

COMMITTEE OF THE WHOLE

78th GENERAL ASSEMBLY

November 7, 1973

1. PRESIDING OFFICER (SENATOR WEAVER):

2. First Special Session will come to order. The
3. Chair recognizes Senator Ozinga. Excuse me...

4. SENATOR OZINGA:

5. Well, Mr...

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Mr. Secretary did you have something? Reading
8. of the Journal. ...Journal, Senator Soper, moves
9. that we dispense with the reading of the Journal,
10. accept the typewritten copy. Senator Soper moves we
11. dispense with the reading of the Journal until the
12. arrival of the printed copy, All in favor signify by
13. saying aye. Opposed nay. Motion carries. ...Ozinga.

14. SENATOR OZINGA:

15. Well, Mr. Chairman, Mr. President, I move that the
16. Senate do now resolve itself into...Committee of the
17. Whole for the purpose of hearing the whole ethics problem.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. All in favor signify by saying aye. Opposed nay.
20. Motion carries. ...Ozinga.

21. CHAIRMAN:

22. Members of the Senate, at the time of our recess last
23. week, we left I believe three people that were to be heard
24. in the following order. One was DeWitt Gilpin of Evanston,
25. Illinois from the UAW, Legislative Director. Donna Schiller
26. of Highland Park with the League of Women Voters and J.
27. Terrence Brunner of Chicago, Better Government Association.
28. Are any of those three people here present? They're all
29. here. All right. Will we bring up the first witness?
30. ...DeWitt Gilpin. Yes, Senator Donnewald.

31. SENATOR DONNEWALD:

32. ...Mrs. Schiller will not be here however the two
33. remaining witnesses that I had requested are

1. here and are ready to testify.

2. CHAIRMAN:

3. ...Senator, would you have them fill out the slips
4. so we'll know who they are? Okay. Very good. Fine.
5. Then our first witness now is going to be Mr. Gilpin.
6. Right? Mr. Gilpin.

7. GILPIN:

8. Mr. Chairman and friends of the UAW, first of all
9. I'd just like to briefly explain that the UAW's position
10. in support of Senate Bills 1 through 5 has a certain back-
11. ground. The UAW has always supported disclosure and ethics
12. legislation. And in fact shortly after your last Session
13. began, we held a legislative conference in Springfield to
14. reaffirm that position, made it public and I think mailed
15. our position on it to a number of leaders of the Senate.
16. So I'm here today on behalf of the UAW and its community
17. action program council and its President UAW Regional Director
18. Robert Johnson reaffirming our support on specifically
19. singling out Senate Bills 1 through 5. Now, there are a
20. number of House and Senate Bills proposing legislation on
21. numerous disclosure and ethical matters and I'd like to
22. say if it came to that they're all acceptable to the UAW
23. as preferable to what we have which is a vacuum but SB 1
24. covering election contributions and income disclosure we
25. regard these as the key bills of the Legislative package
26. and the UAW places top priority on their passage. Now this
27. is against the background of our UAW position connected with
28. Federal elections. We believe that public financing of
29. Federal elections is a proper thing and a coming thing.
30. We would hope that could also be developed at a State level
31. and Senator McCarthy and some of the State Representatives
32. have introduced legislation which would establish a
33. pilot program on that and the State. We would certainly

1. welcome that development but we feel what's imminent
2. ...what has a chance of passage in this Session would
3. be the Income Disclosure and Ethics Legislation as a
4. start. Now, we've looked at the other legislation and
5. we want to say that on balance the Democratic sponsored
6. bills more...nearly meet UAW objectives, but there is
7. one of the Republican proposals that we think is more
8. realistic and that's specifically the proposal in their bills
9. to require return receipting and reporting of all con-
10. tributions over a \$100 rather than the \$50 figure pro-
11. posed in the Democratic sponsored legislation. We feel
12. to have \$50 as the cutoff point would discourage the small
13. contributor and we don't think that that's the purpose of
14. this type of legislation. We would also as far as the UAW
15. is concerned like to see a limit put on the amount that an
16. individual, an organization of business or an association
17. can contribute, the objective here being to prevent one
18. sector of the society from overloading the campaign till.
19. And I think if you'll check your records you'll find that
20. in any campaign the percentage contributed by labor as the
21. total amount of funds contributed to that campaign, whether
22. it's the Committee to Reelect the President or a local
23. committee that only a very, very small percentage of the
24. total comes from labor organizations. Now, the Senate Bill 1
25. proposes the registration of all political action committees
26. and defines them. ...Have a couple of points on that...we
27. would have no objection to registering our committees, we
28. have no objection to the bookkeeping, we've learned to live
29. under special laws directed at labor which don't apply to
30. the rest of the community. The Taft-Hartley Law. The
31. Land and Griffith Law and all those required disclosure
32. and reporting and our books are open to the Government upon
33. request on these questions at all times and if business and

1. farm organizations and other groups are willing to go
2. along with the proposed registration of the conditions
3. set up certainly the UAW is willing to do so too. But
4. I think there ought to be a safeguard about not getting
5. into the question of opening the total books if a business
6. organization has a political action committee, I think
7. properly under the recording procedure all that the State
8. Body administering this law should be concerned about is
9. how much General Motor or IT&T put into that campaign com-
10. mittee and not having access to the total books of the
11. corporations of the union. But if the intent of the law
12. is interpreted to mean that all the books are open cer-
13. tainly the labor movement is prepared to go along with it.
14. I think you're going to find your greatest resistance in
15. the business community to the question of total opening of
16. books on this question. Also like to raise the question
17. with you that, if there's just a single committee that sets
18. up to help elect a candidate and that's the only committee,
19. is it necessary to have that committee report all its
20. contributions, let's say if that committee only raised a
21. thousand dollars, they're people in the Senate and the
22. House of Representatives get elected with relatively small
23. amounts of money contributed to their committee and if you
24. have a ceiling or a floor in terms of reporting all that
25. would be necessary would be for such a committee if you had
26. that kind of a ceiling to report to the State that it had
27. raised less than a thousand or two dollars that its books
28. were open to supervision at the request of the committee
29. administering the law but the reporting of all contributions
30. it seems to me under that kind of committee setup really
31. isn't getting at the point because nobody is going to
32. influence anybody for a committee that raised a thousand
33. dollars or if you're talking about other areas perhaps the
34. figure should be two thousand. We would also like to have

1. a more effective income disclosure procedure and we
2. think this could be done by making public, both income
3. and income tax statements once a year. We think dis-
4. closure after you get elected is as important as the
5. process of getting elected, but the point I want to make
6. is that, despite our ideas and despite the omissions
7. of the changes we think might be in the bills, the UAW
8. believes that our main thrust and what we should say to
9. you and challenge you to call our bluff if you don't think
10. we mean it, is that we want the legislation passed and we
11. are opposed to talking it to death or amending it to death
12. or pigeonholing it under the guise of seeking perfection
13. because one small stride...toward Camelot beats nothing
14. in this case. We're starting from nothing we have to get
15. something on the books and I'd like to tell you unequivocally
16. that if it comes to SB 1 or even the Republican bill in
17. terms of what I've read about it, if it comes to that or
18. nothing the UAW's prepared to support either or both, but
19. our preference is for SB 1. Now, again just so you don't
20. think we're Johnny Come Lately's on this question, the UAW
21. has this long record of always supporting this kind of
22. legislation and all of our contributions to candidates to
23. both of the political parties in Illinois and their can-
24. didates have been in conformity with the law and our union
25. constitution and we've always followed all existing leader...
26. legal disclosure regulations particularly those covering Fed-
27. eral candidates and any and all expenditures were approved by
28. the proper elected officials entrusted with such authority
29. by membership vote and their action was duly reported to
30. subordinate bodies. And I might add that our right to
31. do this and carry on this type of a program was recently
32. challenged in Federal Court in a suit brought challenging our
33. right to conduct these kind of political action programs

1. and the material we produced and the records we produced
2. convinced Judge Bauer that the UAW's political action
3. program was effective, was open, was honest and was legal
4. under law. So I say the fairer you make the political
5. game and the tougher you make the rules against undue in-
6. fluence, cheating and conflicts of interest the better the
7. UAW's going to like it. That's what our membership wants
8. and we're dependent upon them to stay in the political
9. business and that any law that reduces the influence of
10. money in politics and increases the influence of people in
11. politics contributes to a reaffirmation of faith in our
12. democratic processes. Further, any law that would help
13. prevent a repetition of the charges and countercharges
14. that resulted from the raising of campaign funds in
15. Illinois in the 1972 election would certainly improve the
16. credentials of all future candidates. We don't think how-
17. ever that this issue of where the money came from in 1972
18. should be used as a red herring to delay or obscure or
19. becloud the necessity of legislation this trip. I think
20. that all the candidates in 72 generally raised their funds in
21. a conventional way and what really caused all the excitement
22. was that Dan Walker got elected. Now I want to point out
23. to you that nobody is asking the losers where the money came
24. from and we contributed money to Republican and Democratic
25. candidates. We're proud of having done that. We have no
26. objection if those candidates want to say what the amount
27. of the contribution was, like Attorney General Bill Scott
28. did the other day when he spoke to you, but we think that
29. that's primarily their decision to make and if and when any
30. candidate wants to say this is what the UAW contributed to
31. my campaign, we certainly have no objection to that. But
32. we're certainly not going to, you know try to legislate purity
33. or ethics retroactively and say everybody has to go back and

1. get clean about 1972 before we can have legislation
2. this time. I think that our people were rather amazed
3. about the fact that the Senate failed to pass this legis-
4. lation during the last Session after it came over here
5. from the House and I think a repeat of such an
6. action...would be incredible and I think you have to
7. weigh that against the political temper of the times
8. and I've heard a lot about no mail from home and
9. everybody is apathetic on this question, but I would cite,
10. that you know politics has a great faculty for accelerating
11. in this day and age and there been some tremendous political
12. developments in the last six months that no one would have
13. bet would have been possible six months ago and I think
14. that you can create another one of these political fire
15. storms in Illinois if you don't act on this this time and
16. certainly the UAW wouldn't be doing its duty if we didn't
17. try to fan the flames of indignation if that happened. So,
18. again repeating we're for legislation. I think the question
19. is that the leaders of the Senate and the House want to
20. get together, I think a consultation with business and
21. labor groups would be good if it's all done from the view-
22. point of getting the legislation passed. If it's done
23. from the viewpoint of stalling it, we don't want any part
24. of it, but again I'm saying that whatever ethics and dis-
25. closure legislation comes before this Senate that meets
26. the fundamental requirements of disclosure and ethics the
27. UAW would certainly welcome the passage of that law and
28. certainly would support it. Thank you very much Mr. Chairman.
29. CHAIRMAN:

30. Are there any questions of Mr. Gilpin? Senator Glass.

31. SENATOR GLASS:

32. I have just a couple of questions and I...one of them
33. may not apply to any of these bills but it does pertain to

1. an earlier part of your statement...and that is regard...
2. with regard to the government financing of campaigns. I
3. think you indicated that the UAW favors this...how would you
4. propose to keep frivolous candidates out of the races?
5. Would you just let anyone in and anybody that wanted to
6. run would have access to the government funds?

7. GILPIN:

8. Well, I think the...I think that's an important
9. question and I'm not going to try to deal with it
10. frivolously if I don't have an answer, but I think you
11. have to approach the checkoff public financing in that
12. direction currently based on the present political parties
13. and I think a party or an individual would have to qualify
14. based on a petition or a recorded vote in the last election
15. in order to qualify for a checkoff in the formula could or
16. should be worked out on that basis.

17. SENATOR GLASS:

18. I...with...with respect to the UAW and maybe you can
19. enlighten me on this I...I frankly don't know, does the
20. UAW make contributions itself or does it have a political
21. action committee? ...Or a political action fund from
22. which these contributions are made?

23. GILPIN:

24. Yes, we do. As you know, any money we donate to a
25. Federal candidate has to be free money that is voluntarily
26. contributed by our members under solicitation. We then
27. have a separate fund and we are set up on a State basis
28. where the per capita, a part of the per capita paid by
29. the Illinois locals is diverted for political action and
30. community action programs and it is out of this fund that
31. we make donations to city and state and county candidates and
32. also carry on community activities.

33. SENATOR GLASS:

1. And the decisions as to how those contributions
2. are to be made...who makes those decisions?

3. GILPIN:

4. Those are made by the elected officers of the
5. Illinois Cap Council.

6. SENATOR GLASS:

7. So that the contributions that are made by the UAW's
8. fund are first voluntarily made by the union members to
9. the fund and thereafter...

10. GILPIN:

11. No, you're confusing the Federal money with our
12. State money. We're in the process now of going around
13. to our plants and saying, give us a dollar for Federal
14. candidates. That has to be something a member pulls
15. out of his pocket and contributes to our stewards. That
16. has to be accounted for in a separate set of books.
17. That's Federal candidates. Now under the law, there's
18. nothing that prevents you from giving contributions to
19. state candidates, county candidates, city candidates.
20. We, by action of our membership in convention divert a
21. part of the dues money each month into the State fund
22. and it's that fund that we're talking about.

23. SENATOR GLASS:

24. So as to that fund, that is part of the dues and
25. there is not a voluntary contribution by the individual
26. member?

27. GILPIN:

28. That is correct.

29. SENATOR GLASS:

30. Well now one other question because I think it bears
31. on this SB 1 which I...I personally do not feel is...a
32. good bill, I...I don't object to the intention but I don't
33. think it compares with some of the other bills that we

1. will be hearing about today but one of the provisions in it
2. that..that I question has to do with reporting by the
3. Committees and it provides that each campaign committee
4. shall have a treasurer and shall be responsible for re-
5. porting all contributions received and amounts expended
6. on behalf of the candidate. Now I don't know whether
7. UAW does this but I...I think some unions may and that
8. is to pay for an advertisement, let's say supporting a
9. slate of candidates, now that particular expenditure would
10. benefit an individual candidate and yet his committee
11. would not have made the expenditure and I just wonder
12. how you would go about accounting for that and reporting
13. it...reporting it under this bill.

14. GILPIN:

15. Well, we have followed the Federal regulations on
16. reporting and they're pretty strict. You have to account
17. for more than advertising. Let's say that an international
18. representative goes out and drives a station wagon a week
19. helping you get reelected, we have to record that as a
20. contribution in terms of his salary because for that par-
21. ticular week he's working in an election campaign.

22. SENATOR GLASS:

23. Well, then what I'm saying is that under this bill
24. that candidate's committee would be responsible for reporting
25. to the State the contribution that you had made in that form.

26. GILPIN:

27. ...Well, I'm assuming he would, but I'm telling you
28. it would show on our books in addition to his responsibility.

29. SENATOR GLASS:

30. Well, I only mention this because I think it's a...
31. creates a problem and that's all I have, Mr. Chairman.

32. CHAIRMAN:

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. ...Sir, I'm reading this bill and my question is,
3. is where under what definition do labor unions fall?
4. In other words, they have committees for people and so
5. forth and they have key people and they refer to businesses
6. but what...what...how do you identify yourself because
7. the reason I ask that question where you define...it's
8. ...is in here someplace it says that nobody shall accept
9. more than a \$50 contribution from any person I think, as
10. I read this it says, Section 506, it says it is unlawful
11. for any person to make contributions in cash or anonymously.
12. Maybe it means...it says in cash in excess of \$50 to one
13. or more political committees for the benefit of a candidate
14. or to a political committee within any 12 month period
15. for a political committee or anyone acting on its behalf.
16. Now, are you incorporated...is your political action group
17. incorporated?

18. GILPIN:

19. Well, we're not incorporated but I would give you my
20. interpretation of what we would have to do under that law.
21. The UAW, the Illinois UAW Community Action Program Council,
22. under the law would have to register as a political committee
23. and be bound by those reporting procedures.

24. SENATOR KNUPPEL:

25. And does this mean then that you're limited to one \$50
26. contribution to any candidate?

27. GILPIN:

28. Well, the...the law doesn't say that.

29. SENATOR KNUPPEL:

30. Well, I...

31. GILPIN:

32. ...The law says you have to record and report.

33. SENATOR KNUPPEL.

No.

1. GILPIN:

2. ...any contribution over \$50.

3. SENATOR KNUPPEL:

4. No, I'm...I'm directing attention specifically to
5. section here...Section 506 on page S1 and it's under...
6. I mean I'm just trying to understand, it says disclose
7. your political financing and expenditures. It says it's
8. unlawful for any person to make contributions in cash or
9. anonymously. What does that mean?

10. GILPIN:

11. Oh, if you're...if you're asking that question, I think
12. the language is clear...they want to get away from the question
13. of cash contributions or...contributions that can't be
14. identified. We would have no objection to that.

15. SENATOR KNUPPEL:

16. Well, I...I think and I'm...I'm sincere about it. I
17. mean I think it's capable as being construed as limiting
18. the amount that you can contribute to any candidate to
19. \$50 in any election which it...it says specifically it is
20. unlawful for any person and I assume that...that this...
21. that you qualify as a person because person is not identified
22. in the...in the definitions at the start of the Act, it says
23. for any person to make contributions in cash or anonymously
24. in excess of \$50 to one or more political committee for
25. the benefit of a candidate or to a political committee
26. within any 12 month period or for political committee or
27. anyone acting on its behalf knowingly to accept such con-
28. tributions violation is a Class...A misdemeanor and I don't
29. know that...that payment by a check in any way doesn't
30. constitute a contribution in cash. I think it's the
31. equivalent of and is cash.

32. GILPIN:

33. Well...y'know I don't want to get into an argument with

1. experts...

2. SENATOR KNUPPEL:

3. I'm not arguing I just want...

4. GILPIN:

5. In the discussion we had about this in the House
6. no one seemed to feel that this legislation contained a
7. limit on the amount of a contribution that could be made.
8. Now, the sponsors here in the Senate may speak on it them-
9. selves but it's my understanding that the legislation
10. does not limit the amount of a contribution.

11. SENATOR KNUPPEL:

12. Well, I think that may be the intent, but without
13. a definition what is cash and without a definition of
14. what is person I don't think that...that is necessarily
15. true. If I were a judge, I'd say you can, could make one
16. \$50 contribution and that's it sir and out. Now, one
17. other thing that concerns me and that is everyone who comes
18. here discusses the high cost of campaigns and maybe putting
19. a limitation on the expenditures of the candidates. Has
20. your organization taken a stand to do anything at all
21. about shortening the period of the campaign? I think part of
22. Illinois very frankly, part of the huge expenditure due
23. to the fact you have to keep plowing the field for a year
24. from the time you file your petitions until the time of the
25. election. Has your organization taken any position on that?

26. GILPIN:

27. Well, if there is legislation to that effect and
28. principle, we support it. We don't...we agree with you, we
29. don't see any necessity for the...

30. SENATOR KNUPPEL:

31. Well, you...you...you're saying your organization...

32. GILPIN:

33. I don't think that's germane to this bill but...

1. support the principle.

2. SENATOR KNUPPEL:

3. Oh, I think...I think it's absolutely germane
4. because one of the things we're talking about is the
5. size of the contri...contribution and if a guy doesn't get
6. the money in and he's gotta run for a year, it's a hell
7. of a lot different than having to run for six months.
8. I think it's absolutely germane. But your organization is
9. not taking any position with respect to that.

