that where notices required, if for some reason, with the small rural units of government, that there happens no newspaper published in that unit of government, then you may also provide for a public notice by having publication in a newspaper which is published in the county, but circulates in that unit of government. And that is the object of the Amendment. No. 2."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move for the adoption of No. 2 to House bill 203. All in favor of the adoption signify by saying aye, all opposed, no. The amendment is adopted. Are there other amendments. Third Reading. Representative VonBoeckman, for what purpose do you rise sir?"



Von Boeckman: "Point of special privilege, Mr. Speaker."

Arthur Telcser: "State your point, sir."

Von Boeckman: "A...Mr. Speaker, ladies and gentlemen of the House. I have from my district the sixth grade of Wilson School, which Mr. David Cole and Mrs. Joy Irwin have their students down here to view us today and I also have my nephew as a member of that class, Bobby Von-Boeckman. I'd like to introduce them there they are over to the right."

Arthur Telcser: "House Bill 204."

Fred Selcke: "House Bill 204, A bill for an Act to amend Section 14 of an Act in relation to the fire and protection of district. Second REading of the Bill. One committee amendment. Amendment No. 1, amend House Bill 204 and so forth."

Arthur Telcser: "The Gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker, for exactly the same reasons as outlined for 203, I would like to move to table my amendment No. 1 and then after that I will move the adoption of Amendment No. 2."

Arthur Telcser: "The Gentleman has moved to table Amendment No. 1 to House Bill 204. All in favor of the motion signifying by saying aye, the opposed no. The Amendment is tabled. Are there further amendments?"

Fred Selcke: "Amendment No. 2, Deuster. Amend House Bill 204.."



Arthur Telcser: "The Gentleman from Lake, Representative Duester."

Duester: "This is the same Amendment No. 2 with the same object and I move it's adoption."

Arthur Telcser: "The Gentleman has offered to move for the adoption of Amendment No. 2 to House Bill 204, all in favor of the adoption signify by saying aye, all opposed no. The amendment is adopted. Are there any further amendments?" Third reading."

Fred Selcke: "House Bill 212, Collins. A bill for an Act to amend the Election Code, Second REading of the Bill. One Committee Amendment. Amend House Bill 212, page 4 by deleting..."

Arthur Telcser: "The Gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker, ladies and gentlemen of the House. Amendment No. 1 to House Bill 212 first of all, addresses itself to the so called tie-breaker on the State Board of Elections. This...a...would...a...pinpoint in that the ...a...definition would be the four years immediately preceding his nomination. The Bill as originally stated, introduced in that State. Also, I line 22, page 6, we deal with the problem of the local authorities having their own manual on instructions for elections and where the Bill states that under extraordinary circumstances, such a manual may be used....a... the Amendment states that prior approval of the State Board of Elections if necessary for the issuance of supplemental manuals. The rest of the Amendment is non-substitutive and



I would move for the adoption of Amendment #1, to House Bill 212."

Arthur Telcser: "Gentleman from Cook, Representative Shea."

Shea: "What is the ah... on page 7, in line 23, supervise the administration. What does that do, Phil?"

Collins: "That's merely gramatical, Jerry. We're putting a verb in order ah.... it was gramatically incorrect ah... as ah... proposed originally."

Shea: "It does a little bit more than that doesn't it, Phil?"

Collins: "No, it changes to have general supervision to supervise the administration. It's really ah...the line as introduced as to have general supervision over the administration. We've changed it to supervise the administration. It's really says the same thing ah..... in a few less words."

Shea: "Ah.... Phil.."

Collins: "Nothing more than that is intended, so maybe you'll tell me what you fear."

Shea: "Well, I just wondered you know because ah... it seems to me what you've done is ah... giving them from a general supervisory power to giving them the administration."

Collins: "No, the amendment says supervise the administration."

Shea: "And it used to say to have general supervision over the administration?"

Collins: "Yes, I think we are saying the same thing."

Shea: "Well, we'll take a good look at it, Phil."

Collins: "Well, I am taking a good look at it and ah... I think that we do say the same thing and that really is the intent."



Arthur Telcser: "Is there further discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 212. All those in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #2, Collins. Amend House Bill 212 on page 3 by deleting lines 15 and so forth."

Arthur Telcser: "The gentleman from Cook, Representative Collins."

Collins: "Yes, ah... Mr. Speaker and ladies and gentleman of the House, in Committee is was raised that the language in Section 1 (a) ah...dash 1 ah... that says that the ah... except as changed by law or by action of the State Board of Elections would seem to ah...imply that the ah... the order of the State Board could change the law. So ah... this ah... amendment is intended to remedy that so where by we strike line 15 through 19 and insert in lieu thereof may hereafter be prescribed by law. I think that this was raised by Representative Ewell ah.... I don't know if he is on the floor or not but is was a point that was well taken and we intend to address ourselves to that point with this amendment."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #2 to House Bill 212. All those in favor of the adoption signify by saying 'aye' and the opposed by saying 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #3, Collins. Amend House Bill 212"



on page 7 by inserting therein....."

Arthur Telcser: "Gentleman from Cook, Representative Collins."

Collins: "Ah... ys, Mr. Speaker and ladies and gentlemen of the House, Amendment #3 adds ah... on page 7 ah... another power of the Board ah... which would be 12 ah.... which would be giving the Board the power to hire investigators, examiners, and hearing officers ah... as may be necessary to carry our it's functions. Ah... I think this is a necessary amendment ah... to assure the Board ah... of it's ah...being able to operate as intended by the Bill and I would move for the adoption of Amendment #3."

Arthur Telcser: "Gentleman from Cook, Representative Shea."

Shea: "Phil, in this one ah... I can understand that first line, but the second line.... when it says abort by regulation..... the Board may by regulation delegate any of it's duties or functions under this Article, and I'm just wondering ah.... we set up the Board to do certain things and then we turn around and say that the Board may ah... delegate all it's functions and duties?"

Collins: "No, no, I don't think so. I think that what we're contemplating here is that is.... with a heavy work load, if it does develop, that you would be able to hire hearing officers and examiners and investigators to ah...to ah.... examine situations as they develop but if you go on in the amendment you'll see that all final judgements ah... will be issued only by the Board."



Shea: "I... I can understand that Phil, but the question in my mind is, are we giving the Board the authority to delegate all of it's authority to someone else and then make the judgement?"

Collins: "Obviously not, I think all we're doing is what we've done with other commission where they may be ah... a work load that we give them the authority to hire hearing officers, and examiners to make the preliminary to ah... take testimony ah... which obviously would have to be reviewed and passed upon by the Board. I think it's just a matter of making it work and ah...and"

Shea: "I understand lines 5 and 6 Phil, but I don't understand lines 7 and 8. Could you tell me any other Board or Commission of this nature, that we've given this authority to?"

Collins: "Ah... let's see, I think the Industrial Commission has hearing officers ah.... I think the Department of Revenue does....."

Shea: "Phil, I'm not questioning having hearing officers. I'm questioning the language in line 7 that specifically says: The Board by regulation may delegate any of it's duties or functions under this Article to such persons."

Collins: "Well, yes... that certainly is qualified by the last two lines. We're not delegating authority, all we're delegating is certain duties and functions, which would be similar, I believe, to the other agencies I just innumerated in answer to your question. I don't think that we have any



problem, we're not....."

Shea: "We checked the Commerce Commission Act, and we can't find this delegation any place in there."

Arthur Telcser: "Representative Giglio, for what purpose do you seek recognition, Sir?"

Giglio: "At this time I would like to have the people from our district who came down to visit Representative Collins and Representative Maragos and myself, the school children from the Lincoln School District, with our Police...Fire Chief Captian Saderski in the gallery."

Arthur Telcser: "The gentleman has offered to move the adoption of Amendment #3 to House..... Representative Shea, for what purpose...."

Shea: "I again was trying to find out if he could point to me specifically in the Commerce Commission or in another Commission Act where this specific delegation appears."

Collins: "I don't have any of those Acts before me so obviously I can't point to it."

Arthur Telcser: "The gentleman has offered to move the adoption of Amendment #3 to House Bill 212. All in favor of adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "None."

Arthur Telcser: "House Bills, Third Reading."

Fredric B. Selcke: "House Bill 213, Collins. A Bill for an Act to amend the Election Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 213 page 3



and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, ah...Amendment #1 to House Bill 213 ah... designates specifically that ah... registration cards are ah... public record. It also deletes the requirement that 24 hour notice be given before cards may be inspected. There are two other items dealt with in Amendment #1, which will be strikened by Amendment #2 and that's the ah...in order to obtain copies, notice must be of the specific records to be copied and requires that payments for copies be made in advance. I'm going to offer Amendment #2 that will strike all reference to copying of records. The problems inherent in ah... in this copying were raised in Committee and I think it's valid so I would move for the adoption of Amendment #1 and then I would offer Amendment #2."

Arthur Telcser: "Any discussion? The gentleman has offered to move for the adoption of Amendment #1 to House Bill 213. All those in favor of the adoption signify by saying 'aye' the opposed 'no' and the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #2, Collins. Amend House Bill 213....."

Arthur Telcser: "Gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, I just explained Amendment #2 briefly and it does strike reference to the copying of these records and I would move



for the adoption of Amendment #2."

Arthur Telcser: "Gentleman has offered to move the adoption of Amendment #2 to House Bill 213. All in favor of the adoption signify by saying 'aye', the opposed by saying 'no', the amendment is adopted. Are there further amendments? Third Reading. House Bill 214."

Fredric B. Selcke: "House Bill 214, Collins. A Bill for an Act to amend the Election Code, Second Reading of the Bill. One Committee Amendment. House Bill 214 on page 1 and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Collins."

Collins: Mr. Speaker, ah... ladies and gentlemen of the House, Amendment #1 to House Bill 214 ah...raises the pay of Election Judges from a rage of \$20 to \$30 a day to ah... a rage of \$25 to \$35 a day, in counties under 500,000. In counties over 500,000 it raises pay from \$30 to \$35 a day and raises the extra pay of judges completing the training course from \$5 to \$10 per day. It also provides that failure to take the training course after notification is provided by law, ah... it results in prima facie evidence of neglective duty. This second feature of Amendment #1, was discussed in Committee and ah... the point was raised that we're making these people subject to criminal penalties. I'm going to offer Amendment #2, which would strike that and ah... would change the language to ah... they would be subject to dismissal and ah... deemed to be in neglective duty, which would remove this criminal implication.



Ah... that would be Amendment #2, but at the present time I will move for the adoption of Amendment #1 to House Bill 214."

Arthur Telcser: "The gentleman has offered to move the adoption of Amendment #1 to House Bill 214. All those in favor signify by saying 'aye' and the opposed 'no'..... Gentleman from Cook, Representative Totten."

Totten: "Would the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Totten: "Phil, does the amendment in any way provide that ah... if the judges do not take the course ah... and are removed and no one takes the course, who do we have for judges? Does the amendment rectify that?"

Collins: "No, I'm afraid that it would be the same as the present law that ah... they would have to ah... again make do with the swear in judges. The amendment is an attempt to attract judges ah... attract them to take the training courses, that's the purpose of the raise in pay, but unfortunately I don't see how we can do anything about it by this amendment or by the Bill."

Totten: "Then we could still on Election Day have five judges none of which have taken the course, ah... if they ah... the original ones were removed?"

Collins: "Unfortunately this is possible, yes."

Totten: "O'kay."

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



Shea: "Mr. Speaker, I got a copy of Amendment #1 and I'm asking ah... is it in proper form? The reason that I ask is I got certain deletions and it looks like some new material was added, but I don't know what new material because its not underscored. Specifically look at line 19, if you might, Mr. Speaker. It shows the words twenty struck through, but I don't know if twenty-five is supposed to be the new material or what other new material may have been added in this because it's not underscored and you can't tell."

Arthur Telcser: "Representative Collins."

Collins: "The gentleman is correct. Twenty-five should be underscored, that is new language, and I thank him for bringing it to my attention."

Shea: "Phil, I don't know how much of this amendment is new language because you can't tell.... there are no under-scoring at all anyplace on the amendment."

Collins: "The only language there are the numbers, that are new."

Shea: "Well, I would hope that that is all that's there, but ah...because there could have been other language added in there that is new language and I don't know."

Collins: "No, if you'll at..... I'm looking at the original and they've put the numerals in quotes instead of underlining them, and that is the new language."

Shea: "Ya, but what I'm asking you is there any other new language that has been added that is not underscored, and



until the amendment is in it's proper form, I think that I would have to object to it because..... to make sure that there is no additional. I think that this is one that you better look at Phil, because you got Amendment 1 and Amendment 2 and they don't jive and they don't get together."

Collins: "Actually there's new language in Amendment #1, which is the end of the amendment on page 6. It should be underlined, it is new language and ah... ironically Amendment 2 would strike that language."

Shea: "Well, would you hold this until you get a proper amendment?"

Collins: "Sure."

Arthur Telcser: "O'kay, we'll take 214 out of the record. House Bill 215."

Fredric B. Selcke: "House Bill 215, Collins. A Bill for an Act to amend the Election Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 215 on page 5, line 22 by deleting 'or from voting for any' on page 5, line 23 by deleting 'election'."

Arther Telcser: "The gentleman from Cook, Representative Collins."

Collins: "Yes, Mr. Speaker, Amendment #1 to House Bill 215 ah... merely delets language held unconstitutional by the United States Supreme Court, regarding prohibitions on voting in any future elections by persons convicted of criminal offenses. I would move for the adoption of Amendment #1 to House Bill 215."



Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 215. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading. Representative Shea, for what purpose do you rise?"

Shea: "Again I'm going to ask Representative Collins ah... we've got another word.... I don't know who's drafting the amendments, Phil, but ah...your deleting the word 'election', shouldn't you have it underscored? I think that you can do that one on it's face."

Collins: "I'm not looking at the original. If it can be done on it's face, I'd appreciate the Clerk making the correction and I want to say thank you."

Arthur Telcser: "Is that all right? O'kay."

Fredric B. Selcke: "House Bill 220, Collins. A Bill for an Act to amend the Election Code. Second Reading of the Bill. One Committee Amendment. Amend House Bill 220 on page 2, by adding after line 16 the following and so forth."

Arthur Telcser: "The gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, Amendment #1 to House Bill 220 adopted in Committee ah... merely adds a Section which was inadvertently left out in the original Bill. This must be done in order to cover all of the applicable ah...Sections of the Election Code and I would move for the adoption of Amendment #1 to House Bill 220."



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

Shea: "What your doing is taking.... I don't find what you mean, it was left out in the original Bill?"

Collins: "The original Bill did not make reference to Section 24-10. This would add that reference to the Bill."

Shea: "In other words, your amending another new Section?"

Collins: "Ah... yes."

Shea: "Well, you know that you've taken care of some paper ballots and supposedly this is now going to go to instructions on voting machines."

Collins: "Yes, that's right."

Shea: "All right. What about the electronic voting devices in 24 (a), how come we've left those out? Is it because they don't have any of those in Cook?"

Collins: "I'm not aware that it's not covered. It appears that in 24 (a) it's already covered ah... in Section 24 (a)-5.1 where it says that no instructions may be given after the voter has entered the voting booth."

Shea: "But it doesn't say that such instructions shall be given outside the polling booth using the model machine, does it?"

Collins: "Give me a minute to look at that. Yes, it says in the same Section: 'Before entering the voting booth, each voter shall be offered instruction in the operation of the marking device by use of the instruction model and the voter shall be given ample opportunity to operate the model by himself.'"



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Shea: "Well, I think we've got a uniformity problem on this two subjects."

Collins: "Well, I think that the Bill is making it uniform."

Shea: "Well, would you have any objections, ah... if your gonna do this ah...to...I think you oughta put 24 (a),... it seems to me that in Cook you've got machines and paper, and then when you get outside of Cook where you've just got voting devices, I think you try to skip it, and I would like to have it uniform throughtout the state."

Collins: "No, ah... well, ah... I think we're both missing the point here somewhere, ah... it's already in 24 (a). If you think it needs further clarification, I'd be happy to see what you'd think is necessary, but I think that it's already in 24 (a) and we don't have it in the other sections."

Shea: "Well, my only fear is that we oughta get the sections reading the same. But we'll look at it, Phil."

Arthur Telcser: "The gentleman has offered to move for the adoption of Amendment #1 to House Bill 220. All in favor signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 229, Schlickman. Amends an Act relating to fire arms. Second Reading of the Bill. Two Committee Amendments Amend House Bill 229 on page 1, line 19 by deleating 'during any fiscal year'."

Arthur Telcser: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, House Bill 229 amends the Gun Owners Identification Law. The Bill is



founded on the principal that a fee should not be in an amount greater than the cost of the administration. What the Bill does as it was originally introduced was to reduce the gun owner identification fee from \$5.00 to \$1.25. Amendment #1 provides that the total revenue received from the gunowner's identification fee shall be deposited in the General Revenue Fund ah.. from which comes the money necessary to administer this program. Mr. Speaker and Members of the House, I move for the adoption of Committee Amendment #1."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move for the adoption of Committee Amendment #1 to House Bill 229. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #2, Amend House Bill 229 page 1, line 19, and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, Committee Amendment #2 was suggested by the Department of Law Enforcement. When the Bill was originally introduced we reduced the gun owners identification fee from \$5.00 to \$1.25. The Department of Law Enforcement has pointed out to me and convinced me as well as the Judiciary I Committee, to which the Bill was referred, that the actual cost of administration over a five year period, per permit, is \$1.87. We therefore by Committee Amendment #1, increase



the reduction from \$1.25 to \$2.00. Or reduce the existing fee from \$5.00 to \$2.00. Furthermore by Amendment #2, suggested by the Department of Law Enforcement, we defer the effective date to July 1, 1974. And the reason for this is that the Department of Law Enforcement has already printed the applications to be used in 1974 and they have been distributed. Mr. Speaker and Members of the House, I move for the adoption of Committee Amendment #2 to House Bill 229."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #2 to House Bill 229. All those in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third..... Representative Collins, for what purpose do you rise, Sir?"

Collins: "Mr. Speaker, I must apologize to the House. There was another amendment to House Bill 220, that was to be offered. You've advanced to Third Reading and ah... I would ask leave to ah... to return House Bill 220 to Second Reading and leave it on Second Reading so I may offer the amendment next week."

Arthur Telcser: "Well, o'kay let me say first that Third Reading on House Bill 229. Gentleman from Cook, Representative Shea."

Shea: "How many votes does it take to get a Bill from Third to Second?"

Arthur Telcser: "Are there any objections? Then House Bill 220



will be returned to Second Reading and placed on the calendar in that position. House Bill 233."

Fredric B. Selcke: "House Bill 233. A Bill for an Act to amend the Retailors and Salesman Act, Second Reading of the Bill. One Committee Amendment. The Committee Clerk put Amendment #2 on here so I don't know whether this is Amendment #1 or #2. Amendment #2, amend House Bill 233 page 1, line 11, and so forth."

Arthur Telcser: "Representative Hoffman, do you know what happened to Amendment #1?" Gentleman from Cook, Representative R. Hoffman."

Hoffman: "Thank you Mr. Speaker and ladies and gentlemen of the House. Amendment #1 inserted originally this Act effective January 1, 1974. The second Amendment when it was prepared, which did two other things, duplicated this and consequently we have tabled Amendment #1 in Committee. So the only thing that remains is Amendment #2. Amendment #2, in effect changes ah... two word in the text of it and inserts 'thirty days after the end of the year if the count has been terminated during such year.' It's clarifying language and was recommended by the Committee."

Arthur Telcser: "Is there any discussion? The gentleman has moved for the adoption of Amendment #2 to House Bill 233. All those in favor of the adoption signify by saying 'aye' the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 244, Rayson. A Bill for an Act



to amend an Act relating to volunteer fireman. Second Reading of the Bill. Apparently the same thing happened with this Bill. There are three Committee Amendments. Committee Amendment #1 apparently was tabled in Committee, it's not on the Bill. Committee Amendment #2, amend House Bill 241 on page 1 by deleting lines 1,2,3 and inserting 'and so forth.'

Arthur Telcser: "Gentleman from Cook, Representative Rayson."

Rayson: "Mr. Speaker and Members of the House, this ah.. Bill, that's correct, the first amendment was tabled in Committee and a Sub-Committee product ah... Amendment #2 was adopted, which changes rather substantially the original Bill, but makes it in a fine workable form, and I commend Representative Philips for this effort. The Bill as amended suggests that it's a permissive possibility for home rule municipalities to set up ah... limited life insurance incentive plans for volunteer firemen or volunteer policemen. It also applies in this permissive way to ah... fire protection districts. It allows the Comptroller to ah.. have state control by right of approval of this accounts and his right to promulgate rules and regulations pertaining to this accounts. I therefore move, Mr. Speaker, the ah... adoption of Amendment #2 to House Bill 244."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #2 to House Bill 244. All in favor of the adoption signify by saying 'aye', and the opposed 'no', the amendment is adopted. Are there



Fredric B. Selcke: "Committee Amendment #3. Amend House Bill 244 on page 1 and so forth."

Arthur Telcser: "The gentleman from Cook, Representative Rayson."

Rayson: "This is the amendment that goes on Bills ah.. frequently ah...recommended by some of our Cook County friends, it's to make it clear that it's only a non home rule kind of permissive Bill and doesn't effect home rule municipalities. I move for the adoption of Amendment #3."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #3 to House Bill 244. All those in favor of the adoption signify by saying 'aye' and the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading. Representative Shea, for what purpose do you rise?"

Shea: "This morning House Bill 20 was called on Second Reading, and an amendment offered by Representative Gibbs and ah... he offered it as a technical amendment, at least that's what I got, it was gone from Second to Third Reading. And know I find out after reading the amendment that it's goes a little bit more than that and I'm wondering if they'd have any objections or if the Sponsor would be if we could get that Bill back on Second Reading and discuss the amendment."

Arthur Telcser: "Well, if Representative Gibbs wishes to do that, that's up to him."

Gibbs: "No, we don't have any objections."

Shea: "Thank you."



Arthur Telcser: "O'kay hearing no objections, House Bill 20 will be left on the order of Second Reading on our next legislative day calendar."

Shea: "Thank you."

Fredric B. Selcke: "House Bill 245, Gibbs. Appropriation relating to the Court of Claims. Second Reading of the Bill. Two Committee Amendments. Amendment #1, amend House Bill 245, and so forth."

Arthur Telcser: "The gentleman from Sangamon, Representative Gibbs."

Gibbs: "Mr. Speaker and ladies and gentlemen of the House, there are two amendments to this Bill. The first one, Amendment #1 removes the six claims from the Bill that were previously paid and inserts seventeen new claims that were awarded by the Court, since the Bill was written. Amendment #2 limits the number of awards that can be paid from the Bill and says that it has to be limited now to the 29 which are in there. I move for the adoption of these amendments."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 245. All in gentleman from McHenry, Representative Hanahan."

Hanahan: "What does it do to the total appropriation? Where was it and where is it now?"

Gibbs: "I didn't hear the question?"

Hanahan: "I said, Representative Gibbs, what were the claims the new claims that your amending into the Bill? The House Appropriations Committee could not hear these claims,



I'm sure, and what is the difference in the award, the total appropriation?"

Gibbs: They were, I'm sorry, these were Committee Amendments they were...."

Hanahan: "Oh, these were Committee Amendments?"

Gibbs: Yes."

