

SB of
2nd Reading
11/15/73

1st Special Session
78th General Assembly
November 15, 1973

1. PRESIDING OFFICER (SENATOR MOHR):
2. First Special Session will come to order. The
3. prayer this morning will be offered by Senator Davidson.
4. Senator.

(Prayer by Senator Davidson).

6. PRESIDING OFFICER (SENATOR MOHR):
7. Stand in recess at the call by the Chair.

8. AFTER THE RECESS

9. PRESIDING OFFICER (SENATOR MOHR):
10. The First Special Session will come to order. ...
11. Reconvene. Reading of the Journal. Senator Soper.

12. SENATOR SOPER:

13. Mr. President I move that we postpone the reading
14. and the approval of the Journals of November 13th, November
15. 14th pending the arrival of the printed Journal.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Soper moves we postpone the reading of the
18. Journal for November 13th and 14th 'til the arrival of
19. the printed Journal. All those in favor signify by saying
20. aye. Opposed. Carries. Senate Bills on third reading.
21. Senator Scholl on the Floor? Senator Rock, do you want
22. to hold 6, SB 6? Senator Roe, SB 8. You wish that called,
23. Senator? Secretary will read...

24. SECRETARY:

25. SB No. 8. (Secretary reads title of the bill).
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Roe.

29. SENATOR ROE:

30. Mr. President, Ladies and Gentlemen of the Senate, briefly
31. explain major sections of the bill. First of all the bill deals
32. with the disclosure of campaign contributions and expenses and
33. their amounts specifically of over \$100 and this would be

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1. disclosed by candidates and political committees. ...Political
2. committee would make its filing with the State Board of Election.
3. The candidate for state office would file with the State Board of Elec-
4. tions and with the county clerk. And the candidate for local office
5. would file with the county clerk. The filing would be handled
6. and the disclosure would be handled in the same way that the
7. disclosure of our economic interest that are currently required
8. by state law are handled. Second major section of the bill
9. deals with the formation of an ethics commission to be composed
10. of six private citizens nominated by the Governor, confirmed
11. by the Senate as well as the Speaker of the House, the President
12. of the Senate, State Treasurer, Comptroller and Secretary of
13. State. This commission would have powers to supervise and look
14. at the economic interest statements that are currently filed as
15. well as the statements to be filed on the campaign contribution
16. disclosure and disclosure of expenditures. Other major section
17. of the bill deals with the disclosure of economic interests by
18. the interest in excess of a \$1,000 not by devalue, in other
19. words the interest in excess of a 1,000 would have to be listed.
20. There is an exception to this listing indicating that household
21. furnishings, clothing, personal effects and the like are not
22. required to be listed. This is one objection that I have heard
23. raised in committee hearings and yesterday concerning the
24. Governor's bills. Also have to list creditors over a \$1,000
25. but not the amount owed. Another important provision of the
26. bill is that it provides that the Secretary of State and the
27. county clerk must establish a procedure by April 1st of next
28. year to give notice to everyone who is required to file economic
29. interest statements. Currently we have no procedure in this
30. State for notice. There were two cases thrown out in Will County
31. where people were prosecuted for failure to file. They were
32. thrown out on the basis that there was no notice. A point raised
33. by Senator Fawell yesterday concerning liability of noncompliance
with any of the provisions...this has to be a knowing non-

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1. compliance so it's not a strict liability situation. I
2. think that this is sound legislation. I think it's reasonable
3. legislation that everyone can live with and should be willing
4. to live with. I think this...type of legislation and these
5. types of improvements in the governmental ethics act are
6. long overdue particularly considering the times and the
7. atmosphere in which we are living and I would be more than
8. happy to attempt to answer any questions.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Regner.

11. SENATOR REGNER:

12. ...The sponsor yield to a couple of questions? Senator
13. Roe how far down does this go as far as candidates and the
14. reporting?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Roe.

17. SENATOR ROE

18. This applies across the board Senator Regner and to
19. everyone. At...at all units of government.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Regner.

22. SENATOR REGNER:

23. ...What about...a political office such as ward and
24. township committeemen?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Roe.

27. SENATOR ROE:

28. They're included.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Regner.

31. SENATOR REGNER:

32. ...What is the political committee which you refer to?
33. Would it include organizations such as the IBI, the ...

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1. get political contributions and do endorse political
2. candidates?

3. SENATOR REGNER:

4. Yes.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Roe...Senator Regner.

7. SENATOR REGNER:

8. ...Just one more. Would the news media have to report
9. where they accepted payment for a political ad and then did
10. in ensuing time endorse candidates for the various offices
11. that they receive payment for political ads.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Roe.

14. SENATOR ROE:

15. Could you elaborate a little bit I'm not sure if I under-
16. stand the question, Senator.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Regner.

19. SENATOR REGNER:

20. Well, I...I know you...you said there is a reporting on
21. payments and receipts, etc, etc. I know many candidates buy
22. political ads in the news media. The news media then endorses
23. candidates at some later date after that and I'm just wondering
24. if they have to report any receipt from the political candidate
25. or any of the various...organizations supporting candidates.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Roe.

28. SENATOR ROE:

29. The answer to the question and the context that you put it would
30. be no.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? Senator Glass.

33. SENATOR GLASS:

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1. Thank you Mr. President, I would like to speak briefly
2. in support of this bill which is I think the last one we have
3. before us calling for a public disclosure of campaign contributions
4. and I...I would urge the support of the membership. I think...
5. that this is very similar what the Federal law is. The
6. congressmen are living with this and I don't think they're
7. finding any serious problems with it. It does apply across
8. the board. It seems to me to have merit. If an individual at
9. the local level is not engaged in a campaign which calls for
10. him to collect campaign funds there is no...reporting requirements.
11. But if he does engage in a campaign and...and spend money...
12. collect campaign contributions then he's covered just the same as
13. everyone else. ...I would urge support of this bill. I think
14. it is a meaningful bill and in my judgment the best bill before
15. the Body.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Keegan.