10. GILPIN:

11. Well, I don't think we've been confronted with legis-
12. lation to that effect. I'm just giving you an off the top
13. of my head opinion that the UAW would support what you're
14. proposing.

15. SENATOR KNUPPEL:

16. Okay.

17. CHAIRMAN:

18. Senator Hall.

19. SENATOR HARBER HALL:

20. ...I'm sorry I may have missed part of your opening testi-
21. mony. I'd just like to ask you again about present require-
22. ments for disclosure of your campaign program. ...It's a
23. national requirement only, isn't that right?

24. GILPIN:

25. Not exactly, under the Land and Griffith Law unions
26. are required to keep financial records and to make reports
27. their membership of all expenditures. Now we do this with
28. our political action committees. In fact, we...a meeting
29. I spoke about previously our Legislative Conference in
30. Springfield, there was a financial report distributed to
31. the members giving them our total expenditures for the
32. year of the Illinois UAW Community Action Program Council.
33. So...again, I'm not a legal eagle but I'm...I'm sure that

1. the Land and Griffith Law requires any union to make a
2. financial report to its membership and that the law
3. requires the union to disclose that to representatives
4. of the government upon request. And we have done that on
5. occasion.

6. SENATOR HARBER HALL:

7. But that is not public information then, is it? For
8. example, I couldn't find out what the UAW contributed to
9. campaigns of members of the General Assembly in the
10. last election or previous election.

11. GILPIN:

12. Well, I won't get into that...some arguments came
13. up about that at one of the hearings and we offered to
14. make certain records public relative to the question
15. raised about the confirmation of one of our members.
16. I...I think the answer is no, it's not generally available
17. to the public is anymore than General Motors books are
18. available to me.

19. SENATOR HARBER HALL:

20. But by your...by your own statement even...you report
21. to your own members is only totals and not detailed.

22. GILPIN:

23. I think that's the nature of any financial report.
24. International Harvester, John Deere.

25. SENATOR HARBER HALL:

26. It...it won't be if we've passed most of the ethics
27. bills...

28. GILPIN:

29. But, I've made our position clear on that what...
30. whatever the disclosure calls for we'll produce it.

31. SENATOR HARBER HALL:

32. But presently you don't and...and it's not public
33. information even which you report under the Landreth-
34. Griffith Act?

1. GILPIN:
2. We don't. The Chamber of Commerce doesn't.
3. The Manufacturer's Association doesn't.
4. SENATOR HARBER HALL:
5. I wasn't asking about those other organizations,
6. I just wanted to know whether you did...make public
7. disclosure or release it in such a form that the news
8. media have it at the...on the national scene.
9. GILPIN:
10. On the national scene it's always released. Every-
11. body knows what we gave Chuck Percy, everybody knows what
12. we gave McGovern.
13. SENATOR HARBER HALL:
14. Well, that's...that's really what I was trying to
15. find out.
16. GILPIN:
17. The national scene we have to do it. The candidates
18. have to file a republic...a report with the government of all con-
19. tributions.
20. SENATOR HARBER HALL:
21. Individuals?
22. GILPIN:
23. Right.
24. CHAIRMAN:
25. Senator Nudelman.
26. SENATOR NUDELMAN:
27. Mr Witness, you referred to the membership of your
28. organization. Is the survey which you took of the membership
29. public information?
30. GILPIN:
31. Survey, Senator...Survey, Senator?
32. SENATOR NUDELMAN:
33. You said you took a survey of the membership to come

1. up with the conclusions you reached...you were telling
2. us about today.

3. GILPIN:

4. No, I said that our cap...our council...our state
5. organization met, discussed these positions and adopted
6. these positions by vote. It was not a survey, Senator.

7. SENATOR NUDELMAN:

8. You didn't...you didn't refer this to the membership
9. of your organization.

10. GILPIN:

11. Well, we've referred it to the membership of the
12. Illinois State Council.

13. SENATOR NUDELMAN:

14. I'm talking about the membership of the organization.

15. GILPIN:

16. The ethics and disclosure legislation?

17. SENATOR NUDELMAN:

18. That's right.

19. GILPIN:

20. Many of our local unions have adopted resolutions in
21. support of it if...is there a question as to how our member-
22. ship feels about it?

23. SENATOR NUDELMAN:

24. Well, you indicated how they feel and I wanted to know
25. how you know how they feel and obviously you don't because
26. you didn't survey them.

27. GILPIN:

28. I think the same way that you generally know how your
29. constituents feel about an issue. You represent them, we
30. represent our members...

31. SENATOR NUDELMAN:

32. Well, I represent people and when they don't write me
33. about a thing like this then I...then I come to certain

1. conclusions. Now, is there mail to the Council from the
2. membership relative to this type of legislation?

3. GILPIN:

4. Mail...I think a better barometer is the discussions
5. we have at our membership meetings of these questions.
6. They have been discussed there...

7. SENATOR NUDELMAN:

8. How does that work? Would you explain it?

9. Well, what percentage of the members come to these
10. meetings? And how do these matters get brought up and
11. how does it come to the top of the union that this is
12. what your membership wants?

13. GILPIN:

14. Well,...

15. SENATOR NUDELMAN:

16. ...Or the various bills and the various sections of
17. the various bills are discussed with the members of your...
18. of your union so they understand what...we're about here?

19. GILPIN:

20. Truthfully, I can't say they have Senator, but I can
21. give you one guarantee, that we are mailing out a newsletter
22. tomorrow pertaining to our position and asking all our members
23. to respond to you and the other people who represent them
24. here in the Capital as to their feelings on this...now
25. we'll get some sort of an indication that...hopefully
26. you will.

27. SENATOR NUDELMAN:

28. So, that if we don't get any surge of mail from the
29. membership of the UAW that will indicate a disinterest,
30. would you agree to that?

31. GILPIN:

32. Not necessarily.

33. SENATOR NUDELMAN:

1. Well, then why would...

2. GILPIN:

3. You're going to get...

4. SENATOR NUDELMAN:

5. ...respond to your newsletter?

6. GILPIN:

7. They will respond, but if you're saying will of the
8. 19,000 people employed in the Caterpillar Tractor Plant
9. in Peoria, will you get 9 or 10 thousand responses, I
10. would be foolish to guarantee you that.

11. SENATOR NUDELMAN:

12. Well, what would you consider that we will get from
13. that 19,000 members?

14. GILPIN:

15. Well, I'd...I'd say that you'll get considerable
16. response.

17. SENATOR NUDELMAN:

18. Well, considerable is a very loose word.

19. GILPIN:

20. Well, I think we're playing with percentages here,
21. am I supposed to say 2,000...

22. SENATOR NUDELMAN:

23. Well, you come here and you say you represent a group
24. of people and that group of people believe thus and so.
25. Now, I want to know how...how you know they believe thus
26. and to...so and now you're telling me you don't know how
27. you're going to prove it to me. And you're saying you don't
28. know what percentage of the people will respond.

29. GILPIN:

30. Well, Senator, I think that we would be pretty isolated
31. from events and...deserve to be beaten every two years for
32. office if we didn't have a consensus and a feeling generally
33. about how our membership feels about things. Now, we

1. obviously can't conduct a Gallup Poll every five days
2. on an issue and maybe...

3. SENATOR NUDELMAN:

4. Have you ever conducted one on this issue?

5. GILPIN:

6. We have taken polls on this issue.

7. SENATOR NUDELMAN:

8. On this issue?

9. GILPIN:

10. That's right.

11. SENATOR NUDELMAN:

12. And what are the results of the polls?

13. GILPIN:

14. Results have been overwhelmingly in favor...

15. SENATOR NUDELMAN:

16. Well, what...what are...what are they? What are
17. the polls? What are they, let's show us the concrete
18. evidence. If you have such evidence and I believe...
19. if you say you do I'm sure you must, but why don't you
20. come in here with the figures that you have?

21. GILPIN:

22. Well, why would you take this Senator? Suppose we
23. do poll our membership on this and I think it's a very
24. good idea. I think what you're proposing is fine and I
25. think that's what the UAW ought to do. We ought to go
26. back and we ought to take a poll of our membership and
27. we ought to see that this issue is discussed at every
28. membership meeting coming up and I will say to you within
29. a period of three weeks if this question hasn't been re-
30. solved to the best of our ability we will give you a concrete
31. expression of how the UAW members feel about this and
32. we would welcome your suggestions as to how the poll
33. should be taken.

1. SENATOR NUDELMAN:
2. Well, you're more expert in this. You have taken
3. a poll. You...you just said you had taken one. Have
4. you taken a poll sir?
5. GILPIN:
6. We took a poll, it's a year old.
7. SENATOR NUDELMAN:
8. And when did you take the poll.
9. GILPIN:
10. It's a year old.
11. SENATOR NUDELMAN:
12. What did it...what was the questions asked of the
13. membership, what was the percentage of return, what were
14. the answers? Let's have the facts. You have 'em let's...
15. let us have them.
16. GILPIN:
17. Well, in the first place I don't know whether I have
18. the facts that accurately.
19. SENATOR NUDELMAN:
20. Well, then why do you say you do?
21. GILPIN:
22. Well, are you...Senator...
23. SENATOR NUDELMAN:
24. I don't like people coming before the Senate and saying
25. I speak for a 100,000 or 200,000 or 1,000,000 or 5 people
26. and then when you ask them how they claim to speak for
27. those people they don't have the answers. Now, if you claim
28. to speak for people you should have some feeling from your
29. organization and obviously from your answers to the questions
30. you don't have any feeling from your organization.
31. GILPIN:
32. Well, Senator, I can't stop you from your conclusions...
33. SENATOR NUDELMAN:

1. Well, I'm asking you to refute my conclusions...

2. GILPIN:

3. ...There's been a lot of polls taken...there have
4. been a lot of polls taken on this question...

5. SENATOR NUDELMAN:

6. I...lot of polls. The polls of the UAW...you're here
7. speaking for the UAW.

8. GILPIN:

9. You mean to say that the UAW is separate from the
10. general public, that their attitudes would be any
11. different...

12. SENATOR NUDELMAN:

13. Well, the general public that you so facetiously remarked
14. has not given us much indication. When you...when you...
15. when you thought it very funny and said that there has not
16. been any outpouring of letters, that in fact is the case.
17. We have been discussing these matters. It's public know-
18. ledge. It's been in the press and we haven't been deluged
19. by letters. We haven't even had a trickle of letters on
20. this subject and I think that's an indication. Now you say
21. it's otherwise. Why is the UAW different then the general
22. public?

23. GILPIN:

24. I don't think the UAW is.

25. SENATOR NUDELMAN:

26. All right then, the general public has indicated an
27. indifference by virtue of the fact that they haven't sent
28. most of us any...or any mail. I haven't had one letter
29. on the subject, but you say that there is an uproar in the
30. UAW and I'm asking you to tell me how you have ascertained
31. this. I think it's a reasonable and legitimate question.

32. GILPIN:

33. Well, Senator, I will redeem myself. This is a consensus

1. of our leadership at the present time...

2. SENATOR NUDELMAN:

3. Oh, so it's the leadership and not the members.

4. GILPIN:

5. ...you have made...you have made...you have made
6. an interesting point we're going to carry out on it.
7. We're going to give you a poll of the UAW and we're
8. going to give you the results.

9. SENATOR NUDELMAN:

10. We came here sir on October 15th. These bills were
11. filed on the 15th. I think if you were...if you were
12. sincere in this, if you really thought that this was the
13. proper thing to do what you're suggesting now, you could
14. have done it three weeks ago so now that...when we are in
15. the Committee of the whole and you are here you could have
16. bought us...brought us rather...results of some kind of a
17. poll of your membership.

18. GILPIN:

19. Well, would you like a comment on what I regard as a
20. partial poll on this? Every UAW Local in the State of
21. Illinois has addressed a wire to the International Office
22. and to their congressman asking for impeachment proceedings
23. relative to the President of the United States...

24. SENATOR NUDELMAN:

25. Would you stop right at this point...

26. GILPIN:

27. Obviously...obviously...

28. SENATOR NUDELMAN:

29. I would like to interject a question. Was the member-
30. ship polled as to that point?

31. GILPIN:

32. Senator, I don't know how they arrived at their
33. conclusions...

1. SENATOR NUDELMAN:
2. Well, I'm asking you...well, you're the leader of
3. this organization. Was the membership polled as to that
4. question?
5. GILPIN:
6. Well, may I turn the question around. Is the
7. Democratic Party polled on every position you take?
8. SENATOR NUDELMAN:
9. We caucus.
10. GILPIN:
11. ...The membership of the Democratic Party...
12. SENATOR NUDELMAN:
13. ...Excuse me, I wish there were 59, the 29 members
14. of the Democratic Party caucus.
15. GILPIN:
16. Well, how about the 7 million people who vote
17. Democratic?
18. SENATOR NUDELMAN:
19. The 7 million people indicate how they want us to vote
20. by the fact that they vote for us when we present our pro-
21. grams to us...to them and then they do from time to time
22. indicate to us...indicate to us by letter or personal con-
23. tact how they want us to vote on various issues. Now, you're
24. telling me that your organization has not indicated to you
25. how they want you to vote on this issue or how they want
26. us to vote, excuse me, you're not the voting member of this
27. Body. But they haven't indicated that to you and now you're
28. telling me you...you ask for the impeachment of the President
29. without having polled your membership. I don't think that's
30. a reasonable thing either.
31. GILPIN:
32. Well, I don't think you can separate...
33. SENATOR NUDELMAN:

1. Besides which, sir, as one of our...my good
2. colleagues points out to me, a poll is taken as to
3. our status every time we run for election or reelection.

4. GILPIN:

5. I think that's true of UAW officials too.

6. SENATOR NUDELMAN:

7. Do they take positions when they run for election
8. on impeachment? Do they take position on ethics? Do
9. they...do they...do they...send out campaign literature...
10. and incidentally, do the officers of the UAW make dis-
11. closures of where they get their campaign funds? And of
12. their income. Do they file it? Where do they file their
13. disclosures and their income?

14. GILPIN:

15. Well, we have a form to that. If I accept a fifth of
16. whiskey from a corporation, that's a felony.

17. SENATOR NUDELMAN:

18. That's a felony.

19. GILPIN:

20. That's right.

21. SENATOR NUDELMAN:

22. Well, that's not an answer to my question, is it?

23. GILPIN:

24. Well, I'm making the point that under the labor laws,
25. union officials can in no way have a conflict of interest
26. they're not supposed to have, I'm not saying that some of
27. them don't. But there is a procedure which is supposed to
28. keep us clean...

29. SENATOR NUDELMAN:

30. Well, the procedure doesn't always work is that
31. what you're telling me?

32. GILPIN:

33. I don't think any law always works. It's worked in

30.

31.

32.

1. the UAW.

2. SENATOR NUDELMAN:

3. To the best of your knowledge?

4. GILPIN:

5. That's right.

6. SENATOR NUDELMAN:

7. But you don't report when you run for office, you

8. don't report your campaign funding and where the money

9. comes from.

10. GILPIN:

11. President Woodcock does and the members of the

12. International Executive Board do.

13. SENATOR NUDELMAN:

14. Do you do it sir?

15. GILPIN:

16. I'm an international representative.

17. SENATOR NUDELMAN:

18. I see. And do you report...do you file your income

19. tax with the union?

20. GILPIN:

21. I'm not required to but on request I would give it

22. to you or any member of the Committee.

23. SENATOR NUDELMAN:

24. I would request.

25. GILPIN:

26. You would?

27. SENATOR NUDELMAN:

28. Well, if you're...if you're so glib about it, I would

29. request your income tax certainly.

30. GILPIN:

31. All right. You may have it...

32. SENATOR NUDELMAN:

33. All right.

1. GILPIN:
2. ...by return mail.
3. SENATOR NUDELMAN:
4. But you...but you still haven't polled your member-
5. ship?
6. GILPIN:
7. No.
8. SENATOR NUDELMAN:
9. All right now, are you proposed to do that?
10. GILPIN:
11. Well,...

12. SENATOR NUDELMAN:
13. Now if you've got...how many members does the UAW
14. have in Illinois?
15. GILPIN:
16. 115,000.
17. SENATOR NUDELMAN:
18. Now if you poll the 115,000 in your newsletter and
19. you say, write your...Senator and your Senator's name is...
20. Daley or Nudelman or Wooten or whomever or Bruce or
21. Ozinga or Saperstein or whomever and here is a map of the
22. various districts so that they...they can't say they don't
23. know who their Senator is and out of the how many hundred
24. and what sir, I'm sorry?
25. GILPIN:
26. 115,000.
27. SENATOR NUDELMAN:
28. 150,000 we don't get a 10% return would you say that
29. that shows an indifference on the part of your membership?
30. GILPIN:
31. Conceivably, except I just want to make this point
32. Senator you're a very sophisticated gentleman and you know...
33. SENATOR NUDELMAN:
30.
31.
32.

1. No, no, I'm...I'm not sophisticated I'm from the
2. west side of Chicago and I'm not very sophisticated but
3. I don't understand people...

4. GILPIN:

5. ...we're playing games here...you take positions without
6. polling your constituents that's the roll of leader...

7. SENATOR NUDELMAN:

8. People who elect me know my philosophies of govern-
9. ment before they elect me.

10. GILPIN:

11. I think they know our philosophy.

12. SENATOR NUDELMAN:

13. You...you talked about ethics before you ran, you made
14. that a part of your platform did you?

15. GILPIN:

16. Senator, every year that Walter Reuther was elected
17. every convention that elected him adopted a resolution on
18. ethics and disclosure. The same procedure has been followed
19. at every International Convention since President Woodcock
20. replaced President Walter Reuther and no one has ever ran
21. against Reuther or Woodcock or any board member based on the
22. fact that we were for disclosure and ethics legislation.

23. SENATOR NUDELMAN:

24. I'm...I'm sorry I fail to see how that answer was
25. germane to anything.

26. GILPIN:

27. Well, your...the Democratic Party sets policy and con-
28. vention, national conventions, county conventions, state
29. conventions. Unions do the same and this disclosure ethics
30. policy has been a part of the UAW as long as I can remember.
31. In fact 70 years ago Sam Gompers the first president of the
32. AFL-CIO proposed ethic disclosure legislation so instead
33. of part of the labor...

1. SENATOR NUDELMAN:
2. Are we talking about...are we now talking about the
3. membership of the UAW?
4. GILPIN:
5. Well, I think the UAW is...
6. SENATOR NUDELMAN:
7. Well do you think we ought to wait...don't...do you
8. think we ought to wait the three weeks and see how the
9. UAW membership comes out? Do you think that would be
10. helpful to the Senate and the House.
11. GILPIN:
12. I...I think...I think the issues before the Senate
13. regardless of...the UAW's position is on any...
14. SENATOR NUDELMAN:
15. ...Regardless...
16. GILPIN:
17. ...It should not be hung up on what the UAW does, now
18. we will endeavor to give you an expression of our opinion
19. but I don't think the UAW is powerful Senator to come in
20. here and convince you to hold up any legislation for three
21. weeks. You're going to act according to the dictates of
22. commonsense and your conscience...
23. SENATOR NUDELMAN:
24. You are...
25. GILPIN:
26. ...you're not going to hang it up on the UAW.
27. SENATOR NUDELMAN:
28. You are attempting to lobby here sir for certain legis-
29. lation and you're attempting to say that you are here on
30. behalf of x members of an organization. Now you're telling
31. me, don't wait until my organization tells you how they feel
32. but vote now. You can't have it both ways. You want to
33. withdraw your comments of this afternoon and...and...and we

1. shouldn't concern ourselves with the UAW's position?