Hanahan: O'kay, what were they for the memory of the House?"

Gibbs: "Well, do you want me to read the claims?"

Hanahan: "Yes, please."

Gibbs: "Well, the first one was \$24,480 to the Missouri Rolling Mills Corporation. It was a debt for materials furnished to the Department of Transportation. The second one was for \$1528.52 to Childs and Todd Corporation. And ah... that was for services rendered to various agencies of the state. The third one was to Dr. Donald Donnaca, for debts for services for \$2120.43. The fourth one was to Maryville Academy for ah... it's a debt also for services rendered to the Department of Children and Family Services in the amount of \$1621.20. The next one was St. Francis Hospital was for debt also, \$2349.45. The next one is The National Instructional Television Center, it was also a debt, which was allowed in the amount of \$16,209.36. The next one was for Hirshfeild Manufacturing Corporation ah.. another debt for \$1081.75. The next one was to the Augustana Nursery, also a debt, for \$1636.56. The next one was to I.B.M., International Business Corporation, for \$5,384.71.



The next one was also to the same company, I.B.M. for \$9,854.33 was also a debt for materials furnished. The next one is to William J. Hagstrom, also a debt for \$1955.00. The next one was to I.B.M. again for \$7,081.66 for a debt. The next one was for Gamma Photo Lab Inc. also a debt for \$2230.80. The next one was United Laboratories Inc., also for a debt for \$1909.74 The next one was Colon Photography Inc. also a debt for \$4095.00. And the last one to Bollington Inc. for merchandise and was a debt in the amount of \$10,829.00."

Hanahan: "Thank you, Representative Gibbs."

Arthur Telcser: "Is there further discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 245. All in favor signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #2. Amend House Bill 245 as amended on page 3 and so forth."

Arthur Telcser: "Gentleman from Sangamon, Representative Gibbs."

Gibbs: "This Amendment #2 limits the number of awards that can be paid from the Bill to the 29 that are now contained in this Bill."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #2 to House Bill 245. All those in favor of adoption signify by saying 'aye', the opposed by saying 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 247, Cunningham. A Bill to



amend the Local Library Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 247 and so forth."

Arthur Telcser: "Gentleman from Lawrence, Representative Cunningham."

Cunningham: "The Committee Amendment is merely the home rule amendment and I move it's adoption."

Arthur Telcser: "The gentleman has offered to move the adoption of Amendment #1 to House Bill 247. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments?
Third Reading."

Fredric B. Selcke: "House Bill 253, Friedland. A Bill for an Act to make an appropriation for Rust Control and Drainage Study at Elgin. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there amendments on the floor?"

Fredric B. Selcke: "Amendment #1, Friedland. Amend House Bill 253 on page 1, line 7, by deleting '\$30,000', inserting in lieu thereof '\$15,000.'"

Arthur Telcser: "Gentleman from Kane, Representative Friedland,"

Friedland: "Mr. Speaker and ladies and gentlemen of the House, Amendment #1 would reduce the appropriation from \$30,000 to \$15,000, and I would move for it's adoption."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 253. All in favor of the adoption signify by saying 'aye'."



the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 260, Yourell. A Bill for an Act to prohibit the sale of mailing lists. Second Reading of the Bill. One Committee Amendment. Amend House Bill 260 on page 1 by deleting lines 6 and 7 and inserting lieu of the following."

Arthur Telcser: "The gentleman from Cook, Representative Yourell." "Is Representative Yourell on the floor? Well, let's take it out of the record. House Bill 264."

Fredric B. Selcke: "House Bill 264, Redmond. A Bill..... is Redmond here?"

Arthur Telcser: "Is Representative Redmond on the floor? Take it out of the record."

Fredric B. Selcke: "House Bill 265, Philip. A Bill for an Act to provide for Creative Management Force District. Second Reading of the Bill. One Committee Amendment. Amend House Bill 265 on page 1, line 10 and so forth."

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

Philip: "Mr. Speaker and ladies and gentlemen of the House, Committee Amendment #1 to House Bill 265 merely corrects a mistake in punctuation. It changes the location of three sets of commas. I move the adoption of Amendment #1 to House Bill 265."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill



265. All those in favor of the adoption signify by saying 'aye' the opposed by saying 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 269, Rayson. A Bill for an Act to amend and Act relating to Crimes Victims Compensation Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 269 on page 5, lines 12, 17, 21 by deleting record and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Rayson."

Rayson: "This is a Committee Amendment put on the Victims Crimes Bill ah.. to show that the records of hearings must have proper transcripts. This is all this amendment does and I move the adoption of Amendment #1 to House Bill 269."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 269. All those in favor of the adoption signify by saying 'aye', the opposed by saying 'no', the amendment is adopted. Are there further amendments?"

Fredric B. Selcke: "Amendment #2, Rayson. Amend House Bill 269 as amended on page 1, and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Rayson."

Rayson: "Mr. Speaker, this is tantamount to be in a Committee Amendment because the Committee at that time thought that there wasn't enough time to have the amendment ready, so this amendment was designed by my representation to various Members of the Committee who raised points. For example, Representative Fleck thought ah...the Clingman's Rate for



Redress for a violent crime where he sustains out of pocket loss without any kind of compensation should go from \$100 to \$500 to eliminate many claims. The other point was that ah.. we should make sure that ah.. this kind of redress doesn't apply to any member of the family to satisfy Representative Catania and ah...some other language was cleared up based on fine suggestions from Members of the Committee. So I therefore move for the adoption of Amendment #2 to House Bill 269."

Arthur Telcser: Is there any discussion? The gentleman has offered to move the adoption of Amendment #2 to House Bill 269. All those in favor of the adoption signify by saying 'aye', the opposed by saying 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 270, Rayson. Amends an Act relating to the Court of Claims. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there amendments on the floor? Third Reading."

Fredric B. Selcke: "House Bill 271, Rayson. A Bill for an Act in relation to Meetings. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there amendments on the floor?"

Fredric B. Selcke: "Amendment #1, Rayson. Amend House Bill 271 on page 1, by deleting lines 31 and 32 and so forth."

Arthur Telcser: "Gentleman from Cook, Representative Rayson."

Rayson: "Mr. Speaker, this is a amendment that one of the Committee Members, Representative Kempiners, suggested with



reference to the Public Meetings Act, to certainly clarify but further restrict this light amendment we're adding to this Act. So it's again tantamount to a Committee Amendment and now move the adoption of Amendment #1 to House Bill 271."

Arthur Telcser: "Is there any discussion? The gentleman has offered to move the adoption of Amendment #1 to House Bill 271. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."

Fredric B. Selcke: "House Bill 288, Martin. An Act in relation to Real Estate Installment Contracts. Second Reading of the Bill. One Committee Amendment. Amend House Bill 288 on page 1 by deleting all the lines 14 through 22, and so forth."

Arthur Telcser: "The lady from Cook, Representative Martin."

Martin: "Mr. Speaker, I'd like to move the adoption of Committee Amendment #1, which is a warning to buy of real residential property, to get legal advice before signing such a contract. Failure to do so by the seller then would turn the contract voidable within two months from the date that the buyer signs the contract."

Arthur Telcser: "Is there any discussion? The lady has offered to move the adoption of Amendment #1 to House Bill 288. All in favor of the adoption signify by saying 'aye', the opposed 'no', the amendment is adopted. Are there further amendments? Third Reading."



Arthur Telcser: Now, a...earlier today we called House Bill 18 and the sponsor took it out of the record as I understand it for Representative Duff. So we'll go back to House Bill 18 now and come back after that to 291." House Bill 18 having been read a second time."

Fred Selcke: Amendment No. 4 was read and Mr. Hyde was explaining his amendment."

Hyde: "Thank you Mr. Speaker. Amendment No. 4 as stated before, removes prosecutorial discretion and provides the following. A murder trial...and I enumerate nine categories, where the death penalty would be mandatory...the...a...trial judge shall notify the chief judge if any of the circumstances occur in the trial as enumerated in the nine categories, and the chief judge then shall not may impanel a three judge court, one of whom should be a trial judge, if available, and they will hear evidence in the nature of aggravation...a...in they a...determine by a majority vote beyond all reasonable doubt that the facts of the case fit it within any one of the nine categories, then they must approach the death penalty. This I think, meets the constitutional objections..of...a arbitrary abusive discretion that is possible if the prosecutor obtains the decisional authority to determine whether or not to seek the...a...setting up of the three judge court, so I would move adoption of Amendment No. 4 to House Bill 18."

Arthur Telcser: "The Gentlemen from Cook, Representative Duff."

Duff: "A...will the sponsor answer a question?"



Arthur Telcser: "He indicates he will."

Duff: "Mr. Hyde, if this Amendment is not adopted, just to put the historical situation since I know you've been working very hard on this bill to get it in the right shape. If this Amendment was not adopted, now as I understand it, Amendments No. 1, 2, and 3 have been tabled, is that right?"

Hyde: "Yes sir."

Duff: "And so it would be back to the original bill?"

Hyde: "That, I believe, would be correct."

Duff: "Well, Mr. Speaker, may I speak of the Amendment?"

Arthur Telcser: "Proceed, sir."

Duff: "A...the sponsor of this Amendment of the Bill and many others have been working very hard on a complicated problem. I have problems with this Amendment...and I would like, at this time, for the benefit of the record to make them. On the other hand...well let me make them first. On page 5 of the Amendment, Section 9, the Amendments says, it lists several factors and then it says for any of the above circumstances exist following the condition of the murder, the trial judge shall. In my personal opinion, that's ambiguous, because where it says the above circumstances, it could relateto the circumstances preceding the word above in Section 9, or it could relate to Sections 1 through 9 where a number of circumstances are listed. Point number two, in this Amendment, and I do agree completely with a...the sponsors intention to



eliminate prosecutorial discretion, but in this Amendment, it says the trial judge shall make a decision as to whether circumstances exist and then a three judge court shall be appointed which will decide whether the circumstances exist. Which is a contradiction, particularly since in this same section it says, that the trial judge who has made the decision if those circumstances exist, should be a member of a three judge panel which will then determine whether the circumstances exist. And I think this is an incongruent to the Amendment. Having said that for the record, because the sponsor agrees with the problem of prosecutorial discretion as an impediment...as a possible constitutional impediment, I feel we can't leave his Bill in its original state. I don't like this Amendment. I don't proposed that the sponsor be in a situation of having to go back a fourth time to second reading, and yet I think this House should be aware of the serious problems in this Amendment. Thank you."

Arthur Telcser: "Is there further discussion? The Gentleman from Cook, Representative Hyde to close."

Hyde: "Well, I just respond briefly to the remarks of the distinguished Chairman of Judiciary Two. I respectfully disagree with his...a...interpretations of the Amendment. As he says...a ...a...he thinks its ambiguous as to which of these categories would apply. I think that the language that says any of the above circumstances. That means exactly what it says, any of the above. Any of the above.."



a...there might be a problem; however, a...I think the meaning is clear. Secondly, the judge shall in all cases, if any of the circumstances exist, I would point out for the record, that the determination made by the three judge court is, if any of the circumstances exist beyond the ... all reasonable doubt. Now if circumstances may be in the case, but they may not be provable beyond all reasonable doubt, which is the standard that the three judge court will have to meet. So there is that difference...a having said that...a...I think the Amendment is acceptable and it puts the Bill in the shape I'd like to have it in and therefore, I move its adoption."

Arthur Telcser: "Is there further discussion? The Gentleman has offered to move for the adoption of Amendment No. 4 to House Bill 18, all in favor of the adoption, signify by saying aye, the opposed, no; the amendment is adopted. Third reading. And now back to House Bill 291."

Fred Selcke: "House Bill 291. Jaffe. A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. One Committee Amendment. Amend House Bill 291, page 1, and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative Jaffe."

Jaffe: "A, Mr. Speaker, this is a Committee Amendment that was suggested by the Illinois Municipal League. It lessens the time from 6 months to 120 days and it eliminates the denial provision of the Act and I move its adoption."



Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. 1 to House Bill 291. All in favor of the adoption, signify by saying aye, all opposed, no, the Amendment is adopted. Are there other Amendments? Third reading. House Bill 295."

Fred Selcke: "House Bill 295 is being held. House Bill 300 Schlickman. A Bill for an Act to exempt prescription and non prescription drugs, medical supplies, and so forth. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there Amendments from the floor? Representative Schlickman, for what purpose do you rise, sir?"

Schlickman: "I simply wanted to thank you, Mr. Speaker."

Arthur Telcser: "Oh, that's okay, Jake. Third reading."

Fred Selcke: "House Bill 301. Neff. Amends the Legal Code. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there Amendments from theI just got ya Schlickman. Third reading."

Fred Selcke: "House Bill 311. Hanahan. An Act relating to strike breakers. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there Amendments from the floor?"

Fred Selcke: "Amendment No. 1, Turk, Amend House Bill 311 as follows on line 12, between the words employment and where and add on a temporary basis and so forth."

Arthur Telcser: "The Gentleman from Peoria, Representative



Tuerk."

Tuerk: "Mr. Speaker, Members of the House. This is a strike breaker Bill of Representative Hanahan. Philosophically, I don't have a problem with it on balance, but there was some real problems with the language in the Bill. And what this Amendment does is attempt to clarify the language and make it so the strike breaker Bill would be in better shape and I believe the sponsor of the Bill agrees with this Amendment, and I would move for the adoption."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. to House Bill 311, all in favor of the adoption signify by saying aye, the opposed, no; the Amendment is adopted. Are there further Amendments? Third Reading."

Fred Selcke: House Bill 313. Hanhan. A Bill for an Act regulating contributions by certain employers to benefit funds, or fringe benefits of their employees. Second Reading of the Bill. One Committee Amendment, Amend House Bill..."

Arthur Telcser: "The Gentleman from McHenry, Representative Hanahan."

Hanahan: "Mr. Speaker, in order of the Bill, I have a second amendment in substitute of the Committee Amendment on the Clerk's desk and I'd like to now move by agreement of the Committee to table Amendment No. 1 to House Bill 313, so that we could further adopt Amendment No. 2."



Arthur Telcser: "The Gentleman has moved to table Amendment No. 1 to House Bill 313, all in favor of the Gentleman's motion signify by saying aye, all opposed, no; the Amendment is tabled. Are there further Amendments?"

Fred Selcke: "Amendment No. 2. Hanahan. Amend House 313 and so forth."

Arthur Telcser: "The Gentleman from McHenry, -Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House. This is a fringe benefit guaranteed payment...a Bill that employers who have agreed to pay fringe benefits to and in behalf of their employees by the contract and by agreement, would make this Amendment, if adopted, would clarify that it would be only a violation of the business...a...a... misdemeanor, and a violation of the Business Act if it was willful and lawful...a...a...they willfully...the employer willfully and after notification...a...failed to make the contribution. This Amendment was suggested by the Illinois State Chamber of Commerce and the Illinois Manufacturers Association, and with this Amendment, they have considered supporting the Bill and I move to adopt Amendment No. 2 to House Bill 313."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move for the adoption of Amendment No. 2 to House Bill 313. All in favor of the adoption signify by saying aye, all opposed, no. The Amendment is adopted. Are there further Amendments? Third Reading."



Fred Selcke: "House Bill 319. Douglas. A Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Two Committee Amendments. Amendment No. 1, amend House Bill 319 on page 1, line 13 and so forth.

Arthur Telcser: "The Gentleman from Cook, Representative Douglas."

Douglas: "No further Amendments, Mr. Chairman, I move the adoption of the Committee Amendment."

Arthur Telcser: "Okay, the Gentleman has offered to move for the adoption of Committee Amendment No. 1 to House Bill 319. All in favor of the adoption, signify by saying aye, all opposed, no. The Amendment is adopted. Are there further Amendments?" Third Reading.

Fred Selcke: "No, no, there..."

Arthur Telcser: "Oh, I'm sorry, let's go back to second reading, there's a second committee amendment."

Fred Selcke: "Committee Amendment No. 2. Amend House Bill 319 on line 12 by deleting the word cervical and so forth."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Committee Amendment No. 2 to House Bill 319. All in favor of the adoption, signify by saying aye, the opposed, no. The Amendment is adopted. Are there further Amendments?"

Fred Selcke: "That's it."

Arthur Telcser: "Third Reading. House Bill 323."

Fred Selcke: "House Bill 323. Douglas. A Bill for an Act



to amend the Criminal Code. Second Reading of the Bill.
One Committee Amendment. Amend House Bill 323, page 1
line 12, and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative
Douglas."

Douglas: "I move the adoption of Committee Amendment No. 1,
Mr. Speaker."

Arthur Telcser: "The Gentleman has offered to move for the
adoption of Committee Amendment No. 1 to House Bill 323.
All in favor of the adoption, signify by saying aye, all
opposed, no. The Amendment is adopted. Are there further
Amendments?"

Fred Selcke: "That's it."

Arthur Telcser: "Third Reading."

Fred Selcke: "House Bill 344. Yourell, not here. 345,
Yourell, not here. 350. House Bill 350. Douglas.
A bill for an Act in relation to smoking in public places,
Second Reading of the Bill. No committee amendments."

Arthur Telcser: "Are there Amendments from the floor?"

Fred Selcke: "Amendment No. 1. Douglas. Amendment House Bill
350, page 1, line 18, and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative
Douglas."

Douglas: "Mr. Speaker, Amendment No. 1 that I would like to
propose does two things. It essentially cleans up the
wording of references to public accomodations, the
original references were based upon the Public Accomadations



Act of 1880 something and I've eliminated a number of places which either no longer exist or which I think raise grave questions about people would use smoking devices there any how. I've eliminated outdoor places like public golf driving ranges, and golf courses, changed railroads to railroad stations and cars, changed public swimming pools to indoor public swimming pools, and I think it essentially cleans up the wording to make the Bill more workable. In addition, it eliminates the definition of the word cigarette, which we decided on discussion in Committee, was not appropriate in the Bill. And one further thing, in Section 5, in reference to the owners of leasees of public places of accomadtion, etc., I changed the word may to shall and that they shall take all such reasonable steps in the creation of no smoking areas and the posting of no smoking signs and Mr. Speaker, I move for the adoption of Amendment No. 1 to House Bill 350.

Arthur Telcser: "Is there any discussion? The Gentleman from Cook, Representative J. J. Wolfe."

Wolfe: "Would the sponsor yield for questioning?"

Arthur Telcser: "He indicates that he will."

Wolfe: "A Representative Douglas in your Amendment I'm trying to see, did you take care of anything that would include, I think as the Bill originally stated, a public buildings and so forth. Now that, as I take that are offices in



public buildings and would be included unless you've amended it out."

Douglas: "It was my intent, Representative Wolfe, especially since you raised a number of questions in Committee, to meet the request you made at that time. I think on further discussion with people in the Reference Bureau, that there was no way, under this Bill, that any one could, a proprietor or manager of any public building, could in any way restrict what any one of us or any one else could do in his own private office. The word public is used frequently and its beyond my comprehension that any one would use this public policy statement, which is essentially what this Bill would be, to tell someone in his own private office, or in the men's room, or what have you, that he can't smoke. I don't see any danger of that and unless you feel otherwise, I think that is taken care of with the Bill as it presently stands."

Wolfe: "I'll have a chance to look it over before third reading.

I assume you took out hearses and crematoriums."

Douglas: "A..yes, and you know, I took it out mainly because I don't want people to go overboard with making fun of the word. The wording is the established wording that has been used...a...hearses and crematoriums were removed, although, in all seriousness, crematoriums still do exist, but I took out cemetery. Frankly, funeral hearses was not taken out, so you know, I think that in the final analysis,



Representative Wolfe, its going to be the good intentions and understanding of the people that would deal with this public policy statement that will make the Bill work or not."

Wolfe: "I don't know who'd want to smoke in a hearse anyway."

Arthur Telcser: "Is there further discussion? The Gentleman has offered to move for the adoption of Amendment No. 1 to House Bill 350. All in favor, signify by saying Aye, all opposed, no, the amendment is adopted. Are there further Amendments? Third Reading. Representative Waddell, for what purpose do you rise, sir?"

Waddell: Mr. Speaker, and Ladies and Gentlemen of the House. I would like to call to your attention to some honored guests that we have from the 8th grade of the Immanuel Lutheran School in Crystal Lake, Illinois, right to the rear here."

Fred Selcke: "House Bill 353. Barnes. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: Are there Amendment-s from the floor? Third Reading."

Fred Selcke: "House Bill 358. Maragos. A Bill for an Act to amend the Boat Registration Safety Act. Second Reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there Amendments from the floor."

Fred Selcke: "Amendment No. 1. Maragos. Amend House Bill 358



Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Committee Amendment No. 1 to House Bill 370. All in favor of the adoption signifying by saying aye, the opposed, no. The Amendment is adopted. Are there further Amendments? Third Reading.

Fred Selcke: "House Bill 382. Duester. A Bill for an Act to amend an option of the weed law, second reading of the Bill. No Committee Amendments."

Arthur Telcser: "Are there Amendments from the floor?"

Fred Selcke: "Amendment No. 1. Amend House....Duester. Amend House Bill 382 on page 1 and so forth."

Arthur Telcser: "The Gentleman from Lake, Representative Duester."

Duester: "Mr. Speaker, during the Committee Hearing, the Department of Agriculture raised a couple of questions concerning the Bill and subsequent to this Hearing, the Department of Agriculture and the sponsor agreed on this Amendment. This simply makes it absolutely clear in connection with the control of noxious weeds, the county remains the control agency, although a county and a township may agree that the township will do the enforcing and do the job of controlling these obnoxious weeds. I move the...adoption of...Amendment No. 1"

Arthur Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "What does this do to the townships in Cook County?"

Duester: "I might say to the distinguished Assistant Minority Leader that it simply provides that if Cook County would



like to agree with any of their townships ah... that the ah.. township would be responsible for controlling, not just leads, ah.. Cook could agree, it does require the consent of both the county and the township. It's principally designed to solve a problem we have out in Lake County, but again I say that if the county doesn't want to do it, they don't have to do it. If the township doesn't want to do it, they don't have to do it, but if they want to agree in the most effective and efficient way of enforcing the law, then they can do that."

Shea: "All right, thank you."

Arthur Telcser: "The gentleman has offered to move the adoption of Amendment #1 to House Bill 382. All those in favor of the adoption signify by saying 'aye', the opposed by saying 'no', the amendment is adopted. Are there further amendments."



Rep. A. A. Telcser: "House Bills Third Reading. House Bill One. Yesterday on Third Reading we left off on House Bill 216. However, since today is the last day, ah.. with which we can ah.. deal with those Bills whose time has expired, ah.. the Rules allow us to go out of order to call those Bills. So therefore we're calling House Bill One."

Fredric B. Selcke: "House Bill One. A Bill for an act to promote fair practices in the conduct of election campaigns for political offices in the State of Illinois. Third Reading of the Bill."

Rep. A. A. Telcser: "The Gentleman from Will, Speaker Blair."