18. SENATOR KEEGAN:

19. I'd like to ask Senator Roe a question. ...Senator, is
20. in this bill...inherent the assumption that the economic
21. interest of the spouses are identical?

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Roe.

24. SENATOR ROE:

25. The answer is yes, Senator.

26. PRESIDING OFFICER (SENATOR MOHR):

27. ...Further discussion? Senator Netsch.

28. SENATOR NETSCH:

29. Senator Roe, I wonder if I might...Senator Roe...

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Roe.

32. SENATOR NETSCH:

33. I...I wonder if I might just momentarily and partially

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1. challenge your response to Senator Keegan. On the basic
2. personal disclosure provisions of your bill are built on
3. those in the existing ethics law. All you have done is
4. add a section and a half to clear up some ambiguities and
5. gaps in the existing personal disclosure law. Under the
6. existing ethics law as it is the law right at the present
7. time the personal assets and all of a spouse do not have
8. to be listed unless they are constructively controlled by
9. the person who is making the report...with respect to almost
10. all of the listings. So I...isn't that correct?

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Roe.

13. SENATOR ROE:

14. That's correct and I didn't mean to be confusing with
15. my answer but it doesn't make any change you know as to the
16. law as it is.

17. SENATOR NETSCH:

18. That's right. It makes no change.,,

19. SENATOR ROE:

20. That's right.

21. SENATOR NETSCH:

22. It makes no change in the existing law in that respect.

23. SENATOR ROE:

24. Right.

25. SENATOR NETSCH:

26. And while I'm on my feet and have a microphone Mr.
27. Chairman I might just say that I might not totally agree with
28. Senator Roe's statement that is...or Senator Glass' comment
29. that it is the best bill that has been before us but it
30. is a very good bill. It does have good campaign disclosure
31. provisions...the changes made in the personal disclosure I
32. think are...are sound but not frightening to those who do not
33. believe in that aspect of it they do very little except fill
in some gaps on the personal disclosure. It's a...it is a

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1. thorough campaign disclosure provision and I also would
2. urge its support.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Keegan.

5. SENATOR KEEGAN:

6. Since...since my answer to question...the answer to
7. my question was so brief Mr. President, I would like to
8. ask the Senator whose bill I...I think does a good job on
9. ...campaign disclosures...what...in what relationship would
10. then a husband's professional interest have for the spouse?
11. Has there been a case on that?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Roe.

14. SENATOR ROE:

15. ...Senator Keegan, it would not make any...the new
16. provisions as proposed here make no change in our current
17. economic disclosure as it stands you know and I don't know...

18. SENATOR KEEGAN:

19. But how do you interpret that?

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Roe.

22. SENATOR ROE:

23. ...Well in certain areas of the current law as Senator
24. Netsch has pointed you know as spouse's assets or what have
25. you are constructively treated as the same as husband-wife,
26. wife-husband, that type situation. ...I...I think it's
27. black and white. I don't think that the current law you know
28. leaves any...any problem of interpretation as...as it is
29. stated in the law. In certain provisions it provides what
30. you are speaking about and certain provisions it doesn't.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? Senator Mitchler.

33. SENATOR MITCHLER:

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1. ...Yes, Mr. President, members of the Senate, I sort
2. of see a flag fly up here that directs my attention to the
3. bill in a specific section. I'm looking on page 4, Senator
4. Roe, of SB 8, First Special Session and in section 6, the
5. last sentence in that section says the economic interest of
6. the spouse of the person making the statement and of his
7. unemancipated minor children shall be included as his economic
8. interest. And then it goes on further to say on paragraph
9. 7 the names of all creditors to whom the person making the
10. statement, his spouse and his unemancipated minor children
11. owe monies in excess of \$1,000. Now that is new language
12. that you are putting into the existing act by the amendment
13. that you're proposing through SB 8. Now to me that would
14. mean that either be it my wife or Senator Netsch's husband
15. or Senator Keegan's husband, our spouses, that all of their
16. economic interest must be declared in any statement that I
17. make just as equal as my own and also of my debts in excess
18. and their debts in excess of a thousand. Is that correct?

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Roe.

21. SENATOR ROE:

22. Yes. Yes, that is.

23. SENATOR MITCHLER:

24. Then I would interpret this to mean that any economic
25. interest of my wife, Senator Keegan's husband, must be declared
26. or I and they would be in violation of this ethics act. Now
27. let me point this out. I don't...what I'm going to point out
28. does not apply to me, at least not to my knowledge, but there
29. very...could very well be economic interest of a spouse unknown
30. to a candidate or a officeholder and that's not unusual. Very
31. well, now that would create a very much of a hardship if this
32. legislation was enacted and that spouse by enactment of this
33. law was required to reveal these hidden assets or liabilities

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1. or whatever the case may be. Now Senator Roe would you
2. care to respond to that?

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Roe.