2. GILPIN:

3. I don't want to withdraw one word I said and I will
4. test this position of the UAW before our membership
5. anytime...I don't think however that the UAW should be
6. made the thing that's holding up ethics legislation
7. until you get a reading of our membership.

8. SENATOR NUDELMAN:

9. You are trying to tell us sir that the membership
10. believes one way and then you are...trying to tell us
11. you will now first attempt to discover how the membership
12. feels and so therefore I don't think your...your testimony
13. of this afternoon should be given as much weight as you
14. would have us give it.

15. GILPIN:

16. Well, I think your position would have more weight if
17. you would take a poll of the Democratic Party and find out
18. if the rank and file Democratic Party member wants ethics
19. or disclosure legislation...

20. SENATOR NUDELMAN:

21. The people have shown me...

22. CHAIRMAN:

23. Mr. Gilpin. Mr. Gilpin. if I can just interrupt here
24. this can go on all afternoon. I think that we have about
25. put as much credence to your testimony as can possibly be
26. put to it after the Senator has mentioned all of these
27. various things. I would like the Senator to ask one
28. more question and give him an answer to the point I think
29. we've been going around the bush here. There are some
30. more questions that are to be placed and we'll be here until
31. midnight, there are a half dozen more witnesses. I appreciate
32. that we would cut it short Senator.

33. SENATOR NUDELMAN:

1. Thank you Mr. Chairman. I appreciate your...your
2. problems and our problems and...and I appreciate the
3. witnesses time and trouble. However, I do believe and
4. I'm going to make a comment not ask an additional question
5. that when somebody comes here allegedly representing a
6. group of over 100,000 people he should have some indication
7. more than the fact that the council does this or that of
8. what the membership feels. Thank you.

9. CHAIRMAN:

10. Senator Sours. Senator Walker.

11. SENATOR WALKER:

12. ...Thank you Mr. President. May I usurp just 30 seconds
13. of the Senate's time. A group of students from Rickover Junior
14. High School, Sauk Village, 10th District are in the gallery be-
15. hind us and I'd like to have them stand and be recognized.

16. CHAIRMAN:

17. Senator Sours.

18. SENATOR SOURS:

19. Now Mr. Witness, I was in the phone booth I think when you
20. suggested that some of your locals had sent telegrams sort of sug-
21. gesting the impeachment of the President. Is that true?

22. GILPIN:

23. That is correct...

24. SENATOR SOURS:

25. Well now, have you read about Archibald Cox?

26. GILPIN:

27. Yes Sir.

28. SENATOR SOURS:

29. Did you also send similar telegrams to the Dean of the Har-
30. vard Law School suggesting they fire him? Just yes or no.

31. GILPIN:

32. No, we did not.

33. SENATOR SOURS:

34. Did you read by chance where Archibald called upon Ted

1. Kennedy at the Kennedy Pad somewhere near the District
2. of Columbia...and at that little tete-a-tete where
3. Senator Philip Hart from Michigan and two of the dog
4. robbers, the administrative assistants of those two
5. Senators. Did you read about that?

6. GILPIN:

7. I don't believe I did Senator.

8. SENATOR SOURS:

9. Well let me tell you what happened, maybe you'll want
10. to send some telegrams. Archibald told these two foxes
11. where they might catch the rabbit assuming for purposes
12. of allegory that Nixon would be the rabbit. Archibald
13. told these two foxes, that's Hart and Kennedy maybe I...
14. maybe the word is improper maybe they're jackals. If you
15. don't like that perhaps better is coyotes, c-o-y-o-t-e-s
16. where they might find the rabbit. Now Archibald is a
17. professor of law, you know that. Law basically is based
18. upon the Ten Commandments and private and public morality
19. and a law professor teaches public and private morality.
20. You agree?

21. GILPIN:

22. He's the professor of labor law but I would assume...

23. SENATOR SOURS:

24. Well, there's morality in labor law, you have to believe
25. in it.

26. GILPIN:

27. I hope so, yes sir.

28. SENATOR SOURS:

29. Now, he was also cautioned by everybody with whom he
30. came in contact not to disclose any facts to any person.
31. Now do you think Archie on the same basis of impeaching
32. the President you ought to send some wires to the...the
33. President of Harvard and have them, I don't like that word

1. impeach, have them...accept his resignation? Because he
2. told the coyotes where the rabbit might be found contrary
3. to...to the request and demand that he not discuss that.
4. How do you feel about that?

5. GILPIN:

6. You're talking about the I assume the news leak.

7. SENATOR SOURS:

8. You want to impeach a President but you won't get
9. rid of the man who violated every canon of good morality.
10. Now how can you do that and be at all consistent?

11. GILPIN:

12. I just wanted...

13. SENATOR SOURS:

14. Pray tell us here 'cause I know we're all ears.

15. GILPIN:

16. Senator. Senator. ...Just so there's no misunder-
17. standing I don't think the impeachment proceedings
18. necessarily mean that President Nixon will not be President
19. anymore. I think the impeachment proceedings are a
20. process if necessary to clear the air. Now the Senate and
21. the House if those impeachment proceedings take place will
22. make that decision. I don't think however that that...that
23. news leak or what Archibald did or what he didn't do is as
24. an important a question as the situation that confronts our
25. nation today.

26. SENATOR SOURS:

27. Except after Archibald had his news...conference that's
28. when he was dismissed and Mr. Witness, Mrs. Sours and I heard
29. that twice. We were going down to the Champaign, Illinois football
30. game we heard every word of it. We heard it on the way back,
31. a rebroadcast and Archibald was almost nervous in trying to
32. tell you and me that he was going to be absolutely fair,
33. absolutely impartial and absolutely white ribbon. And

1. Archibald wasn't. Now, what I'm saying to you are you
2. having two standards? I think you are and let me go
3. on with just one other comment. We know how impeach-
4. ment proceedings start, they start in the House and the
5. Senate they be...have to be 67 find him guilty, not of
6. unpopularity but of high crimes and misdemeanors. Now
7. that happened a hundred years ago in the time of Andrew
8. Johnson and that's a very dreary business, believe me. And
9. someday when you get back to your office, find out what
10. happened to the political futures of those who voted for
11. impeachment and then I say to you, it will take a little
12. more courage than our two United States Senators collectively
13. have to vote aye on the roll call 'cause they're going to
14. come back someday and run again and they've kicked this
15. poor man around so much already, they all hop on the band-
16. wagon that we're going to have a second reincarnation pretty
17. soon unless some of you birds lay off.

18. CHAIRMAN:

19. One last question, comment. Senator Bell.

20. SENATOR BELL:

21. Mr. Gilpin lest you get the wrong impression there
22. are some of us here that do feel we want to bring some form
23. of constructive ethics legislation out of this General
24. Assembly. Now, how long sir have you been an elected official
25. of the United Auto Workers?

26. GILPIN:

27. I'm currently not an elected official, I'm the Executive
28. Director of Cab Council, I've been in the labor movement
29. Senator about 30 years.

30. SENATOR BELL:

31. For about 30 years. Have you ever been an elected
32. official?

33. GILPIN:

Yes I have.

1. SENATOR BELL:
2. Up until what time?
3. GILPIN:
4. I was an elected official of the old United
5. Farm Equipment Workers up until 1941 when I enlisted
6. in the Army.
7. SENATOR BELL:
8. And since that time you've not held elective
9. office with the United Auto Workers.
10. GILPIN:
11. No, I have not.
12. SENATOR BELL:
13. But you are here today attempting to explain to the
14. members of the Illinois Senate what you feel in your
15. own heart is the concensus of the leadership of the
16. various locals and of the State regarding ethics legis-
17. lation anomie?
18. GILPIN:
19. And in so doing speaking for my elected officials.
20. SENATOR BELL:
21. And you are speaking for your elected officials.
22. GILPIN:
23. I'm speaking for the elected director...
24. SENATOR BELL:
25. All right. Now, to me that represents a viewpoint
26. that I think is one that should be heard and whether
27. you've got a survey to come down here and say that x-number
28. support this or x-number don't support that, I feel that your
29. coming down here in good faith laying out what your leader-
30. ship has ascertained as probably the mood of the electorate
31. or the mood of the people of the United Auto Workers...Union.
32. Let me say further to you sir, that you've come here with
33. as good a credentials as any other person that's come down

1. here to testify before the Senate, be it ethics legislation,
2. be it RTA or what and...we listened to you, I think all of
3. us listened to you whether we agree or don't agree. And I
4. happen to have firm disagreement on your actions in reference
5. to the impeachment proceedings and those telegrams, but I do
6. want you to realize that there are many of us here that have
7. listened to you.

8. GILPIN:

9. Thank you Senator.

10. CHAIRMAN:

11. Thank you Mr. Gilpin. The next witness will be Mr.
12. J. Terrence Brunner. Senator Berning.

13. SENATOR BERNING:

14. Well, Mr. Chairman, I tried to get your attention and
15. I feel that...

16. CHAIRMAN:

17. I was looking at you for the last half hour and you
18. haven't so much as motioned. Ask your questions of the next
19. witness. Next witness. Mr. Brunner.

20. BRUNNER:

21. Mr. Chairman, distinguished Senators, maybe I ought
22. to talk about what the BGA is...well,...since we'll probably get to
23. that topic. We have approximately 1800 individuals in cor-
24. porations who are membership...who are members of the BGA.
25. They made contributions between a dollar and five thousand
26. dollars a year. Our annual budget is approximately \$240,000.
27. We do not endorse candidates for office. We use the money
28. to hire a nonpartisan investigative staff to look into all
29. levels of governmental corruption in the State of Illinois
30. whether it's from the township level or the Governor's Office.
31. We have done this for the last 50 years in the State of Illinois.
32. The positions which I'm espousing today on behalf of these
33. particular bills are the result of the vote of the Board of

1. Directors of the Better Government Association which is
2. approximately 48 individuals in the metropolitan area who
3. represent probably every possible political viewpoint.
4. With that in mind, I think that what we ought to concentrate
5. on is the facts. In the last year we've seen the Vice
6. President of the United States convicted in Federal District
7. Court for taking kickbacks. We've seen the former Governor
8. of the State of Illinois convicted in the United States District
9. Court for the Northern District of 18 USC 1952 which is
10. Interstate bribery. We've seen the Cook County Clerk con-
11. victed of the same offense in the Federal District Court for
12. the northern district of Illinois. Recently in an investi-
13. gation which we participated, we've seen three road com-
14. missioners in Macon County convicted of bribery. Last week
15. a member of the Legislature of the State of Illinois was con-
16. victed of income tax evasion. The latest poll in the City
17. of Chicago...rather the latest poll nationwide after Cox,
18. Gallup, indicates that the President's confidence rating in
19. the country has dropped to 17. The recent CBS Poll taken in
20. the metropolitan area of Chicago show that two-thirds of the
21. people in the Chicago area have no trust in their local govern-
22. ment. Now obviously these facts indicate that the system is in
23. deep trouble. There's widespread cynicism across the country
24. with politics and politicians and government in general and I
25. think the question before us, is how we begin to restore that
26. citizen confidence in government the necessary ingredient
27. which makes the system work. I think that our government
28. obviously depends on a voluntary good will and confidence of
29. our citizens, that's why the...quote, confidence is so important.
30. We pay our taxes voluntarily. You don't have to go into the
31. United States District Court to collect taxes from most tax-
32. payers. We obey the laws. Policemen don't have to tell you
33. more than once not to violate a law. We do these things

1. voluntarily and this confidence I believe is necessary
2. and if we lose it in effect I think the system will fall
3. and the politicians who are responsible for the loss of
4. confidence may have accomplished what the hippies failed
5. to do in the streets of America. We have a lot of discussion
6. about what is the system and talk on television about tearing
7. down the system by people like Abbie Hoffman. Well the
8. system is merely representative democracy. John Adams
9. said that our representatives as citizens are merely standins
10. for us because we can't all go down and vote at every meeting.
11. There isn't room. He said further that these representatives
12. are merely attorneys, agents, trustees for the citizens and
13. that this trust is wantonly trifled away. We can constitute
14. ourselves new agents, attorneys and trustees. And the question
15. then becomes of individuals, how are these trustees representing
16. us and this translates into the often heard quotation of public
17. right to know. And I think we do have a right to know how you
18. gentlemen and other State Legislators and representatives at
19. every level of our government are representing us. The question
20. becomes, are you representing yourself? Are you representing a
21. particular special interest that supported you for election?
22. Or basically are you representing the people from your district?
23. I think people have a right to know whether or not their
24. legislative representation is these votes have been impartial,
25. honest and the best interest of their constituents or whether
26. they really reflected a commitment resulting from a campaign
27. contribution for instance. And I think obviously from the
28. events we've seen at the national level and fortunately in
29. recent times of very often the latter case has been the normal
30. procedure. The BGA did ...extensive study of the present Illinois
31. ethics law with the Chicago Sun-Times and I'm sure many of you
32. read the articles. I think it was clear from reading it and
33. from observing the events which resulted after the study that

1. the present law does not work, it's vague and it's ineffective.
2. I think it's time to do something about that. I think it's
3. time for statesmanship not partisanship. It's time to begin
4. to meet the problem of restoring citizen confidence and I think
5. it's time to be...start being honest with the citizens in the
6. State of Illinois. Thomas Jefferson said that the entire art
7. of government is in being honest and if you watched Eric
8. Severid the other night he said that integrity is the bottom
9. line in our governmental system. I think that we've talked
10. a lot or I heard a lot of discussion in this particular Body
11. concerning what this legislation will do or won't do. And I
12. think it's pretty clear that this meant legislation will not
13. make bad guys good and it won't really help us at the BGA or
14. at the IRS or at the Justice Department where I came from catch
15. the bad guys.- The reverse in fact will probably occur because
16. it...my personal experience with ten years as being a local
17. and federal prosecutor has been that criminals become more and
18. more sophisticated as time goes on and the...these type of laws
19. really don't have all that much deterrent rather they just drive
20. people to more sophisticated schemes. But I think there might
21. be some small deterrent for some people and I think that what this
22. legislation will do is it will help you. I think it'll help
23. you and your self-esteem in the eyes of your fellow citizens
24. and in the eyes of your families because as I pointed out I
25. believe the country is in deep trouble and this legislation is
26. merely a step in the right direction to begin to rebuild that
27. trust and confidence in our governmental system. We're not
28. asking for government by angels or saints, all we're asking
29. simply is for honest, responsive public servants. Thank you.

30. CHAIRMAN:

31. Is there any questions of the witness? Senator
32. Berning.

33. SENATOR BERNING:

1. Yes Mr. Brunner, I'm not sure that my questions
2. are going to be that different for you or that they
3. would apply more specifically to the previous witness
4. than they will for you so I would appreciate your obser-
5. vations on a couple of points since apparently you are
6. appearing in support of this measure though I didn't
7. gather from your testimony you are quite as emphatic as
8. the previous witness that this is the measure that we
9. ought to pass, SB 1. However, the proposals that I'm going
10. to refer to perhaps are contained in other measures this
11. time as well. If you have a copy of the bill in front of
12. you, you may follow otherwise I'll...I'll quickly refer to
13. the points that I would like your observations on. Page 2
14. where we have a definition of key officer and employee
15. and go on to say all employees of State agencies receiving
16. \$20,000 or more compensation per year. ...The critical
17. question to me is, why does a person who is worth \$20,000
18. a year versus one who is worth 19,500 merit being required
19. to furnish all kinds of statistics about his assets, liabili-
20. ties, investments and so on. Does this make sense to you?

21. BRUNNER:

22. Well, I think it's a kind of...obviously the kind of
23. decision you have to make every time...you gentlemen are the
24. experts in that and...you've got to draw the line somewhere
25. but let me say...

26. SENATOR BERNING:

27. Why do we have to draw the line somewhere? Does the
28. person who does...does any service for any governmental unit
29. compensated or uncompensated have any more or any less
30. opportunity to generate a dollar advantage to himself?

31. BRUNNER:

32. I...I'd have to agree with you that monetarily that's
33. not the...not the answer because obviously the examples I gave

1. ...the factual examples at the beginning starting with
2. the Vice President working down to the township road
3. commissioners certainly the latest thing that we've
4. done and I know you're familiar with Senator at the
5. township and municipal level...at the township and
6. municipal level certainly the...the evidence there was
7. as strong as the evidence of wrong doing at much higher
8. levels of government.

9. SENATOR BERNING:

10. Even including an appointed zoning board of appeals
11. for instance.

12. BRUNNER:

13. Well, it...it's our opinion obviously and I don't appear
14. ...appearing in behalf of these particular measures but like
15. the prior witness, it's our feeling...it was the feeling
16. of my board of directors that we are in favor of a strong
17. effective piece of ethics legislation. Now whether that's
18. ...the House bill or the Senate bill it's not really our
19. expertise. We came down to say, here's the way the situation
20. looks to us and I think that obviously the...the intricacies
21. of the bill are going to have to be wrestled with by you. I
22. think personally on behalf of our organization that the bill
23. could go much farther. I think that many of the problems
24. which we showed...

25. SENATOR BERNING:

26. Well, then...

27. BRUNNER:

28. ...sometime serious...

29. SENATOR BERNING:

30. ...let me just ask you...is there any reason for any
31. figure in there that you can see?

32. BRUNNER:

33. Well, I'm not sure that it's necessary to...I think

1. you have to make a determination in some way of who is
2. in a position of responsibility with regard to decision
3. making policies in governmental units. Now certainly a
4. ...a file clerk in one of the buildings is not in the
5. same position as the Director of the Department of
6. Transportation, but on the other hand a road commissioner
7. at a...a local township has quite a bit of discretion as
8. far as the purchasing goes for instance.

9. SENATOR BERNING:

10. Very well. Let me...let me ask you another
11. question that I...I again I would appreciate your observations
12. on because now I see we...we somewhat agree on that point that
13. there has to be an arbitrary criteria established here
14. and it's going to be difficult to justify no matter what
15. it is. Now then, we turn over to page 4 where we read on
16. Section 201: "there is hereby created the State Board of
17. Ethics consisting of three members appointed by the
18. Governor with the advice and consent of the Senate".
19. Doesn't this appear to you to be a highly partisan board and
20. would it not be better if the Board of Ethics were achieved
21. in some other fashion rather than appointed by the Governor?

22. BRUNNER:

23. Well, our organization is obviously not taken a
24. position on that and I don't think that I possess the expertise
25. to make that kind of judgment, Senator.

26. SENATOR BERNING:

27. Well as a...as an interested, concerned citizen, I
28. ask you.

29. BRUNNER:

30. ...What I think that you're asking me is, is this better
31. than having the Board of Election Commissioners administer
32. the act and I...I think you're speculating in any way you answer
33. that because I think only obviously time will tell what's the

1. best way and I don't think there's any objective standard
2. by which you can measure those things.