Hon. W. Robert Blair: "Mr. Speaker, House Bill One creates the Illinois election campaign act of 1973. Enactment of this Bill will be regarded as the most important achievement of the 78th General Assembly, and mightfully so, because House Bill One will expose the penetrating glare and freshness of the sunlight the fact about campaign contributions that for too long have been hidden in the minds and inscribed on the secret ledgers of all candidates. Not only will House Bill One let the sun shine in, it will also open the door to elected offices to individuals of modest personal means or no access to wealthy campaign contributors. The provisions of this Bill are fair, workable



and enforceable and they will work a hardship on no one. To the contrary, they will remove a hardship. House Bill One will rip away the blindfold covering the eyes of the voters. Lady Justice must never be blind to anything but the facts. But a blind electorate enhances skulduggery, not fair play. House Bill One applies to the candidates to the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, Treasurer, State Representatives and Senators. The State Board of Elections is given the responsibility for administering the act. The act would prohibit newspapers, magazines, and radio and television stations from charging candidates more than others for advertising. Each candidate would be limited to spending 10¢ times the number of registered voters in the geographical area in which the election is held for communications media advertising. It would also provide that before a newspaper, magazine, or broadcasting station charges a candidate or political committee for advertising it must receive from the candidate written certification that such charge would not violate his campaign spending limitations. State wide candidates would be limited to spending no more than \$35,000 of personal or family funds to finance their campaign. Members of the General Assembly would be limited to \$3,000 of personal or family funds.



House Bill One prohibits campaign contributions for persons who have contracts with the State. It would also prohibit any person from making a campaign contribution in the name of another person. Every political committee would have to have a chairman and a treasurer and the treasurer would have to keep detailed accounts of all campaign contributions and expenditures. A political committee who anticipates spending over \$1,000 would be required to register with the State Board of Elections. Political committees and candidates would have to sign reports on all contributions and expenditures over \$1,000 including the names and addresses of the persons to whom the expenditures were made. Any person who believes a violation of the act has occurred could file a formal complaint with the State Board of Elections. The Board would then be required to conduct an investigation of the allocation, and make a determination concerning its veracity, within a specified period. If the Board finds a violation it would be required to order the violator to take corrective action. The Attorney General or the appropriate State's Attorney may, following the uncovering of a violation, initiate proceedings for the criminal prosecution of a violator. Willful violations would, in the first offense, constitute a class A misdemeanor punishable by a sentence of one year and a fine of \$1,000. A second or a subsequent



violation of the act would constitute a class IV felony punishable by a sentence of one to three years and a fine of \$10,000. This Bill would become effective upon its becoming a law. Now, the essence of democracy in America is grounded in the belief that an informed electorate can choose a best qualified candidate for public office. A critical part of that judgment, it seems to me, surrounds the identity and degree to which any candidate can be financially supported during a campaign by any person, group, or interest. Fully disclosing this information will permit each voter to decide for himself whether or not a candidate may be susceptible to wearing another man's collar. The Illinois election campaign act is a people's Bill. It is a Bill that embodies the basic intent of our founding fathers in creating a system of government which places its trust in the ability and judgment of the citizens. I solicit support of each Member and I urge unanimous passage of House Bill One. My co-sponsor, Phil Collins is here to answer.. to help me answer any questions that might be necessary because my voice is running out."

Rep. A. A. Telcser: "The Gentleman from Cook, Mr. B. B. Wolfe."

B. B. Wolfe: "Will the Sponsor yield for a question or two?"

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



B. B. Wolfe: "Does the ah.. Bill provide for State elected offices which this Assembly may create in legislation which is now passing through the House and Senate?"

Hon. Robert W. Blair: "No, the ah.. the offices are.. are named offices,"

B. B. Wolfe: "So that is an apparent defect."

Hon. Robert W. Blair: "One moment. What.. that is not a defect is legislation is now pending in the General Assembly."

B. B. Wolfe: "..apply to all State offices, Bob, if this is what you're trying to reach is all the State offices even though.. I say this might happen. It's something to think about when this gets over to the Senate."

Hon. Robert W. Blair: "Ok. We're addressing ourselves to all existing State offices."

B. B. Wolfe: "Does it apply to campaign funds raised in the November '72 election, still on hand and to be dispersed etc. if the law becomes effective immediately as you say, or does this apply to the next general election or primary or whatever it may be?"

Hon. W. Robert Blair: "The next primary election ah.. following the passage becoming a law."

B. B. Wolfe: "The next one. Does the Bill provide for that?"

Hon. W. Robert Blair: "Yeah."



B. B. Wolfe: "Does the Bill provide for a place for a referral to this House or Senate, if any alleged violation of the law with respect to Members of the House and Members of the Senate?" Now I say this, this question in the light to the Constitutional provisions with respect to each House judging the qualifications etc. of the.. its own Members."

Hon. W. Robert Blair: "The answer is no. Ah.. the question of the qualifications of the Members ah.. are left to the determination of each House, Ah.. the prosecution ah.. for violation.. ah.. the moving force ah.. would be ah.. the State board of elections as far as violations are concerned or the State's Attorney."

B. B. Wolfe: "Thank you."

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

B. B. Duff: "Would the Sponsor of the Bill ah.. reply to a question?"

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

B. B. Duff: "Well now this is, of course as you will see, a very hypothetical question. If somebody was running for Governor under this Bill ah.. State wide, and ah.. in the course of that had to go very very deeply in debt, for example, to borrow from a single individual as much as



\$40 or \$50,000 ah.. and then ah.. succeeds in the campaign, became an elected Governor, and then ah.. later ah.. went on to people who do have contracts for the State, ah.. in order to raise funds not for the campaign, ah.. but to pay, say as much as \$250,000 worth of debts, would the Bill pertain to that?"

Hon.. Robert Blair: "Yes. The source of the money would pay off the men, would be from prohibited contributions, and I'm sure it's a matter of law that would be traceable and would be a violation of the act."

B. B. Duff: "Well, ah.. still continuing on the hypothetical, it would seem that this sort of practice should be prevented."

Hon. W. Robert Blair: "Yes. We certainly would agree."

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

M. F. McClain: "Would.. would the Speaker yield."

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

M. F. McClain: "Mr. Speaker, I don't find in ah.. in this Bill any requirement to tell a State candidate that ah.. ah.. the requirement of himself or herself to comply with this Law, if it becomes law.. Would you be willing to go back to Second Reading so that we don't.. and put an Amendment on there so that the Secretary of State will ah.. inform the individual of these requirements so that



we don't have the same problem again as we had with Representative Deavers' Bill. Do you see what I mean? I'm not sure I'm being very clear."

Hon. W. Robert Blair: "Yes you are. I ah.. certainly State wide people seeking State Wide office, should be aware of the provisions of this Bill. Ah.. certainly Members.. persons running for the State Representative and State Senator should be aware of it if they are.. if you feel that there is a need for further information to be put out, we certainly support you and the Bill that would direct the Secretary of State to do so."

M. F. McClain...: "Would you be unwilling to put it on this particular piece of legislation?"

Hon. W. Robert Blair: "Well, today is the last day ah.. for this legislation to be considered by the House. If we would address ourselves to an amendment, why I'm afraid the Bill would die due to the time limitations."

M. F. McClain : "Would you be willing to support an amendment in the Senate?"

Hon. W. Robert Blair: "As I indicated, I would be supportive of a.. a .. information to candidates that would be covered by this Bill, whether it be by amendment addressed to it in the Senate or by a Bill that would be put in the House or the Senate to require."



M. F. McClain: "So if it passed the House, and ah.. you'd be in support of some kind of an amendment in the Senate, to this effect."

Hon. W. Robert Blair: "That's.. that's what I said, yes."

M. F. McClain: "OK. May I ask one more question? Ah.. can a person or can a candidate be forced to ah.. relinquish his list of contributors below \$100?"

P. W. Collins: "No, in answer to Rep. McClain. Ah.. the reporting feature of the Bill requires him to report ah.. expenditures and contributions over \$100. The amount under \$100 is not reportable. It.. it is only accountable but not reportable. If I may respond to your first question also, Rep. Totten and I are attempting to draw a Bill which we will introduce, to take care of the situation that you referred to, and perhaps within that Bill or a similar Bill we could take care of the situation ah.. having the Secretary of State or the State Electoral Board which will be the authority in the Bill ultimately, to inform perspective candidates of their duty under the law."

M. F. McClain: "Rep. Collins, then the State's Attorney would not force a candidate to relinquish this list of contributors under \$100."

P. W. Collins: "No, not under this Bill."



Rep. A. A. Telcser: "The Gentleman from.. the Gentleman from Champaign, Rep. Hirschfeld."

J. C. Hirschfeld: "Yes, Mr. Speaker. I'd like to ask the Sponsor a couple of questions."

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

J. C. Hirschfeld: "Ah.. I'm wondering whether or not under Article V, ah.. the ah.. Hcuse Republican Campaign Organization or whatever we call the Committee is ah.. required to have a Chairman and a Treasurer, and to keep detailed accounts of all contributions and expenditures that are given to the Republican Members of the House."

Hon. W. Robert Blair: "Well, that would be a political organization as it is defined under the Bill, and if there is such an organization for the 1974 primary and 1974 General Election, they will have to account under the provisions of the Bill." Qnd

J. C. Hirschfeld: "Under Article VII, would they also be required to ah.. file reports on all contributions and expenditures over \$100, so we could check so we could check to see if there was an equal distribution of funds among all the various Republicans who were running for office?"

Hon. W. Robert Blair: "For whatever purpose you chose to use the information, Mr. Hirschfeld."



J. C. Hirschfeld: "Thank you, Mr. Speaker."

Hon. W. Robert Blair: "You're welcome."

Rep. A. A. Telcser: "The Gentleman from Sangamon, Mr. Londrigan."

J. T. Londrigan: "Mr. Speaker, would you respond to a question?"

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

J. T. Londrigan: "I'm not concerned with over \$100. I think that's fine. One of the situations with being a Democrat, where a Republican contributes \$20 to me, I understand that we are.. must account for it, it is filed, and the report is open to the public. Is that true?" "The people over here are saying it is. Now, are you verifying that this is not true? "

P. W. Collins: "This is not easy to report. The Committee Report that is filed is the contributions and expenditures in excess of \$100. Now the \$20 that you make reference would not be reported unless you.. there were a series of \$20 contributions that in the aggregate exceeded \$100."

J. T. Londrigan: "Where do we record this, then?"

P. W. Collins: "In your own records."

J. T. Londrigan: "And no place else?"

P. W. Collins: "That's right."

J. T. Londrigan: "We need not file that?"

P. W. Collins: "That's correct, unless the smaller contributions in the aggregate exceed \$100."



J. T. Londrigan: "Well then there wouldn't be a \$20 contribution."

P. W. Collins: "That's right."

J. T. Londrigan: "Which aggregate are you talking about?"

P. W. Collins: "The individual that gave you \$20, if he gave you five \$20s, it would be \$100 and that would be reportable."

J. T. Londrigan: "There's five \$20s from five different individuals."

P. W. Collins: "No, then you are not required to report it."

J. T. Londrigan: "What about, if we're out one evening, somebody gives us a \$10 contribution, we forget to report it, what then may we be subject to?"

P. W. Collins: "Well, the penalties make reference to willful violation, why I think that you.. I think maybe you're splitting a hair here and ah.. which would not.."

J. T. Londrigan: "Well, what is the penalty for the willful failure to report a \$10 contribution?"

P. W. Collins: "It would be a Class-A misdemeanor."

J. T. Londrigan: "And what's the penalty?"

P. W. Collins: "The ah.. up to one year and in a place other than a penitentiary and a fine of up to \$1,000."

J. T. Londrigan: "Do you like that provision?"

P. W. Collins: "I do."

Rep. A. A. Telcser: "The Lady from Lake, Representative Geo-Karis."



A. J. Geo-Karis: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor yield for a question?"

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

A. J. Geo-Karis: "My question is, is there an estimate, for example. for a legislative campaign, as to approximately how much a legislative candidate would be.. spend."

Hon. W. Robert Blair: "Well, I think the estimate we've used is 10¢ per registered voter. And the average.. and in the average legislative district it would be 95,000 registered voters and 10¢ times that would be \$9500 per election. So you could use \$9500 in the primary and \$9500 in the General.

A. J. Geo-Karis: "And this applies to advertising, media advertising, is that correct?"

P. W. Collins: "Media-advertising."

A. J. Geo-Karis: "And this does not apply, for example, to a cost of a brochure or what have you."

Hon. W. Robert Blair: "No, brochures are not included. It's just the communications media. The Bill is drafted along the guidelines of the Federal Fair Elections Campaign Act, which only applies to communications media."

Rep. A. A. Telcser: "The Gentleman from Winnebago, Representative Giorgi."

E. J. Giorgi: "Mr. Speaker, I'd like to ask a couple of questions, and the first question is, why was the judiciary



omitted from this Bill, was it an oversight or intentional?"

P. W. Collins: "I.. I don't know if it was intentional. We attempted to address ourselves to the stagings of offices and the General Assembly. We have given considerable consideration to putting all of elective offices under provisions of the Bill. We just felt that for starters.. that it might be rather difficult to administer and maybe even unmanageable, and so we.. ah.. the Bill was drawn as you see it ah.. for those reasons. That is not to say that it could not be amended and expanded at a later date. Ah.. we're dealing with something that is quite new and is going to ah.. ah.. claimed to devulge some bugs in the administration. And ah.. for the time being I think we took the offices that were most immediate to us. I ah.. certainly see no reason why in the future we wouldn't consider expanding it to other offices."

E. J. Giorgi: "In other words, you'd say for the first question, that it would be deliberate. Now for the second question is again on editorials. Let's say I spend quite a bit of money on the Rockford Newspapers, and use the editorial page to endorse an opponent of mine. Now who's going to set the value on that editorial? In other words .. Why don't you cover it in your Bill?"

P. W. Collins: "Why don't you introduce a Bill requiring the



newspapers.."

E. J. Giorgi: "Why don't you cover it in your Bill?"

P. W. Collins: "Because I think it's impossible."

E. J. Giorgi: "But isn't it possible? I think you could have created a Board that ah.. would try to determine the value of editorials of the Suntimes, Daily News, Rockford Newspapers, Journal Star, and then stated in the event that there's an editorial, this candidate can express so much more money to make up for the loss of the editorial, if you want to be fair about this thing, but if you are playing to the galleries, why I can understand you can drive a semi through it."

P. W. Collins: "I think what you're asking is for the press to be fair, and I'm sure that they'll.."

E. J. Giorgi: "The press has always been fair."

P. W. Collins: "Well, then we have no problems."

E. J. Giorgi: "I'm worried about the people who the press isn't fair to."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Hyde."

H. J. Hyde: "Ah.. would Mr. Collins yield to a question?"

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

H. J. Hyde: "Ah.. Mr. Collins, ah.. it's a little late to amend this Bill now, but would you support an amendment in the Senate to make this Bill retroactive in the last



campaign?"

P. W. Collins: "Ah.. I don't know about the constitutionality of such an amendment, but I'd have no problems with it."

H. J. Hyde: "Thank you."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Lundy."

J. R. Lundy: "Would.. would the Sponsor yield for a question?"

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

J. R. Lundy: "Mr. Speaker, as I'm sure the Sponsor realizes in the area of campaign media spending limitations, we are treading on very uncertain and shakey amendment ground, and I have a question relating to media spending limitations. Ah.. in Section 306 and 307 of the Bill, on page 5, it indicates that before a communications media may charge a candidate for printing a campaign add or running a campaign add, that the candidate must certify to the communications media that the charge will not.. the payment of the charge will not violate the media spending limitation. My question to the Sponsor is, is it implicit in that certification requirement that the candidate could refuse to certify simply because he did not want an expenditure to be made on his behalf by someone other than his own campaign organization?"

Hon. W. Robert Blair: "Yes.. it ah.. it.. it is. We do write implicit and that particular section we ah.. gave that very



careful consideration in committee, and added the language right at the start of the Section pursuant to the provisions of 47 United State Code of the Annotative, Section 315-A, to try to obviate as best as we possibly could the question that you're raising about the Federal."

J. R. Lundy: "So in effect, the candidate would have a veto power or expenditures made obstensively on his behalf, so that those expenditures could not be charged against his campaign spending limitation without his permission."

Hon. W. Robert Blair: "That.. that is right. And we think that the ah.. language covers that."

J. R. Lundy: "Fine. Well, I might suggest that it is somewhat less than crystal clear from the present language and it might be an appropriate subject for a later amendment. One other question, in Section 701, of the Bill, on page 11, Section 701 states the general requirement of the filing of reports for candidates and political committees, and that Section reads, 'Each treasurer of a political committee supporting a candidate or candidates for an election to state office, and each candidate for election to state office'. Now, elsewhere in the Bill when candidates are described they are described as candidates for nomination for election. It seems to me it might be possible to read Section 701 as applying the reporting requirement solely



to candidates in general elections rather than to candidates in both primary and general elections. I'd simply like to clarify the intent of the Sponsor in that respect. In other words, is it intended that the reports must be filed by political committees and candidates in both primary and general elections?"

P. W. Collins: "Ah.. yes. That is the intent of the Bill. It would include both primary and general elections. In all instances in this Bill it is the intent to cover primaries and general elections."

J. R. Lundy: "The reason I ask, is that in some places in the Bill it does refer specifically to candidates for nomination or election, and in this particular instance the Bill does not refer to candidates for both primary and general elections, and it seems to me that might be an item that could be clarified in the Senate."

P. W. Collins: "Ah.. yes.. ah.. I think perhaps you're right."

J. R. Lundy: "One final question to the Sponsor, one of the items that might be included in a campaign spending report, in Section 702, of the Act, is the name and mailing address of the persons who have made more than one contribution, including the purchase of tickets for events, such as dinners, luncheons, rally, and similar fund raising events. Now in the general definition of contributions on



page 2 of the Bill, that's Section 106-I, ah.. the purchase of tickets for rally; fund raising events and so forth, is not explicitly included in the definition. Ah.. is it intended to be included in the definition of general contributions as well as in the specific reported requirements?"

Hon. W. Robert Blair: "Well, that is.. that is the intention and ah.. we certainly would be supportive of a broadening of that definition in the Senate to ah.. incorporate that language which is in 701 in the definition."

J. R. Lundy: "I thank the Sponsor for yielding for those rather ah.. extended questions and let me say on the Bill itself, that it seems to me that this is an absolutely essential and enormously important step in restoring public confidence in the integrity of the political process of this State. We are faced day after day after day with headlines relating to the corruption of public officials, the corruption of the political process, the dishonesty of the elected and public officials of this State and ah.. often at political subdivisions levels as well. It seems to me that this is the very least that we in the General Assembly can do to begin to shed the healthy light of ah.. public scrutiny on the campaign funding process. This certainly does not solve all the problems of campaign funding but it is at least a reasonable step, and although



it involves some very delicate first amendment problems, it seems to me it is worth the attempt to try to let the public in on the way the political process is funded. I urge a 'yes' vote on the Bill."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Bluthardt."

E. E. Bluthardt: "Mr. Speaker, would the Co-sponsor, Mr. Collins, yield for a couple of questions?"

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

E. E. Bluthardt: "Mr. Collins, you know that recently I became acquainted with a little known and apparently a rarely complied with division of the dram shop act, it pertains to the sale of tickets and ads for the contribution either directly or indirectly to a political party or a candidate for political office. But, I want to know, is the sale of the provisions under House Bill One, a sale of dinner tickets to a tavern keeper or to a restaurant who had a license to sell alcoholic beverages, would that be in violation to this Bill?"

P. W. Collins: "No, it wouldn't be a violation to this Bill. It may be a violation to some other action, of which you have already alluded, but under this Bill the only problems that we are attacking is that of disclosure and limitation. So, I don't think that any violation of the dram shop act would be effective one way or another under the pro-



visions of this Bill."

E. E. Bluthardt: "Well, you have a provision that prohibits campaign contributions by persons who have contracts with the State. Now, I think any type of business by the State either by oral contracts or written contracts, implied contracts or otherwise. Anyone doing business with the State would be prohibited from contributing. Would that provision read direct or indirect contributing?"

P. W. Collins: "Yes."

E. E. Bluthardt: "So that anyone doing any business whatsoever he would be prohibited from purchasing a dinner ticket and attend to any political party in the affair held by a political party or a candidate for political office. Is that correct?"

P. W. Collins: "That's correct, but I don't say that you're going to say that a liquor licensee has a contract with the State, are you?"

E. E. Bluthardt: "I haven't said that. I said that apparently is the law now, we've been held to enforce the law, apparently very few people understand that to be the law, including the Governor and his people who are selling tickets almost every day throughout the year, so far, and I'm sure that many of them were tavern keepers, restaurateurs who had liquor licenses. They are buying \$50 tickets and attending

those affairs, trying to make up the benefits of the Governor's campaign expense, and I say to you, if that is so, then why not provide that everyone doing business with the State in any manner whatever be prohibited from purchasing their tickets? Be prohibited from purchasing ads. to newspapers or ad books? Your Bill does not include that provision, I take it. Does it or does it not?"

P. W. Collins: "I.. the Bill reads anyone having contracts with the State, so ah.. I.. I'd have to leave it up to you for interpretation as to whether this is written contracts or oral contracts, but what you're proposing I'm certainly in accord with. I.. ah.. I think if we're going to hide behind the word 'contract' to get around this Bill, then that's wrong, and I think that ah.. your suggestions are well taken."

E. E. Bluthardt: "Well, I just think that you are overlooking something here. You ought to put a provision on, you ought to amend it so that there will be a provision for a death penalty or something of that sort, Mr. Collins."

P. W. Collins: "Well, what Committee does this come out of?"

Rep. A. A. Telcser: "OK. The Gentleman from Cook, Rep. Maragos."

S. C. Maragos: "Ah.. Mr. Collins, the thing that concerns me here is the question that ah.. what is the definition of

10¢ per primary and ah.. 10¢ per primary and general



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total of this vote."

P. W. Collins: "Yes. It's 10¢ per registered voter at the most recent general election."

S. C. Maragos: "Alright. Now, that being the case, when the if the 10¢ provision applies for a primary and a general or is it the total between the two?"

P. W. Collins: "Primary and General."

S. C. Maragos: "What if the candidate received contributions without his knowledge or somebody works on his behalf without contributing to the Committee without his knowledge? Would that be taken into the aggregate total? In other words, if a well-being individual may be supporting you, Mr. Collins, and they don't tell you about it but they go out and spend money on your behalf, and they don't go to committee or aren't involved with it at all, but say support Phil Collins, how does that come into the play here?"

P. W. Collins: "The Bill does deal with that. And that is not your responsibility. However, if they're spending that kind of money, in excess of \$1,000, they have a responsibility to report it."

S. C. Maragos: "Yes, but the point is, does that come into the total or does that not come into the total?"

P. W. Collins: "No, no it doesn't because of the requirement



that written certification be made by the candidates that people are acting in his behalf."

S. C. Maragos: "The next question is what about donations that are given, as you know, by township organizations by ward organizations which a candidate himself may have no way of controlling or knowing the values thereof, just like they would not know the value of editorials. How is that determined in the campaign contributions?"

P. W. Collins: "I don't know what you mean by 'he doesn't know the value of.' It's not a cash contribution?"

S. C. Maragos: "No." You have a precinct captain working for you or you have somebody else knocking on doors for you, or you have a volunteer organization, how would you know the value of that information?"

P. W. Collins: "Well, for number 1, it's not communications media, and number 2, you're not asked to put the value of volunteer services upon such volunteers. This certainly would not be included under the restrictions of the Bill."

S. C. Maragos: "Now, under your act as it stands now, if a man gave me a contribution of \$90, I would not have to report it. Is that correct?"