5. SENATOR ROE:

6. That what you stated is correct Senator Mitchler
7. but...you know this is not a strict liability law. It
8. requires a knowing...misstatement or a knowing...failure
9. to list you know so...it only held to that standard.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. Well, Senator Roe, the purpose of this ethics legis-
14. lation is to bring into print and put in fact things that
15. cannot be hidden. We have got a land trust legislation
16. in here that things cannot be hidden. Now, if I say un-
17. knowing to me, my wife has all our holdings and I have
18. nothing and I come clean and I stand naked before every-
19. body say this is...this is me that's all there is and I
20. do not know of all of these listings of the spouse. You
21. don't. Now I...I can see where there would be objection
22. to this and rightfully so by both the ladies of this
23. Senate and the men of this Senate because there could be
24. some unknown holdings of spouses and certainly I would not
25. condone any of that type if this language is going to be
26. in. If it says the economic interest of the spouse, of
27. the person making the statement in his unemancipated minor
28. children shall be included as his economic interest. That's
29. going to open up the ball park boys and girls.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Carroll.

32. SENATOR CARROLL:

33. Would the sponsor continue to yield to questions?

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1. He has indicated he will. ...Jack what is the definition
2. of economic interest?

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Roe.

5. SENATOR ROE:

6. Senator there is no definition contained in the act
7. as presently constituted...the Illinois Governmental Ethics
8. Act of an economic interest .

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Carroll.

11. SENATOR CARROLL:

12. ...I would hate to have to get into the problem such as
13. in the Senate of getting definitions of terms or phrases or
14. words. They seem to change pretty regularly. ...And since
15. this doesn't define economic interest could we assume for
16. example all pairs of cufflinks have to be reported. All
17. suits, all ties, all shoes, all dresses...as well as a list
18. of all clients you might have by name and amounts. Would a
19. lawyer for example or an architect have to list each and
20. everyone of their...of...of their clients or their accounts
21. and how much fees they've gotten from each and everyone of
22. those as well as a list of all your clothing items...every-
23. thing else.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Roe.

26. SENATOR ROE:

27. If I only answer ten of the questions and miss two I
28. hope you'll forgive me. I'll come back. ...When the act
29. was originally passed Senator Roe as I'm sure you're aware
30. it did not contain a definition per se of an economic
31. interest. It does it now but in section 6 there is a
32. definition on page 4 in part. In other words I...I have
33. stated economic...what economic interest include. Now as

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1. part of the amendment you're not going to have to put
2. your shoes and things of this sort, I think Senator Sours
3. has raised a very valid objection to many of these bills. And
4. in Amendment No. 1 it is indicated that specifically there's
5. no listing required for shoes or household furnishings or
6. personal effects or clothing or this type of personal
7. property unless it be in excess of a 1,000. Now per se
8. there's no definition of economic interest. I think perhaps
9. that would be a good idea. There wasn't one when it was
10. passed but I think that it is sufficiently spelled out on
11. page 4 in paragraph 6 as to the type of things that are
12. asked to be reported when you read it in conjunction with
13. the amendment.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Carroll.

16. SENATOR CARROLL:

17. Senator Roe, my best recollection was that when the
18. original bill was passed in the way it has been operative
19. since its passage in 77th General Assembly that you did in
20. fact have to list any fees in excess of \$5,000 as economic
21. interest...or economic interest. In addition to that any
22. you know any capital gains, etc in excess. There were
23. threshold amounts. Without threshold amounts again I
24. think you're requiring a listing of all clients and fees
25. charged regardless of size, regardless of occupation. Is
26. that the intent?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Roe.

29. SENATOR ROE:

30. I think that this is...it is not my intent, Senator
31. Carroll and that is not the way I interpret paragraph 6.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Carroll.

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1. SENATOR CARROLL:

2. Then I would suggest on page 8 you look at section 9
3. which requires this type of list by identity and I think
4. that's exactly what you're doing by this legislation...
5. I think there might be some candidates problems and things
6. like that that should be thought of.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Does Senator Roe yield for a question?

11. PRESIDING OFFICER (SENATOR MOHR):

12. He indicates that he will.

13. SENATOR KNUPPEL:

14. Senator Roe, who wants this bill?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Roe.

17. SENATOR ROE:

18. Well, I think I probably should say first of all that
19. I want it...the Gallup Poll in October...the first week of
20. October said 75% of...of the public wanted to know who made
21. campaign contributions and how much they contributed. I think
22. that indicates a public awareness and interest in this particular
23. type of legislation. I...I'm certain we all can differ and
24. we all have different opinions as we've heard for weeks down
25. here on who wants it and who doesn't want it.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. One more question...Senator how many letters have you
30. gotten from your constituents on this without reference to
31. Gallup Poll?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Roe.

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1. SENATOR ROE:

2. I've got the same amount as Senator Mohr. I've
3. got two, I'm not sure whether he said he got two more
4. yesterday, four. I've got two. But I haven't been here
5. very long, Senator Knuppel, and certainly have a great
6. deal to learn but I have learned a few things...in my
7. brief tenure. And one of those things is most letters
8. are created by lobbyist...they are not created by a
9. person sitting at home in at home in a rocking chair
10. reading a newspaper. I think this is a very difficult
11. subject for the most learned type person to write about.
12. What we're...what we are talking about is...is dis-
13. closing things that relate to how we vote or don't vote
14. in a Legislature or in local levels or what we do and
15. don't do. And we can measure...the public will be able
16. to measure what we do by things we put...put forth in
17. front of them.

18. SENATOR KNUPPEL:

19. ...Have you been reading the newspapers here in
20. Illinois and if you have hasn't virtually every newspaper has
21. written an editorial or news article on this and wouldn't
22. you consider that lobbying and after all of that they
23. haven't produced but two letters for you and one for me.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Roe.

26. SENATOR ROE:

27. The newspapers have all editorialized their...not all
28. but I've seen many editorials in support of this type of
29. legislation. I don't personally consider that to be...
30. the most important interest to be served. I think the
31. public's is.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Knuppel.