3. SENATOR BERNING:

4. Well, let me put it another way. One of the major
5. impetus for any ethics legislation is quote to reestablish
6. public confidence and can we possibly do it with another
7. patently political patronage kind of board running the
8. whole show?

9. BRUNNER:

10. Well, I'm...I'm...I take it you're asking me for an
11. answer on that one. And I guess I can't agree with...your
12. definition to terms that it's necessarily patently political
13. any more so than the other selection of the Board of Elections
14. would be.

15. SENATOR BERNING:

16. Well, we're not talking about that Board at this time
17. but most all boards are going to have some influence. Now
18. then, there's another area that I'd like to get your comment
19. on. On page 5 Section 204 we provide for an executive
20. director and...setting up where the Board may employ or dis-
21. charge persons and so on and on line 15 it says, no employee
22. of the Board shall become a candidate for public office. Now
23. that...that has some merit. Would you interpret that as
24. being then a statement indirectly perhaps in opposition to
25. double dipping?

26. BRUNNER:

27. I don't personally read that in there Senator.

28. SENATOR BERNING:

29. Well isn't the objective to prevent anyone from having
30. two jobs?

31. BRUNNER:

32. I'm not...obviously we didn't participate in drafting
33. these measures but it was my...just a cursory reading that

1. what we're talking about there is some sort of...of
2. prohibition to the same nature as the Federal Hatch
3. Act to try to take the people on the board out of
4. politics.

5. SENATOR BERNING:

6. All right. You're entitled to your opinion.
7. What...have you read the bill?

8. BRUNNER:

9. Yes sir, Senator.

10. SENATOR BERNING:

11. Then let me refer you to page 7 Section 207.
12. All documents required to be filed with the board under
13. this act shall be open to reasonable public inspection
14. except that the statements of economic interest of persons
15. appointed from the public to serve on boards and commissions
16. other than boards and commissions created by the Constitution
17. shall not be disclosed. One of those would be the Board of
18. Ethics itself. By what stretch of the imagination, again,
19. should some people be required to make disclosures and others
20. not? I don't know and I would like to have your comments.

21. BRUNNER:

22. It's my understanding that the reasoning behind that
23. is to attempt to...to have people which are serving in very
24. often unpaid capacities on boards throughout government to
25. continue doing that...that service to the citizens when they're
26. actually not truly in the political arena. That's my under-
27. standing of why it's in there. I'm not...

28. SENATOR BERNING:

29. Not in the political arena.

30. BRUNNER:

31. Not in the sense that you would be for instance if
32. you were a State Senator like yourself.

33. SENATOR BERNING:

1. So...so then we get to the point where it isn't
2. a question of public ethics being involved for all
3. public servants, it is only for some limited numbers
4. of elected officials...however, at the outset we
5. pointed out that appointed officials with salaries
6. over 20,000 are involved. What I'm trying point out
7. is, it seems to me we have so many inconsistencies here
8. that it's difficult for anyone to know what these...this
9. bill is, how we justify it, how we determine for ourselves
10. whether we should have supported or attempt to change it
11. or just let it die. Let me then close with one other
12. comment and again I'd appreciate your observations if you
13. have any. The ethics measure to a large degree seeks to
14. control what kind of fund raising activities candidates
15. and officeholders have, the amounts of money they may
16. generate and how it is spent. In my opinion time, just
17. time itself, is equally if not more important to any
18. candidate than dollars. And if it needs any other illustration
19. for you, let me remind you that we have a Governor who paraded
20. back and forth over the State of Illinois for months and
21. months and months doing not another single solitary constructive
22. thing. Now I submit that the expenditure of time is equally
23. as significant as the expenditure of money so my question
24. then for your comment is, do you think we ought to control
25. the time that a person may allocate?

26. BRUNNER:

27. Well as I mentioned we haven't taken a position on that
28. as an organization but however I would agree with you personally.

29. SENATOR BERNING:

30. I beg your pardon.

31. BRUNNER:

32. I would agree with you personally.

33. SENATOR BERNING:

1. Thank you very much.

2. CHAIRMAN:

3. Senator Knuppel.

4. SENATOR KNUFFEL:

5. Sir, here's a couple of short questions. Your

6. organization has been investigating township officials,

7. hasn't it?

8. BRUNNER:

9. That's correct Senator.

10. SENATOR KNUFFEL:

11. And how many township officials roughly are there

12. in the State of Illinois?

13. BRUNNER:

14. I think there are about 1700.

15. SENATOR KNUFFEL:

16. Now, you came to some conclusions I assume from that

17. investigation, because you put out a press release. What

18. percentage of those would you...would you estimate were

19. engaging in illegal activities or accepting what you would

20. call kickbacks?

21. BRUNNER:

22. Well Senator, we...we talked to...in excess of 200 local

23. officials not all of which were township officials.

24. SENATOR KNUFFEL:

25. All right. What percentage would you say?

26. BRUNNER:

27. ...I'll give you this, I...I don't have a percentage

28. but I'll give you the actual figures. 69 of the individuals

29. we spoke to told us that they had taken significant kickbacks.

30. SENATOR KNUFFEL:

31. What do you call significant?

32. BRUNNER:

33. Well significant in their...their terminology...

1. SENATOR KNUPPEL:
2. Well, I don't know if they really know because I
3. read your press release and I think...
4. BRUNNER:
5. We're...we're talking about cash, valuable items
6. in...we're not talking about pens and pencils.
7. SENATOR KNUPPEL:
8. You're...you're not talking about pens and pencils now.
9. All right.
10. BRUNNER:
11. Another 30 individuals told us that they had been
12. offered significant kickbacks but had not taken them.
13. We also possessed through...
14. SENATOR KNUPPEL:
15. So that'd be approximately 50% had either accepted
16. or been offered kickbacks. Is this correct? Out of 200
17. you'd take 30 and 69 in fact a little over. No, just right
18. at 50%. Right?
19. BRUNNER:
20. Roughly.
21. SENATOR KNUPPEL:
22. Okay.
23. BRUNNER:
24. We also possessed evidence from records of corporations
25. and salesmen involved and indicated that in the fact though
26. we didn't have admissions there were at least 300 individuals
27. involved in these particular schemes and this was just a...
28. really small...
29. SENATOR KNUPPEL:
30. ...300 out of how many thousand municipal...
31. BRUNNER:
32. I...I can't give you a top figure on that.
33. SENATOR KNUPPEL:

1. All right, but it would have been more than 10,000.
2. We've got 6,000 different units of local government haven't
3. we?

4. BRUNNER:

5. Right. The problem being that not everyone is in
6. discretionary positions on...on purchasing.

7. SENATOR KNUPPEL:

8. All right. And you...you deplore...you deplore the
9. lack of public confidence in public officials?

10. BRUNNER:

11. That's right Senator.

12. SENATOR KNUPPEL:

13. Yet, after talking to only 200 of some 10 to 18,000
14. officials you issued a press release which shook the confi-
15. dence I think of every person, every voter in the State of
16. Illinois in their local elected township and municipal
17. officials. Now, will you tell me how that press release in
18. any way tended to restore, maintain or uphold confidence in
19. public officials?

20. BRUNNER:

21. Senator, it's not my job to maintain confidence in
22. local officials. My job...

23. SENATOR KNUPPEL:

24. Well, your...that's what you're here about. You're
25. concerned...you're concerned, we're all concerned, if we
26. don't have some public confidence in public officials then
27. the government goes to pot as we know it, democracy is gone.
28. Now, I take exception to an organization such as yours or the
29. press which paints everybody with the same brush and does more...
30. does more...the press and your organization and the type of
31. an indictment it put on the county officials does more to
32. destroy public confidence and if we ever lose public confidence
33. in our government the press and the BGA and some of these

1. organizations that act in the manner in which you act must
2. accept the responsibility equally with those public officials
3. who have violated.

4. BRUNNER:

5. Well Senator, I think that's an interesting theory. We call
6. it shoot the messenger, namely that the bad guy is really Walter
7. Cronkite and it's not Richard Nixon. And I think an adequate...

8. SENATOR KNUPPEL:

9. No. No.

10. BRUNNER:

11. ...reply was made to that the other night on Channel...
12. by Floyd Kalber...

13. SENATOR KNUPPEL:

14. No, I...I...disagree with you. I think that if you found
15. some bad officials you could have turned that information over
16. to the prosecuting authorities.

17. BRUNNER:

18. We did that Senator.

19. SENATOR KNUPPEL:

20. I think that your organization feeds just like a parasite on
21. destroying public confidence. On finding...if you don't find any
22. corrupt public officials you won't have a job. You thrive on that
23. the same as they sell newspapers in the street by putting blazing
24. headlines on the newspapers. Your very existence the same as the
25. existence of many editorial and columnist and other writers de-
26. pend on dressing things up. If there wasn't one dishonest public
27. official, you wouldn't have a job so it's important to you to make
28. the public officials look bad, isn't it?

29. BRUNNER:

30. Senator, I don't think I'd have any difficulty finding a
31. job, but I don't think...

32. SENATOR KNUPPEL:

33. Well, I don't really know, I don't know what your abilities
34. are...

1. BRUNNER:

2. ...I don't think that we're going to...I was formerly
3. a Special Attorney with the Justice Department, Senator.

4. SENATOR KNUPPEL:

5. But it certainly...it certainly keeps the organization
6. going if you do find politicians that are.

7. BRUNNER:

8. That's part of our...that's part of the process of
9. our organization...

10. SENATOR KNUPPEL:

11. You'd have...you'd have no purpose then, would you?

12. BRUNNER:

13. part of our organization...only part of it...

14. SENATOR KNUPPEL:

15. You'd have no purpose if...if you didn't believe that
16. there were corrupt public officials, you could aban...abandon
17. this so-called investigative functions of your organization.
18. Now, one other thing. How will this particular piece of
19. legislation, how would it have, if it had been on the books
20. have prevented a Spiro Agnew, an Otto Kerner or any other
21. individual who has been...who has violated laws and that
22. you've cited as...as some type of an example why this ought
23. to be enacted and I'd like to know - in other words, I don't
24. care to put...fill the books with useless legislation -
25. how will this...how would this have helped us find Spiro
26. Agnew or any of these other officials who took koo...kickbacks?

27. BRUNNER:

28. Well Senator, apparently I wasn't speaking clearly into the
29. microphone but that was really the jist of what I was trying
30. to say in the formal remarks, namely this legislation in my
31. opinion will not catch people. This legislation will merely
32. help citizens to feel that you're being more honest with them
33. which I think is necessary in view of the fact that the
34. record of public officials in the State of Illinois is

1. so horrendous.

2. SENATOR KNUPPEL:

3. Well, will you cite me what's so horrendous about it? Will...
4. will you name me names out of the hundreds and thousands of
5. men who have served in the General Assembly and in the
6. elective positions in this State government who have been
7. found guilty and whose appeal time has run who have violated.
8. Now, you just can't, you can cite Kerner, his matter is
9. still on appeal. You can cite one or two individuals who
10. have violated the income tax law but I don't...you haven't
11. answered my question, you haven't cited one way that this
12. bill or any other bill will restore public confidence or find
13. or catch or prevent in anyway those people because the Bible's
14. been written a long time and most people have been exposed to
15. that and they still violate.

16. CHAIRMAN:

17. Senator Partee.

18. SENATOR PARTEE:

19. Mr. Chairman, I just wanted to introduce a group of
20. students from the Tanner School at 73rd and Langley in Chicago
21. and I'd ask them all to stand and be recognized by the Senate.

22. CHAIRMAN:

23. Senator McBroom.

24. SENATOR MCBROOM:

25. ...Thank you Senator Ozinga. I wanted to take this
26. opportunity to announce that there will not be a meeting of
27. the Senate Appropriations Committee. It was scheduled as you
28. know Senator at 4 p.m. today in the Senate Chambers. The
29. bill involved was the appropriation measure for the Governor
30. ...Governor Walker's refund tax package which was recently
31. killed in the Senate Executive Committee so the meeting of
32. the Appropriations Committee would be moot. I've discussed
33. it with Senator Hynes and he's in accordance with me there
34. will not be a meeting of the Senate Appropriations Committee.

1. CHAIRMAN:

2. Senator Mohr.

3. SENATOR MOHR:

4. Yes Mr. Brunner, many of my questions have been answered.
5. I would just ask a couple very briefly. ...You feel the...
6. the time is here that we should do something about...ethics
7. legislation or campaign disclosure. You feel the people are
8. demanding this?

9. BRUNNER:

10. I do. I think that the argument concerning mail was
11. very adequately answered this morning. If you saw the Today
12. Show, Richard Scannon the political expert from NBC - they
13. noted and I know that Senator Percy has said on numerous
14. occasions recently that he'd had 950 telegrams for impeachment
15. and only 30 against. But, Scannon made the point that you're
16. obviously getting a few articulate people that are willing to
17. take the time to write a letter. Now, I talked to groups
18. probably three or four times a week throughout the metropolitan
19. Chicago area from the National Association of Accountants
20. recently to the Tool and Die Institute, to groups of all
21. different sorts of people and I think the sentiment is unanimous
22. that the people are very unhappy. I might just add that in the
23. past year I think a function of that disenchantment has been
24. the fact that our membership has doubled in the past year. Now,
25. I can't give you any other reason other than people are very
26. unhappy with politics in general for citizen's organization
27. that does what we do to have their membership and their fund-
28. ing go way up.

29. SENATOR MOHR:

30. Of course you disclosed all of your contributions, do you
31. not?

32. BRUNNER:

33. We don't disclose our contributions, we list the major

1. contributors on the back of the annual report on...through
2. the Board of Directors.

3. SENATOR MOHR:

4. Well, would that information be available if someone
5. were to ask for it?

6. BRUNNER:

7. No, it's not.

8. SENATOR MOHR:

9. I see, You think that this would be confidential.

10. BRUNNER:

11. Well, we...we had a real debate on that. It's the view
12. of the Board of Directors that it's a private organization
13. and we're...we're not a public body and that therefore we don't
14. have to disclose. However, there is a...certainly a very strong
15. view in our organization that we ought to...ought to disclose.
16. I think that probably that's going to happen in the near
17. future.

18. SENATOR MOHR:

19. I...I would take issue with you on Senator Percy's
20. statistics. I could go out this afternoon and get that money...
21. many to have him ousted from office too. I don't think I
22. want to concern myself today with what's happening on the
23. national scene. I'm concerned about here in Illinois and
24. what the...the people think about us as Legislators and all
25. elected officials in the State. I have had one letter on...
26. and possibly two on...on ethics in the last year and a half.
27. One thing that really surprised me, y'know if...if there is
28. such a need, such an outcry from the people...State of Illinois,
29. Paul Simon for 15, 17, 19 years whatever he was in the Legis-
30. lature was one that preached this almost on a daily basis. A
31. man that went through the State of Illinois...telling the people
32. that y'know he was certainly for open campaigns and ethics and all
33. the good things that people like to hear...then on the other

1. hand he ran against a man that said nothing and did promise
2. to disclose his campaign contributions and hasn't done so and
3. there are some very questionable contributions that we are
4. aware of and I think maybe the BGA ought to be concerned with
5. that maybe rather than the little couple of dollars that they're
6. talking about with township officials which Senator Knuppel
7. touched on. But here we are today talking about ethics and a
8. bill sponsored by the Governor of the State of Illinois and
9. he has told the people nothing. How do you...how do you justify
10. that - a man that has done nothing in this area defeating a
11. man that has supported this idea for years and years and years
12. y'know was certainly...respected by this Body. How, y'know
13. how...how do you justify our voting for something that we don't
14. hear from the people on when you see a situation like this
15. take place.

16. BRUNNER:

17. I think there a number of possible reasons why you're
18. not hearing from people, one of which might be that citizens of
19. the State of Illinois have become so cynical that they don't
20. think it's worthwhile to even bother to write to you. That's
21. one real possibility.

22. SENATOR MOHR:

23. Well, we hear...we hear from them on almost every other
24. issue.

25. BRUNNER:

26. But do you hear from the average citizen I wonder, or do
27. you hear from people that are talking about their own particular
28. thing whether they're...let's say they're National Rifle
29. Association member or I belong to Trout Unlimited or Ducks
30. Unlimited... we might write on behalf of that but do you hear
31. from them about the basics of government? I wonder.

32. SENATOR MOHR:

33. We hear from them on every subject in which they're
34. interested in - in every subject. Now some more than others,

1. gun legislation from the sportsmen, motorcycle riders
2. and the helmet law, people opposed and some for the
3. income tax, mental health, every...ERA, yeah they...,
4. the teachers. We hear from them loud and strong on every
5. issue and on this one it's way, way down. It's probably
6. the one that in my...in my area I've heard the least about.
7. I, y'know...I just don't...but I want to get back to
8. how...y'know, what incentive is there for example when
9. you see a man like Paul Simon who...who was a devoted
10. public servant for all those years. Everybody knew what
11. he stood for, being defeated by somebody...not too many
12. people knew anything about and they don't know anymore
13. about him today other than he hasn't fulfilled his promises.
14. He hasn't disclosed his campaign contributions as he...he
15. told us he would and yet here...here's the man that's giving
16. us the...the ethics legislation that we're talking about
17. today. I, y'know...I...

18. BRUNNER:

19. Well, I think you're asking the kind of political
20. question that people have written about for the last 2500 years
21. or maybe 3...3000. I happen to be an admirer of Paul Simon, I
22. feel the way you do, however, I would think at this particular
23. point he's probably not really feeling all that bad because
24. I think he's consistently done what he felt was to be right and
25. I don't think when you...when you lose and you take the positions
26. you thought were proper that there was anything to be ashamed of.

27. SENATOR MOHR:

28. He's a lot like Governor Ogilvie in that respect.

29. BRUNNER:

30. Well, I...you...you're drawing me into a ...into a business
31. which we are not in anymore.

32. SENATOR MOHR:

33. ...I...I just wonder y'know how...how you can convince

1. the Members of this Senate to support this kind of legislation
2. when you see what it does to a...fellow member of this Body
3. that performed so well for so many years. You get a lot of
4. thanks for being that kind of dedicated guy and...but the thing
5. and I'll close with this...the thing that...that really bothers me,
6. is here we have bills introduced by somebody that just hasn't
7. he...he's asking for this legislation now, he's promised to dis-
8. close his income and he hasn't done it. Y'know we're dealing
9. with a lot of...lot of people that talk out of both sides of
10. their face today and I...I have said here before on the last
11. meeting of this subject that I personally would love to have
12. all of these bills laid right on the Governor's desk and let
13. him see what he would do with them. I'll close with that,
14. there's no...

15. CHAIRMAN:

16. Senator Glass.

17. SENATOR GLASS:

18. I have just one brief question, Mr. Brunner. We have had
19. bills introduced that include local officials and this
20. one does not and I...I think Senator Berning was...was
21. questioning you on that subject. Does the BGA or do you have
22. an opinion as to whether local officials...local government of-
23. ficials should be included in campaign disclosure legislation?