P. W. Collins: "That's correct."

S. C. Maragos: "Only the total aggregate."

P. W. Collins: "That's right."



S. C. Maragos: "The next question is how come the candidates for Cook County Clerk were not mentioned? Is there any other Cook County Offices?"

P. W. Collins: "I was trying to cover that in my response to Rep. Giorgi. We did consider ah.. including those candidates in the Bill and ah..perhaps at some future date they should be encompassed in this type of legislation. Our.. for the first time, we thought we would deal with the offices closest to us, State Wide offices, and of course, the General Assembly. I think if we tried to lump in every county office ah.. and every municipal office at the present time, we might come out with a terribly unwieldy Bill ah.. for openers anyway. This is not to say that I am against including them, rather I would favor including them, but I think that perhaps it's not timely."

S. C. Maragos: "One other question and then I'll sit down. What about the question of.. does any other state have similar laws that have been tested by any courts?"

Rep. A. A. Telcser: "While he's getting an answer to that, to our guests in the gallery I'd like to inform them it's a violation of the House Rules for the people in the gallery to take pictures. And we'd appreciate it very much if they would put their cameras down. Thank you."

P. W. Collins: "I.. ah.. I.. I.. can't answer you in regard



to court tests. However, I do know that we are one of either seven or nine states that do not have some kind of campaign spending legislation. I don't think that any of them go as far or as to the heart of the problem that our Bill does. However, most states do have some statutes on the books that deal with the problems that we are attempting to deal with under House Bill One."



- S. C. Maragos: "The way that this Bill is drafted, do you think it's going to meet the requirements of passing the First Amendment's ah.. questions?"
- P. W. Collins: "Well, yes. So far, the Federal Act ah.. has withstood the test. And, this patterned ah.. very closely after the Federal Act."
- S. C. Maragos: "Thank you."
- Rep. Arthur A. Telcser: "The gentleman from Cook, Representative Schlickman."
- E. F. Schlickman: "Mr. Speaker, would either of the Sponsors yield for a couple of questions?"
- Rep. Arthur A. Telcser: "They indicate they will."
- E. F. Schlickman: "As I understand the Bill, the administration of it will lie with the proposed State Board of Elections. I understand, therefore, that the effectiveness of this Bill is conditioned... is contention upon the passage of a State Board of Education Bill or ah... Election Bill. And, what happens if that Bill doesn't pass?"
- P. W. Collins: "Ah.. the Bill ah.. states that the Secretary of State will be charged with the interim responsibility for administration of the Act. Ah.. the State Board of Elections will ah.. be responsible for administration ah.. if and when it's created."
- E. F. Schlickman: "Is that in the original Bill? And if so, could you give me the Section Number?"
- P. W. Collins: "Ah.. Section 807 of the original Bill."
- E. F. Schlickman: "Thank you."



- E. F. Schlickman: "With regard to Article II where the news media is prohibited from discriminating towards ah.. candidates relative to ah.. campaign advertising, is there any precedence for the State or the Federal Government involving itself in advertising rate schedules of news media?"
- P. W. Collins: "Yes ah.., Article II is ah.. taken directly from the Fed... the Federal Act. So ah.., there would be that precedence of the ah.. Federal Disclosure Bill. This language is exact."
- E. F. Schlickman: "In Article VII with regard to reporting by political committees, candidates and others, I understood or read that the reports apply only to the election of candidates and not the... not the nomination of candidates. Is that so?"
- P. W. Collins: "Ah.. no, it's not... it's not correct. Ah.. and it ah.. if it's... if it is subject to that interpretation, ah.. we will ah.. demand a change because it is the ah.. intention that it will be primary and general elections ah.. to be included. Representative Lundy raised this question. And, I think, it's a good one. And ah.., if this needs cleaning up, why, I think, we should ah.. address ourselves to it."
- E. F. Schlickman: "It is your intention then that this Act, this proposed Act, would be applicable in every way to primary elections as well as general elections?"
- P. W. Collins: "Yes."
- E. F. Schlickman: "Thank you."



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

C. A. Davis: "Mr. Speaker, will the gentleman yield for a question, please?"

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

C. A. Davis: "There's just a couple of things that I don't understand here. Section 306 and 307, I want to ask a question or two about them, 'No person may make any charge for the use by on or behalf of any legally qualified candidate for State Elected Offices for nomination of such Offices of any newspaper, magazine, outdoor advertising facilities unless such candidate or persons specifically authorized by such candidate has the right to do so. Certified in writing the person making such charges and the payment of such charges will not violate this Act'. And then, on... in 307, 'No station licensee may make a charge for the use of such stations by on or behalf of any legally qualified candidate for State Elected Offices unless such candidate or person specifically authorized by such candidate the right to do so'. And then, it provides for a penalty. Now, let me ask, this is what concerns me and we've had it even in the last Elections. The N.A.A.C.P., The Urban League, Operation PUSH and many other Civil Rights Organizations ah.. ask subscriptions from ah.. people in the Community to defeat candidates, put an add in newspapers and that sort of thing. These people ah.. come together as a Committee to defeat a candidate. And, the truth of the matter is, if there are



only two candidates and they're spending this money to defeat one of the candidates and ah.. they're... then they're spending this money to elect another candidate. How do you charge this money? Would you say to the newspapers, 'You can not take that add because ah.. they don't have a letter from the candidate who.. whom they are for... Ah... they do not have a letter from the candidate whom they're for saying that this will not violate this Act?'. Would this permit them... Would this permit these Civil Rights Groups, this is the question that I want, from putting those adds in the paper?"

P. W. Collins: "Ah.. Representative Davis, if I understand you correctly, they're going in to defeat a candidate and they're saying, 'Don't vote for So and So'."

C. A. Davis: "'So and So'. Yeah.. Which is... Which means vote for... There's only two candidates. Now, it means to vote for the other candidate."

P. W. Collins: "Well, I.. would think, that if there saying, 'Vote for the other candidate', well then, yes, that would be charged against the... him. If there are Committees formed that are going in to defeat somebody and say, 'Don't vote for Representative Davis', ah.. this would not be charged against anybody ah.. but would bring them under the ah.. cover of this Bill under Amendment No. 2, that was adopted yesterday which does include in the definition of 'Political Committees', 'Committees formed in opposition to a Candidate'. So,...."



C. A. Davis: "Even then the Civil Rights Committees?"

P. W. Collins: "That's... That's right. If there... If they're spending ah.. in excess of a thousand dollars ah.. to... for any political purpose to defeat a candidate, then they would fall under the definition of a 'Political Committee'. That's... That's correct."

C. A. Davis: "Well, the... the thing is, ah.. I.. I mean I'm... We black Legislators, I believe, I can speak for mostly all of them, we don't have anything to hide. But, these Civil Rights ah.. Committees like PUSH, and N.A.A.C.P., they go out in a big way to defeat candidates. You see what I mean? And,... And,... And ah.. ah.. newspapers are in business. They are like any other business. What you're saying is, 'You can't take that'."

P. W. Collins: "No.. No, I'm not saying you can't take it. You can take it. All I'm saying is, perhaps, these organizations that do this would have to report the fact that they are doing it. And, if I'm familiar with the Organizations that you're speaking of, they already make their records public. And, I don't think, we'd be asking them to do anything that they're not doing already. Ah.. I know that the N.A.A.C.P. and other Organizations ah.. that you have mentioned ah.. are very open about ah.. revealing the sources of their income and how they spend it."

C. A. Davis: "Right... Right..."

P. W. Collins: "So, we're not asking them to do anything that they're not already doing. And, I don't think, that it would



interfere with the operations that you're talking about at all."

C. A. Davis: "Well, are you asking the newspapers not to take that add?"

P. W. Collins: "No.. No, I'm not."

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

W. T. Simms: "Ah.. Mr. Speaker, I move the previous question."

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

P. W. Collins: "Ah.. Mr. Speaker, very briefly in closing, I would just like to remind the Members of this Body that ah.. we, in Illinois, have adopted the most stringent ethics legislation in the Nation. Ah.. nowhere, even in the Federal Congress is there ah.. Law on the books that is ah.. as ah.. stiff as our ethics legislation. We all know that this was shepherded through in the last Session of the Legislature by our State Comptroller, ah.. George Lindberg, who, as we all know, did an outstanding job and is doing an outstanding job today. But, his one disappointment, I know, was that this Section was not included in our original Ethics Legislation. This is the only place where we have left a hole, ah.. I think, in our so-called Ethics Legislation. This is the one place where we must take the big step. And, I think, it's an important step for us to take today. The.. The



public has let us know that they want to know, not only where we're getting our money, but how we're spending it. And, I think, that we, that have a duty to do this voluntarily, I think, that this is an opportunity for us today to say that we, in the House of Representatives of the State of Illinois, are not afraid to tell the World that we, I have nothing to hide. I urge you. I urge every Member to join with me and Speaker Blair ah.. in voting for House Bill 1. And, I honestly solicit your favorable consideration."

Rep. Arthur A. Telcser: "The question is, 'shall House Bill 1 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. The gentleman from Cook, Representative Shea."

G. W. Shea: "Mr. Speaker, I'd like to be recorded 'present'. I talked to the Sponsor yesterday about the rewriting the Criminal Law in Section IX of this Bill. He feels that that's the way he wants it. I couldn't vote for that kind of a Bill. Therefore, I'm going to vote 'present'."

Rep. Arthur A. Telcser: "Record Representative Shea as voting 'present'. The gentleman from Madison, Representative Walters, to explain his vote."

R. J. Walters: "Mr. Speaker, Ladies and Gentlemen of the House, thank you very much. I wanted to ask a question of the Sponsor, but since that is foregone, I would like to bring the Members' attention to one point that disturbs me a little bit. In this Summary that was handed out, in Article IV under 'Prohibited Activities', it says 'It prohibits State-



wide candidates from using more than thirty-five thousand dollars of personal or family funds to finance their campaigns. State Senators and Representatives are limited to three thousand dollars'. Well, it appears to me, Mr. Speaker, that there are some Members of the Legislature that do not wish to use outside funds in which to campaign for State or Public Office. And, it seems to me that this is unfair by limiting them to three thousand. Whereas, if you go out and solicit funds or have dinners and promote other fund raising functions, you're allowed to spend nine thousand, five hundred, give or take a few dollars. But, if you are an individual who does believe in that particular practice, do not want to be obligated to anyone else, you can only spend three thousand dollars. I think, that point, Mr. Speaker, is unfair, discriminatory and I'd like to be recorded as voting 'present' on this Bill."

Rep. Arthur A. Telcser: "Record Representative Walters as voting 'present'. The gentleman from Sangamon, Representative Londrigan."

J. T. Londrigan: "Mr. Speaker and Ladies and Gentlemen of the House, you've taken a good idea, a good Bill that we all know that we need and we have again made a political issue out of it as we so often in the past have on both sides of the House. But, I'm warning you, you've done far more than make a political issue out of this. You're going to be faced with indictments. I, as a Lawyer, hopefully, maybe I can make something of this. It's complicated. It's



tremendously complicated and accountable. We Lawyers maybe we can get away with it. But, I'm warning you, you that are not Lawyers, you're not going to get away with it. Look what happened to our good friend, Jerry Corbett, in a political mixup. You get an Attorney General and a States Attorney, you go out at night and you take ten dollars from somebody in a contribution and put it in your pocket and forget to list it, you're subject to a year in prison. And, even if they don't do that to you, the States Attorney and the Attorney General can get all over you in a political issue. And, when we're trying to decide who runs the House and the Senate, this happened to Jerry Corbett, don't think it isn't going to happen to you. That's what you're letting yourself open here for. You're taking a good idea and you're making it so damn tough that nobody can live with it. Now, if you want to play politics and vote for it, I'll vote for it too. I'll play Russian Roulette with you and that's what you're doing. Now, we're either going to all hang together or hang separately. If you want to put this through, I'll help you."

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

J. Philip: "Mr. Speaker and Ladies and Gentlemen of the House, I really don't think, it makes any difference if we all hang together or we hang separately because we all have... end up with the same results. But, let me just say this, over the past year and a half, the past two years, we've had more



scandal in public office than in any time in the history of the State of Illinois. My mail, that I have been receiving, has been very unusual. It indicates to me a great distrust by the people of Illinois regarding public officials the way that they conduct themselves in office. Now, I don't agree with everything on House Bill 1, but I certainly think, it's a gigantic step in the right direction. And, let me remind you during the last Election, when we had many candidates for public office who said publicly, 'We're going to disclose our campaign contributions and how we spend the money'. And, let me tell you that as of today, there has been one candidate who has disclosed. And, I can remember that worked on that campaign and I can remember in our own innercircle in that campaign that we had people who were very unhappy with the position that George Lindberg and Myself took. We did disclose where every penny of any contribution came from. We also disclosed how we spent that hundred and thirty-eight thousand dollars. And, let me tell you, we received nothing but good reports and good letters from people in the State of Illinois. And, let me say this, I am supporting House Bill 1 without a hesitation."

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

E. E. Bluthardt: "Mr. Speaker and Members of the House, you know, I.. I do believe firmly in ah.. the disclosure of sources of your campaign contributions. I think, that in itself is ah.. is a good idea and we ought to have a Law



that would provide for that. But, we ought to have a simple Law that just says that you shall disclose your income, your campaign contributions no matter from what source it comes. There's so many things about this Bill that leaves me confused. I.. I can't help but believe that it's ah.. one of the most unreasonable Bills that has been presented to this House in a long, long time. How does one know whether the one who is contributing had, in fact, a contract with the State of Illinois? Is he to inquire and find out everyone who contributes as to whether or not that person has a contract with the State? And, what if it's merely a contract, a verbal contract to do services for the State? There's no written contract that would evidence such ah.. such an agreement? I'm sorry, but I have to vote 'no' on this Bill. I feel that it's a Bill that discriminates against, classes of business. I feel that it's a Bill that ah.. discriminates against public officials. Why can't we have a Bill that says that no person shall contribute to a political party or a candidate for public office rather than just pick out the Governor and ah.. State Officers and the Members of the General Assembly. Again, I.. I would have to vote against this, if for no other reason, that it discriminates against certain classes of the media, radio, television, newspapers. I think, it violates the spirit. In fact, I think, it violates, in fact, the provisions of the Federal Constitution. And because of those reasons, Mr. Speaker, I have to vote 'no'."



Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Deuster."

D. E. Deuster: "Ah.. Mr. Speaker, I have to oppose this Bill. And, I sense that the object of the Bill is to let the people know who it is that are really influencing us behind the scenes, who it is that have given us the big money and influence our vote. And, I want to express, at this moment my deep gratitude to the people who really influence me and who really brought me here. And, that's the women of my District. There are thousands of women ah.. who work on our political campaigns here in Illinois and in my District. If I had to express my gratitude to any one group, it's the women who held coffee hours. It's the women who addressed envelopes, thousands of them. They worked their hearts out. And, if there's anyone that going to influence my vote, it's going to be those women who worked so hard, not somebody who gave me a hundred dollars and it took him ten seconds to write the check. So, if we're going to find out how Members of the Illinois General Assembly are influenced so the people can know, ah.. we better also pass a Law that says you've got to ah.. file with the Secretary of State a list of everybody that had a coffee hour and everybody that addressed an envelope. And ah.. because of ah.. that posture that I take in my sense of gratitude and feeling that if the object of a Bill is to let the people know, let's really let them know. Ah.. but to me, I don't think, ah.. forcing us all ah.. to cough up our campaign contribution list and



file it so that everybody can look at it, that's really half the answer. I really have to express this gratitude to the Ladies that helped to elect me and make that point clear and oppose this Bill."

Rep. Arthur A. Telcser: "The gentleman from Union, Representative Choate."

C. L. Choate: "Mr. Speaker, Ladies and Gentlemen of the House, I don't think, that in my lifetime have I ever felt as hypocritical as I feel this morning. In a moment, I'm going to tell you why I feel hypocritical. But, let me take one little shot to the Members of this Body that was here in the last Session of this General Assembly or to those that might not have been here and still read some of the media about ethics on the Floor of this House in the last Session, I was accused of strengthening... strengthening ethics to death. Well, by the looks of the votes on the Floor, on the Roll Call Board right now, are the Co-Sponsors of this Bill going to be accused of strengthening this Bill to death because of some of the Amendments that was adopted? Why do I feel hypocritical today? I'll tell you why I feel hypocritical. Some portions of this Bill, I think, are completely and absolutely outrageous. And yet, I'm going to vote for the Bill. And, why am I going to vote for the Bill? Simply because I do happen to keep my word. And, in the last Session of the General Assembly, I stood on the floor of this House and I said that I was going to vote for any and all Ethics Legislation that might come about because, if there is a



single Member on the floor of this House that can live with any type of Legislation... Ethics Legislation that might be brought about as far as this Legislature is concerned, Clyde Choate is one of them. But, some of the things in this Bill, if it becomes Law, make illegal legal opportunities. And, let me point out one to ya. It's a legal profession to be in politics. It's a legal profession, it's a legal ability to have money if you've gained it rightfully and not wrongfully. And yet, I know of no other single Statute in the State of Illinois that says that you can't spend your money in the manner in which you want to as long as it is a legal expenditure. And, you're taking a legal profession.... You're taking a legal profession, which is being elected to State Office, and you're saying, 'No. You can only spend three thousand dollars of your money to attain that Office'. Well, I happen to think that as long as I rightfully earn my money, I should be able to spend it legally in the manner in which I desire. And, what else are you doing? You're saying you're putting the limit on campaign spending, but the media has been banded banded about here. You're not saying to the media, especially the radio, television and newspapers, you're not setting a limit on the number of letters that can be written to the Editor for a candidate or against a candidate, and thereby, campaigning for that individual. You're not setting a limit on the editorials that an editorial writer can write against a candidate that he might not like. You're saying to them,



'Go full blast. Write all of the editorials that you want to write. Oppose any candidate that you might want to oppose. Support any candidate that you might want to support. Don't take into consideration the cost factor. You've got a free reign, boys'. And, I'm telling you, and you know it as well as I do, that you're only setting it up again to where in the campaign the media is going to be the strongest instrument... strongest instrument and even stronger than they've ever been in the past because you're saying to that candidate, 'Boy, we've put a limit on you of how much of your money you can spend'. But, you're saying to that Editorial Staff, 'Do whatever you desire'. Let me be hypocritical, but let me keep my word and vote 'aye'."

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

E. F. Schlickman: "Mr. Speaker and Members of the House, with regard to the ethics and activities of candidates and public office holders, I've always felt that the most effective device was absolute disclosure. And, with absolute disclosure, the electors are fully advised as to the character of the candidates and the public office holders. And, I believe, Mr. Speaker and Members of the House, when the elector, electors, the electorates is enlightened... is informed, its judgement is the most effective and decisive. This Bill goes far beyond disclosure as has been suggested and stated here on the floor of the House. And, with regard to the remainder of the Bill, there are two things that very much



concern me. One is Article II that prohibits the news media from engaging in classification relative to their advertising rate schedules. It doesn't influence me that the Federal Government, the U.S. Congress, has a similar if not identical provision. I feel that this provision irritates... irritates the nerves of some basic constitutional provisions. Furthermore, I'm concerned about the limitation on the amount of expenditures of candidates. Last Fall, I participated in my thirteenth election. And, I don't think, in any of those thirteen elections that I was the largest expender of money. In fact more often than not, I was towards the bottom of the scale. But, I am concerned for those candidates, sometimes labeled as independent candidates, because, I think, by the provisions in this Bill, we would be unfairly, unreasonably ah.. inhibiting ah.. their efforts ah.. to seek and secure public office. For these reasons, Mr. Speaker and Members of the House, I should like to be recorded as voting 'present'."

Rep. Arthur A. Telcser: "Okay.. Will the Clerk record Representative Schlickman as voting 'present'? The gentleman from Lawrence, Representative Cunningham."

R. D. Cunningham: "Mr. Speaker and Members of the House, without apology and without fear, I vote 'no'. And, I say to those, that confess that they're hypocritical and argue one way and vote another, that their condition is really worse than that. It's schizophrenic. It's gutless. There comes a time that we have to stand up and be counted in re-



gard to our responsibilities to Legislators... as Legislators. It makes no sense whatever to create a snare in a trap for all the unwary. If this Law were vigorously enforced, it would fill the jails with people who were really not guilty in the moral sense, but just not shrewd enough to observe the consequences they have prescribed in this particular Statute. There are already sufficient Laws on the Books to catch all of the election frauds ah.. in Cook County or elsewhere throughout the State. We need to recognize that, if this Law were passed, the Office of States Attorney - Downstate would be abolished as regard to elections. We might not always have a man as wise as the present Attorney General. But, I, for one, am never willing to abolish the Office without the people standing up and being counted in that regard. For all of these reasons, I vote 'no'."

Rep. Arthur A. Telcser: "Gentleman from Lake, Representative Griesheimer."

D. E. Griesheimer: "Mr. Speaker and Ladies and Gentlemen of the House, I admit to being one of the novices of this august Body and I'm going through the same process that fifty-five other Freshmen are, trying to learn the intricacies of being a Member of this Body. But, one of the things that truly disturbs me on this Bill, if you'll check the tally vote up there, is that we're indicating that of all of the hundred and seventy-seven intelligent people, who ran for Office and evidently showed their leadership, we have over ninety individuals who can't make up their mind on this Bill."



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And, I would only say this, many people have stood up and given their reasons, some for honor, some admitting that they're being hypocritical, some saying they don't like the Bill and others speaking for the Bill. But, this is a Bill that is so basic that if a Legislator can't make up his mind on it, he doesn't belong in this Legislative Body. I urge everybody to stand up and cast their vote. And, if they can't cast their vote, then I think, they ought to start explaining to the people back home why they were elected to come down here. Thank you."

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

E. J. Giorgi: "Mr. Speaker, if I could be allowed to para... paraquip my Leader, who mentioned the word, 'hypocrites', there's a biblical quotation that says, 'A hypocrite wears the devils shoe'. And, if you're not careful, he'll slip it on you'. And, in voting for this Bill, I feel like I'm being fitted out with a pair of them. But ah.., I enjoyed ah.. Representative Collins referral to the Ethics Bill. And, I think, ah.. Representative 'Pate' Philip should be congratulated for engineering the victory of George Lindberg on the phony Ethics Bill. After the Ethics Bill was passed in Winnebago County, the States Attorney, the County Clerk and all of the Leaders in Winnebago County and the newspapers were playing ring-around-the-rosy as to who was guilty of not filing Ethics Legislation, who was going to scrutinize the list, who was going to penalize, who was going to prose-



cute. So, we had to run down to Springfield and allow some of the people that were indifferent to the Bill to pass ah. a grace period. And then, they were inferring that we were mentally deficient, mentally retarded for running an Ethics Bill so full of loopholes. And, when they run the freight trains through this Disclosure Bill, again, we're going to made the fools of the State of Illinois. Because anyone, that has been in any campaign, paid any bills or did any campaign, can see that this Bill is as full of holes as any Bill that's ever went through this General Assembly. And ah.., those shoes are getting tighter."

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

J. Philip: "Yeah... Mr. Speaker and Ladies and Gentlemen of the House, my name has been mentioned in vain for the first time since I've been a Member of this House. And maybe my friend from Winnebago County thinks that ethics are a joke and that ethics are a joke, but I don't happen to think so. If there's ever been a time in the State of Illinois when people have a very mistrust and a bad view of politicians, it happens to be now. And we, in DuPage County and we, in the Republican Party, happen to think that ethics are a part of our business and a part of Government and we ought to support it."