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1. SENATOR KNUPPEL:

2. Can you account for the fact that they've not been
3. any more effective than that though. My goodness, you'd
4. think that the people would just rise up in arms after
5. all that exhortation.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Roe.

8. SENATOR ROE:

9. Senator Knuppel, I...I can...we can go on with this
10. soliloquy for a...for a long time. I can't account for how
11. people think and what people do and what they don't do.
12. I've given you my opinion and I've told you what I think
13. about letter writing.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. ...I...I really appreciate it and I know that you're
18. sincere in this and I...I do appreciate that Senator but
19. in view of the fact that I don't want to see Senator Mitchler
20. stand there naked all alone, I want to see his spouse standing
21. there with him in that condition and furthermore where he
22. says here I am, that's all there is might prove to be very
23. disappointing to the voters...State of Illinois I just couldn't
24. let that happen.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Palmer.

27. SENATOR PALMER:

28. ...Will the sponsor yield for a question?

29. PRESIDING OFFICER (SENATOR MOHR):

30. He indicates he will.

31. SENATOR PALMER:

32. ...Senator Roe, I saw your presence when the Committee
33. met as a Whole and Senator Glass and I questioned one of the

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1. witnesses I think we...received answers in one of the areas.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Palmer is entitled to the attention of the
4. Senate...

5. SENATOR PALMER:

6. When we...when we covered one of the areas, one of the
7. witnesses definitely testified that the requirement of the
8. disclosures would deter and chase away contributors. Is
9. that correct?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Roe.

12. SENATOR ROE:

13. I recall one of the witnesses saying that. I recall
14. another witness saying that he thought so and I recall
15. another witness saying that he did not think so.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Palmer.

18. SENATOR PALMER:

19. Witness making those statements as Senator Glass got
20. that...got that information from him and also would chase
21. away volunteers and contributions of money and contributions
22. of services are necessary in elections. Well...I...I'd
23. like to ask you this question. I see SB 8 here has 28
24. pages and it's quite a detailed bill voluminous and well
25. written and required quite a bit of research. And in the
26. financing of campaigns it has been known that you need
27. money. And in researching the preparation of this bill
28. have you found a substitute for money?

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Roe.

31. SENATOR ROE:

32. Let me say this, Senator. The campaign features...
33. as to the disclosure of contributions in this bill and

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- 1. expenditures are very similar to the Federal Law which
- 2. went into effect last April 7th...tens of millions of
- 3. dollars were raised after that date and I really think
- 4. the argument that disclosure will dry up contributions
- 5. is a specious one.
- 6. PRESIDING OFFICER (SENATOR MOHR):
- 7. Senator Palmer.
- 8. SENATOR PALMER:
- 9. The next question is have you found any substitutes
- 10. for volunteers?
- 11. PRESIDING OFFICER (SENATOR MOHR):
- 12. Senator Roe.
- 13. SENATOR PALMER:
- 14. ...In your...in your research?
- 15. SENATOR ROE:
- 16. No. There's no substitute for volunteers, Senator.
- 17. PRESIDING OFFICER (SENATOR MOHR):
- 18. Senator Palmer.
- 19. SENATOR PALMER:
- 20. ...I did not...I do not think Senator Roe that you
- 21. answered my question. Did you find a substitute for
- 22. money in financing a campaign? And one more question,
- 23. in the Committee of the Whole it was...was it not definitely
- 24. proved that the cost of financing campaigns are gradually
- 25. increasing rather than decreasing?
- 26. PRESIDING OFFICER (SENATOR MOHR):
- 27. Senator Roe.
- 28. SENATOR ROE:
- 29. Would...I would certainly agree with you Senator and
- 30. I didn't mean to ignore answering your question that that
- 31. money is necessary for...for any type of a campaign...and
- 32. I think that the testimony in the Committee of the Whole
- 33. on all the bills was...was not uniform. It depended on

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1. you know who you listened to and...and all the witnesses
2. did not have the same opinion and those of us that were
3. there for the entire hearing heard all the witnesses.
4. YOU know that...I certainly don't dispute your opinion
5. on what...what you heard.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Palmer.

8. SENATOR PALMER:

9. Senator Roe, the fact that this bill may have any
10. similarity to any Federal Bill does not answer my question
11. that you have found a substitute for money.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Roe.

14. SENATOR ROE:

15. Sir...I answered that question.

16. PRESIDING OFFICER (SENATOR MOHR):

17. One more time answer that question, please.

18. SENATOR ROE:

19. No.

20. PRESIDING OFFICER (SENATOR MOHR):

21. There's no substitute for money, Senator. Senator
22. Graham. You asked for recognition before?

23. SENATOR GRAHAM:

24. No, I...I only wanted to say that I don't see either
25. Senator Knuppel or Senator Mitchler either one standing out
26. here exposed and why don't we get a roll call on this bill?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Well, I said I would recognize Senator Bell.