24. BRUNNER:

25. I don't have a view on that because our Board didn't take a
26. position on the campaign disclosure. I do have a few concerning
27. the economic interest and I think the answer is yes, because con-
28. trary to Senator Knuppel's view, the people that we talked to
29. throughout the State of Illinois almost invariably told us -
30. the local governmental officials - that the kind of kickback
31. scheme we're talking about was a way of life in the business.
32. A county road commissioner from Jacksonville County said look,
33. I only took these two or three gift certificates and I've for-
34. gotten what the total dollar val...amount was, but he said I

1. could have picked up an additional two or three thousand
2. dollars a year. It goes on all the time and what's occurring
3. in that scheme the...what's wrong with it is, not so much the
4. individual township commissioner took something, is that in
5. effect he ripped off the taxpayers because he got overpriced
6. goods that were often unneeded because of these...of these
7. kickbacks.

8. SENATOR GLASS:

9. Well, I...on...on that point I didn't want to get into
10. a debate and they are covered of course under the present
11. economic disclosure law...

12. BRUNNER:

13. Which we don't think is effective.

14. SENATOR GLASS:

15. You suggest it should...it should be more detailed.

16. BRUNNER:

17. Exactly, because I think that the...the lawsuits that
18. arose out of the last...last study which we do shows that
19. the legislation obviously just doesn't have any teeth at
20. all.

21. CHAIRMAN:

22. Senator Merritt.

23. SENATOR MERRITT:

24. Yes, Mr. Brunner, I...I don't know your exact title,
25. you're Executive Director, Executive Secretary of the BGA?

26. BRUNNER:

27. That's correct, Executive Director.

28. SENATOR MERRITT:

29. Executive Director. I just happen to preface my remarks
30. by saying I just happen to have a very high regard for BGA,
31. have for many years, although they don't come down to my area,
32. downstate in the country. I've followed it with great interest
33. when I first came into the Senate in 1965 when George Mahin was

1. there. Followed it with interest ever since. Now, after
2. having prefaced those remarks I was utterly amazed Terry
3. at your remarks I believe over the weekend that perhaps
4. could have been a taped show that came on WCIA Channel 3 at
5. Champaign at either Saturday evening or Sunday evening,
6. I forget which of this past week. I was amazed, although
7. there are times in my life in the past that I never
8. thought a Christmas gift of a pen or a pencil or a box of
9. candy was significant, but in that particular interview on
10. Channel 3 if I remembered you as saying and I can't quote
11. you exactly, it was something to this, at least it inferred
12. this, that you were not looking at the small items whether
13. it be ten or twenty dollars or something, you were looking
14. for larger items. The longer I reflected on that evening
15. and in talking it...the program over with my wife, we both
16. came to the conclusion just when does black become white.
17. Where do you start from in honesty from zero or a hundred
18. dollars or a thousand dollars or where? Now, do you...can
19. you question my sincerity in wondering where your sincerity
20. is, where honesty begins? Am I quoting you wrong?

21. BRUNNER:

22. Senator, I think that the gist of what we were trying
23. to say there was that in a prosecutive sense that we were
24. not recommending or asking local district attorneys to pro-
25. secute someone under the Illinois Bribery Statute for taking
26. a pen and pencil set or a ten dollar item. Where often
27. these people felt that there was no criminal intent formed by
28. them because they didn't know there was anything wrong with it.
29. And I think that it's necessary before you should prosecute
30. someone criminally to make doggone sure you understand that
31. they knew they were doing something wrong. And this has
32. become such a way of life at that level in smaller amounts
33. that there was a real problem with prosecution. We were

1. not condoning however the taking of that because as I
2. mentioned to Senator Glass what we think is wrong with
3. it is, the fact that the public officials sells out his
4. impartial judgement which he owes to the taxpayers by
5. taking these gifts and he no longer exercises his judge-
6. ment in a purchasing sense in an impartial honest way...
7. buys things he doesn't need and pays too much just because
8. somebody is giving him something.

9. SENATOR MERRITT:

10. ...I can understand all that, but who's going to be
11. judge and jury and who's going to decide just exactly where
12. you're going...to draw that fine gray line, between black
13. and white?

14. BRUNNER:

15. Well Senator, I think the judge and jury exist at two
16. levels, the first being it has...there has to be a judgement
17. made by the local states attorney but the second judgement
18. has to be made by the taxpayers that live in the district
19. of the public official. We're talking about two levels of
20. conduct. Number one, is it criminal and secondly, is it
21. right? And very often that distinction becomes very fuzzy.
22. Consistently we're asked at press conferences well, what law
23. did this man violate? Well, maybe he didn't violate a specific
24. statute of the State of Illinois or maybe the statutes that
25. he potentially did violate isn't a very effective one. But
26. the point is, did he properly represent the people who have
27. made him their attorney or their agent or their trustee?

28. SENATOR MERRITT:

29. Well, to me you're...you're either guilty of wrongdoing
30. or you aren't and I don't care what you say Terry and if
31. you're just trying to defend the small gift if...if I'm
32. guilty of going into my employers till and taking so much
33. as a dime, I'm guilty. You're either going to be honest

1. in private life, in government and everywhere or you're
2. not going to be. I just can't understand any different
3. sir. Anyway I'll get off of that.

4. BRUNNER:

5. I agree with you Senator.

6. SENATOR MERRITT:

7. ...I'll get off of that. Now, you I think in my mind
8. maybe you didn't intend to, I'm not criticizing you of
9. evaded a question a minute ago, maybe it was Senator Glass
10. or...where you said you thought that all officials were
11. covered or that you hoped they were covered under the ethics
12. statement and you...as you well know they all are now and
13. I'm happy I could have voted for that legislation because
14. it included every elected public official as you well know
15. Terry.

16. BRUNNER:

17. I do Senator, but I don't think that that piece of
18. legislation is doing the job it was intended to do that
19. was...my point.

20. SENATOR MERRITT:

21. It certainly discloses everything it's supposed to
22. and my next part of my question is, now that we've included
23. them and thank God I could go back home and almost smile
24. in the faces of many fine people who criticized me for getting
25. them involved with the filing and I said, isn't it too bad
26. that all of us are in the same boat now. Now, I come to the
27. rest of my question. If we saw fit to do it at that level,
28. then why in the world should we consider any campaign dis-
29. closure act that does not include every elected public of-
30. ficial in the State of Illinois. Now, tell me why there's
31. any rhyme or reason in leaving anybody out?

32. BRUNNER:

33. I can't give you a good answer for that because I agree

1. with you Senator. I think the legislation ought to
2. include everyone.

3. SENATOR MERRITT:

4. Okay. It's always been my contention. I might be
5. very willing to support that, the same as I did the ethics
6. when we include everybody. And then I want to see every-
7. body go back home and face thousands upon thousands upon
8. thousands of elected officials throughout this State of
9. Illinois and say, now you're all going to live according
10. to the same terms that your governor, your state officers,
11. your state representatives and state senators and the rest
12. of us and under those terms and only those terms could I
13. in good conscience support this type of legislation otherwise
14. I'm making myself, state representative and my colleagues
15. here, the Governor on down with the other elected state
16. officials second class citizens. That's what we're saying.
17. We're dishonest at this level and you're honest back home.
18. To me it's that simple and I'm glad to hear your statement
19. Terry. Thank...

20. CHAIRMAN:

21. Senator Bell.

22. SENATOR BELL:

23. Well, Mr. Brunner, you represent the Better Government
24. Association. Might I ask you to restate to this Body just
25. basically what the BGA does?

26. BRUNNER:

27. Well, we...we have members, we make contributions, we
28. give us a budget by which we use that money to hire investigators
29. to look at waste, inefficiency and corruption at all levels
30. of Illinois. We do that in conjunction with the media. And we
31. attempt to disseminate that information to people so that they
32. can know how government operates in an educational sense and
33. hopefully demand more from their government.

1. SENATOR BELL:
2. Thus what you're describing is one of a watchdog type
3. of activity.
4. BRUNNER:
5. That's correct Senator.
6. SENATOR BELL:
7. Do you pretend to represent the viewpoints of the
8. people of the State of Illinois?
9. BRUNNER:
10. No, I don't think we really do pretend to represent the
11. viewpoints...
12. SENATOR BELL:
13. ...Your viewpoint is solely one then of what you as
14. an association believe is going to bring better government
15. to the people of the State of Illinois in the...in the
16. opinion of your association.
17. BRUNNER:
18. That's correct Senator.
19. SENATOR BELL:
20. How many members are there to your association?
21. BRUNNER:
22. Little less than 2,000. ...corporation.
23. SENATOR BELL:
24. Are you...are you here today in reference to supporting
25. one particular bill over another?
26. BRUNNER:
27. No, Senator.
28. SENATOR BELL:
29. You're here only to testify as to the need - as far
30. as the BGA sees it - as to the need of ethics legislation
31. in this State.
32. BRUNNER:
33. That's correct.

1. SENATOR BELL:

2. Now, you've conducted an investigation, the BGA, here
3. just recently that involved scrutinizing a large number of
4. public officials evidently at the township level. We just...

5. BRUNNER:

6. Both local and municipal...

7. SENATOR BELL:

8. Local and municipalities, all right. We've also
9. gone through in the past six months a heart rendering
10. situation in this country that would promulgate or force the
11. BGA to more aggressively address itself to this situation.
12. I means this is my opinion. Would you agree to that?

13. BRUNNER:

14. Well, I...if I might make one thing clear. The reason
15. ...one of the reasons that we looked at township officials is
16. very often we're criticized for...running investigations for
17. instance in Chicago area which concentrate on the Democratic
18. organization. We don't think that's right. We want to look
19. at everybody in the same manner equally and we thought that
20. it was important to take a look at the smallest local government
21. as well as the people that are normally scrutinized at the
22. other end of the spectrum. Obviously a state senator or a
23. governor or a mayor of a large city undergoes a much more
24. thorough scrutiny from newspapers or an organization like
25. ourselves or the taxpayers than does a local governmental
26. official. So we thought it...it was important to alert people
27. to how government works at the local level as well.

28. SENATOR BELL:

29. Do you endorse candidates?

30. BRUNNER:

31. No sir, we do not.

32. SENATOR BELL:

33. That's all. Thank you.

1. CHAIRMAN:
2. Senator Soper.
3. SENATOR SOPER:
4. ...Mr. Witness, I think you were here when Congressman
5. Mikva testified?
6. BRUNNER:
7. Yes sir, I was.
8. SENATOR SOPER:
9. I asked him a few questions as to his idea on loans that
10. are made and how they should be collected. ...Have you any idea
11. on...on loans that are made to a candidate? And what the
12. collectibility...those loans should be, how they should be
13. collected or honored?
14. BRUNNER:
15. I really don't have any expertise on that. I hate to
16. admit I don't know anything about it, but I really don't.
17. SENATOR SOPER:
18. Well, I was just wondering...if you could tell me the
19. reason for this type of legislation. Why do you think we
20. need this legislation? What do you think it'll do?
21. BRUNNER:
22. The general ethics legislation?
23. SENATOR SOPER:
24. Yes.
25. BRUNNER:
26. Well I think that all it's going to do is signal the
27. citizens of the State that you're...serious and sincere and
28. that you've got nothing to hide. I think the arguments were
29. made very well in the debate last week for the legislation
30. because I think it's necessary to say to people look, we're
31. not hiding anything. There's nothing to hide. The over-
32. whelming majority I agree with you - public officials in
33. this State - are trying to do the best possible job they can..

1. And I think you've got to tell people that to counteract
2. as Senator Knuppel poin...pointed out the unfavorable publicity
3. which is so wide ranging which occurs from those few public
4. officials who are caught doing something wrong.

5. SENATOR SOPER:

6. Now, let's...before the question was asked, do you think
7. that this sort of legislation would have prevented anything
8. that they say that...that Secretary of State, Powell was in-
9. volved in or any of that sort of thing. Do you think that
10. this legislation would have prevented that?

11. BRUNNER:

12. No sir, I do not.

13. SENATOR SOPER:

14. Now, do you think that if a man divulges everything that
15. he has when he's running for an office he...he bares his
16. soul as far as his assets are concerned and his liabilities
17. are concerned, do you think that...that's a necessary aspect
18. to honesty.

19. BRUNNER:

20. ...That question I think is a very good one and it was
21. asked in the House on Monday and I was certainly if you're
22. going to weigh it on a scale not put that in nearly the
23. ...give that the importance that the disclosure of economic
24. interest gets because I...I really don't see the importance
25. of how much your total net worth is. That...not being the
26. important thing but the important thing being who contributed
27. money to you and who do you do business with because these
28. are the facts, the only reason for the facts is that so in-
29. dividual citizens can take a look at how you vote and how you
30. perform as a legislator and compare that with who you're involved
31. with in a business sense and who you're involved with in a con-
32. tribution sense.

33. SENATOR SOPER:

1. Yes, but suppose...y'know for instance I'll take
2. myself, I know myself best of anybody I suppose as far
3. as my assets and my liabilities and so forth are con-
4. cerned and I tell ya I come from Czeck parentage and
5. we have an axiom where we buy on credit and we put a
6. hundred percent down and we have no payments left so
7. I...I have...I have no mortgages as far as I'm con-
8. cerned and I never buy anything unless I can pay for
9. it. Now, do you think that I should state - I own some
10. properties - and I should state what they are and how
11. I earned the money to...to buy these properities or what-
12. ever assets I have. Do you think that I...that should be in the
13. ...in the ethics legislation, we should reveal that?

14. BRUNNER:

15. I think you should reveal the property that you own.

16. SENATOR SOPER:

17. ...Now that's one phase. Do you think that if I reveal
18. everything that I've got before I'm even elected to anything
19. I have to reveal everything that that is going to make me a
20. honest legislator?

21. BRUNNER:

22. No sir Senator, I don't think it will.

23. SENATOR SOPER:

24. Well I just can't understand...if a fella's going to
25. run for an office no matter what he has...I don't know how
26. ...what companies that I may have earned money with during
27. my law career. I...I don't represent any utilities. I don't
28. represent the BGA. I don't represent the Tribune, the Sun-
29. Times, the Daily News... I got a call one day and they asked
30. me if I was a insurance broker and the fella said he was with
31. the metropolitan newspaper. And I said yes, what kind of policy
32. do you want. He said no, no, we don't want to buy any insurance.
33. I said well I thought that you were going to accommodate me

1. and have me place a policy for your newspaper. He said no,
2. all we want to find out is if this being an insurance broker
3. if...when you got this license. Well at that time I'd been
4. elected for six years before that. I said well, I got my
5. license in 1931. Well, the one question was that...did the
6. influence that you had as a...as a legislator get you a
7. license, the broker's license. I said well, I don't think so
8. because I don't think anybody in '31 thought that I'd amount
9. to a hill of beans as far as politics was concerned so I don't
10. think that was a consideration. And then they asked me, well
11. ...your insurance brokers now you receive some business from
12. ...from utilities or somebody. I said well, I'll tell you what,
13. ...how much I got in commissions last year and I think it was about
14. four hundred and thirty dollars I received in commissions so I don't
15. think I was too dishonest. I think I got that...it just fell
16. off the table accidentally by people that I insured since 1930
17. sometime. But that's how deep some of these things go no matter
18. what you do everybody wants to know if you use some influence
19. to receive something. Now, do you think that I should divulge
20. everything that I own before I even...I'm elected to an office. And
21. you feel that that's necessary so that people should know what
22. I have or what I don't have. Now I find two faults with that,
23. maybe three. One is, if you don't have very much people think
24. you're a bum and...and they don't want bums in office they
25. think you have to steal. So the poor fellow's who's honest
26. and wants to improve his...his way in life and wants to be a
27. politician or...or a statesman or whatever you call them wants
28. to be elected to office and he wants to serve and he's honest about
29. it. He's...now he's designated as a bum because he doesn't have much.
30. Then, suppose he has a lot of money, then they say, well that guy
31. ...what the hell does he...pardon me, what does he want to get
32. in politics for? He...hasn't he got enough already? So that's
33. two strikes on him. Now he either has to...he has campaigned

1. and negate all these...these impressions. Now the third...third
2. reason that I find is if...some of my colleagues are
3. collectors. They collect coins, stamps, books, and every
4. imaginable thing that can be collected from bottle tops
5. to campaign posters and if you've ever tried to insure
6. any of these items you'll find that it's impossible if you
7. want...as far as the premiums are concerned. So they...
8. items are too bulky and they like to have them around to
9. show them to their friends, let people know that...that
10. they're well-versed in this collection item...they...they
11. have to keep them around their office or at their home.
12. Now, if a man puts that...he divulges that when he...when he
13. runs for office he's a target for two...two types of people.
14. Either a burglar or a kidnapper. ...say, well we know that
15. you've got so many thousand of dollars of coins or negotiable
16. bonds we're holding Aunt Minnie out here. Y'know a fella
17. doesn't want to say, well it's too bad you got Aunt Minnie but
18. she's on my wife's side see because you'd get in a fight with
19. your wife. Now, those are some reasons that I have about this
20. stating what you own before you even get into public office.
21. Now, if you really want to...if you really want to have an
22. ethics bill you want to have a bill that would mean something as
23. far as campaign contributions are concerned there's one loophole
24. in this...in all these ethics bills. And the loophole is this,
25. it says you've got to divulge if you made a loan. Now, it
26. doesn't say that you got to collect...that the...that the bor-
27. rower or the...on the one that loans the money has to ever collect
28. the money, all you have to do is say, I borrowed \$20,000 or
29. \$30,000 for my campaign and then show how you paid out the
30. money. You don't have to put in any collateral. You don't
31. have to give anybody a note...that's...as far as I hear of
32. ...happened lately. And there doesn't have to be a due date
33. on the collectibility. Would you be adversed to anyone that

1. for instance loans money to a candidate and he loans it
2. without interest and without a note just because of the
3. fact that he believes in...he believes that poor...poor men
4. or men of...oh, means that are not substantial should have
5. the...should have the right and...and to run for office and
6. be able to present himself properly and if he feels that he
7. wants to loan this money and guy's of good government or
8. receiving good officials...good officials to be elected that
9. he should do the same thing for an equally poor candidate that
10. ...that is an opponent? We have two honest men now saying
11. they're both poor but one is...has the...has a friend will
12. loan him say \$20,000 or \$5,000 without a note. Don't you think,
13. that that other candidate should have the right to get some of
14. that money?

15. BRUNNER:

16. I...I really don't have an opinion on that Senator.

17. SENATOR SOPER:

18. Well, now let's take another phase of this. Let's say
19. that that's a very deceptive way of giving somebody some
20. money, some campaign money knowing that it's never going
21. to be collected if there's no collateral. If a campaign...
22. man campaigning for office receives say and sets forth that
23. he has received a loan I think that the ethics, the commission
24. or whatever we'll have to administer this thing should be pro-
25. vided with a due date on that note and there should be...a note
26. should be given and if it's given without interest that if that
27. note isn't honestly collected or put in for a collection then
28. I think the ethics commission should have the right to sue on
29. that note and collect the money and put it in the...put it in
30. the pot for...to...to administer this ethics act and then you
31. would get away from the fraud. But I think that any loans
32. that are made in the guise of...any campaign contributions that
33. are made in the guise of a loan are total frauds. And do you

1. think that anybody that comes out after a campaign and there's
2. ...there are questions about campaign contributions that
3. it seems very queer that all of a sudden that campaign
4. contribution becomes a loan. Y'see that's...that's
5. what I'd like to avoid. I'd like to keep everybody honest
6. no matter who they are. ...If you've got some ideas on
7. that, you've got a staff, I'd like to have you come up in the
8. next couple of days and maybe we'll put an amendment on
9. some of these bills. And that's the biggest loophole that
10. I see in this. Can you comment on that at all?