Rep. Arthur A. Telcser: "Gentleman from McHenry, Representative Skinner."

C. L. Skinner: "Mr. Speaker, I'm going to vote in favor of



this Bill. But, I'd like to point out one thing to some Members who are worried about the spending limitations. The three thousand dollar limit is on media advertising, that is, radio, TV and newspapers. If you want to get through to the voters in this State, there's another way to get through to the voters, and that is through direct mail. And, there is no.. no limitation, I've been told, on expenditures for direct mail. And, I believe, that should answer one of the objections. I do have objections to this Bill as I presume, virtually, everyone else in the House does. The objection that I would have at this point is that it doesn't go far enough. I've just seen an Assessors Campaign in my Township for which I would very much like to see who contributed over a hundred dollars to each... to the losing candidate. I believe, that it would show it is those that have gotten the assessment breaks in my County."

Rep. Arthur A. Telcser: "Okay now, before we take the Roll Call, ah.. the Chair has been informed that there are a number of Members who are on the Board as voting when, in fact, are not present in the Chamber. And, I would suggest that ah.. ah.. the seatmates not be voting ah.. those who aren't present. There may be a verification and there may be somebody embarrassed. So, please take that in mind. Now, there's no one else who wants to explain their vote. Now, have all.... McLendon wishes to be voted as 'present' Now, have all voted who wished? The Lady from Lake, Repre-



sentative Geo-Karis."

A. J. Geo-Karis: "Ah.. Mr. Speaker and Ladies and Gentlemen of the House, I too, realize that there are certain inadequacies in this Bill. However, it is a step in the right direction. And, I am going to vote 'yes'."

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

J. J. Wolf: "Well, Mr. Speaker and Members of the House, as somebody remarked before that we should all be recorded, I fully intend to be recorded. I know a number of the Members are probably sitting back and waiting and if their short votes, they can jump on and put a 'green' light on. I don't have my white hat with me today. I think, it's a bad Bill. I don't think, it's a good piece of Legislation at all. It doesn't do anything. It drives those, that are going to connive and finagle, further underground. As far as I'm concerned, the only one honest way to vote on this is 'no'. And, I'll be recorded as voting 'no'."

Rep. Arthur A. Telcser: "And, record Representative D. L. Houlihan as voting 'present'. Lady from ah.. DuPage, Representative Dyer."

R. C. Dyer (Mrs.): "Ah.. I too, don't think this is the perfect Bill. But, I think, it is a good step in the right direction. And, I think, previous gracious remarks that were made here on the floor deserve to be reciprocated and I'd like to be equally gracious. I could never have run precinct 4 for the Republican Party ah.. in DuPage County



and consistently turned out the high percentage of votes of casted in the primary nor could I have been elected to this Body without the very able and capable help of a lot of men volunteers. And, I'm very grateful and proud to be here."

Rep. Arthur A. Telcser: "Gentleman from Cook, Representative Lechowicz."

T. S. Lechowicz: "Very briefly, Mr. Speaker and Ladies and Gentlemen of this General Assembly, I'd like to point out to one of the new Members who spoke earlier, as far as the decision-making processes within this august Body, has never been questioned, and in turn, the processes of deli.. deli.. deliberation in listening to both the proponents and opponents of any measure. There has always been a matter of courtesy and also a matter of help in deciding on a very important issue. And, in my opinion, every Bill is important or else it would have never been introduced by the Sponsor. In reference to House Bill 1, I pose my objections to it based upon the fact of the severe criminal penalties that would be invoked upon the President and Treasurer of any Campaign Fund that may be established. I, for one, think that it is wrong, that the Member in good conscience makes a clerical error. And, as Representative Jim Londrigan pointed out, if this would be done, the States Attorney or the Attorney General could prosecute, and in turn, incarcerate this poor person. I think, it's a step, a very, very bad step in the Bill. And, there were many other reservations that were



pointed out in the Bill that should have been clarified.

I will be consistent and vote 'no'."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, I didn't intend to explain my vote because I thought surely this Bill would never get enough votes to pass. But I see that it is. And, I said to my good friend, who made the speech about being hypocritical and voting for it, I said, 'You know, it's good enough for some of these so-called do-gooders for us to vote for it because they expect us black-hatters to vote against it'. But anyhow, I changed my mind today because I could not be that big of a hypocrite. I put my 'red' light on early to give other Members courage to put theirs on because they know and I know that this Bill will never become Law. And, I have heard fifty times around here today, 'Well, don't worry about it. The Senate won't pass it. So, we can go ahead and vote for it'. Now, I'll tell you something. I may wear a black hat, but I'm not that big of a hypocrite. And so, consequently, I take pride in putting a vote 'no' up there because, I think, this is just pure bad Legislation. And, I think, it's kidding the people of the State of Illinois."

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

C. J. Fleck: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm ah.. quite concerned about the way this Bill



is being passed. And, I'm afraid it's not being passed on the merits of the Bill, but on the underlining reasoning. I have a feeling that, if you don't vote for this Bill, despite the fact that it might be the worse proposed Legislation this Session, that for some reason you're evil, some reason you might have conflict of interest, for some reason you might be a poor Legislator and for some reason you might have something to hide. Well, I don't particularly have anything to hide. But, I'm going to be honest and I'm going to be forthright. I'm going to vote against this Bill and I'm not going to vote against this Bill because I'm wearing a white hat or a black hat. I'm voting against this Bill because, I think, it's bad Legislation. And, I will very briefly say why, I think, it is. Number one, I look at it and I feel that anyone who runs for Office, especially for the House or the Senate where you're running on a smaller Legislative Districts and your finances aren't as great as those for State Offices, you'll be required to have a full-time C.P.A. Two, I think, there are limitations on the Press by a reason that it causes the Press to give campaign contributions at the minimum rate as anyone else. However, on the other hand, I see that it gives the Press an inordinate amount of power due to the fact that the Party... Political Party will be emasculated by the expenditures of money for candidates. And, the only check and balance for the State is the Political Party. Now, I'm not saying that Political Parties are good and bad. But, I am saying that we should



have a proper and fitting balance of political powers. Let the Press make their investigations all they want. Let them dig up news if they want. But, let's not give them plenary authority in selection of candidates for office. I think, that is an undue balance of powers. Third, I think, that this Bill, basically, is nothing more than a political charade. We're all talking about the fact that it probably will not become Law and... and, I think, every other Representative in this House realizes that as well as I do. But I feel heart-pressed to get up and speak on this charade because I should voting 'present' maybe. But, that will not straighten out what, I think, is bad Legislation and an improper approach to a very touchy subject. And, I'm not voting against this because I have something to hide, I just don't think, that it is proper."

Rep. Arthur A. Telcser: "The gentleman from Union, Representative Choate."

C. L. Choate: "Only one point of clarification, Mr. Speaker, because evidently some people took out of context what I said. I said when I felt hypocritical about doing this today that, and then I stated my reasons why, I also stated my reasons for voting for it as simply because of.. of a statement that I made publically on the Floor of this House last session that I would support any and all ethics legislation and could live with it probably as easily.. as easy as anyone on the Floor of this House, and that I felt I was keeping my public word by voting 'Aye', although



I felt hypocritical in doing so."

Rep. A. A. Telcser: "The Gentleman from Macon, Rep. Borchers."

W. Borchers: "Mr. Speaker, and fellow Members of the House, I pay practically all of my expenses myself. Very few, I.. very few donations. I had a few but just a couple hundred dollars. And not a hundred dollar among them. I have against me the Decatur Herald Review, the newspaper regularly, all the time, and now I enjoy the same privilege from the Chicago branch news media. The League of Women Voters has never been for me. None of the liberal element in America is for me. I only win by a landslide of 20,000. I don't give a damn what they do. I know that 1/2 of those votes in the green over there are hypocritical votes. I think.. I'm not going to go into the Bill. You've all read it. You know what it is. It has alot of wholes in it. You can go through with it. I can figure out if I want to how to get through it. But I don't like to see the hypocrits, and this Bill should be defeated. You ought to have the guts to do it, by God."

Rep. A. A. Telcser: "The Gentleman from Lake, Rep. Matijevich."

J. S. Matijevich: "Mr. Speaker, and Members of the House, as Webber Borchers just said, you can get around any legislation and I know that many ingenious minds will figure out how to get around this one. It just occurred to me that how to get around an election would be to name you opponent your campaign treasurer, and not report, and then you might be able to indict him."



Rep. A. A. Telcser: "The Gentleman from Peoria, Rep. Day."

R. G. Day: "Mr. Speaker, and Ladies and Gentlemen of the House, strange that throughout the debate on this ethics Bill that we hear so much criticism of the Bill that it has loopholes in it and its not enforceable, and that it is going to give great discretionary powers to those state's attorneys who are politically inclined. I don't think that we are going to fool the people of the State of Illinois by passing a Bill such as this and then sitting back and saying 'look how ethical we are'. I don't think that the people of the State of Illinois, when they find out what this Bill really contains are going to be persuaded that all those who voted for it are paragons of ethics. But even if we could, even if we could fool the people of the State of Illinois by this, I can't fool myself. For that reason I'm going to vote 'No'."

Rep. A. A. Telcser: "Have all voted who wished? The Gentleman from Cook, Representative Katz."

H. A. Katz: "Ah.. I would like to say that most of the discussion from the Floor appears to indicate to the public that there is no real justification for the Bill, and that we are simply.. we who are voting green here are simply voting for it because we want to have white hats or otherwise. I would like to say to my Colleagues that I do not particularly like to have to go through the requirement of disclosing all of my campaign contribution, but I would like to say that the public is entitled to know that. Lobbying groups



give us contributions. They introduce legislation here in Springfield. Isn't the public entitled to take a look and see the extent to which the lobbying groups that introduced the legislation have funded candidates? Now I believe that the only restraint in giving money is the disclosure of that money, and that very simply is the reason why I'm voting for the legislation. We've had opportunities before to pass legislation. We have always shied away from it. The fact is that recent public disclosures make it very clear that there is in our country a feeling that lobbying groups, in fact, do by their way. The effect of the disclosure may show that that is not true at all. But without disclosure there is no way to refute the insinuations that are made genuinely. The facts are the facts. The only way the public can get the facts is to make those facts public. That is the purpose for this kind of legislation, and that is the reason that I'm voting for the legislation even though I am not happy about going through the chores that may be entailed in complying with this law."

Rep. A. A. Telcser: "The Gentleman from Will, Rep. Kempiners."

W. L. Kempiners: "Thank you, Mr. Speaker, I'm going to be very brief. Some of the reasons why I'm voting for this Bill have already been explained, but I think the most important reason is when I was campaigning for both a primary and general election campaign, I stressed this as one of the most important campaign issues that I had."



And I promised if I was elected to introduce legislation based along the federal model. Well, Phil Collins beat me to the punch, and I'm pleased that I could have joined him as a Co-sponsor of this Legislation, and ah.. I'm very proud to be voting for it today in fulfilling a campaign pledge which went over very well with the people in my district."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Juckett."

R. S. Juckett: "Mr. Speaker, and Ladies and Gentleman of the House, I don't know who called this an ethics Bill, but it really is not an ethics Bill. It really doesn't get at the heart of the matter. I think what has to be done is a complete list of contributors be known and also the expenditures, and we have started drafting that Bill right now. I hope it will be ready before the end of this session.. er.. before the deadline. What this Bill is is a restriction on the individual and on free enterprise in the United States. We're telling the newspapers how to run their business. We're telling the radio how to run their business, the TV, we're telling the individual that they can't spend their money the way they want to spend it. And I don't care whether the person is a millionaire, a thousandaire, a hundredaire. It's his money, and we have no right, we have absolutely no right, to tell them they cannot spend their money the way they want to and in the manner in which they want to do it. It's a sorry day in this Assembly when we are restricting our citizens from spending their money. And just think, the next One



could say you can't spend enough money for a certain type of house, or a certain type of an automobile, or for an education for the children, or even maybe for medicines.' This is what we're doing today, we're restricting the individual. And that's a sorry day. All in the name of good government, but isn't that how all dictatorships begin and isn't that how all benevolent leaders begin, all in the name of good Government? And they all start the same way, and they all end up the same way, and I will not be a party to this and I urge all of you to vote 'No'."

Rep. [redacted] Helcser: "The Gentleman from Cook, Rep. Totten."

R. [redacted] "Thank you, Mr. Speaker, to explain my vote. I would like as many Members in this Assembly do that we have given us a piece of legislation before us that has some holes, quite questionable. It is difficult for me to give a green light on this vote because of these inadequacies in this piece of legislation. Well, I would like to be recorded as voting 'Present'."

Rep. [redacted] Helcser: "Record the Gentleman as voting 'Present'."

C. [redacted] "Mr. Speaker, and Ladies and Gentleman of the Assembly, I was just listening patiently for some of these because it takes a good lawyer to understand this and explain it in the way that I thought that it would be. I haven't gone along with the Gentleman over very many issues, but I think his explanation hit the mark. I stand here and I fight for civil rights and for civil rights organizations to defeat candidates

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who for their best interests, we do it time and time again. I am concerned as to whether or not those organizations can solicit from citizens and both the newspapers, and spend whatever money they can solicit to defeat a candidate for their best interests. This is what I'm concerned about, I am concerned about limiting newspapers as to whether or not they can take their money. I listened. I listened to the comments, I listened to the news, and I hear the newscasters say that if you differ with us, we'll give you time to come and to explain your argument as to why you differ with us. I think this is a good.. a perfectly good American way to do things. I also think that if you limit this Bill to contributions made to politicians, and not some cynic organization going through the community to raise some funds to defeat a.. I think it would be a good Bill. Just make it applicable to politicians, and not to these organizations and the amount of money they spend with newspapers, because they have a right to spend it with them, and the newspapers have a right to, the same as any other business, to accept those contributions. For that reason, I'm going to vote 'Present!'"

Rep. A. A. Telcser: "Record Rep. Davis as voting 'Present'.

The Gentleman from Cook, Rep. Duff."

B. B. Duff: "Mr. Speaker, I'm going to vote 'Aye' on this Bill, but I'm going to suggest to some of the local colleges and universities that they start preparing courses on how to run for office. Ah.. because anybody who doesn't have



any experience in this business is walking into the woods without a light."

Rep. A. A. Telcser: "Now, have all voted who wished? The Gentleman from DuPage, Rep. Hudson."

G. Hudson: "Mr. Speaker, Ladies and Gentlemen of the House, I have sat here this afternoon with a green light on on this Bill, but little thing called 'conscience' has begun to creep up on me, and I realized that I was.. that I had been voting for this Bill and putting my green light on not because I think that this Bill is the best Bill that ever came down the pike, not because I am convinced of the merits of this piece of legislation, but because perhaps I was afraid to go back to my people and tell them that I couldn't support this. But that isn't a good reason, Ladies and Gentlemen, to vote for a piece of legislation that you're not convinced is right in your heart. And one thing that I told my people, I made them a promise when I came down here and that is that I would vote and give them the best judgment and the best reason I could on the legislation that came before us. This is my basic commitment to my people, and I'm going to keep that commitment and I'm going to vote in a way that will permit me to look at myself in the mirror in the morning and say 'you did what you felt in your heart was right to do'. I am going to change my vote and I'm going to vote red, not because I'm against ethics, not because I'm against disclosure, and not because certainly I have anything to hide nor am I afraid to report fully, or where I get



my money or how I spend it, and I'm willing to do it. But because I don't think this particular Bill merits a green light that I gave it, and.. and I'm going to vote red.

Rep. A. A. Telcser: "The Gentleman from Livingston, Rep. Hunsicker."

C. T. Hunsicker: "Mr. Speaker, and Ladies and Gentlemen of the House, my Vote has been red up there practically from the beginning of the debate on this particular Bill. And I'm glad to see that there's as many red lights up there on this particular Bill as there is. I well remember the ethic Bill we passed a year ago. Mine was a lone red light on the board, and it took alot more nerve to leave that up there than it does today with about 25 other ones. I agree with a minority leader on the other side of the aisle. What money we have is our own. If we want to spend it, we can spend it. When I run for office, I am my own treasurer and my own committee. I have no other one except people who work for me back in the district and would like to see me be re-elected. And I will say one thing, if you thumb through them 100%, I am sure they agree with the kind of representation they are receiving. All I ever promise them is that I will do the best job and vote with the conscience in my heart which I think is the best for the people of the State of Illinois. And this I will continue to do whether we have this Bill or we have any other one. Thank you."



Rep. A. A. Telcser: "The Gentleman from Vermilion, Rep. Campbell."

C. M. Campbell: "Mr. Speaker, and Ladies and Gentlemen of the House, I didn't intend to explain my vote today, but as I was sitting here listening to the debate on the Floor, I just happened to remember some of the history that I've studied and we've all studied in regard to the rise and fall of nations. And I'll tell you one thing, that if you study the Roman empire and the China empire of years ago, each and every one of those that withered and died did so because of the fact they were over policed and over protected, and whatever we get for this State in this country or in this State, then I want to tell you that we're well on our way downhill. And I vote 'No'."

Rep. A. A. Telcser: "Have all voted who wished? The Gentleman from Cook, Rep. Arrigo."

V. A. Arrigo: "Mr. Speaker, and Ladies and Gentlemen of the House, I have not voted, and I do not intend to vote, and I want to bring out what Rep. Campbell has said 'when civilizations become soft, and when they become rich, then they become corrupt'. Until such time as this Bill incorporates the provisions that existed in ancient Rome, when she was young and she was virile, and she was strong, then I will vote for this Bill. When we make in this Bill, the crime of usury, punishable by the taking of our wealth, I will vote for it. When we make the crime of purgury payable by the inunction of our tongue, I will vote for it.

~~When we make the crime of larceny committed by public officials~~



payable by the cutting off of that official's arm,, I will vote for it, and when we make the crime of adultery by public officials payable by castration, then I will vote for it. This is a vicious Bill, and it should be defeated."

Rep. A. A. Telcser: "The Gentleman from McClain, Rep. Bradley "

G. A. Bradley: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, for the first time in 4 and 1/2 years since I've been here there is a definite aroma of statesmanship being exerted on this Floor, and we don't hear that word 'statesmanship' heard very often. But we're finally recognizing and admitting on this Floor, that many of us are for election reform. Everybody is for that. But it does take some statesmanship, I believe, on this Floor, and we're seeing it today to vote against a piece of bad bad legislation. And I had a green light up there for a little while, but what is happening here is a good thing, I believe, and therefore, Mr. Speaker, I would like to be recorded as voting 'Present' on this piece of legislation."

Rep. A. A. Telcser: "Record Rep. Bradley as voting 'Present'.

The Gentleman from Champaign, Rep. Hirschfeld."

J. C. Hirschfeld: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I ah.. dislike greatly trying to preempt the distinguished deacon, the assistant minority leader, but I did bring my Bible down here some time ago, and I know the deacon well knows it says in the book of Ecclesiastics' that if all the labors of man are for his mouth



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then his soul shall not be filled'. And it seems to me, that all the labor that's gone into this Bill is to permit one party or another or a few individuals to mouth that they worked out what they proport to be a good ethics Bill.

And I must apologize to my distinguished Colleague, Rep. Hudson, because I too had a green light up there. . But you have convinced me that it's more important to fill my soul than my mouth, and I'm switching my vote to 'No'."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Hyde."

H. J. Hyde: "Mr. Speaker, and Ladies and Gentlemen of the House, I too had a green light up there for some time, but I listened to Rep. Borchers and I listened to Rep. Juckett, and ah.. I became persuaded that the honorable course here is not the popular one, is to vote red. And I thought of the phrase, and I think it was Jefferson's, in talking about some excess of freedom. He referred to it as 'manure for the tree of liberty'. I think this Bill on full consideration is manure for the tree of hypocrisy, so I vote 'No'."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. Lundy."

J. R. Lundy: "Mr. Speaker, Ladies and Gentlemen of the House, I hesitate to rise because I did speak on the Bill, but let me say in explaining my vote for the Bill. That those of you who are voting against this Bill because you.. you fear the work it will impose or you fear the effect it will have in terms of politics of this state in terms of candidates, that by defeating this Bill today we are confirming every unjust slander, every suspicion, every deepest darkest



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criticism of politics in this State, and of this House, for we are saying to the people that we are afraid to tell them where the money comes from that finances politics in this State. Now there have been every number of ingenious rationalizations put forth on this Floor today, but let me simply remind the Members who are voting against this Bill, that it will have to be defended before the people at home that there is virtually nothing at this time that the people of this State will not believe about a public official, and that this is an opportunity to try to improve that situation, to try to convince some people that not everybody in public light is there to get rich at the taxpayer's expense. That not every public official is in it for what he can get out of it. And I hope that some of you would be willing to change your votes and give all of us some pride of being in the profession of politics, because if we are afraid to disclose where our money comes from, then it seems to me that we cannot quarrel with those who have suspicions about our motivations and about our financing. I would also say that it seems to me that that party divisions going back to the Speaker's race are mighty poor reasons to oppose this Bill, and it seems to me it's very clear of what is happening in that respect. I hope there would be some second thoughts given in that respect as well."

Rep. A. A. Telcser: "Have all voted who wished? Rep. Davis, you've already explained your vote, Sir. Your time is up."

C. A. Davis: "No, I want to.. my distinguished friend there



quoted from scripture and mentioned my name. I simply wanted to.."

Rep. A. A. Telcser: "Was your name mentioned in debate? You rise on a point of personal privilege?"

C. A. Davis: "Yes. Personal privilege. I.. I guarantee you I won't take long, and I guarantee you I have the greatest respect for the Gentleman who quoted from Ecclesiastics but I want to quote a little farther. I want to say to him if he'll read a little farther he'll find that it says that there is nothing new under the sun. There's nothing new about stopping the people's voice. There's nothing new about stopping the people from raising money, going to the public press whose in business like any other business man and spending money to defeat a.. And I say to you, give those organizations the right to raise money to go to the press, to go to.. even if the press writes an editorial for the candidate, and they think that candidate is for their interest, give them the right to raise that money and go to the press and buy as much time as they can buy. This is not a political contribution. And I defy anybody to say it is. There's nothing new under the sun. This Bill is just a disguise. This Bill is not what it ought to be. They used to sing an old song when I was a youngster. 'I got eyes and I can see! This is not what it ought to be'. This is pointing a finger the wrong way, point the finger at the politicians and make them disclose the money that they get, and don't point your finger at organizations who go through a community to defeat one of them because they



feel he is not for their best interests."

Rep. A. A. Telcser: "The Gentleman from Cook, Representative Dunn."

Rep. R. Dunn: "Mr. Speaker, Representatives of the House, I'd like to point out to Rep. Lundy, that I was in the block that was supposedly against this Bill, but I'm voting 'Aye'. I'd like that as a point of explanation. And I can understand the 'Aye' votes and 'No' votes on an important Bill like this, but I'd like to hear one good explanation of these 'Present' votes."

Rep. A. A. Telcser: "The Gentleman from Cook, Rep. R. Walsh."