29. SENATOR BELL:

30. Well, I'd like to get to a...Mr. President, I'd like
31. to get to a roll call on this as quickly as possible and I
32. don't know that my...my words here will represent any great
33. words of wisdom but I think there are a couple of observations

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1. to make in reference ethics and disclosure in general.
2. And I might say in reference to Senator Roe's bills and
3. all that...the situation of having to worry about accountability
4. of your shoes and various things like that are rather
5. superfluous are not a part of that bill. However it is
6. tough legislation. I'd like to...mention the fact that
7. as a representative body of the people we are in fact a
8. part of a republic. In other words...in other words we're
9. elected to come down here to represent our people. Now
10. there's a little difference though. You see we could have
11. a computer represent the people and we could have a peer
12. democracy and as the winds blow the people could just
13. punch that computer and just legislate accordingly but the
14. way our system has been set up it's a part of the great
15. checks and balance of our American society and the people
16. elect us as representative or as senators because they
17. feel that maybe we have more knowledge, more background
18. and a possibility of hopefully making wiser decisions.
19. Now, I have a hunch that the winds that blow today in
20. reference to ethics and disclosure are dangerous winds
21. and represent dangerous times to our American society be-
22. cause the interplay that goes along in the Legislative
23. process of various groups, associations, lobbies, unions,
24. industries and all the things that bring pressure to bear
25. on this Legislative process are in fact an important part
26. of our governmental system and have been for almost the
27. past 200 years. It would seem to me that if we're not
28. very careful and what we do in the way of disclosure and
29. ethics that we can so overly sanitize government that we
30. may in fact do more damage...do greater damage to this great
31. republic of ours than than what we're attempting to try to
32. do that is good. And so I just wanted to toss this obser-
33. vation out, I...I think I'm going to try to vote for an

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1. ethics bill that will in my mind try to provide some
2. security to our legislative process so that this inter-
3. play between groups, associations, unions, industries
4. and the people of our district will still continue with-
5. out breaking the back of what has been the greatest govern-
6. mental system that society has ever seen. Thank you Mr.
7. President.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you Mr. President. I find it a little difficult
12. to fathom the statement that was just made that government
13. could be over sanitized. I...I think that we have been
14. considerable dirtied prior to now and perhaps we need a
15. considerable amount of sanitizing. ...There were several
16. impassioned pleas made yesterday for the passage of ethics
17. type legislation and I'm not going to reiterate those re-
18. marks that I made last night. But, Senator Donnewald made
19. the statement last night in his presentation of his series
20. of bills that in a recent poll that politicians ranked 19th
21. out of 20 by people as far as their respect for particular
22. professions. I'd like to bring Senator Donnewald up to date
23. on that...a poll has since been taken that ranks politicians
24. 20th out of 20. We are now behind used car salesmen. I
25. think it would be very interesting to see if we took a poll
26. of ranking politicians if there were a hundred professions
27. or a thousand professions or ten thousand professions and
28. see where the people would rank us then. That is the mail,
29. Senator Knuppel, that we have been getting and as I said last
30. night people in my opinion are so disgusted with politics and
31. politicians that if we don't get some kind of strong ethics
32. legislation I think there is a very good possibility that they
33. just...we may all be defeated in the next election. Thank

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1. you Mr. President.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. I rise in support of this piece of legislation.
6. Quite frankly I concur 100% with Senator Roe that the
7. interest groups and I am...I think this is only right
8. do generate mail and there is no organized lobby to send
9. out mimeographed form letters for people to copy and to
10. mail to us such as we receive on ERA and the gun control
11. and the other issues. There is no lobbyist group that is
12. organized to generate the...the free meals and the type of
13. lobbying activity that we normally are beseiged with down
14. here. I have nothing against lobbying. I think that it's...
15. a valuable part of our legislative process. During the debate
16. yesterday several people commenting on Governor Walker's bills
17. which I could not bring myself to support either commented
18. that the Governor had not yet laid his soul bare and exposed
19. his contributions and implied this was an argument for opposing
20. the Governor's legislation. Senator Roe and I happen to
21. share two counties in our districts and...two districts and
22. it's only reasonable that I follow a lot of his activities
23. and I recall earlier this year he did disclose all of his
24. contributions. He did without legislation comply with this
25. act that he is proposing for us today and I would submit to
26. you that this did not hurt Senator Roe's political future.
27. This did not hurt his ability to generate campaign contributions
28. in fact if my reports are accurate this made him a stronger and
29. more viable candidate with more support in his district. I
30. submit to you that this bill is good government and it's good
31. politics for both political parties and deserves a majority
32. vote.

33. PRESIDING OFFICER (SENATOR MOHR):

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1. Senator Nudelman.

2. SENATOR NUDELMAN:

3. Mr. President, Gentlemen...Ladies and Gentlemen of
4. the Senate...it's disclosure time and I think along with
5. Jim Soper I should disclose that in the past I have not
6. had any campaign fund - one or two hundred dollars was
7. offered to me which I did not in fact accept - so Jim
8. Soper and I are on the level on that basis. And it's
9. further confession time and I confess that between my
10. wife and I - she makes more money than I do, has a bigger
11. estate than I have - and has ordered me no matter what
12. kind of legislation is passed on down here I am not to
13. disclose her assets. And they are in fact her assets.
14. And so while it may be considered by some small loss if
15. legislation like this is passed I either have to get a
16. divorce or leave the Senate or go to jail. So I can't
17. conceive of voting for this kind of legislation. Thank you.
18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Knuepfer. Any further discussion? Senator
20. Knuppel.