11. BRUNNER:

12. Well, obviously Senator I have to agree listening to you
13. speak that that would be a loophole. I think that...I par-
14. ticipated in an investigation in Ohio of loans which were
15. made under the...well, came...apparently came within the
16. pervue of the federal statute from Beggs, I think it's
17. Section 18 USC 210 and they were real problems with the
18. statute. I think it's a very difficult area. It's just that
19. we haven't looked at it and our organization's expressed no
20. view so I...I really feel like I'm walking way out on the
21. edge of the turf when I...if I'm going to tell you I feel
22. strongly one way or the other cause I just don't have sort
23. of feeling.

24. SENATOR SOPER:

25. Well, if you get some ideas on that, I'd like to hear
26. about it.

27. BRUNNER:

28. Fine sir.

29. SENATOR SOPER:

30. Thank you very much.

31. CHAIRMAN:

32. Senator Partee.

33. SENATOR PARTEE:

1. Sir, I've been listening pretty carefully to the
2. questions and to my mind there is at least a division
3. between the two approaches to ethics legislation. We'll
4. call it generally and the other the campaign disclosure
5. legislation. ...Have you an awareness of the law which
6. is now statutory...in this State on the question of ethics
7. ...you know...you're aware...familiar...

8. BRUNNER:

9. Yes sir Senator.

10. SENATOR PARTEE:

11. Have you had any occasion to compare that law - its
12. breadth and impact against any comparable laws in any other
13. States?

14. BRUNNER:

15. Yes we have.

16. SENATOR PARTEE:

17. Do you find that we do, that the Illinois...present
18. Illinois Ethics Act is perhaps the strongest law of its kind
19. in the United States and any State.

20. BRUNNER:

21. I think that's probably true at this point.

22. SENATOR PARTEE:

23. So at least you would give us credit I hope for having
24. done at this State level what no other State has done in terms
25. of strength, breadth and impact in an ethics law. Thank you
26. and I want you to know that it wasn't easy to accomplish.

27. BRUNNER:

28. I understand that Senator...I...I'm...what we're merely
29. saying is that we understand that how tough it was and how much
30. it was needed but there are problems with the present statute is
31. I'm sure you'll...you recognize yourself...

32. SENATOR PARTEE:

33. Fine. Let me say that...

1. BRUNNER:

2. ...but we'd like to see it become more effective.

3. SENATOR PARTEE:

4. Sure. I've...never had the pleasure of being involved
5. with many things that were really perfect. You know, we just
6. sort of fan our ways along and try to get something that
7. approaches perfection and we have y'know come across the per-
8. fection yet, but it is the strongest law of its kind in the
9. United States and I think that's a salutary kind of posture
10. and position to come from. Now, we're talking about what
11. appears to me to be the other end of that spectrum and that
12. is the campaign disclosure loss. I'm suggesting to you that
13. some of the matters that are suggested in the campaign dis-
14. closure law I personally feel and absolutely no approbation
15. and salability in this particular Legislature. Let me give
16. you an example. Do you really think that it is important
17. for a person running for office to be compelled to give his
18. net worth to the voters?

19. BRUNNER:

20. Well there Senator, I think we're back talking about the
21. economic disclosure aspects and as I said in response to an
22. earlier question, I think that that's one of the number of
23. factors which helps a citizen get an economic portrait so
24. to speak of the person who's representing him. I don't think
25. that that particular aspect, that one factor is nearly so
26. important as I mentioned as I...to know what property you owned,
27. where it's located let's say, where your contributions are
28. coming from and who...who you're involved with in a business
29. sense. I don't think whether or not your net worth happens to
30. be \$25,000 or \$225,000 or \$525,000 is a...is an important factor
31. in choosing who you...ought to represent you.

32. SENATOR PARTEE:

33. Well, you say you don't think it's an important factor...

1. BRUNNER:

2. I don't think it's a very important factor, no.

3. SENATOR PARTEE:

4. ...make that choice. Well, let me suggest to you
5. that it occurs to me that it would be an inordinately
6. important factor if that were acquired. Now let me just
7. suggest this. I can envision several kinds of elections
8. where persons may be pitted against one the other maybe
9. even in a primary or in a general election where the
10. voter has one more aspect to consider in that candidate's
11. overall worth value or assessment. People, I think, evaluate
12. candidates if they've been around for a period on the basis of
13. their record and they evaluate their opponent in some instances
14. on...on the basis of their prospective future. Now let's
15. assume that you have a young person coming out of a university,
16. maybe 22 or 23 years of age who perhaps has some debts or
17. obligations, maybe he owes the school tuition that's payable
18. over a period of time and he's running against a person, let
19. us say who is 40 or 45 years of age who's had time at the market-
20. place to accumulate some stocks or bonds or some real estate or what-
21. ever and when the voter compares those two persons, they compare those
22. two persons not only on the basis on what their past has been or
23. what their future may be, but to take into consideration another
24. thing the difference in their value as in the marketplace as it
25. were and isn't it possible that some person who is absolutely
26. a desirable kind of candidate may not receive the kind of support he
27. ought to receive because he doesn't have as much money as the person
28. he's running against. But that just sort of disturbs me and it par-
29. ticularly disturbs me when we're living in a country and a state
30. where it seems that often sometimes goes to the person who is capable
31. of producing the most campaign funds. I think it's a terrible
32. kind of futuristic approach to life as I see it her where
33. people of good birth, people of integrity are denied public

1. office because their parents perhaps didn't happen to be born
2. wealthy and they didn't probably happen to have a lot of
3. inherited money. Now that's one of the aspects of this
4. that troubles me. Now let's get to the...

5. BRUNNER:

6. ...Senator I...I don't think we disagree. My...my
7. point was, that I think that the net worth aspect may be a
8. factor in an economic sense disclose but that it's value is
9. certainly nowhere near as great as some of the other factors
10. as to business involvement or where the campaign contributions
11. are coming for and I would think that in any balancing thing
12. if you had to knock out one of those aspects that the...
13. that I would agree with you that there are very unfavorable
14. side effects from the net worth.

15. SENATOR PARTEE:

16. Fine. Thank you. Now...let's talk for a minute about
17. the campaign disclosure business. One of the things that I
18. keep thinking about is the fact that perhaps we should start
19. at least to move away from private contributions of campaign
20. funds toward the funding of campaigns by the government itself,
21. either by way of a checkoff system or perhaps by some other
22. ideas which have been promulgated in some other states. I
23. think of course of Oregon which has a system where every person
24. running for higher office would be permitted to submit a docu-
25. ment to the Secretary of State, 350 words, 400 - you name it -
26. and that document when bound would be sent to all voters at the
27. State's expense which starts initially to edify the voters as to
28. who the candidates are, what their background is and what they
29. propose to do. Now, that's one way of approaching it. Another
30. way of course is, for persons as they pay their state income
31. tax to be able to designate a percentage of it should go to
32. the political party campaign coffers for funding the elections
33. of candidates. Eventually I would assume that that can reach a

1. point where it would no longer be necessary to ask or to re-
2. ceive campaign contributions from persons with a private interest.
3. I suppose all of us have private interests but there are
4. some that I think are...have more impact than others in terms
5. of what is likely to come before the legislator when he is
6. elected. So, do you think really that we shouldn't really
7. start working toward...don't you think we should start working
8. toward public funding of our campaigns rather than to expend
9. so much energy on the other phase of it.

10. BRUNNER:

11. Well Senator, as I pointed out a number of times our
12. organization hasn't taken a position on that particular
13. point, however, I would agree with you completely in your...
14. in your thesis personally. I think that it's rather obvious,
15. as I mentioned I go around talking to a lot of people and I
16. think they are very fed up with the...with the present pro-
17. cedure and they're a number of obviously reasonable solutions
18. and I think you've...you've given a couple that are very...
19. very good starting points but what we're engaged in at the
20. moment is some sort of insanity because my particular congress-
21. man, Congressman Mikva was here and my present congressman,
22. Congressman Young, when it cost you \$200,000 to get elected
23. to a congressional campaign. I think that that's an indication
24. there's something very, very wrong with the system.

25. SENATOR PARTEE:

26. Well, very basically...

27. BRUNNER:

28. Or \$200,000 to lose in the case of Congressman Mikva.

29. SENATOR PARTEE:

30. I think very basically people and possibly have a right
31. to wonder why someone would spend \$202,000 to be elected to a
32. job that pays 42 for two years. The inference of course is
33. that he expects in some way to make up his loss and I think

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that's not so, but that is the inference and that's what the man in the street thinks particularly when he's reading about a lot of other things in terms of how much income tax he's paying as compared to others whose incomes are much greater. All of these problems that happen at the same time cause people I think to have these... these notions about us.

BRUNNER:

I agree with you Senator.

SENATOR PARTEE:

Thank you.

CHAIRMAN:

Senator Sours.

SENATOR SOURS:

I just have a couple of questions. Mr. Brunner as I understand it you're a lawyer, are you not?

BRUNNER:

Yes sir. Yes sir.

SENATOR SOURS:

Are you...would it be necessary for a candidate for example to put the present value of a private insurance company annuity on this?

BRUNNER:

I can't really answer that Senator I...I'm not...

SENATOR SOURS:

Well I happen to know...I know someone in this Chamber has one that's worth about \$14,000 at the present value. That's quite an asset isn't it?

BRUNNER:

Yes sir.

SENATOR SOURS:

...Everyone here for example...has a pension. Would we have to disclose the present value of that pension? It's a

1.
1. very valuable asset.

2.
2. BRUNNER:

3. I think it would be...disclosable if we're talking
4. about true net worth obviously.

5. SENATOR SOURS:

6. All right, how about my wife's furs if she has any.

7. BRUNNER:

8. I think it would...it would...same sort of reasoning
9. would apply.

10. SENATOR SOURS:

11. It would have to be disclosed, wouldn't it?

12. BRUNNER:

13. Yes sir.

14. SENATOR SOURS:

15. How about remainder of interests in land, would one have
16. to if he were a vested remainderman or less really complicated
17. let's have him be someone who is a beneficiary of a executor
18. limitation and I know of a couple still going. Would one have
19. to figure the present value of that to put on that schedule?

20. BRUNNER:

21. Well Senator, I'd be hesitant to answer that question
22. because I went to law school with Senator Hynes and he knows
23. how poorly I did in future interest.

24. SENATOR SOURS:

25. What I'm trying to...what I'm trying to display here is
26. in some instances and the trouble with law, maybe it's a good
27. thing is it's universality. ...I say that anybody who has a
28. executory devise in say 320 acres of land has a very valuable
29. asset and he better disclose it. Now let's go a little farther.
30. We had a...I know of...we'll put it this way, I know of a
31. Senator who had a \$10,000 violin. It weighs all of 2 pounds.
32. Would that have to be disclosed?

33. BRUNNER:

1. Yes it would Senator.

2. SENATOR SOURS:

3. Well then you see what Senator Soper was talking
4. about...several years ago there was a House Member I know
5. he had a hundred thousand dollars worth of coins cause I
6. saw twenty-five thousand dollars' worth one day. Would
7. that have to be disclosed?

8. BRUNNER:

9. Yes sir Senator.

10. SENATOR SOURS:

11. Well you see. Now, so much for accepting the most
12. impecunious candidates. The non-impecunious candidate will
13. have...will have a pretty good job I would say being accurate.
14. Now if he's not accurate then he is guilty of a misdemeanor
15. is he not 'cause he's not disclosing. You agree?

16. BRUNNER:

17. ...Certainly been the topic of some debate under the
18. present system...of what is...

19. SENATOR SOURS:

20. You mean...you mean...willfully?

21. BRUNNER:

22. ...wilfully aspect and what is the...

23. SENATOR SOURS:

24. Well, what is wilfully? Archibald Cox says he didn't
25. talk with those two Senators deliberately. Well I'm talking
26. with you now deliberately. When I get up in the morning I
27. go in the bathroom and I deliberately comb my hair. Those
28. are deliberate...deliberate acts. Now, if one makes an honest
29. mistake he is not disclosing. Now I ask you, anything short of
30. about a 99% reporting one conceivably could be humiliated with
31. a...an indictment maybe or information, could he not?

32. BRUNNER:

33. Conceivably yes .

1. SENATOR SOURS:
2. All right...
3. BRUNNER:
4. Depending on the discretion of the State's Attorney.
5. SENATOR SOURS:
6. Well, if...if you have the media they...they're after
7. John Smith, they're really after him, they'll put up enough
8. steam behind a...an irresolute State's Attorney, will they
9. not to get rid of that bum.
10. BRUNNER:
11. Senator, we deal with that problem everyday...
12. SENATOR SOURS:
13. I know you do.
14. BRUNNER:
15. ...and I can assure you that we do not have that type
16. of influence.
17. SENATOR SOURS:
18. Well, now I'd like to make this comment also about what
19. Senator Partee had to say about the government ultimately,
20. hopefully he says, sometime bearing the cost of campaigning.
21. The day that happens, I hope someone, if I don't have the
22. wherewithal gets me a one way ticket to Australia because
23. that's the only place we'll be safe. Why is it that we are
24. so prone to let Washington handle our matters when every-
25. thing we see about us is causing our disruption? Why should
26. the government pay anybody's cost to run? Do you agree?
27. BRUNNER:
28. No sir Senator, I don't agree. I think Senator Partee...
29. SENATOR SOURS:
30. You want the government to pay my campaign costs?
31. BRUNNER:
32. I think Senator Partee was first of all talking about the
33. state government doing it. But secondly, I think that we have
34. to go to some sort of system where you make accessible to people

1. television time, basic opportunity to get your message
2. across because obviously the ramifications, the continuous...
3. continuing in the present system are so terrible that some-
4. thing has to be done about it in my...

5. SENATOR SOURS:

6. You mean the costs?

7. BRUNNER:

8. Not the cost, the ultimate effect which is financing
9. of large campaigns by a few individuals. You've taken it
10. out of the opportunity for the ordinary person to run for
11. public office and you're making those that are elected be-
12. holden almost completely I believe as Senator Partee pointed
13. out to quote special interest.

14. SENATOR SOURS:

15. Well then, would you agree to limit it to a thousand
16. dollars for example? Let's have a real fourth...third estate.
17. One thousand dollars, would you agree to that?

18. BRUNNER:

19. For which office Senator?

20. SENATOR SOURS:

21. Any office. A man is worth his salt with a thousand
22. dollars.

23. BRUNNER:

24. I think that there should be some realistic limit whether
25. it's a thousand dollars or something else, but there should also
26. be made available to a person running for political office an
27. opportunity to get his message across, whether it's free tele-
28. vision time or an opportunity to put things in the paper or
29. print up a circular as Senator Partee said. I think you have to
30. make that available as a way out of the present situation.

31. SENATOR SOURS:

32. Well, I have to disagree that principle...principle p-l-e
33. is never relative. It can't be relative. It's a categorical
34. absolute and I also want to make this comment to you and I

1. know you're a very sincere person, that if this disclosure
2. of assets, estate and property ever becomes a law you'll see
3. the...the funniest breed of homo sapiens running your life and
4. mine.

5. CHAIRMAN:

6. Thank you Mr. Brunner. I think that's all of the
7. questions. Senator Nimrod.

8. SENATOR NIMROD:

9. ...No questions, just want to comment. I'd like to
10. make...to Mr. Brunner before he leaves. I do want to com-
11. pliment you however on your approach and seeking on your own
12. initiative an opportunity to speak to local officials and
13. bring them the message which you had already undertaken. I
14. was just sorry that it didn't take place a little sooner and
15. I do understand...particular I don't think you've had a chance
16. to talk to municipal or other officials but in particular I do
17. think it was effective and certainly was appreciated by the
18. township officials, your appearances there and I do think that
19. if you do more of that and that they are informed and communicate
20. on this basis, that I think it will certainly bear fruit because
21. I think that the overwhelming majority of officials that regard-
22. less of the laws we make or whatever we do, we're not going to
23. affect them. But I do think they will willingly and of their own
24. volunteer effort once they know what is expected and what the
25. rules are that they will abide by them.

26. BRUNNER:

27. Thank you Senator. I think it was a worthwhile discussion
28. and I think also one of the terrible side effects of the in-
29. vestigation which we did was the...the lack of knowledge about the
30. laws of the State of Illinois by the township officials. We
31. found in many instances what I thought was a sincere lack
32. of understanding of what the bribery statutes say in the State
33. of Illinois.

1. CHAIRMAN:

2. Senator Hynes. One question, he says. One question.

3. SENATOR HYNES:

4. One short, short question Mr. Chairman. First of all
5. I...I think that perhaps we might invite John Hayes down to
6. a subsequent meeting and see how he can contribute on the execu-
7. tory interest question. But you indicated...you indicated that
8. in your travels and in the meetings of the many people that you
9. encounter you found substantial public support for legislation
10. of the type which we are considering. On the...the...what I
11. consider to be parallel and related subject of partial public
12. support for cam...campaign expenditures. I...I don't think anyone
13. seriously would suggest complete underwriting of the cost of
14. campaigns. Do you find a similar expression of public support
15. for at least a limited assistance for the cost of...of campaigns
16. on the local level?

17. BRUNNER:

18. I think that Senator, from and I...I really do talk to all
19. different sorts of people that there is a overwhelming feeling
20. that something has to be done. That we...we can't continue
21. the way we're going and I think that the average American
22. citizen has an awful lot of common sense and they can see these
23. things and I think that they intertwine in their own minds
24. things like the Kerner matter and Watergate and campaign funding
25. and all the rest of it and they're just saying to...to me wherever
26. I go, my God when are we going to do something about this. How
27. are we going to get out of this mess. And I don't know whether
28. the answer is...is suggest its limits or the answer is public
29. finance or what it is, but I think people are just sitting out
30. there hoping and praying that you fellows are going to look at
31. the problem hard and do the thing that you think is best to try
32. to solve it.

33. SENATOR HYNES:

1. Well, I...I think it's...it's probably going to be a...
2. a...both...combination of both limits and partial public
3. finance, but I know from my own case and I'll conclude Mr.
4. Chairman...I know from my own case that the cost of campaigning
5. is increasing and there is a very serious danger that all but
6. the very wealthy are going to be forced out of the business
7. of politics completely. I was recently at a meeting at which
8. I had a chance to discuss the subject with some legislators
9. from California and there, for a...in a...an Assembly seat
10. in the State of California in a contested district, the
11. minimum expenditure that you can hope to get by on is \$75,000
12. and that is...that's simply beyond the reach of the ordinary
13. person and I...and I think the same kind of thing is happening
14. here and it's going to be a real tragedy if it continues.