R.A. Walsh: "Well, Mr. Speaker, just briefly, Rep. Dunn, I think, indicated that Rep. Lundy's remarks were inaccurate. I don't care. I was one of the first votes up there and the: the Speaker's leadership, Rep. Murphy, was also one of the first votes up there. And ah.. we were obviously on different sides of the speakership hassle we had some weeks ago, and Rep. Dunn, on my left, were on the same side on the issue. Ah.. I think there must be something wrong with my vote because it looks as if I'm going to be on the prevailing side. And I think maybe I should be changing my vote from red to green. I would like to make just one observation that hasn't been made, and if there's any reporting to be done on this issue, I think it should be pointed out that this Bill could be looked upon as an incumbents Bill, because it sure as heck is going to be pretty hard for an outsider who would like to run for public office to comply with some of the provisions of the Bill."



We're sitting down here. We know what it is and ah.. we can comply with it. But you're going to find people, new comers to politics running against organizations having one heck of a time complying ah.. next spring if they want to get themselves into public office. Ah.. I would like to make reference to our ethics Bill which we did pass. Many candidates, even in last year's primary, failed to file their ethics statements. So, take a look at it that way, and I'm happy to vote 'No'."

Rep. A. A. Telcser: "The Gentleman from Kane, Rep. Waddell."

R. B. Waddell: "Mr. Speaker, and Ladies and Gentlemen of the House, I think that the thing that we're talking about here is really what we should have and we don't have is an honest and fair Bill to all. This includes the press and this includes the media because of the restrictions. And I could say to you who are in a quondary as freshman, you're going to find out that many times, and I've been red up there the whole time, that the best vote that you've got in this House is no vote at all. And I suggest to other Gentleman, that I can remember in Amendment 10, and I think that that should pretty well do it."

Rep. A. A. Telcser: "Have all voted who wished? Alright. Have all voted who wished? Take the record. Rep. Collins, do you seek recognition?"

P. W. Collins: "Yes, Mr. Speaker, Sir. I have a question. That's not what I had in mind. I have a request to poll the absentees."



Rep. A. A. Telcser: "Ok. What's the Roll Call now."

Fredric B. Selcke: "It's 85 to 37."

Rep. A. A. Telcser: "The Roll Call stands at 85 to 37. Seven answering 'Present'. The Gentleman has requested a poll of the absentees."

Fredric B. Selcke: "Anderson, Barnes, Barry, Beatty, Boyle, Brummet

Rep. A. A. Telcser: "Record Rep. Brummet as voting 'Present'."

Fredric B. Selcke: "Calvo, Capparelli, Capuzi."

Rep. A. A. Telcser: "Record Rep. Capuzi as voting 'Present'."

Fredric B. Selcke: "Carter, Craig, Davis is present."

Rep. A. A. Telcser: "Record Rep. Davis as voting 'Present'."

Fredric B. Selcke: "Ebbesen, Ewell, Garmisa, Granata, Grotberg, Hart, Gene Hoffman, Ron Hoffman."

Rep. A. A. Telcser: "Record Rep. Hoffman as voting 'Present'."

Fredric B. Selcke: "D. Houlihan, 'Present'. Kent, Klosak, Kosinski, Kucharski, Lauer, Laurino, Lemke, Madigan, Martin."

Rep. A. A. Telcser: "Rep. Martin, 'Present'. Record Rep. Martin as voting 'Present'."

Fredric B. Selcke: "McAuliffe, McAvoy, McCormick, McMaster."

Rep. A. A. Telcser: "Record Rep. McMaster as voting 'Present'."

Fredric B. Selcke: "McPartlin, Merlo, Nardulli, Patrick, Pierce, Randolph, Redmond, Schraeder, Sevcik, Sharp."

Rep. A. A. Telcser: "Sharp wishes to be recorded as voting 'Present'."

Fredric B. Selcke: "Ike Sims, Terzich, Wall."

Rep. A. A. Telcser: "Wait. Rep. Terzich, for what purpose do you rise, Sir?"



further Amendments? Third reading. "

Fred Selcke: "House Bill 370. McPartlin. Is Robert here?

Not here. Give me the next one. House Bill 381. Davis.

A Bill for an Act to amend the Fair Employment Act, Second Reading of the Bill. One Committee Amendment. Amend House Bill 381, page 1, by deleting line 19 and so forth."

Arthur Telcser: "The Gentleman from Cook, Representative Davis."

Davis: "Mr. Speaker and Ladies and Gentleman of the House.

The Amendments says that upon a vote of a majority of five members F.E.P.C. Commission. Upon a vote of a majority, it would require three members before charges could be investigated. Vote of a majority which would be three members, and I move the adoption of the Amendment."

Arthur Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment No. 1 to House Bill 381, all in favor of the adoption, signify by saying aye, all opposed no. The amendment is adopted. Are there further Amendments, third reading."

Fred Selcke: "House Bill 370. A...Bill for an Act to provide a manner of levying and imposing taxes for provisions of special services areas within the boundaries of home rule unit. Second Reading of the Bill. One Committee Amendment. Amend House Bill 370, on page..."

Arthur Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, Mr. McPartlin asked me to handle this Bill for him. I move for the adoption of Committee Amendment No. 1."



Terzich: "How am I recorded?"

Arthur Telcser: "This is a poll of the absentees, your not recorded as of now."

Terzich: "Well, I'll tell you, I read an article here, it's an editorial that says the supports of Springfield may feel discouraged ah... at the present, but there are seven years left to win approval of the E.R.A., and in that time many of the legislators who are now opposed may be retired from the General Assembly. I happen to vote for the people in my district, and therefore I vote 'no' on this Bill."

Arthur Telcser: "Record the gentleman as voting 'no'."

Fredric B. Selcke: "VonBoeckman, Wall, Washington."

Arthur Telcser: "Record Representative Washington as voting 'present'. Representative Barnes, for what purpose do you rise, Sir."

Barnes: "Mr. Speaker, I believe that I was polled in the absentees, and sitting here listening to the various comments that have been made and they have all been eloquent. I think one thing in trying to cast my vote, I don't believe that we should add more restrictions to restrict people from trying to become involved in our permitful processes. I think that this Bill simply adds additional restrictions for people to become politically involved and for that reason I will vote 'present'."

Arthur Telcser: "Record Representative Barnes as 'present'. On this question there are 85 'ayes', 38 'nays' and 15 answering 'present' and this Bill having failed to receive



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a constitutional majority is hereby declared lost. Now, on the order of Third Reading there are number of Bills with which we must deal today in order to meet the ah... 30 day rule. Now with the request of Representative Schlickman, ah... he asked that we not call House Bill 53. So on the order of Third Reading is House Bill 125."

Fredric B. Selcke: "House Bill 125, Hirschfeld. A Act to amend Sections 1 and 2 of under that Section 2 (a), and to repeal Section 3 through 9 of an Act concerning disclosure to the source of information. Third Reading of the Bill."

Arthur Telcser: "Gentleman from Champaign, Representative Hirschfeld."

Hirschfeld: "Thank you Mr. Speaker and ladies and gentlemen of the House. I would request that the Members of the House pay very close attention to this Bill please, because I believe it's one of three that's going to be called today, all dealing with the same subject. All slightly different in content, but all aiming at the same end result, which is to provide a shield Bill for the news media in the State of Illinois. Now Mr. Speaker and ladies and gentlemen of the House, this Bill and the others like it have been both acclaimed and defamed, although it did pass out of the Executive Committee 21 to 1. And I do not consider it an extraordinary step under any circumstances. I consider it very comparable with the same privilege for example, that we give to the legal profession, of which I'm a member. Or to which we give to doctors or psychiatrist, or which we



give to the police, because the police in particular do not like to reveal their sources of information or their information, in narcotic cases for example because they know that it will defeat any further prosecution attempts and will compromise the source so that he or she can no longer be used. I think that if the legislators in this Assembly will examine their own experiences, in which potential sources have tended to claim up in wake of the Caldwell decision by the United States Supreme Court. We should all be acutely aware of the current inhibitions in providing the fullest possible coverage of the news right here in Illinois. At the same time, it seems to me, that it is equally clear that the incident of corruption malfeasance that were mentioned so recently within the last debate, here in Illinois, have not diminished. Nor do I feel that the responsibility of the Press diminished in bringing these matters to the attention of the public. Ladies and gentlemen of the House, without confidential sources who can depend upon the media to provide an absolute protection of their identity? The Press of this state will be seriously hampered in performing what I consider to be one of it's historic roles, namely letting the people of the State of Illinois know where corruption exists and seeking it out in the fullest possible extent. You have all seen the example of the case in California, where a judge, I believe overstepped his bounds and sentenced a man for contempt to an indefinite prison sentence because



he refused to reveal his news sources. In pointing to these obvious parols to the effective performance of the historic mission of the Press, I should also point out to you.... Mr. Speaker, could I have some order, please? I would like to also point out to the Members of this Body that the newsmen of Illinois are not oblivious to the constitutional protections afforded the accused. Because of the concern for administration of justice, I know personally many reporters have willingly testified when confidentiality was not at stake, and nearly all were content and wanted to abide by the conditional privilege that we passed in my first Session here in the General Assembly. However, I believe that it has become impossible for a member of the news media to escape the realities that newsmen are being jailed elsewhere. And its impact upon the readiness of people to come forth who formally testified on a confidential basis here in Illinois and throughout the country. And I believe that the question today is whether the people's welfare and the administration of justice will be better served by an unqualified privilege such as the one I am proposing, and which will be proposed by Representatives LaFleur and Berman, I'm sorry.... an unqualified privilege or an absolute privilege, which is the one that is being proposed today. We passed a qualified privilege Bill in the last Session of the General Assembly. Unfortunately in the first Section of that Bill, we gave the news media almost an absolute privilege. And then we



proceeded to completely emasculate the Bill in the later Session, so that any newsman so that any newsman could be called upon to reveal his confidential sources, merely if the judge would happen to feel that it would serve the public interest, whatever those terms might mean. I have all kinds of resolutions and supports from the various news media and other organizations throughout this state, but I do not feel that those need to be read into the record today. I do feel, however, that the news media should not be considered as second class citizens as we have too often extended ourselves in doing here, not only on the floor, but throughout this state, and I would ask the Members of this General Assembly to pass this Bill out of the House and over to the other side of the rotunda so that we finally put the news media in a position of not only responsibility but protection, which I feel it deserves."

Arthur Telcser: "The gentleman from Cook, Representative Epton."

Epton: "Thank you Mr. Speaker. Mr. Speaker and ladies and gentlemen of the House, for some time I have been troubled by the controversy concerning the freedom of the Press and the problems it has raised. I find it difficult to quarrel with the distinguished colleague who just spoke. I certainly don't question his motives and I think that his fear is a real one. Unfortunately, based upon the same information he had, I have arrived at a different conclusion, and I don't think that's bad. I think men of good will on the floor of this House, can disagree without personalities



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without venom. Particularly, I'm bothered by the question of protecting the Press, when I'm left with the definition as to who will the law protect? How do you define to whom it applies to? If the legislature takes it upon itself to define who is a newspaper man or who is the media, then I think that we are in a area in which we do not belong. I think a second fear would be the caution that perhaps information from anonymous sources might or not might be true. I think it's repugnant to our sense of fair play to allow any individual to make any accusations whether well motivated or not and stand behind a particular shield. You know one of the fundamental tendency of the Press is their belief in the public's right to know, and I think that that is certainly valid. It's the public's right to know everything, including the source of their information. But there is an even greater risk that we must face up with, whether this legislature or Congress is involved. The minute we start giving some privileges or protection to the Press, we then have a concession which perhaps might be fatal, because any privilege which we give, we can retract. And even though I believe that the Press is invaluable, their rights should be protected, I think that the 1st Amendment gives them that right. There's not a disagreement within the media itself. Not too long ago, John S. Knight himself, retracted from his previous position. I think to give the media protection is something which this legislature should frown upon. I don't think they need it. I



think that they are their own advocates. And as the distinguished Speaker previously just pointed out, there are some newsmen, some sources who are in danger of imprisonment because of their position, but they have raised a clamor, they have raised many issues, and the public has responded. It's true that a judge in one area may deal erroneously, but I think that this is a risk that we all take. And finally let me say that when you refer to the confidentiality to the priest, to the lawyer, there is a definite distinction. That kind of confidential information did not disclose to anybody, the lawyer, the priest, the confessor, does not have the right to publish that information at anytime. And therefore I ask you ladies and gentlemen of the House to vote against this well motivated by erroneous Bill."

Arthur Telser: "Gentleman from Cook, Representative Mann."

Mann: "Mr. Speaker and Members of the House, I rise in support of this Bill. I think that the Bill is more important than our relationships with any newspaper or television station or the media in general. The Bill protects a right that all of us in this House treasure, namely the right of free speech under the 1st Amendment. I think it can be said with certainty, that if the Press loses its complete freedom to say what it wants to, then we are in danger of losing our freedom to say what we want to. Unfortunately you cannot not divide the 1st Amendment into compartments. You cannot say that we want the opportunity to speak at



will and with freedom on any issue, and at the same time gag the Press, because it may very well develop that the very things we say may be kept out of the Press because of fear on the part of the Press that they will be prosecuted and intimidated. I think that we're seeing a very dangerous trend in this country. We're seeing ah... a concerted effort to silence criticism and to silence the media. I'd like to say to you that in a democracy there are many things that we hear and read that we don't like, but in a democracy, those are the very things that permit us to say the things that we want to say. If ideas cannot compete with each other, then we do not have a free society. I can recall a very sensitive question when the Natzi George Lincoln Rockwell came to my district and the question was: Shall we permit him to speak at Mantal Hall? I was asked my opinion. Mantal Hall is on the campus of the University of Chicago and I said, 'Certainly, let the man. The students will walk out and laugh in derision at his comments.' This is exactly what happened. But let's suppose that he was muzzled, and then he cried out the double standards of the first amendment, and then he might have been an attraction that people might have come to hear because they might have felt that the government felt that what he had to say was so significant that he could not be permitted to be said in open meetings. I think the government, from the President on down, ought to pursue and stick fast with the concept of an open and free Press. Our President, himself,



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complained bitterly after his defeat in California, that the media disliked him, that the media had it in for him, and yet he is now the President of the United States having won twice. I think what we ought to be concerned about here is not whether our feelings have been hurt on a certain vote, not whether or not we have been the victim, even of inaccuracy and criticism. We can always rectify that by speaking out and insisting that our rebuttals be printed. The important thing that we want to hold on to is the freedom of speech guaranteed under the 1st Amendment. It's the most vital protection we have to maintain our democracy, and I would rather deal with a lot of lousy ideas, than I would to silence the Press, because when we silence the Press, we silence ourselves, and Mr. Speaker, I invite the support of the Members of this House on this Bill."

Arthur Telcser: "Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker and ladies and gentlemen of the House, I rise to speak neither for or against any of the three Bills. As you know, a fourth Bill, similar to these three was defeated Wednesday in the Senate Committee. Each of these Bill attempt to accomplish the same objective, to provide newsmen an absolute shield from compelling divulgence of their confidential sources, so that those sources may remain viable and the people shall have the free full of information so absolutely necessary to a free Democratic society. The objective of protecting news sources is a vital part of freedom of the Press, and I am second to no



one in my belief that it deserves protection, that in the absence of a constitutional protection that has been denied yet by the Caldwell decision, that it can be protected by statute. But I do not believe that the only question before this House is which of these three Bills is the best Bill, because I believe that none of them comes to grips with a vital issue. The issue of balancing the protection of news sources with the interest of justice. None of them considers the balancing of freedoms guaranteed under the 1st Amendment, with equally important freedom guaranteed to the people under the 6th Amendment. That amendment, you will recall, provides for a person accused of a crime, shall have the right to a speedy and public trial. Shall have the right to a jury of his or hers peers. Shall have the right to be informed of the nature and cause of the accusation. Shall have the right to be confronted with witnesses against him. Shall have the right to assistance of counsel in his defense and certainly no lessor right than the others, the right to have compulsory process for obtaining witnesses in his favor. What I am saying is that before adopting legislation in this crucial area, I think some measure of consideration must be given to the needs of the administration of criminal justice. Particularly to the protection of persons accused of serious crimes. Crimes that could result on conviction in the execution or imprisonment of the defendant in the penitentiary. Under the Caldwell decision, reporters may be subject to imprison-



ment for contempt for failing to reveal news sources to the Grand Jury. I don't believe that reporter should be made an arm of our Law Enforcement Agency. Their independence must be maintained by the protection of their confidential sources from government fishing expeditions. But I also believe reporter, like other citizens, have a responsibility to the people in serving the interest of justice. What exactly the extent of that responsibility may be in view of the need for a free flow of public information, I don't frankly don't know, but I do know that consideration must be given on this..... to this issue and that testimony from defence counsel, public defenders, and prosecutors, as well as newsmen, be heard and weighed. Now, House Bill 549, which is before the Executive Committee this afternoon, provides an absolute shield to newsmen sources, from discovery by any Grand Jury, any Governmental Agency, any Commission or Committee of either House, and in every court case except criminal felony proceedings. There where a man is charged with a serious crime, that would result, or could result in his execution or imprisonment the court would be required to weigh the public interest in confidentiality of sources against the public interest in doing justice to that individual. There in a criminal felony trial and only in a criminal felony trial, a newsman could be called as a witness and if he claimed his privilege, the court would have to hold a separate hearing, apart from the jury, and before his testimony could be had the court



would have to consider the nature and seriousness of the crime charged and find that the evidence sought is not only relevant and necessary and essential to the public interest in obtaining justice, but also that it can not be obtained from any other source. Then, and only then, could the evidence be elicited. The guilt or innocence of the defendant might well depend on whether the jury is permitted to have the information sought. House Bill 549, also provides that a reporter cannot be compelled to reveal his sources in a criminal proceeding where the defendant is charged with bribery or official misconduct. I believe that if we fail to protect newsmen's sources of information in this particular area, few charges of official corruption would ever reach the public or ever be prosecuted. This may be true in other types of serious crimes. What we need now is testimony to determine the proper balance of both these vital interests. I don't think that we should act without careful....."

Arthur Telcser: "Representative Fleck, for what purpose do you rise, Sir?"

Fleck: "Point of order, Mr. Speaker."

Arthur Telcser: "State you point."

Fleck: "I would like to know is the present Speaker is speaking to House Bill #1 or to House Bill 549? It seems to me that his remarks are directed to another Bill, which is not presently under consideration by this Body."

Arthur Telcser: "Well, is the gentleman directing his remarks



to House Bill 125?"

Porter: "I am directing my remarks to House Bill 125, yes."

Arthur Telcser: "Well, then proceed, Sir."

Porter: "I think what we need is a balance....."

Arthur Telcser: "Representative Duff, for what purpose do you rise, Sir?"

Duff: "Mr. Speaker, the present Speaker is trying very hard to say some very important things, and he just lost some of his time for interruptions, and if the Speaker would recognize me next, I will under the rules, yield my time to him."

Arthur Telcser: "Proceed, Representative Porter."

Porter: "Thank you, Representative Duff. I think what we need is a balancing of both of these vital interests, and I don't think we should do this without careful consideration for the needs of individual justice. Because House Bill 549 is just in Committee at this time, I am faced with a dilemma, that is particularly difficult. Under the rules, House Bill dies by rule today if it is not acted upon. House Bills 380 and 475, which are being considered together with House Bill 125, however, are alive until the 20th of April and probably after that if we adjust our rules for our vacation period. My intention is to incorporate the best provisions of all three Bills into House Bill 549, and there are excellent protections in each of them if the Executive Committee will except these amendments. Now as to what we should do today, what we should do now,



if you consider my plea in behalf of consideration of the balancing process between the protection of a reporters news sources on the one hand, and the interest of individual justice on the other, if you consider that plea to have merit, I must leave that up to you. I think it's a very difficult question that we face very often as to balancing between one type of Bill and another. I leave this to the wiser and more experianced Representatives. Thank you."

Arthur Telcser: "Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, ah... I would like to apologize to the House for being on my feet three times today, but I promise not to do again this year, and I think that maybe some of the other Members might catch on. I think that ah.... now this is such a serious Bill and I tried to question the Sponsor the other day of ah... a couple of things that have occured in my area, and I've got an editorial in front of me from the Rockford Newspapers and the editorial is 'Government of the People?' and it says, 'Some Illinois citizens this week, learned not to take the government of the people idea too literally. About three hundred or so citizens were in Springfield to protest high taxes and some of them armed with signs, decided to visit their elective Representative in the House. Apprently believing that direct communication is best, the tax protestor began to address their Representative with a song chanting, 'Tax Freeze Now'. Such behavior is not tolerated in the visitors



gallery, it tends to interfere with the mumbling and the snoring on the House floor below. "Chanting such as that will have you removed forthwith," says House Speaker Blair. "Your out of order," hollered a demonstrater. "Who pays your salary?" inquired another. Blair saw no humor in the exchange and threatened to call out the State Police, if the demonstrators didn't leave. The crowd departed peacefully and the mumbling and the snoring resumed on the floor below. Blair in his unique and huffy way was right of course. The legislators have enough trouble trucking along without being interrupted by protestors. But we can't help but sympathize the protestors too. They face the situation much like the boy with the snowball who spied the stuffed gent with a tophat. Gazing down at that stuffy old House, with it's arrogant Speaker, they couldn't resist knocking his hat off with a chant. And if they woke up just one slumbering legislator. they did us all a favor.' I don't know, the Rockford Material Board doesn't identify themselves. But ah... my question to the Sponsor was, 'Who in this case would the Shield Law protect; the slumbering legislators, or the Editorial Board?' I'm not interested in the answer anyway, John. I said earlier that....."

Arthur Telcser: "Representative Hirschfeld, for what purpose do you rise, Sir?"

Hirschfeld: "There was never a doubt in my mind."

Giorgi: "I said earlier that I was fitting myself for a set of shoes, and now I feel like I'm putting on my overshoes,



because I'm going to vote for this beautiful Bill because I've seen other Bills travel through this General Assembly with nothing but the inacting clause, and then they found out that they had censorship. I think this Bill is going to regulate the freedom of the Press in Illinois, but I'm going to help you along because it's the best hypocritical way to do it."

Arthur Telcser: "O'okay ah... the gentleman from Madison, Representative Walters."

Walters: "Thank you Mr. Speaker and ladies and gentlemen of the House. It's seems to me that this is a Bill for the news media to protect their sources. I would like to bring to the attention of the Members of this House, there was a story today in our local newspaper, The Illinois State Journal, dated Friday April 6th, it was a story about Governor Walker meeting with the legislators from Madison County about the flood and the Mississippi River. Being a legislator from that district and didn't know anything about it, I checked with the news media to find out their confidential sources, and they cooperated greatly with me and gave me their sources. I have a copy of the release from the Governor's Office and I found out that their sources were incorrect. It's seems to me, Mr. Speaker and ladies and gentlemen of the House, that maybe what we need is not a Bill to protect the media or their sources, but to protect them from their sources. Thank you, Mr. Speaker."



Arthur Telcser: "The gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker and Members of the House, the last Session I voted for Art Berman's Shield Bill, although we all recognize that it didn't go far enough, I'm going to vote for Representative Hirschfeld's 125. I'm also going to support crativeness of LaFleur's Bill. I gaurantee Representative Porter I'll vote for his Bill in the Executive Committee today, and if it's gets to the floor, I'll vote for it there. And I'll also vote for my good friend, Art Berman's Bill on Third Reading now, but I wish to make one or two observations. One is more or less a repeat of what Bernie Epton said, but the main thing that I want to speak about, Mr. Speaker and Members of the House is this. The Press..... the freedom of Press in this country has it's back to the wall, and they deserve it, they asked for it. Too long in this country, and in this state, and particularly in the city from which I come, Chicago, the Press has felt that the only point in the Bill of Rights, which they should support was freedom of speech, pardon me.... freedom of Press. They get a little nervous when people talk about freedom of assembly. They doubly nervous when people talk about freedom of speech, and when you talk about the fourth amendment, the prohibition against unreasonable searches and seizures, not only does most of the Press remain quite, but some of them have the idiocy to attack that fine article.