21. SENATOR KNUPPEL:

22. I listened with interest to Senator Buzbee and he's my
23. friend, he's on this side of the aisle but I just wonder
24. how in the hell we all got here before these nice, clean
25. young men got here. And I wonder how he got here without
26. disclosing? I'll tell ya. The newspapers have pumped this
27. thing dry. There isn't a major newspaper in the State of
28. Illinois that hasn't written an editorial on it and if that
29. isn't lobbying I'll put in with you. And they haven't produced
30. more than one or two or half a dozen letters for anybody here.
31. Now the people, yes they're put out with...they're put out with
32. corruption in government but it's admitted that not one of these
33. single pieces of legislation would have discovered people like
Agnew, or any of the others because the kickbacks and so forth

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1. had nothing to do with the campaign contributions and
2. disclosure wouldn't have found 'em, they were dishonest
3. men. You've had the rule for ages that lawyer-politicians
4. in this Body would be disbarred if they took money or
5. caught and found guilty. The admonition in the Bible
6. has been thou shalt not steal and the...threat of damnation
7. and hellfire eternally has not deterred men from being dis-
8. honest. Now I'll tell you the people with all the lobbying
9. the newspapers have given them have not come up with a
10. clamor for disclosure. Sure, they're mad at politicians
11. but let me tell you that politicians reflect the moral fibre
12. of the American people today. They want to cheat on their
13. income tax. They smudge on parking meters. The guy that
14. makes the sharp deal for a car or beats somebody, he pats
15. himself on the back. And those people who are politicians
16. who cheat are the same percentage of...of people as there
17. are citizens and this is is an out for those people who
18. want to pry through somebody else's pocketbook and write
19. something for the public. Now, you'll have a bureaucracy
20. checking all of these officials that'll cost the people a
21. hell of a lot more than the money that was in the shoeboxes
22. and the people don't want another bureaucracy.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Further discussion? Senator Roe may close.

25. SENATOR ROE:

26. I think, Mr. President, Members of the Senate, as I
27. said at the outset this is a reasonable bill. I think it's
28. a strong bill. I do not think it is an evasion of any of our
29. privacy. I think we can save Senator Nudelman if he's still
30. here because it's a...it's a constructive control center. The
31. Separate assets wouldn't have to be listed and neither would
32. the dollar figure. I would ask your support. I think that
33. this is meaningful legislation. I think this may be our

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1. last opportunity in the Senate. Thank you.

2. PRESIDING OFFICER (SENATOR MOHR):

3. The question is shall SB 8 pass and on that question
4. the Secretary will call the roll.

5. SECRETARY:

6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
8. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
10. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
11. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
13. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
14. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
15. Weaver, Welsh Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Request to call the absentees. McBroom, aye. Bell, aye.
18. Request to call the absentees. The Secretary will...

19. SECRETARY:

20. Bartulis, Bell, Bruce, Carroll, Chew, Conolly, Course,
21. Davidson, Dougherty, Harber Hall, Kenneth Hall, Kosinski,
22. Latherow, Mitchler, Howard Mohr, Nimrod, Ozinga, Palmer,
23. Regner, Rock, Roe, Romano, Savickas, Smith, Sours, Walker,
24. Welsh, Mr. President.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Nimrod, aye. Bartulis, aye. Bruce, aye. On that
27. question the yeas are 36. The nays are 4. SB 8 having
28. received the constitutional majority is declared passed.
29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Mr. President, having voted on the prevailing side I
32. move that we reconsider ...I...I move we verify...I move we
33. reconsider the vote by which the last bill was passed.

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1. PRESIDING OFFICER (SENATOR MOHR):

2. There's a request for verification. The...Secretary
3. will call the...those voting in the affirmative.

4. SECRETARY:

5. The following voted in the affirmative: Bartulis,
6. Bell, Berning, Bruce, Buzbee, Clarke, Daley, Donnewald,
7. Fawell, Glass, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
8. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
9. Don Moore, Netsch, Newhouse, Ozinga, Roe, Saperstein, Schaffer,
10. Scholl, Shapiro, Sommer, Soper, Swinarski, Vadalabene,
11. Weaver and Wooten.

12. PRESIDING OFFICER (SENATOR MOHR):

13. ...Nimrod did vote aye. Senator Netsch, Senator
14. Swinarski, not on the Floor. His name will be taken from
15. the record. Senator Daley is not on the Floor, his name
16. will be removed. Senator Buzbee.

17. SENATOR BUZBEE:

18. Mr. President, having voted on the prevailing side
19. I move that we reconsider the motion the...vote...by which
20. last...was passed.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator...Buzbee... ..Graham.

23. SENATOR GRAHAM:

24. I think when all this confusion starts and everybody
25. starts helping the Secretary we'll get two records. One
26. of them is the waltz you saved for me and the other one
27. the saints go marching in. And then we can know what's
28. going on.

29. PRESIDING OFFICER(SENATOR MOHR):

30. ...Question the yeas are 35. The nays are 4. SB 8
31. having received the constitutional majority is declared passed.
32. Senator Buzbee.

33. SENATOR BUZBEE:

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1. Mr. President, for the third time, having voted on
2. the prevailing side I move that we reconsider the last
3. vote .

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Buzbee moves to reconsider the vote by
6. which SB 8 passed. Senator Glass moves to have that
7. motion lie on the Table. All those in favor signify
8. by saying aye. Opposed? Motion is Tabled. Senator
9. Knuppel.

10. SENATOR KNUPPEL:

11. I think we've accomplished the purposes of Special
12. Session No. 1 at that time therefore I move that we adjourn
13. this Session sine die.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Knuppel I'll have to rule you...that motion
16. out of order again. ...have to rule that motion out of
17. order. Senator Graham.'

18. SENATOR GRAHAM:

19. Mr. President, and I want to go home as bad as anyone
20. and this dilatory motion that we keep getting for the purposes
21. of getting recognition is not helping us a bit. For a
22. Session of a General Assembly to adjourn sine die it takes
23. a joint resolution of the House and the Senate or we are
24. prorogued by the Governor, let's cut out this monkey business.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Well that...that is the ruling perhaps we should have
27. copies made of that and given to each member so we don't
28. go through this on a daily basis. ...Senator Rock, SB 6.
29. Senator Scholl...you have amendments to SB 10? Senator Knuppel.