15. CHAIRMAN:

16. Mr. Paul Neal of the Illinois State Chamber. Pass...
17. Page, would you pass these out?

18. NEAL:

19. Thank you Mr. Chairman. My name is Paul Neal, I'm
20. legislative manager of the Illinois State Chamber of Commerce
21. representing a membership of more than 19,000 businessmen
22. and women and more than 600 communities throughout Illi-
23. nois. This problem of campaign financing practice is...
24. is of concern to us and because the concern has been ex-
25. pressed by segments of our membership, the State Chamber's
26. Board of Directors requested our public affair forum to
27. develop recommendations in this area. A full discussion and
28. debate of the problems and possible solutions developed out of
29. the forum a set of recommendations which our Board of Directors
30. then reviewed and debated. I'm explaining this process to
31. demonstrate the question has been under review by us for some
32. time and the attendant problems of the constitutional, legal
33. and practical applications were completely and fully explored.

1. As a result of this process the State Chamber's Board of
2. Directors voted to not oppose or endorse any of the proposed
3. campaign financed reform acts, but instead the State Chamber
4. developed a checklist of basic elements we feel would be
5. needed to assure not only the greater public confidence in
6. the election process, but protection of the Constitutional
7. Civil Liberties of all segments of our society. This is a
8. delicate balance which needs to be achieved in this sensitive
9. area of elections which we feel is the root of our system
10. of representative democracy. While there have been abuses
11. of the moral and legal trusts of both donors and candidates
12. in the area of campaign practices and financing, we feel the
13. great preponderance of both candidates and contributors are
14. conscientious law-abiding citizens exercising their right
15. within a representative democracy. Illinois State Chamber of
16. Commerce is concerned...about the skyrocketing costs of
17. campaigning and the means and methods of raising campaign
18. funds, but we also believe any campaign finance reform act
19. enacted by the Legislature - if you do so - will...should contain
20. proper constitutional safeguards and realistic administration
21. and enforcing procedures which we feel are the key to any
22. effective reform. If there is any form, it should be aimed
23. at a creating more confidence by the general public in their
24. government through better public knowledge of the complete election
25. process to clear the clouds of uncertainty that now surround these
26. practices. At the same time any legislation should encourage
27. participation by all segments of our society in the election
28. process. Encouragement of legitimate campaign contributions and
29. the prevention of illegal contributions should be the purpose of
30. any campaign reform legislation. As a result the Illinois
31. State Chamber of Commerce recommends the following criteria
32. be used as a...as a measure for any campaign finance reform
33. act adopted in Illinois to assure public confidence and

1. safeguard constitutional liberties. One, contribution
2. to legally organized and approved party committees and
3. subdivisions should be encouraged rather than discouraged.
4. Two, voluntary contributions should be encouraged to
5. legally organized political action committees as established
6. in accordance with the Federal Campaign Contributions Act.
7. Nonvoluntary assessment of organization members should be
8. prohibited. Contributions by any one organization or in-
9. dividual must be treated equally under the law. No public
10. funds should be appropriated for financing candidacies for
11. public office. A greater similarity of requirements, forms
12. and administration between the Illinois provisions and that
13. of the Federal Campaign Contributions Act should be attempted.
14. Disclosure responsibility should be placed on the recipient
15. such...that is of candidate or campaign or party finance com-
16. mittee as opposed to the donor. Mechanics of compliance with
17. the law should be made as simple as possible. Language should
18. be sufficiently clear and simple to insure that everyone fully
19. understands it and to remove as many potential loopholes as
20. possible. We feel administration should be by the State
21. Election Board. Incumbents and non-incumbents should be treated
22. equally with no one...advantage granted to either and the
23. application of any campaign finance reform legislation should
24. be at both the state and local levels to maintain uniformity.
25. As a matter of implementation the State Chamber recommends that if
26. such reform is to come about, it is advisable to have it enacted
27. during the current Session to become effective...by July...
28. by January 1st 1974 so potential donors and solicitors can make
29. their plans for 1974 accordingly, or in the alternative hold off
30. the effective date of the legislation 'til January 1975. The
31. reason for this is in the effective date of July 1st 1974 which
32. would be the normal date for anything past this Fall would be,
33. put the primary under one set of rules while the general election

1. would be under a different set of rules. I think this is
2. both impractical, unfair to all concerned and could lead
3. to confusion and misunderstanding as to the detriment of the
4. electorate. Thank you for indulgence and opportunity to
5. express our views. If you have any questions I'll be glad
6. to try to answer them.

7. SENATOR SCHAFFER:

8. Well...I was wondering, in your opinion has the Federal
9. Campaign Disclosure legislation had a negative effect on...
10. the contributions...from your members of your association or
11. organization?

12. NEAL:

13. I'd say, as far as individual members go, it has had
14. a negative effect.

15. SENATOR SCHAFFER:

16. Do you feel that campaign disclosure legislation would
17. have the result of discouraging political contributions from
18. those people generally associated with your organization?

19. NEAL:

20. ...At the present...

21. SENATOR SCHAFFER:

22. I mean with...with a threshold...

23. NEAL:

24. With a threshold...I'm not sure that it would anymore
25. than they already have been discouraged. Frankly the...

26. SENATOR SCHAFFER:

27. What...what has already discouraged them?

28. NEAL:

29. The Federal Act. There is been more...there is still
30. contributions being made. We do not collect any contributions
31. but the...we do have knowledge of what some of the practices
32. are...I think that they are...quite a few people who are
33. starting to realize what this is about, as a new law going

1. into effect. A lot of companies for instance are taking
2. a look at it and...and having different views. The tests to
3. the court are being looked at if they're...in looking for
4. further tests to see just where they're going to be...
5. what kind of liability they're going to have or what kind
6. of a situation they're going to be in. At the present
7. time a lot of them are saying, well we don't know and we're
8. not going to contribute anything to anybody.

9. CHAIRMAN:

10. Are there any other questions? Thank you Mr. Neal.
11. Now Gentlemen, Ladies, you know that to this Committee has
12. been endowed the rest of the bills on the agenda there and the
13. next bill that I have, a couple of people that want to testify
14. is SB No. 8. Senator Roe, do you want to come up to explain
15. your bill?

16. SENATOR ROE:

17. Thank you Mr. Chairman. SB 8 has three basic, three
18. major parts and I'll attempt to discuss each part briefly.
19. First part of the bill deals with campaign contributions and
20. expenditures under disclosure of those contributions and
21. expenditures in excess of a hundred dollars. This would
22. apply to the candidate or to committees and would apply to all
23. public officials at all levels of government. The bill also
24. provides for the disclosure of economic interest of all public
25. officials, candidates at all levels of government. It does
26. not provide for the monetary value of the interest being dis-
27. closed but the interest must be disclosed. The bill also
28. provides for the establishment of an ethics commission to
29. police the present ethics laws we have and the additional
30. campaign contribution and expenditure laws contained in the
31. bill. As I mentioned it applies to public officials at all levels
32. of government. At the present time as we are all well aware
33. we do not have any laws relative to campaign contributions or

1. expenditures in this State. It is my particular opinion
2. and an opinion shared by some that the disclosure of campaign
3. contributions and expenditures is necessary so that the public
4. can know who and how much is contributed to a given candidate
5. by a contributor at any level of government. True in many
6. levels of government, there are no campaign contributors.
7. Obviously if you didn't get any you wouldn't have to disclose
8. any and this would be true in many local situations such as in
9. rural downstate Illinois and school districts and special
10. districts and things of this sort, you just don't have campaign
11. contributions. It's not my intention to prevent candidates
12. from accepting contributions from anyone or any interest
13. whether it be a business, a corporation, a labor union or
14. any person, but I do feel that the public has the right to
15. know this information and I think they have a right to use
16. this information and in evaluating a given voting record. For
17. instance in the State Legislature or in evaluating actions
18. by officials at any level of government. The economic in-
19. terest disclosure as I mentioned is not a monetary one but
20. a disclosure of the interest itself. Also it would be
21. necessary to disclose a creditor to whom a public official
22. or candidate owed an excess of a thousand dollars - not the
23. amount but the fact that the credit for it did exist. Is not
24. a nickel and dime approach as the bill is presented by the
25. Governor or there's no net worth statement contained in this
26. bill and you aren't going to have to list under this bill
27. many of the things that have been objected to in the two days
28. of testimony as far as the Governor's bill is concerned or
29. fill out nine pages of blanks but the interest and the creditors
30. themselves must be listed. It is my position that the public
31. has the right to know these economic interests of a candidate
32. or a public official and I feel that it's a legitimate obligation
33. on the officeholder to make these things public and we have

1. to do this through a law I believe. I don't think anyone
2. is forced - any of us in this Chamber - to run for public office
3. and I think when we do, why we take on certain obligations.
4. Now, our present ethics law has no continuing supervision
5. or investigation and association with it. The forms that we
6. file are filed in the county clerk's office of our respective
7. counties, if we're a local candidate, or in the Secretary
8. of State's Office...if we are candidate for state office. And
9. that's as far as it goes and I don't happen to think that that
10. is enough. The ethics commission that I propose to create
11. with a continuing responsibility to evaluate the statements
12. that we file would be composed of six private citizens to be
13. appointed by the Governor with confirmation by the Senate and
14. five public officials. Those public officials being the
15. President of the Senate,...the Speaker of the House, the
16. Treasurer, the Secretary of State and the Comptroller and it
17. would be a full-time operation with a staff and executive director
18. with subpoena power and the normal things that would go with such
19. a commission which I won't take the time to delve into...in my
20. opening remarks. Now, there's another provision contained in this
21. bill that...that relates to notice. We don't have any provisions
22. on the present laws in the State of Illinois that provide for
23. a person being notified that he's subject to our governmental
24. ethics act, that he does have to file a statement. No notice
25. provisions - two cases in Will County were thrown out on that
26. basis where statements were not filed because the person was
27. not given any notice. I certainly think this is a loophole
28. that should be closed and I think a person particularly on a
29. local level where he may not know he's covered by the provision
30. should have notice, but I think all people should have notice.
31. Now, a number of legislators have expressed the thought that the
32. public is not interested in...in anything that I've just mentioned
33. or that has been mentioned over the past two days that we have

1. heard testimony on the Governor's bills because they haven't
2. received mail or telegrams or this sort of this.. I submit to
3. you...that this is not a proper way to determine public in-
4. terest or disinterest. I haven't been here very long and
5. God knows I've got a lot to learn, but one thing that I think
6. I have learned up to now is, that most mail is created by
7. lobbyists and by interest groups. Now, we don't have any
8. lobbyist who are registered in this State who represent the
9. average public citizen voter that I know of as a group.
10. Now, what we're talking about is attempting to restore some
11. public confidence in public officials in general and we
12. aren't going to find a...an interest group of seven million
13. people in this State that's organized under that title but
14. that interest group is there and I feel that they do very
15. significantly feel that legislation of the variety that has
16. been proposed and prior to...to me speaking and that I am
17. proposing...my approach is different but we're still talking
18. about the same general area and I think the public is interested
19. in this. The Gallup Poll six weeks ago showed that 75% of
20. the people were...wanted to know where campaign contributions
21. came from and how much these campaign contributions amounted
22. to from given contributors. I made my contributions public.
23. I haven't experienced any repercussions from my contributors. I
24. haven't had any of them tell me that they won't give me anymore
25. contributions because I made their names and their amounts public
26. and I don't feel that...that this is really a legitimate concern.
27. We have a Federal law that is quite similar to the one that I am
28. proposing - the hundred dollar contribution - that is not sig-
29. nificantly stopped campaign contributions at the Federal level.
30. Over a hundred million dollars was raised after April 7th last
31. year on congressional, senate and presidential races and I would
32. say that...to say that campaign contributions will dry up as a
33. result of a law like this belies factual matters that...that

1. indicate to the contrary. And I have two witnesses who
2. represent a company in Loves Park, Woodward Governor, who
3. makes contributions in local, state and national races
4. through its legislative committee who wish to testify
5. briefly in support of my proposition and my bill as
6. explained. I'm more than willing to answer any questions
7. that any of you might have or go a little deeper into
8. what I said. I appreciate the time problem and if there
9. are questions, Mr. Chairman, I'll...

10. CHAIRMAN:

11. Are there any questions of the Senator? Senator Rock.

12. SENATOR ROCK:

13. Senator, on page 3, Section 2-105. I...I can appreciate
14. the fact that you have significantly...significantly expanded
15. the statement of economic interest which we are now required
16. to file and moreover you have set up this commission to have
17. the continuing responsibility. Section 2-105 however seems
18. to stick out like a sore thumb in this particular piece of
19. legislation and you are, it appears constituting a misdemeanor,
20. a person who holds, happens to hold more than one public office.
21. I presume by public office, you mean any type of public employment.

22. SENATOR ROE:

23. That is correct Senator Rock and I didn't go over that in
24. my initial statement because at the time the bill was drafted
25. and submitted this section was put in and I think that what we're
26. really talking about are the things that...that I mentioned
27. in my opening statement and I'm not going to attempt to retain
28. that...that particular section because I think everybody from
29. the testimony I've heard is interested in...in discussing the
30. topics I...I discussed and not this particular provision.

31. SENATOR ROCK:

32. Oh, fine as long as you don't intend to pursue that,
33. then I won't...

34. SENATOR ROE:

1. Okay.

2. CHAIRMAN:

3. Are there any other questions? Who do you want as
4. your first witness, Senator? Mr. Hall. Okay, Jim Hall
5. of Loves Park. Mr. Jim Hall.

6. JIM HALL:

7. Mr. Chairman, Members of the Senate and guests it
8. is with pride and honor that I stand here and address you
9. today. The cause that we are going to speaking on behalf
10. of today is one, is which is of great concern to all residents
11. of the State of Illinois. Ethics and campaign disclosure legis-
12. lation to some degree is long overdue. Specifically legislation
13. of the type espoused in Senate Bill of this First Special
14. Session of the 78th General Assembly. My name is Jim Hall
15. and I represent the Woodward Governor Company of Rockford,
16. Illinois. My association of 21 years with this company en-
17. ables me to speak with a great deal of its great...good...good
18. deal of its background. I will be followed by a Mr. Roger Proctor
19. who will give a little more specific detail to this particular
20. legislation but we'd like to have...to have a little background of
21. the company itself. The Woodward Governor Company was founded
22. in the year 1870 in Rockford, Illinois. In 1902 we were in-
23. corporated under the laws of the State of Illinois. We are
24. the world's oldest and largest company devoted exclusively
25. to the design and manufacture of primemover controls. We
26. are dedicated to - excuse me - we are dedicated to supplying
27. quality products at a price consistent with a reasonable re-
28. turn to our stockholder and worker members. We have won
29. respect for our quality products throughout the world. From
30. our founder Amos Woodward, we have grown from a one man operation
31. in the year 1870 to a total worldwide membership of 1,820
32. members. Eight hundred and sixty of these members are located
33. in Rockford; six hundred and twenty additional members are
34. located in For...Fort Collins, Colorado. The remainder are located

1. in England, Holland and Japan. Legally constituted as a
2. corporation, the Woodward Governor Company operates internally
3. as a partnership. The philosophy of a corporate partnership
4. was formalized in 1946 and is based on the implied constitutional
5. concepts in the free enterprise system that each human being
6. has a right to develop a living standard for himself and his
7. family commensurate for the value of his productivity. That
8. the purpose of an industrial organization is to provide a medium
9. by which he may in cooperation with others promote his legit-
10. imate aims. That he has the right to individual freedom,
11. dignity, justice and opportunity and that the sanctity of his
12. rights is contingent upon both the individual and the collective
13. determination to defend them. The corporate and operating
14. philosophy is not only encouraged talented people to join our
15. ranks but also encourages them to stay. Our productivity for
16. per individual member is greatly enhanced through corporate
17. partnership and from the practicing standpoint Woodward
18. Governor Company has not had a single instance of work stoppage
19. due to labor strikes in 103 years. From a business standpoint
20. the overall philosophy is an organization of the Woodward
21. Governor Company offer ample flexibility to meet changing re-
22. quirements and provide results in less time and with fewer
23. than normal personnel involved. Within the structure of
24. corporate partnership are many significant areas, among these
25. are our division of income, member evaluation, personnel
26. maintenance program, deferred profit sharing, pension and re-
27. tirement programs, recruit training in academy programs,
28. consultants, our facilities and vertical committees. It is
29. within the structure of the vertical committees that ethics
30. legislation properly falls. And at this time I would like to
31. turn the microphone over to Mr. Roger Proctor himself a
32. member of the Woodward Governor company for 32 years. Roger
33. would elucidate further on the vertical committees, their

1. makeup, their purpose.

2. CHAIRMAN:

3. Any questions of this witness? Mr. Proctor.

4. PROCTOR:

5. Thank you, Jim. Mr. Chairman, Members of the Senate
6. and guests. Since our company as a corporation has no
7. political power it must depend upon its members to wage its
8. battles by way of the ballot box. Any member of an organization
9. worthy of its name will of course do all he can legitimately
10. to protect and maintain the source of his income. In order to
11. implement this concept, a number of vertical committees were
12. formed in our company about 30 years ago in order to analyze,
13. discuss and to take action on matters which do not affect
14. directly and which are extraneous to the usual activities of
15. manufacturing. Now since these matters constitute a broad
16. spectrum of concern different committees were given specific
17. areas of responsibility and given names that would indicate
18. their main purpose. Thus we have today in plant functioning
19. of the legislative committee of which Mr. Hall is the assistant
20. chairman, the candidates and elections committee of which I am
21. the chairman, the tax committee, contributions committee, health
22. and safety committee, recreation committee and the open door
23. committee. All of these committees are composed of eight people.
24. The chairman and the assistant chairman of each committee is ap-
25. pointed by management. The other six members are elected at large
26. by secret ballot by all members of the plant. The term of office
27. is two years. Any member of the company may run for any committee
28. providing he has been a member of the company for at least two
29. years. We have a primary election and then a general election
30. and even some spirited campaigns by some of our people. At the
31. present time our candidates and elections committee is composed
32. of a shop inspector, two machine operators, one engineer, a
33. stock man, a lab technician, a shop department supervisor and

1. myself. We interview candidates for public office. We vote
2. on them by secret ballot and we make recommendations to the
3. entire plant membership at election time. It has been said and
4. I think rightly so, that money is the mother's milk of politics.
5. Accordingly we also support the candidates of our choice with
6. campaign contributions again voting on this by secret ballot.
7. This money is not corporate money but these are funds that have
8. been voluntary committed to a special account by our members who
9. as individuals are interested in helping to promote better
10. government. All minutes of every committee meeting are published
11. on a special bulletin board prominently displayed in our plant
12. recreation area and that way the amounts of money given to each
13. candidate is known to everyone in the place if they have enough
14. interest to look. We support Senator Roe's ethics and campaign
15. contributions disclosure bill because it obviously is consonant
16. with our own philosophy of how politics ought to be conducted.
17. We believe SB 8 embodies an idea whose time has come. I urge
18. you to check with your own constituents. Most people in our
19. shop with whom I have discussed this subject say they do not
20. care who gives how much to who, but they do want to know about it.
21. Today the American people has in my opinion, a false image of
22. people in politics and I think this is tragic and is certainly
23. bodes no good for the future of our political system. From my
24. own experience I know that the overwhelming majority of people
25. in public life are dedicated, honest and hard working citizens
26. trying to do a good job. You have an opportunity to make a long
27. stride toward projecting a more true image to the people of
28. Illinois by voting for this bill and I would heartily recommend
29. that you do. Thank you.