Let me site you two examples: 'The Springfeild Journal' came out with a very ridiculous editorial against House Bill #4, which attempts to repeal 'stop and frisk.' I answered them but they didn't see fit to print the answer. The worlds greatest newspaper, I should have had quotes there, 'The Chicago Tribune' came out with a rather insipid, invidious and in my opinon, highly uninformed editorial against 'stop and frisk' and in their editorial they stated: 'We do not like to support legislation like this however, it might do some good.' Well, alot of totalitarian counties and dictators have said that. It's just another way of saying the end justifies the means or to say in a more vernacular; in order to make omlets, you've got to crack eggs. The press of this country has sat on it's haunches and watched the Bill of Rights gradually eroted, and they haven't raised their voices in unison as they should have done. They new what Mitchell was up to with wire tapping. Richard Milhouse Nixon told you what he was going to do to the Bill of Rights. Agnew got on television and screamed to high heaven intimidating the press and the media in this county, instead of fighting him back, they withdrew. They got gun shy. When Agnew came down here and many of the legislators boycotted him..... they said, 'How can you boycott the President of the United States?' Well, one reason we did is because we did not like his posture, vis-avis the 1st Amendment, Freedom of the Press. The press in this state and in my city have abrogated their responsi-



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bilities. You know the old saying, 'They came for the Jew, and I didn't raise my voice. They came for the Catholic, and I didn't raise my voice. They came for the labor man, and I didn't raise my voice. Now they come for me and there is nobody to speak for me.' They have placed themselves in a ridiculous box and I'm going to help put them there and maybe nail them there because they have forgot their fundamental responsibilities in this country and they must speak up for freedom whenever and wherever freedom is denied. They haven't done it. Let me show you the position they've gotten themselves into. Representative Epton eluded to it. John Knight, of the Chicago Daily New wrote this article. I've forgotten the date.... about two weeks ago. He said this: 'Will the enactment of any law qualified or unqualified invite Congress to tamper with the law and to serve it's pleasure in the future?' Vermont Rouser, of the Wall Street Journal sees booby traps in this procedure. He says that what one Congress can give another Congress can take away. And once it is conceded that Congress, and you can say legislator there, can legislate about the press, no man can know where it might end. The more I study this question, he says, the more I am persuaded that since the 1st Amendment has nutered the freest press of any nation, reporter, editors and publishers should not petition Congress, but rather continue to contest all erosions of press or public freedom and be prepared to defend their convictions at any cost. They haven't done and now we the legislature,



they come to us, they've asked us, 'Save us, save us, save us. They've abrogated their responsibilities, they haven't lived up to the high office of the fourth estate, they've sat by and let the blacks and minority people be deprived of their liberties, and then they say that it is a bad law but it may serve some good. Is Roscoe Cunningham here? Roscoe, may I paraphrase Emerson? Permit me to paraphrase Emerson from his poem Rodora."

W. Robert Blair: "He's not here but I'm sure he wouldn't mind."

Washington: "Well, if he's not here, tell him I said it. And I would paraphrase Emerson this way. 'Newspapers, particularly in Chicago, if the people ask you why you were given all this power on earth and in the sky, tell them newspapers, that if eyes were made for seeing, then freedom... freedom is the only excuse for you being newspapers and you haven't lived up to that fine art. I'm going to vote for these Bills and like Representative Giorgi, I want you to come back here every Session on your knees and beg us not to repeal that law."

Arthur Telcser: "Lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, will the Sponsor yield to a question?"

Arthur Telcser: "He indicates that he will."

Geo-Karis: "Mr. Hirschfeld, in as much as I am naive and not very informed Frenchman, as yet, or Frenchwoman, take it as you wish, I understand that there are four Bills relative to the protection of the press. I am for the protection



of the press. Why can not you and the Sponsors of the other three Bills get together and create one good Bill that will really protect the press, in one document, instead of looking all over the statutes for it?"

Arthur Telcser: "Mr. Hirschfeld."

Hirschfeld: "Well, to answer the distinguished lady from Lake, ah... I certainly don't think that you are a naive Frenchman ah...or you would not have answered that question, but obviously four legislators all differ in our approach to the problem and ah... we were not able to get together to work out what each of us felt was the best answer and so we thought it best that we would try and ride each of our own Bills out and ah... let the Senate or the Governor, as the case might be, decide which was the best Bill. This is not really an unusual procedure in this House, it has happened many times before and I would suggest to you that it will probably happen many times again. With 177 legislators, you just have 177 different ideas."

Arthur Telcser: "Gentleman from Christian, Representative Tipsword."

Tipsword: "Thank you Mr. Speaker. Mr. Speaker and ladies and gentlemen of the House, I am somewhat in the position that Representative Porter was in when he spoke to you earlier. I would confess to you first of all before I state my remarks upon this Bill, that I'm a former State's Attorney and a Prosecutor. We have under our law and under our constitution, in this particular area of law, created a special



class of individuals within this country, and those are our reporters, those people who serve our news and communication media. In the role, which they assume as reporters, and for those who uncover the news and uncover both right doing and wrong doing within our government. I think as we approach these Bills, we have two distinct constitutional protections that are battling one another. We have the public's right to know and to be informed and to speak. against the right of every single individual citizen of the United States to have justice. Justice done to them as defendants, as accusers, as victims, and just as law abiding citizens of this country. I think that we can go so far in one direction or the other in this particular sense of this situation that we can void one or the other of these constitutional privileges. Now reporters when they assume their job, as a reporter, take upon themselves special privileges. They are special privileges which we have granted them, and rightfully so, and most of them do work hard and try to do a good job. I not saying this to try and soft-soap the bench in front of me here, but they also remain citizens of this country at the same time and they have all of the responsibilities and duties and rights of every other citizen, not just as a reporter, but just as an individual living and residing in this vast and wonderful country. I sure they would not deny to themselves or to anyone else the right to a complete defense in an open court nor would they deny necessarily and intentionally to



anyone who is charged with the duty of Prosecution. The help that they can possibly give to them if they would consider all of the constitutional rights that all of the citizens of this country has, not just the right to information, but the right that government should operate correctly and properly and with justice and do justice to all of the citizens. I am going to ask when the right time comes on this vote that I be recorded 'present' because I can't with good conscience vote against this Bill because there is an important privilege protected, but I am also very very concerned that in protecting this privilege we will be denying to the citizens of this country, vast numbers of them, not just the Prosecuting Officials, but the individuals who accuse and who are accused, the right to justice if this goes too far, and I fear that it may be going just too far. I like the suggestion that I heard from Representative Porter. In spelling out some specific protections in this area in trying to maintain all of these constitutional privileges and rights for all of the people of this country, whether they be reporters or farmers or members of government. I ask only that the... those of us who serve on this floor be not carried away on only one of these constitutional privileges, that we remember them all and I know that we'll vote with good conscience on this Bill and I regret that I cannot find myself in support of the Bill as it is now written or in opposition to the principle. Thank you very much."



Arthur Telcser: "Gentleman from Cook, Representative Fleck."

Fleck: "Will the Sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Fleck: "He isn't standing, Mr. Speaker. John, I don't have the amendment to this Bill, I got the basic Bill but I would like to throw you an hypothetical and see if your Bill provides for an answer to it. Let's assume that there is a murder case and let's also further assume that a newspaper reporter has written very vivid very detailed stories regarding the commission of the murder and that the only reasonable conclusion that can be drawn is that the source of these stories must have been a participant in this ah..... crime. Now is there any way that your Bill provides for the wheels of justice to bring that source to the courts of law as he properly should be or is he shielded?"

Hirschfeld: "Well, Representative Fleck, it be my interpretation of the Bill, as it is written, that if the newspaper man himself had either observed the crime in question..... he had done it personally, he would not be shielded, but if he has a source, the source would be shielded."

Fleck: "The source would be shielded. O'okay, that's all I wanted to know. Thank you."

Arthur Telcser: "The gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, after Representative Tipword gave that very excellant



ah... there's nothing more for me to say, but I would just like to point out one thing. We have an interesting situation. The prior Bill, House Bill #1 is related to House Bill #125. In one we have protected ourselves the right to spend our money as we see fit, which is our right. Now the duty under #125, we've given the right, or we should give the right to these gentlemen over there to see that we do this thing honestly. I have no objection to giving them this right. All I would like to warn them and caution them is to be sure that they tell the truth and to be certain that their sources are correct. A very minor insignificant thing point here is of course is the little address here this morning, prior..... it was completely misrepresented, but this is a minor thing but it could be a major thing and it would be very wrong of them if they..... if we passed this Bill and make it the law, not to realize that they have a responsibility to themselves, to the people, to the nation and to the people of whom they are speaking, so I will vote for this Bill but the one and the other are interrelated in a peculiar way here today."

Arthur Telcser: "Gentleman from Lagan, Representative Lauer."

Lauer: "Mr. Speaker and ladies and gentlemen of the House, I rise in absolute oposition to this Bill and oposition just as absolute as the shield they would see to create. It seems to me that any time that we go into an absolute situation we are probably wrong. Absolutes, are dangerous because there are very little black and white in this world



rather we have most truths found in gray areas, because truth is, to an extent, in the eye of the beholder. We can require truth of our reporters and of our press, our media, and I think that we will get a close approximation of truth, but I would suggest that probably many of you have done the same thing I have done in that when we want to get a balance between newspapers and to find out actually what has happened in a given situation, we might choose...a ...choose to buy both of the major city newspapers and figure that probably some place between the story as reported...in ...in a....one, and the story as reported in the other, will be someplace close to the truth. A week ago last night, I was a member of a panel that was discussing the absolute shield concept, and since I was the only one in the Executive Committee who had voted against the Absolute Shield Bill, and since all of these others had connection with the media, I anticipated that I would be taken apart in spades. Ladies and gentlemen, of these four panel members other than myself, Dr. George Gordon of Northwestern University, who is probably one of the main academic honchos in the area of academic...of..a...a...press freedom. Latrenda Goodman, representing radio station WJBC, Mr. Harold Liston, the editor of the Daily Panagraph, and Dr. David McKeen, of the Communications Department of ISU. Not one of the four would go along with the concept of an absolute shield. Not one of the four, in fact Mr. Liston



probably said it best, when he said "Ladies and gentlemen of the audience, I would ask you this, if we get an absolute shield, what do we have to give in order to get it? What do we have to give? Do we have to give up our responsibility to act as a citizen first? As a reporter, second? Because our duty as a reporter comes second to our duty as a citizen and the duty of good citizenship falls upon all of us. If you create a special class of citizenship for the gentlemen of the fourth estate, it seems to me that you have put them on an icy pinnacle of self-righteousness that may very well be necessary to have melted out from under them some time in the very near future." It seems to me that we have a proposal here, which is an extremely dangerous one. Granted, the reporters should be protected to a certain extent, but everybody in this world has to be responsible to some one and it seems to me that we do have other bills which are coming up, which are more responsible, which do have some sort of final authority. As things stand now, we have the Supreme Court of the United States interpreting the First Amendment, and it seems to me that that Court is perhaps not always right. But it is responsible, the country has lasted almost 200 years under the protections of the United States' Constitution as it was interpreted by that Court and it seems to me that while we in the State of Illinois might very well wish to give some sort of shield to newsman that an absolute shield is an extremely dangerous thing and that



ultimately that the press will try to get out from under the absolute shield because they'll find that they have given up much to much in their seeking after a shield. I think here in the last few months, the last six months, eight months, one year, that quite conceivably we have some sort of a profound paranoia that is being exhibited by the press, because their fingers have been slapped a few times. We do have a situation of a reporter, a certain Mr. Anderson, who dashed into print before he had checked his sources, but his sources that he chose to protect, were sources that were reliable sources, and then we found that Mr. Anderson had probably done great damage to the career of an individual. Was it a damage that was reparable, only time will tell and the wisdom of the people of Missouri. But the thing is, it seems to me, that Mr. Anderson had no right to go into the press before he had thoroughly checked his sources and if he did not check his sources, if he had an absolute shield, whereby he could protect his sources, the truth would probably never had come up and a man's name would not have been cleared. Mr. Speaker, it seems to me that this is an extremely dangerous bill and I hope that the Gentlemen and Ladies of the House will vote against it."

Arthur Telcser: "The Gentlemen from Cook, Representative Dunne."

Dunne: "Mr. Speaker, and Members of the House, I rise to support this Bill and I support it basically for many of the same reasons and I have some of the same reservations that was stated by Representative Washington, Harold Washington."



But I like to point out that I resent some of the things that the proud Republican, Representative Washington, had to say. He seemed to have associated former Attorney General Mitchell with wire tapping and I've never been aware of that. And I'd like to point out to him, that one of the greatest wire tappers that ever held that office and one of the men who had the littlest regards for the people, was former Attorney General, Robert Kennedy."

Arthur Telcser: "The Gentlemen from Will; Representative Kempiners."

Kempiners: "Thank you Mr. Speaker. I rise to support this Bill as somebody who does support it as a co-sponsor of this Bill. But not because of a recent interest which has developed because there is a President who is unpopular with the press and some of the people or because recent incidents which have been connected with that administration but because of an interest that goes back at least eight years. When I first had hopes of entering the profession of journalism and did research academically on certain topics regarding suppression of the news. I had an opportunity during the administration of a popular President who looked into activities in Washington, D. C. and found that the press was having its problems at that time, but the President was popular so nobody raised any questions. In fact, in certain instances, and this was admitted to me by reporters, political reporters who we see in our



papers everyday, that they were letting themselves be used. In 1968, during the presidential campaign, I had an opportunity to read a column by Nicholas VonHoffman, now he's not a columnist who's political philosophy I share all the time, but his comments were very appropros to what we're discussing today, and it dealt with the attitude of the press towards to many things that were happening. And he used the statement that he heard used by many members of the press, "we won't let him get away with this". And it was an attitude that was expressed at a press conference of a political candidate, the press didn't particularly care about, and they showed their attitude that they were going to get this man because they didn't agree with him. Now it might sound like I'm standing up there opposing a shield law, but I want to remind the Members of this Body and the members of the press who are covering this debate today, that we must always equate rights with responsibility and responsibility with popular causes, as well as unpopular causes and with popular people as well as unpopular people and I do support this Bill that is before us today."

Arthur Telcser: "The Gentlemen from DuPage, Representative Phillips."

Phillips: "Mr. Speaker, will the sponsor yield for a question?"

Arthur Telcser: "He indicates that he will."

Phillips: "A...Representative Hirschfeld, generally speaking I have been in favor of some type of shield law. Let me ask you this question, hypethically, if a member of the



media would be a witness to a murder, a holdup, an automobile accident, could the court, in effect, subpoena him to testify under your Bill?"

Hirschfeld: "Yes."

Phillips: "If he had first hand knowledge to a person in government giving classified information to the enemy, could he be subpoenaed in the court?"

Hirschfeld: "Yes."

Phillips: "Thank you."

Arthur Telcser: "The Gentleman from Cook, Representative Rayson."

Rayson: "Mr. Speaker, and Members of the House, just one preface to my limited remarks, a...the Gentleman raised the name of Robert Kennedy, I would suggest that the fact that he had been a bugger doesn't make Mitchell's bigger bugging better, but be that as it may, we take things out of context and talk about problems and one is the Jack Anderson matter, I guess he's referring to the Senator Eagleton affair, but there's another more viseral matter, and that is the matter of assistance on papers which apparently were perloined for which the gentleman is either in jail or may be close to being in jail, but never mind all that, it seems like what is at issue here is what is a more compelling State interest, should we let freedom ring as best we can and try to cling and grapple to a somewhat less free society, but hold it the best we can? Or is it better in the public interest to suggest that there



be restrictions on reporting and privilege? It seems to me that the compelling interest in the State in a free society should shield these kinds of sources, as the sponsors of this Bill says, it doesn't apply to first hand, it doesn't apply to his activities, it applies to his sources. And I don't think we should hung up in the year of criminal law only, because in the field of politics, and this is where the ponography of power is, in the field of politics there is many encouragements in first amendment rights in the name of security or public interest or national defense or whatever ossfucation to really kind of curb this right of shielding informant sources. So I say unto you, that we should look to the overview and not look to the little bit of contradictions in between because even the passage of this good Bill is not going to resolve the problem. The problem will go on as does most things in our society. The thing is that we can be a little better off in a little freerer society if we give newsmen the right to shield certain sources from which they can be better able and better equipped to pass along freedom information. And that's what I think it is all about, freedom should reign if we are going to succeed as a democracy."

Arthur Telcser: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Will the sponsor yield to some questions?"

Arthur Telcser: "He indicates that he will."

Leinenweber: "Representative Hirschfeld, I don't have my statute



books before me. What is the existing law that you seek to amend? As I understand, you are striking out the qualifications, which are the existing law, as to revealing sources. How does it work presently?"

Hirschfeld: "Well, ita...Representative Leinenweber, its Chapter 51, of the Illinois Revised Statutes, and right after....as it now reads in the initial section of that statute we convey an absolute privilege to the news media and in the subsequent paragraphs, 111, 112, 113, through 119....a...it deletes those. One is for liable and slander, I have left that in, the other...the basic deletion said that any time the judge decides that there is an overriding public interest, whatever that means,a..the shield will be removed, and I feel that that's too vague and general, the only exception I have left in is liable and slander."

Leinenweber: "Are you aware of any specific abuses of the, of this particular act in the State of Illinois?"

Hirschfeld: "I have in my possession several hundred subpoenas that have been issued recently in the City of Chicago to various members of the news media...a...which I consider harrassment at best, and...a...nothing more, but fishing expeditions at worst, and...a....I'd be happy to show you these if you'd care to look at them, these were issued by Grand Juries and administrative agencies and courts and so forth. And they show the type of harrassment that the news media has inflicted upon them and they failed to submit



when the judge decides there is an overriding interest, again, whatever that may mean, and of course, they are subject to the same contemp proceedings as occurred in California."

Leinenweber: "All of these subpoenas that were issued that you have in your possession were issued after a judge made a finding that the overriding public good was best served in that manner. Is that correct?"

Hirschfeld: "Well, I would presume that would be the finding that he made. The subpoena was issued and ultimately it could have been issued if it fell under that particular section of the statute."

Leninenweber: "I have one other question. Taking Representative Fleck hypothetical, suppose the in the docks there was a man charged for that murder, and a newsman published an article, which if the source was correct, would absolutely prove the innocence of this person that's in the dock. I take it that under your Bill that his source could not be compelled, the disclosure of his source could not be compelled, is that correct?"

Hirschfeld: "Well, I don't want to answer that yes or no. I will answer it you are right in what you say. But one of the things that seem to be occurring in the discussion in this Bill, and I'm sure the other too, is that we are confusing a...a I think the issue of press response, immediate responsibility, with the issue of the shield and I frankly do not have the name negative and denegrating opinion of the



media that is expressed by a great number of people. I would suggest to you Representative, that if a member of the media had the only source of information that could prove a man innocent, that he probably would not keep his source confidential under that circumstance. Although, technically, your question is correct."

Leninenweber: "Thank you. Just briefly on the Bill, I... on this particular Bill, I find Representative Epton's wording that the source of the material is part of the public's right to know and I feel that in this particular instance that this Bill impairs that impairs the source consequently it is the public right to know, is not complete as this Bill supposedly would protect."

Arthur Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Mr. Speaker, I move the previous question."

Arthur Telcser: "The Gentleman has moved the previous question. All those in favor signify by saying aye, the opposed, no, the Gentleman's motion prevails, and Representative Hirschfeld to close."

Hirschfeld: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I'll try and make this brief because it looks to me like we are starting to have extreme dissipation among the Membership. A...I would suggest to the distinguished Gentleman from Cook who spoke on this Bill first, that his initial concept is one of the things that troubled me most in presenting this Bill, and that is he said, "While some



judges step out of line and sentence a man to contempt, that is the risk we have to take." And I think it is a sad commentary on our society if we have to suffer the intemperance of a judge who decides to send a man to prison for contempt and an indefinite sentence, and I don't think that's a risk we have to take and that is one of the reasons this bill was introduced. I also would like to point out that in the criminal area, I realize there are some very touch questions but I think we have to rely upon the responsibility of the press, that they will reveal their source if a man's life or freedom is at stake. I think they have been responsible in the past and they will remain responsible in the future. I disagree with the distinguished Gentleman from Will who recently spoke when he referred to the public's right to know on the one hand, versus the presses' right to confidentiality on the other. He implied that there is a conflict between these two, I do not think that this is true at all. I think that the two are compatible and once again we are confusing with responsibility, the concept of the shield. Now I would like to say to Representative, the distinguished Representative from the first district, that I intend to support this Bill as well as the others and my own, and I frankly do not know which Bills will pass this House or the Senate or be signed into law, but I think we need one of these Bills, and I assure Representative Porter, he will have my support for his Bill. I disagree with the distinguished Gentleman from my neighboring



District, Representative Lauer, when he says the Supreme Court can solve these problems. I frankly, as a lawyer, have not found the Supreme Court unable to solve a great many problems, and I must say to you sir, that it bothers me a great deal, when you can think that a man can be in prisons for weeks and must wait for the Supreme Court to hear his case before he can decide whether or not he can be released from prison for failing to reveal his source. I think that the Supreme Court is already over-burdened, over-crowded, understaffed, underprofessional, and I frankly, would not entrust them with this type of decision. Finally, I would like to point out to the Members of this General Assembly, that in the edition of one of the Chicago papers today, stated that the States of Texas, Tennessee, and Hawaii, passed shield bills recently, and in the case of Hawaii, at least it was an absolute privilege, and I would appreciate your support on the Bill."

Arthur Telcser: "The question is, shall House Bill 125 pass.

All those in favor signify by voting aye, the opposed, by voting no. The Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Well, Mr. Speaker and Ladies and Gentlemen of the House. In briefly explaining my vote, the purposes of this Bill, of course, is to shield newmen at a trial, and of course the trial has one purpose and that is to ascertain the truth, and if this type of legislation is passed, it would more or less prevent, it would preclude and prohibit



the truth from coming out. I think that there isn't any reason at all, or any justification to give newsmen or anyone else this type of privilege. I think what Jack Anderson did to Senator Eagleton is criminal. He never even would apologize when he was on TV a month later. I don't see any reason at all that they should have any reason of this right. I think that what should happen that when a trial is called, and under the hypothetical example, that Representative Fleck presented here, we could have a person convicted that shouldn't have been convicted just because of the whim of the reporter that would not testify and claimed the privilege. Therefore, I am voting no."

Arthur Telcser: "The Gentleman from Cook, Representative B. B. Wolfe."