30. SENATOR KNUPPEL:

31. Parliamentary inquiry. I'd like to have the parliamentarian
32. furnish me with any at all because in the Constitution it says
33. that one Body can not...be out of Session for...only so many
days or so forth. I believe there's no such rule, no such

1. statutory law or anything else that says that one Body
2. can't adjourn without the other. And they've done it
3. many, many times.

4. PRESIDING OFFICER (SENATOR MOHR):

5. All right. I'll...I'll have the parliamentarian
6. bring the rule over to you. He will furnish you with
7. that information. Senator Scholl.

8. SENATOR SCHOLL:

9. Mr. President, members of the Senate, I ask leave
10. of the Senate to return to second reading SB 10 for the
11. purpose of an amendment.

12. PRESIDING OFFICER (SENATOR MOHR)

13. You heard the Senator's motion, is there leave?
14. Leave is granted. Second reading on SB 10. Now you have
15. amendment, Senator?

16. SECRETARY:

17. Amendment No. 1 by Senator Scholl.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Explain your amendment.

20. SENATOR SCHOLL:

21. Mr. President, members of the Senate, SB 10 relates
22. to the land trust and this amendment strictly clarifies
23. the bill. No monies may be paid by the State or any unit
24. of local government for title to or the right the use any
25. real property or any interest therein. It is required by
26. the purchase, lease, contract, exchange, donation, conveyance
27. or by the power of eminent domain until the identity of all
28. persons who have interest, real or personal, in such property
29. have been disclosed in accordance with the provision of the
30. act.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any discussion on Amendment No. 1? Senator Scholl
33. moves the adoption of Amendment No. 1. All those in favor
signify by saying aye. Opposed? Amendment No. 1 is adopted.

1. Further amendments...

2. SECRETARY:

3. Amendment No. 2 by Senator Scholl.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Will you explain Amendment No. 2 Senator Scholl?

6. Senator Scholl or...Senator Glass.

7. SENATOR GLASS:

8. Thank you Mr. President. ...This is an amendment
9. to the bill as amended and it provides that before the
10. final execution of all the terms of any contract or lease...

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator, will you hold that for one minute, please?

13. Senator Glass. The Senate will come to order please.

14. SENATOR SCHOLL:

15. Thank you Mr. President...the amended added by Senator
16. Scholl adds a new section so that in order to correct the
17. title of the bill we have to add a section 3.7 in the title
18. which is all this amendment does and it is in the nature
19. of a technical amendment and I will move for its adoption.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Any further discussion? Senator Glass moves the adoption
22. of Amendment No. 2. All those in favor signify by saying aye.

23. Opposed. Amendment No. 2 is adopted. Further amendments?

24. Senator Fawell. Amendment...Amendment No. 3, Senator Glass.

25. SENATOR GLASS:

26. Thank you Mr. President. Amendment No. 3 is to the
27. bill as it was just amended and provides that if there's a
28. change in the ownership of the property in question, any
29. change in the interest, that is disclosed...before...since
30. the time the contract was signed and before any money is
31. paid out by the governmental entity, affidavits will be filed
32. within ten days of the change...except in cases of death or
33. bankruptcy. And if there are...I'd be happy to answer any
questions Mr. President otherwise I would move for adoption

1. of Amendment No. 3 to SB 10.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Any further discussion on Amendment No. 3? Senator
4. Glass moves the adoption of Amendment No. 3. All those
5. in favor signify by saying aye. Anybody in favor of
6. adopting Amendment No. 3? All those in favor signify
7. by saying aye. Opposed? Amendment No. 3 is adopted.
8. Further amendments?

9. SECRETARY:

10. Amendment No. 4 which amends the bill as amended on
11. page 2 the fifth line of section 3.3.

12. PRESIDING OFFICER (SENATOR MOHR):

13. ...Senator Glass.

14. SENATOR GLASS:

15. If the record or...

16. SECRETARY:

17. Owner or owners.

18. SENATOR GLASS:

19. Thank you Mr. President. Amendment No. 4 makes the
20. bill consistent by taking out the word statement and in-
21. serting the word affidavit. ...It also provides that if
22. ...the record owner or beneficiary or person having the
23. power of direction is the nominee or managing agent the
24. nominee or managing agent has to set forth required in-
25. formation in a required affidavit. ...Prior to this amend-
26. ment the bill merely covered the...that requirement for the
27. record owner and by the amendment we're adding the record
28. owner or beneficiary or person having the power of direction.
29. And I would move for adoption of Amendment No. 4.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Any further discussion on Amendment No. 4? Senator
32. Glass moves the adoption of Amendment No. 4 to SB No. 10.
33. All those in favor signify by saying aye. Opposed?

1. Amendment No. 4 is adopted.

2. SECRETARY:

3. Amendment No. 5 by Senator Nudelman. Amend SB 10
4. on page 1, line 13 and 14 by deleting conveyance or by
5. the power of eminent domain and so on.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Nudelman.

8. SENATOR NUDELMAN:

9. Thank you Mr. President. Mr. President, this is a
10. two pronged amendment...on the one hand it would delete
11. from those land trust requiring disclosure, land trusts
12. which were subject to condemnation. It appears to me a
13. simple matter of right and wrong that somebody who owns
14. property in a land trust and is minding his own business
15. and has his property condemned should not be required to
16. make disclosures. He doesn't want to have any dealings
17. with the government, it's forced upon him and therefore
18. he should not be put in the category of somebody who seeks
19. a contact with government. The second prong of the amend-
20. ment, Mr. President,...the second prong of the amendment
21. Mr. President, includes the category of land trusts which
22. take from the government...the bill as written relates to
23. land trusts which give to...takes from by way of purchaser
24. lease under the way the bill was prepared and I'm sure it
25. was an oversight, those people who purchase property from
26. a government body or lease property from a government body
27. would not have to disclose and I think the disclosure
28. principle should be equally effective as to people taking
29. from who might have an unfair advantage as...as it relates
30. to people giving to. So I would request the adoption of
31. this amendment. I think it...it aids the bill and it...it
32. does what I think the sponsors intended it to do in the
33. first place.