30. CHAIRMAN:

31. Are there any questions of Mr.... Senator Schaffer.

32. SENATOR SCHAFFER:

33. Do you feel that campaign disclosure legislation of this

1. type will have a negative effect on potential contributors
2. particularly those from your community and the business world?

3. PROCTOR:

4. Well, it will have no effect on our operation at all.
5. We're already doing it and I can't speak for others but from
6. my knowledge of the industrial community, I don't believe it
7. would.

8. SENATOR SCHAFFER:

9. Thank you.

10. CHAIRMAN:

11. Senator Berning.

12. SENATOR BERNING:

13. I think it should be obvious to you as it has been to many
14. of us for a long time that there are many avenues by which we
15. can achieve something in the way of campaign funding disclosures.
16. My question to you then is this, would you believe that the
17. major requirements of the general public, if you speak for a
18. segment of the general public, the major requirements would be
19. met by a very simple campaign disclosure bill which required
20. publication or dissemination by a candidate of the total
21. amount contributed to his campaign with just a fixed figure be-
22. yond which individual campaigns would be acknowledged and then
23. a statement of the distribution of the campaign funds by re-
24. cipients? This to me would be a very simple thing but would
25. get to the heart of what is essentially the problem and do you
26. feel that that would suffice?

27. PROCTOR:

28. Well, Senator, I believe it would go a long way. I...I think
29. without getting in the details of it because I don't think I'm
30. competent to...to make recommendation on details. In my talking
31. with people I think what they're interested in, they want to
32. know primarily two things. Who gave what to who and what did
33. he do with it? As far as what the man owns or what his net

1. worth is. I haven't found too many people that really care
2. about that. They're interested in...in campaign money.

3. SENATOR BERNING:

4. That's just precisely what I said. List, I've got so
5. much money, everything over, whether it's a hundred
6. dollars or fifty dollars or two hundred dollars we can
7. strike at some figure there. Everything over that in the
8. way of a contribution is by Mr. X, Mr. Y, Mr. Z total
9. so much. Here's how I spent it. There's the...there
10. is the published dissemination of the distribution of
11. the money. That's it. Would...would that
12. satisfy?

13. PROCTOR:

14. ...Yes, as a matter of...in my opinion it would. ...
15. As a matter of fact, I also feel that it would increase con-
16. tributions because I think one of the dilatorious effects
17. of our present system, if you call it that, is people are
18. very suspicious now that their campaign contribution isn't
19. being spent on the campaign. That's going into the candidate's
20. wives' fur coat or something...I think this would eliminate
21. that suspicion.

22. SENATOR BERNING:

23. Thank you.

24. CHAIRMAN:

25. Any other...Senator Keegan.

26. SENATOR KEEGAN:

27. It's nice to see Mr. Proctor and Mr. Hall from my Legis-
28. lative District and I want to thank you both for coming down
29. and testifying. You've always been very kind and generous
30. to me and I'm interested in referring the activity and struc-
31. ture of your...vertical committees to some other organization
32. questions we had today. ...We...I recall that when I visited
33. with your candidates committee and with hour legislative

1. committee that we talked about a great many issues and
2. those...those answers were recorded so that the committee
3. could review the positions that the candidates took. Tell
4. me, you serve as an elected representatives of the...all the
5. personnel in your plant...do you get any dissatisfaction
6. with the choices which your committees ultimately make? Do
7. you have...do you get a feedback of...why did they do this or
8. they must not have been listening to choose that person... .
9. I take this opportunity I've been always curious about that
10. Roger and...this is a good public place for me to ask you that.
11. Do you...do you get a response to the choices you make?

12. PROCTOR:

13. We certainly do, for the top management on down but it's
14. after the fact and there isn't much they can do about it. We
15. refer to the secret ballot and the fact that they elected
16. six out of the eight and how can you do it anymore democratic?
17. And this was the consensus, we don't apologize, we obviously
18. felt we had the reasons for what we did.

19. SENATOR KEEGAN:

20. ...And the same...the same question could pertain to the
21. amount of contributions. Do you have...I thought I heard that
22. you posted not only the choice of...of...for your recommendations
23. but that you po...posted the amount, the dollar amounts that you
24. were contributing.

25. PROCTOR:

26. ...That's correct...that's correct.

27. SENATOR KEEGAN:

28. And...is there much...abrasion in the inter...in the inter-
29. action on that?

30. PROCTOR:

31. I haven't had quite so much on that...I guess we...our judge-
32. ments been pretty good but once in a while they do and I...im-
33. mediately I ask...I say, now are you a contributor to the fund

1. and if they say no, I say well, really why does it concern
2. you? If they say yes...

3. SENATOR KEEGAN:

4. Now, you're speaking of the...of the personnel within
5. the...

6. PROCTOR:

7. Yes. It's...right. It's in the plant, anywhere if
8. they say that to me and then again I see...I suggest to them
9. well, if you don't like what the committee's doing, why don't
10. you run for the committee now and do something about it, then
11. you'll have an input.

12. SENATOR KEEGAN:

13. So...that in principle you would...agree with...the idea
14. of a delegated responsibility as to inquiry and to...this isn't
15. exactly pertinent to the bill, but you would agree that there
16. can be delegated responsibility from...by duly elected repre-
17. sentatives.

18. PROCTOR:

19. I...I would have to say I...I think it's obvious we
20. agree to that principle because that's really what we're doing.
21. That's right. These people are free to act on their own and
22. that's the genius of it, the management doesn't manipulate it.

23. SENATOR KEEGAN:

24. And...you think the...hundred dollar minimum is...
25. acceptable to your group?

26. PROCTOR:

27. I think it would be to us as you know we...we don't give
28. large amounts, we try to give amounts that we think are reason-
29. able, according to how much money we have available and...to
30. the importance of the office and...we wouldn't have any trouble
31. with any of the amounts I think that have been mentioned here. I
32. ...I don't have a strong feeling on that. To me it's a good figure.

33. SENATOR KEEGAN:

1. What figure...at what figure would you have a...
2. trouble or do you want...to hazard that?

3. PROCTOR:

4. Well, I think if they made it much lower I'd be
5. disappointed.

6. SENATOR KEEGAN:

7. Lower than \$50 or a \$100?

8. PROCTOR:

9. The hundred, lower than the hundred.

10. SENATOR KEEGAN:

11. And what about the top amount? ...I mean what...
12. what at the other end would you give an amount?

13. PROCTOR:

14. Well, I don't think we become involved in that too
15. often so I...I couldn't...we don't have a judgement on that.

16. SENATOR KEEGAN:

17. I see. Thank you.

18. PROCTOR:

19. Okay.

20. CHAIRMAN:

21. Okay. Thank you. The next witness on these particular
22. bills are...or this bill is George W. Lindberg, Comptroller.

23. COMPTROLLER LINDBERG:

24. Mr. Chairman, Members of the Committee of the Whole. First
25. of all, I want to thank you Mr. Chairman for the opportunity
26. to appear here and testify first on behalf of the general concept
27. that it is necessary that we undertake some additional steps
28. with regard to improving the existing act which I was involved
29. with 18 months ago and also for the opportunity to speak more
30. directly on a particular bill which is that being sponsored by
31. Senator Roe. I don't intend to take much time because I can see
32. that you are becoming pressed for time. Let me just say that
33. I have had the opportunity to analyze particularly Senator Roe's

1. bill. I think it meets all of the tests that I certainly
2. am aware of for a responsive piece of legislation to this
3. issue of both...more full economic disclosure by candidates
4. and officeholders and also for the bringing into the light
5. of the public the matter of contributions to political
6. campaigns. I'd like to take just one different tact, I know
7. that it would be redundant for me to go through all the
8. provisions of this bill, but I do want to emphasize that I
9. think that because of the nature of political activity I think
10. that one of the most important effects of this type of legis-
11. lation is to give the candidate himself and the officeholder
12. himself the protection of the requirement that everything he
13. does financially, both politically and economically is in a
14. fishbowl and I think the...as I look back in history on so
15. many of the most unfortunate incidents that have given all of
16. us who serve in public life somewhat of a taint, I think you'll
17. find that if we had had some sound disclosure laws on the books
18. that these particular incidents wouldn't have occurred. One
19. particular one that I remember was back in 1969 involving our
20. own Illinois Supreme Court where the disclosure was in fact made
21. with regard to the two transactions that were brought into
22. question there but they were locked in the files of the
23. Supreme Court and not available to public disclosure and there's
24. no question in my mind that if those matters had been a matter of
25. public disclosure that the two justices involved in that matter
26. would be continuing on the bench of the Illinois Supreme Court.
27. I think those are generally the only remarks that I want
28. to make. I don't think that the Members of the Senate should
29. feel that any piece of legislation that you pass has to be
30. absolutely perfect in any...in every regard. We made some
31. progress last year. Senator Roe's bill makes significant
32. progress for this year, particularly in the area of...adding
33. political contributions to the disclosure requirements. Some

1. of you will remember that the bill that I sponsored was
2. being criticized during the time it was being processed
3. because amendments were being introduced, some 36 of
4. them that literally strengthened the bill to death and
5. I feel what you should try to do is affect a reasonable
6. compromise. I think the Roe bill in its present form
7. does just that and I do believe that the people of Illinois
8. more than anytime in our history are looking for this type
9. of...of protective legislation if you will. In my
10. opinion all of us serving in public life are trustees,
11. we're not second class citizens, we're trustees, and I've
12. always been very impressed with Justice Cardozo
13. statement, in the case of Meinhard vs Salmon,
14. that a trustee is guided not by the morals of the market-
15. place but rather by the punctilio of an honor the most
16. sensitive, and I think that's the position that we all find
17. ourselves in and I think Senator Roe's bill is precisely
18. responsive to that standard. Mr. Chairman, I'd be glad
19. to answer any questions you may have.

20. CHAIRMAN:

21. Are there any questions of the Comptroller? Thank
22. you.

23. COMPTROLLER LINDBERG:

24. Thank you.

25. CHAIRMAN:

26. Senator Rock on bills...SB 6, 7 and I believe 11.

27. SENATOR ROCK:

28. Yes, thank you Mr. Chairman, I just...I will be extremely
29. brief. I do not currently have any witnesses. These are
30. the bills to which Senator Partee so ably referred before, they
31. are copies of a concept which was introduced and is law in the
32. State of Oregon and it provides for a candidate's pamphlet to be
33. mailed to all the voters in our State by the Secretary of

1. State...that is the sum and substance of SB 6. SB 7 contains
2. an appropriation about which I'm sure the amount of which we
3. could argue about. It was based primarily upon the cost that
4. the Secretary's Office figured when it sent out copies of the
5. Constitution pursuant to the final demise of the Constitutional
6. Convention. SB 11 I think is a bill similiar in purportedly to
7. that introduced this Session by Senator McCarthy and it pro-
8. vides for a checkoff system on ones personal Illinois Income
9. Tax Form and would...that money that is allocated by the
10. individual would then be turned back to the Secretary to be
11. in turn put in the General Revenue Fund to cover the cost of
12. this pamphlet. I think the idea is...kind of a baby step
13. forward in the area of public financing of political campaigns
14. but one that is worthy of our consideration.

15. CHAIRMAN:

16. Thank you. Are there any questions of Senator Rock?
17. Did Senator Saperstein want to ask a question? All right
18. now...Senator Nimrod on SB's 13, 14 and 15.

19. SENATOR NIMROD:

20. Mr. Chairman and Members of the Committee of the Whole,
21. I think that enough has been said on the entire picture, however,
22. I think I would like to make one comment before I just get into
23. the bills and that is that, I don't know of any public acclaim
24. on looking for ethics or campaign disclosures. I do know that
25. we have some serious problems however with our constituents.
26. I don't believe that they have lost confidence in us, I think
27. it's very evident that the people that respected us before still
28. respect us today. People who had confidence in us before for
29. the most part have not really come to me and said they no
30. longer have any confidence in me. I think that however, I come
31. to you with these bills with the thought that I think that in
32. the general concept I do believe that there is some need for
33. some kind of campaign disclosure and that there should be some
34. kind of accountability. I don't believe that we should go

1. ahead and go completely to the extent of saying that we have
2. to come to the point of being so involved that it becomes so
3. complicated that the cost of administering the kind of programs
4. that have been presented today in many cases are more than
5. what the campaigns cost, and I think these are the kind of
6. things that we have to look to to say what is it that we should
7. do responsively in this area and I think that the bills which
8. I have presented here do meet this criteria and do meet
9. this general concept. I will discuss all three of the bills
10. together since they are very similar but one applies to
11. campaign expenditures, one applies to campaign contribution
12. for the constitutional officers and the third bill applies to
13. a reporting bill for Legislators, Senators, Representatives
14. and the Judiciary. Now, the reason they are broken down into
15. this kind of category is that a statewide campaign is...
16. generally involves the millions or several hundred thousand
17. dollars or even a few million dollars. The kind of accountability
18. and the kind of reporting is...certainly goes to that kind
19. of can...campaign certainly cannot be the same as the campaign that
20. cost \$10,000 or \$5,000 or \$2,000. So there is a difference...
21. candidates of the Legislature are elected from districts and
22. the Judiciary of course are also State off...officials, even in the
23. circuit courts who are also elected from districts. And what
24. I have attempted to do here is to present a bill in its simplest
25. forms to be able to account for this area. I'll briefly give
26. you some of the details of the bills and maybe we can ask
27. a few questions if you so feel at the end. In the reporting
28. for the constitutional officers, basically that is for the
29. Governor and...down through the other constitutional positions
30. they would actually be required to keep a record of their
31. campaign expenditures and their campaign receipts. This record
32. would be kept by them and only called for if there is an allegation
33. or a challenge. They would however make a report every six

1. months and this report during the six month period would
2. account for all of the money they have received and listing
3. the name and address and amount of those in excess of \$200.
4. Now that's not a magic figure...it's...it's...the threshold
5. figures are vary a hundred, a hundred fifty, two hundred. I
6. took two hundred because you know the tickets are a hundred dol-
7. lars a piece and a couple want to go to a...to a dinner there
8. shouldn't have to be a kind of reporting of the tickets that are
9. generally going, that's why I kinda picked that figure, somebody
10. else might have some other figure. However, I'm not particularly
11. hung up on any particular figure and that can vary, but I do
12. think that they would then in turn report the expenditures and
13. in excess of \$100 this would not include services and it would
14. in the definitions of contributions include all those items
15. which we have referred to including loans. And on that basis
16. then the...the constitutional officials would be able to make
17. this particular report every six months and if they had a
18. campaign of any period that they did not receive over \$1000
19. in any period they just would have to file that they didn't
20. receive it so they don't have to make any report. So the
21. program however covers and includes one other...catego...one other
22. person in that category and that is any public official who
23. has a campaign contributions that exceed a \$100,000 that would
24. mean that they would qualify and have to make the same kind
25. of reports as the constitutional officers. Now, as far as
26. the Legislature is concerned and that basically Bill 15, as
27. far as the Legislature is concerned and the Judiciary is
28. concerned they will keep their records as they are required
29. to do and make...make their own reports themselves however they
30. would only report two things. They would report number 1,
31. by name and address not the amount of anyone who contributed
32. their campaign over \$200. That would let people know who is
33. involved in their campaigns...contributed any major amount

1. and...any...that would be an aggregate by the way. It would also
2. ...they would also have to list or indicate what their total
3. contributions were and that would be the only reports that
4. would be made by either the Judiciary or the Legislature. ...
5. Now there are of course...as we proceed with this, there is
6. the penalties that would be involved and the administration.
7. The administration of this bill...these particular bills is
8. within the jurisdiction and the control of the newly created
9. board, the Election Board. That would mean it would be a
10. Board which is...been suggested by the four Representatives
11. with our Legis...Majority and Minority leaders on where they sub-
12. mit the two names and the Governor then would select one...this
13. would be in the hands basically of a Board where there would
14. be no tiebreaker and certainly would not be in their direct
15. control or jurisdiction of the Governor. At the same time
16. they would be able to have public...have their hearings and
17. they might go ahead and...or they can and are governed under the
18. administrative Review Act. The penalties that are involved
19. here are after hearings and after having had allegations are
20. made there are provisions for the whole procedure and I won't
21. take the time to tell you about it. There are fines of a
22. thousand dollars and imprisonment not in a penitentiary for up to
23. one year. ...The...program was that I originally had...had
24. drawn up one bill and then I had taken and decided well, we better
25. have several bills because some Legislators might be interested
26. in thinking that we should only have contributions reported, some
27. should have expenditures reported, some felt it should
28. apply to everyone and some apply to only those that are on
29. the State offices or on the State jurisdiction. Well, I have
30. the three bills that covered basically what we have discussed.
31. I have another amendment that I have prepared that brings all
32. three bills back together into one. I have a bill that also
33. makes this con...an amendment that also makes this confidential
34. if that's what we want to do with it rather than make it public.

1. But I...I think I have amendments that satisfy almost anything
2. that you would like to have done and it means this, that we
3. must be able to make a decision to start with the basic frame-
4. work and decide what we want to do and I have intentionally
5. avoided being involved in anything in the Ethics Act and I
6. was very pleased to hear Senator Partee mention and refer back
7. to the fact that this is undoubtedly the strongest Ethics
8. Act of any in the United States. Far from being perfect or
9. far from being right, but certainly realistic in the fact that
10. we know that...well, in order to pass something we must do what...
11. what would certainly be able to receive the support and...and
12. the comments of...of the Legislators enough to put this across..
13. So, the bills as they sit now cover the areas I have mentioned
14. and do not include confidentiality and they do not include
15. the local officials unless the local official...campaign exceeds
16. a \$100,000. ...Chairman, I think this basically covers the...
17. bills that are involved...will there be any questions pertaining
18. to this, I'd be happy to answer them.

19. CHAIRMAN:

20. Thank you, Senator. Are there any questions? There
21. being no questions the...Chair will entertain a motion that
22. the Committee of the Whole do now arise. Motion by Senator
23. Rock, second by Senator Nudelman that the Committee of the
24. Whole do now arise. The Chair now recognizes Senator Berning.
25. Senator Schaffer, Senator Berning, I don't care...somebody.

26. SENATOR NUDELMAN:

27. Mr. President, I move we adjourn the First Special
28. Session until 10:15 tomorrow morning.

29. CHAIRMAN:

30. There being no further business to come before the First
31. Special Session the...Senator Donnewald.

32. SENATOR DONNEWALD:

33. There was a technical amendment Mr. Chairman...to SB 2

1. of that series and what it is is corecting dates...

2. CHAIRMAN:

3. Dates will still be on second reading tomorrow.

4. SENATOR DONNEWALD:

5. Oh yeah.

6. CHAIRMAN:

7. Why don't you hold it until tomorrow? No hurt...no

8. harm...

9. SENATOR DONNEWALD:

10. All right...why don't you just keep it Ted...put

11. it in tomorrow.

12. CHAIRMAN:

13. There being no further motion...business to come before

14. the Senate, the Senate now stands adjourned until 10:15

15. Thursday, November the 8th.

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