Wolfe: "Thank you Mr. Speaker, I was hoping to make this comment when the Bill was up. You know there is a paradox on the Floor today in House Bill 1 we were voting for disclosure, and now in House Bill 125 we are voting for non-disclosure, and I think we have to distinguish between the two bills. The thing that defeated House Bill 1 in my opinion, was the fact that we were destroying a free press in that Bill. Now you've got to believe to support this Bill that the substantial number of members in the fourth estate are reliable, responsible people. If you don't believe, and you can't single out in the Anderson case one reporter in a thousand of reporters throughout the country any more than the press can single out one Member of this



House and attempt to indict the whole House. Guilt by association is one of the bad things in the press and I hope they are listening to this, because this would destroy their ability to maintain a free press and to maintain the freedoms expressed in our own State Constitution. Now under Section 4 we guaranty to the press that all persons may speak right and publish freely being responsible for the use of that liberty. In trials for liable, both civil and criminal, the truth when published, with good motives and for justifiable shall be a sufficient defense. But lets not forget in the same Bill of rights, Section 23, Fundamental Principles, a frequent reoccurrence of the fundamental civil government is necessary to preserve the blessings of liberty, these blessings cannot endure unless the people recognize their corresponding individual obligations and responsibilities and I ask the press to recognize that and to invoke the Golden Rule, to do unto us: as we do unto them, I support this Bill because it guarantees these freedoms that are so dear to the people, not only to the State of Illinois, throughout the United States."

Arthur Telcser: "The Gentleman from Cook, Representative Duff."

Duff: "Mr. Speaker, I bear no animous whatsoever toward the responsible press. I would point out however, that in this bill, the protection of the established press, it is my belief that when the first Amendment was drafted, it had in mind the freedom of speech and writing of people like Thomas Paine, Benjamen Franklin, and others, and did not



specifically refer to investigatory powers. I believe that by trying to define that at this time, we will be entering into the kinds of things that Benjamin, that a...that a just as Franklin called the political thicket. It must balance, as the other Representative from the 1st District, said the 6th Amendment and the 1st Amendment, even the legislators who are not elected and who have a constitutional protection of immunity, do not have a totally unfeathered shield and a total immunity from everything. Even our own Constitution refers to the limitations in the areas of felony and public disorder. I would refer to the principle of civil disobedience, which is an allegist in some respects. The protection of these freedoms requires the very deep good will and willingness of the press to help protect their own profession and to be willing to stand for justice when they do wrong as we must. Now, Mr. Speaker, because I bear no anomous, but because I cannot vote aye on this Bill, I would like to be recorded as voting present."

Arthur Telcser: "Record the Gentleman as voting present.

The Gentleman from Cook Representative R. Walsh."

Walsh: "A, Mr. Speaker, Ladies and Gentlemen of the House.

In explainin my no vote, I would like to call to the attention of the House, the remarks of Clark Molonoff, a veteran reporter, who is presently the DesMoines bureau chief in Washington. A...Mr. Molonoff is also a Pulitzer prize winner, and in testifying before the House Committee in Washington on Absolute Shield Bill, he said that enact-



ment of such legislation would be and I quote, "a greater boon to organized crime than the 5th Amendment. He said that this would allow anyone to pose as a journalist and in that way, shield a criminal, now that may be a little broad, but for those of us who put any time in Chicago and see the magazines, see the newspapers that are sold at newsstands in Chicago, those people reporting for those a. . . magazines and papers would be protected under this Bill. Mr. Molonoff also said that eventually an Absolute Shield Law would hurt the press because it would promote irresponsibility and lack of accountability. I vote no and would urge others to do likewise."

Arthur Telcser: "The Gentleman from Cook, Representative Washington."

Washington: "Mr. Speaker, in explaining my vote very briefly, I want to respond to Representative Dunne. I did not mean to imply that it was only Republican Administratives or Administrations which had violated the rights of people and been violative of the Bill of Rights. It was not a Republican President who was responsible for herding Japanese into concentration camps, nor was it a Republican Attorney General who practically railroaded a big labor leader into jail. I'm saying that both political parties' leaders have been responsible for violating the rights of the people in this country, the Bill of Rights, principally the black, the laden, and poor whites, and that the press



or many of the press have either set idly by, or licked the heels of whoever it was in his favor, notwithstanding the Bill of Rights, that was my point. And if you don't believe my point is correct, watch the metropolitan press of the City of Chicago and see them take out after my repeal of Stop Frisk Law, which I hope to call up next week and hopefully can test this Assembly in joining me by saying we have got to roll back and stop this encroachment upon the Bill of Rights in this country, or we'll be next. That's all I'm saying. And I'm supporting this Bill mainly because, frankly I don't think the press has the balls enough to get together, marshal their strength, get their evidence, get back to court, and repeal the Caldwell decision. They can't protect themselves, and I'm not a dog in a manger, I'm gonna help protect them."

Arthur Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Thank you. Mr. Speaker, in explaining my vote, I think that I will not belabor the point, I think that the arguments of the principle sponsor of the Bill point up most of the important arguments in favor of this concept. And that is exactly why I rise, to support the concept. Each of the sponsors of these three Bills to provide a so called absolute shield have taken their own approach to the concept and I would invite some of the Gentlemen that raised the hypothetical to evaluate how each of these Bills



approaches their specific questions. But I think we are being asked today to do one thing, and that is to reinstate as far as this House is concerned, a concept that was set forth in the Federal Constitution and is re-echoed in our own Constitution, namely, a freedom of the press, and that freedom is not give the people in that press box any unusual privileges that aren't and haven't been evaluated as more important than many other things. The only way the people back home know about what we do or don't do, know about how government operates, is through the people that sit in that press box. This is not a Bill for them, it's a Bill for the people back home. Because that's the only way they know what we are doing, what government is doing, our founding fathers deemed it important enough to have an Amendment to the first Constitution that said freedom of the press, it didn't say freedom of the press, except in felony cases, it didn't say freedom of the press, except for eye witnesses it didn't say freedom of the press in any other type of qualified manner. It said freedom of the press. That is what this is about...this Bill is about, that's what House Bill 380 is about, by Representative LaFleur; that's what House Bill 475 is about that I sponsored. We are being asked today to reinstate and to recommit ourselves to that concept. Its very simple. Its not hard, and I would suggest to you all that the way we have been able to operate progressively, freely, effectively, for almost two hundred years in this country is because of an unfetter freedom of

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the press. There may have been shortcomings, there may have been inequities, but on balance, there cannot be any compromise to the continued freedom that that press must have, not because of the people that work for them, but because of the people that look to them to know what their government is doing. That's why I'm please to vote aye on this Bill as I will do on the other Absolute Bills, and I urge for a green light because of the concept of the freedom of the press."

Arthur Telcser: "The Gentleman from Lake, Representative Duester."

Duester: "Mr. Speaker, I was not going to speak, but the remarks of the previous speaker inspired me to say a word. It is true that the Constitution is involved here, but there is a spirit of the Constitution involved in two Amendments Amendment No. 1 talks about freedom of the press, but Amendment No. 6 talks about the rights of defendents to have witnesses and be confronted by witnesses and I think every member is entitled in his vote here, rather it be no, or the red light or the green light, to consider a balancing of these two constitutional provisions and I am voting no because I am greatly concerned about the implications this might have on the rights of defendents to see the witnesses and to have a full freedom to make sure that those witnesses are there."

Arthur Telcser: "The Gentleman from Christian, Representative Tipsword."

Tipsword: "Mr. Speaker, May I please be recorded as voting



present."

Arthur Telcser: "Record him as voting present." The Lady from Lake, Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, because I am idealistic enough to believe that we will and do have responsible journalism in spite of the few exceptions, because I do really believe in the freedoms of the 1st Amendment and I do not like to see them eroded by either Republicans or Democrats, because I do believe that this would be a step in the right direction and hopefully and I pray that this Bill along with any other Bills that may be passed relative to journalism, radio and other communication media will be screened carefully by the Senate Body so that one comprehensive Bill come down to us I will vote for this Bill and I cast my vote as aye."

Arthur Telcser: "The Gentleman from Cook, Representative Porter."

Porter: "Mr. Speaker, Ladies and Gentlemen of the House, I appreciate the remarks of the distinguished Representative from Champaign, Representative Hirschfeld, who intends to vote in favor of my Bill. However, I think that my Bill was in conflict with this Bill, because it takes into account the rights that I mentioned previously, those rights guaranteed to every American under the 6th Amendment. I don't see how I can return the favor under those circumstances. A...still the responsibility evolves upon me to decide whether I would rather have an Absolute Shield Bill or no Bill at all, because very possibly, the Committee



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might see fit, or the House or the Senate might see fit to defeat the Bill that I am proposing, so what I intend to do here is to choose between these three Bills at this time, and choose the one that I think...a...is the best of the three and vote in favor of it. On this particular Bill, despite my great respect for Representative:

Hirschfeld and his intent, I am going to vote present. "

Arthur Telcser: "Record the Gentleman as voting present.

Have all voted...have all voted who wish? Take the record."

On this questions there are 91 ayes, 27 nays, 5 answering present, and the Gentleman from Cook, Representative R.

Walsh."

Walsh: "Mr. Speaker, I request a verification of the affirmative roll call."

Arthur Telcser: "Okay, the Gentleman has requested a verification of the affirmative roll call. I assume, Representative Hirschfeld, you wish to poll the absentees first? Okay will the Members please be in their seats and will the Clerk please poll the absentees."

Fred Selcke: "Anderson. Arrigo. Barry."

Arthur Telcser: "Representative Arrigo, for what purpose do you rise sir?"

Arrigo: "I presume I am recorded as being absent."

Arthur Telcser: "You are recorded as non-voting sir."

Arrigo: "Very well, I am going to vote no. I think I have every reason in the world in voting no. I belong to a racial group, an ethnic group, that has been maligned by



the press for many many years. They don't intend to let up, they're going to continue because the newspapers, the movie industry, or other publications make us a marvelous target, and while I'm at it, I had an experience during the primary, and it was during the primary that one lady from the press attended a meeting of the First Ward Organization. And may I quote from memory what she had to say. She accompanied the then State's Attorney of Cook County on his Ward meetings that he went to. She referred to the Committeemen of the First Ward as an aging balding inarticulate committeemen and sitting with him on the platform were three characters who looked as though they answered a casting call for The Godfather. I was one on that platform. A black labor leader was on that platform, and a blond blue eyed Anglo-Saxon was on that platform. But it made good reading, it was the First Ward. There were Italian names involved and guilt by association is still perpetuated by our friends from the press. And I vote no on this Bill."

Arthur Telcser: "Well, your switch is closed, sir, so record the Gentleman as voting no."

Fred Selcke: "Barry. Beatty. Boyle. Brummet."

Arthur Telcser: "Record the Gentleman as voting present."

Fred Selcke: "Brummet, present, George. Capparelli. Capuzi.

Carter. Cox. Craig. Davis. DiPrima. Ewell. Farley.

Flynn. Garmisa. Giglio. Granata. Grotberg. Hanahan.

Hart. Gene Hoffman. D. Houlihan. Dave Jones. Keller.

Kent. Klosak. Krause. Laurino. Madigan. Maragos. Martin.



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McEvoy. McPartlin. Kenny Miller."

Arthur Telcser: "Record the Gentleman as voting present."

Fred Selcke: "Nardulli. Pierce. Porter. Randolph. Redmond.
Rigney. Rose. Schrader. Sevcik. Ike Sims. Stedlin.
Taylor, Terzich."

Arthur Telcser: "Representative Terzich, for what purpose do
you rise, sir?"

Terzich. "Record the Gentleman as voting aye."

Arthur Telcser: "Record the Gentleman as voting aye."

Fred Selcke: "Tuerk."

Arthur Telcser: "Representative Jones, for what purpose do
you rise, sir?"

Jones: "Vote me present."

Arthur Telcser: "Record Representative Jones as voting
present."

Fred Selcke: "Wall. Walters. J. J. Wolf."

Arthur Telcser: "Okay, Representative Walters, for what purpose
do you rise, sir? "

Walters: "In explaining my vote, Mr. Speaker, I had a letter
from one of my constituents, it says quote "Now that the
legislative body is considering granting more rights to
the members of the news media, it seems that its time that
the people demanded responsibility be included with the
further rights. I have been interested in some time in
truth in reporting laws, and I think with the rights to
responsibility when we are able to work out a mutual



agreement on this particular subject, I would vote aye.

At this time I vote no."

Arthur Telcser: "Record the Gentleman as voting no. Representative Kosinski, for what purpose do you rise, sir?"

Kosinski: "Mr. Speaker, inasmuch as I don't wish to protect the irresponsible as well as the responsible, would you tell me how I am recorded?"

Arthur Telcser: "How is the Gentleman recorded?"

Fred Selcke: "The Gentleman is recorded as voting no."

Kosinski: "That's the right record?"

Arthur Telcser: "Yeh, the Gentleman has requested that a poll of the affirmative roll call. Will the members please be in their seats? And the Clerk will slowly read the affirmative roll call." Representative Farley, did you seek recognition sir?"

Fred Selcke: "The Gentleman is recorded as not voting."

Farley: "Would you vote me aye, please?"

Arthur Telcser: "Record him as voting aye. Alright, the affirmative roll call will now be verified."

Fred Selcke: "Arnell. Barnes. Beaupre. Berman. Blades. Bluthardt. Borchers. Brandt. Brinkmeier. Caldwell. Calvo. Catania. Chapman. Clabaugh. Collins. Cunningham. Douglas. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen. Farley. Fary. Fennessey. Friedland. Geo-Karis. Getty. Giorgi. Harpstrite. Hill. Hirschfeld. Jimmy Holloway. R. H. Holloway. J. Houlihan. Hudson. Huskey. Jaffe.

Emil Jones. Juckett. Katz. Kelly. Kempiners. Kennedy.

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Kozubowski. LaFleur. Lechowicz. Lemke. Leon. Londrigan.
 Lundy. Macdonald. Mahar. Mann. Matijeich. McClain.
 McCormick. McCourt. McGah. McGrew. McLendon. McMaster.
 Merlo. Tom Miller. Molloy. Mugalian. Neff. North.
 Palmer. Patrick. Philip. Piotrowicz. Rayson. Ryan.
 Schlickman. Schneider. Schoeberlein. Sharp. Shea.
 Timothy Simms. Skinner. Soderstrom. Stiehl. Stone.
 Telcser. Terzich. Thompson. VonBoeckman. Waddell. Wash-
 burn. Washington. Williams. B. B. Wolfe. Yourell."

Arthur Telcser: "The Gentleman from Cook, Representative R.
 Walsh."

Walsh: "Is Representative Yourell in his seat, Mr. Speaker?"

Arthur Telcser: "Representative Yourell is not in his seat,
 he is in the back of the Chamber."

Walsh: "A Representative Blades?"

Arthur Telcser: "A Representative Blades, a take him off the
 roll call. Oh there is Representative Blades in the back
 of the room." Repres

Walsh: "Representative Brinkmeier?"

Arthur Telcser: "He's in his seat."

Walsh: "Representative Phil Collins?"

Arthur Telcser: "He's in the back of the Chamber."

Walsh: "Representative Ebbesen?"

Arthur Telcser: "Is Representative Ebbesen on the floor?
 Take him off the roll call."

Walsh: "A Representative Fennessey?"



Arthur Telcser: "Representative Fennessey is in his seat."

Walsh: "Representative Getty?"

Arthur Telcser: "He's over here in the aisle."

Walsh: "Representative Giorgi?"

Arthur Telcser: "He's in the center aisle."

Walsh: "Representative James Holloway?"

Arthur Telcser: "He's in his seat."

Walsh: "Representative James Juckett?"

Arthur Telcser: "He's back there in his seat."

Walsh: "Representative Katz?"

Arthur Telcser: "In his seat."

Walsh: "Representative Lechowicz?"

Arthur Telcser: "Representative Lechowicz on the floor? I

don't see him, take him off the roll call."

Walsh: "Representative Leon?"

Arthur Telcser: "He's standing over here by the press box."

Walsh: "Representative Mann?"

Arthur Telcser: "He's right here in the aisle."

Walsh: "Representative Philip?"

Arthur Telcser: "Is Representative Philip on the floor? Take

him off the roll call."

Walsh: "Representative Sharp?"

Arthur Telcser: "Representative Sharp is in his seat."

Walsh: "Representative VonBoeckman?"

Arthur Telcser: "He's in his seat."

Walsh: "A..Representative Barry?"

Arthur Telcser: "Is Representative Barry on the floor? He's



recorded as not voting."

Walsh: "A...Representative Merle Anderson?"

Arthur Telcser: "Representative Anderson? He's not recorded
...a he's recorded as not voting."

Walsh: "A Representative Lemke?"

Arthur Telcser: "Representative Lemke is in his seat."

Walsh: "Is Representative Ron Hoffman?"

Arthur Telcser: "Is Representative R. Hoffman on the floor?"
He's in his seat, he voted no anyway."

Walsh: "Representative Sevcik?"

Arthur Telcser: "He's in his seat, he's not voting."

Walsh: "Is Representative Douglas in his seat?"

Arthur Telcser: "He's on the floor."

Walsh: "A..Representative DiPrima?"

Arthur Telcser: "Is Representative DiPrima on the floor."

He's recorded as not voting." Representative B. B. Wolfe,
for what purpose do your rise sir?"

Wolfe: "How am I recorded?"

Arthur Telcser: "How is the Gentleman recorded?"

Fred Selcke: "The Gentleman is recorded as voting aye."

Wolfe: "Thank you."

Arthur Telcser: "Are there further questions on the affirmative
vote? Representative Boyles, for what purpose do your rise
sir?"

Boyles: "How am I recorded?"

Arthur Telcser: "How is the Gentleman recorded?"



Fred Selcke: "The Gentleman is recorded as not voting."

Boyles: "Record me aye."

Arthur Telcser: "Record the Gentleman as voting aye. On this question, there are...Representative Flynn, for what purpose do you rise sir?"

Flynn: "How am I recorded, Mr. Speaker."

Arthur Telcser: "How is the Gentleman recorded?"

Fred Selcke: "The Gentleman is recorded as not voting."

Flynn: Record me as aye please?"

Arthur Telcser: "Record the Gentleman as voting aye. On this question there are 92 ayes, 27 nays...29 nays, 8 answering present. Do you wish to be recorded as voting aye Representative Wolfe? Record Representative J. J. Wolfe as voting aye. Representative Schlickman, for what purpose do you rise, sir?"

Schlickman: You've announced the roll call Mr. Speaker?"

Arthur Telcser: "I haven't declared it passed yet, I'm waiting to. On this questions there are 93 ayes, 29 nays, 8 answering present, and this Bill having received the constitutional majority is hereby declared passed. The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, having voted on the prevailing side, I now move to reconsider the vote by which this Bill was passed."

Arthur Telcser: "The Gentleman from Cook, Representative Berman."



Berman: "I move that motion lie upon the table."

Arthur Telcser: "The Gentleman has moved the motion lie upon the table. On the Gentleman's motion to table, all in favor of the motion, signify by saying aye, all opposed no, the Gentleman's motion prevails. Representative Walters, for what purpose do your rise, sir."

Walters: "Mr. Speaker, thank you sir. Point of personal privilege. I have just been handed a copy of the so called world's greatest newspaper. And in this paper it said Hawks paint Blues into corner, 1-0. The night before they said, Blackhawks blast Blues 7-1. I think it should have been Blackhawks set Blues 7-1, and all I can say to the Chicago Tribune and the Blackhawks, wait until you come to St. Louis, boys. Thank you."

Fred Selcke: "House Bill 185. Berman. A Bill for an Act to amend the Election Code, Third REading of the Bill."

Arthur Telcser: "But first, the Gentleman from Cook, Representative William Walsh."

Walsh: "Mr. Speaker, in order that we may get to our committees and adjourn at a reasonable time, and with the agreement of the members of the other side, the sponsor of this Bill included. I would move that the provisions of Rule 23D relating to the 30 days on the calendar be suspended with respect to House Bills 185, 373, and 374."

Arthur Telcser: "Okay, the Gentleman has moved that the provisions....The Gentleman from Cook, Representative Shea."



Shea: "I understand this...there are going to be extended, what? Until Tuesday of next week."

Walsh: "Yes, until Tuesday of next week."

Shea: "Alright."

Arthur Telcser: The Gentleman has moved the provisions of 37 be suspended, its 37 right....a...its Rule 37 be suspended so that House Bills 185, 373, and 374 may be heard next Tuesday. All those in favor signify by voting aye, the opposed by voting no. It'll take 107 votes. Have all voted who wished? Bluthardt aye. You can take the record. Palmer aye. On this question, 123 ayes, 2 nays, and the Gentleman's motion to suspend Rule 37 prevails. Record Geo-Karis as voting aye. The Gentleman from Cook, Representative William Walsh."

Walsh: "And now Mr. Speaker, for the same reason, the motions appearing on the calendar relating to House Bills 146, 155, 163, 222, 223, 346, 349, 383, 528, and House Joint Resolution 8, I would move that we suspend the appropriate Rule so that these motions may be taken up no later than next Thursday."

Arthur Telcser: "Okay, the Gentleman has moved that appropriate rules be suspended so that the motions stated by the Majority Leader can be heard next Tuesday...or Thursday. All in favor of the gentleman's motion, signify by voting aye, the opposed by voting no, 107 votes. Have all voted who wished? Take the record. On this question 117 ayes, 4 nays and the Gentleman's motion to suspend the appropriate rules prevails. Hudson, aye. The Gentleman from Cook, Represent-



tative W. D. Walsh."

Walsh: "A..Mr. Speaker, I understand there are some announcements. My seatmate, for one, has an announcement:"

Arthur Telcser: "Representative Schoeberlein, for what purpose do you rise sir?"

Schoeberlein: "On Committee. The Public Utilities Committee will meet in Room A-1 over in the office building immediately after adjournment."

Arthur Telcser: "Are there further announcements? Representative Collins?"

Collins: "A...Mr. Speaker, before I make an announcement, I would like leave of the House to table House Bill 2."

Arthur Telcser: "Does the Gentleman have leave? Hearing no objections, House Bill 2 will be tabled."

Collins: "Mr. Speaker, the Executive Committee will meet 15 minutes after adjournment."

Arthur Telcser: "What room?"

Collins: "In Room C-1....B-1, pardon me."

Arthur Telcser: "Are there further announcements? The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, I think that Mr. Cunningham and I have discussed this House Bill 20 which is one of the death penalty Bills. A...could we move that to Third Reading? And he's agreed to bring it back to Second Reading next week if we can work out an Amendment on it. It was read a second time, moved to Third Reading, he did bring it back



and I think we've got it squared away."

Arthur Telcser: "Okay, House Bill 20, go to Second REading, House Bill 20, Third Reading. Okay?" Representative Bradley, for what purpose do you rise?"

Bradley: "I have an inquiry Mr. Speaker of the possibly of the Majority Leader regarding that last motion. A week ago yesterday, we did the same thing with the Bills that are on the tabled? Those are included and they are actually... okay, fine, thank you."

Arthur Telcser: "Are there any further announcements? The Gentleman from Cook...or the Gentleman from Wayne, Representative Blades."

Blades: "Thank you Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, the Agriculture on Natural Resources Committee will meet 15 minutes after adjournment in C-1."

Arthur Telcser: "Are there further announcements? If not, the Gentleman from Cook, Representative W. D. Walsh."

Walsh: "Mr. Speaker I move that the House adjourn until 12 noon on Monday, April 9."

Arthur Telcser: "Okay, the Gentleman has moved that the House be in adjournment until 12 noon, Monday, April 9. All in favor signifying by saying aye, the opposed no, and the House stands adjourned."