1. PRESIDING OFFICER (SENATOR GLASS):

2. Well...Mr. President, I'm going to have to oppose
3. Senator Nudelman's amendment and I...I regret that be-
4. cause I think the second part of that is a good amendment.
5. That is the part in which as I understand it persons who
6. lease property from governmental entity would have to dis-
7. close just...same manner as those that lease to the govern-
8. ment. ...But...But I do believe and I've discussed this
9. with Senators Palmer and Nudelman for some time and there
10. is a difference of opinion here and I think it's important
11. for the Body to make a decision on this. I do believe that
12. condemnation should be covered. That is, when the govern-
13. ment does condemn a piece of property and the owner is a
14. land trustee I think we want the beneficial interest to
15. be disclosed. And I think the concerns we have there are
16. simply the persons in political office are sometimes in a
17. position to know...or in government office are in a position
18. to know that land is going to be condemned and...and if they
19. are able to acquire that land...they have knowledge that the
20. public generally does not. I think we...we should have those
21. interest disclosed to cover that potential problem and...and
22. I would therefore say to Senator...Nudelman I wish this
23. amendment could be severed...because I do support the second
24. half of it. But as it stands now I would urge its defeat.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Knuepfer.

27. SENATOR KNUEPFER:

28. Just...just seems to me that Senator Nudelman's amendment
29. makes a lot of sense. The...your putting a party who does not
30. wish to be a party...who is forced by governmental action to
31. sell his property, putting him to the disclosure possibility
32. ...absolute requiring disclosure. ...It doesn't seem to me
33. he's done anything, he's made no offer, he's done nothing to
require disclosure. In this kind of a situation the court

1. or a jury determines the price, the price is not determined
2. by negotiation in a condemnation proceedings. And it would
3. seem to me that you're in the condemnation proceedings which
4. is the court action that you are in effect determining and
5. providing some degree of equity insofar as determination
6. of that price. You haven't conducted a secret negotiation
7. you've conducted one out in the public. And this amendment
8. seems to me to make substantial sense. If...if we are and
9. I'm for one happen to think there ought to be some protection
10. in trusts and if we...if we continue to adopt that concept
11. it seems to me that this does make sense. And I'm going to
12. support it.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Palmer.

15. SENATOR PALMER:

16. I was going to answer Senator Glass and also question...
17. Senator Scholl are you sponsor of this bill?

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Scholl.

20. SENATOR PALMER:

21. Well, I just want to determine one thing. In support
22. of this amendment it is my contention the same as Senator
23. Nudelman's. Senator Glass, we have gone over this before.
24. Condemnation is an adverse proceedings therefore the property
25. owner or...which is in the trust, in my opinion and legal
26. opinion, that they should not disclose at the time but any
27. provision of this act which would require...Senator Glass,
28. I wish you'd listen to this...that before the completed action
29. of transfer of title during the proceedings of the disclosure
30. is fine but prior thereto there should not be a requirement of
31. disclosure. And if this amendment takes care of that situation
32. it's a very proper amendment.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Sours.

2. SENATOR SOURS:

3. Mr. President, Senators, I desire to join in support
4. of the amendment too. I think there is obviously a notorious
5. situation, meaning everybody knows about it, once there's
6. a...a condemnation action filed. When that's filed either
7. side can file interrogatories, either side can take discovery
8. depositions and...there's nothing secret about a lawsuit.
9. ...For that reason and that alone, that provision is very
10. good. Now where the...where the grantee is from the
11. government that part of that amendment even makes it better
12. because that would leave an unexplored situation. I think
13. the amendment makes it a much better bill and a cleaner
14. bill and a bill that is fair to all parties. I'm going to
15. support it.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? Senator Scholl.

18. SENATOR SCHOLL:

19. Being the sponsor I do say that I'm in support of this
20. amendment and ask that it be adopted.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Nudelman moves the adoption of Amendment No. 5.
23. All those in favor signify by saying aye. Opposed. Amend-
24. ment No. 5 is adopted. Further amendments?

25. SECRETARY:

26. Amendment No. 6 by Senator Nudelman.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Nudelman.

29. SENATOR NUDELMAN:

30. Mr. President, Ladies and Gentlemen of the Senate,
31. Amendment No. 6 is...amends the last paragraph of the bill
32. relative to the penalty clause. I have deleted, the amend-
33. ment...would delete the language, willfully fails and it
would then read, any person required under this act to

1. file an affidavit who willfully furnishes false, inaccurate
2. or incomplete information in such affidavit or otherwise
3. fails to comply with the provision...of the act is guilty
4. of a business and offense and shall be fined \$1,000. I
5. think there cannot be willfully failure...no one can willfully
6. fail to comply with the act because if the disclosure is
7. not filed then there is no contract. If there...I think
8. that is just superfluous language. My other...the other
9. prong of this amendment would be to reduce the penalty from
10. a felony which would encompass a jail sentence of up to
11. three years and make it a business offense which would have
12.a penalty of a \$1,000 fine. I think the...the...fine
13. suits this type of a crime better than a three...one to
14. three year jail sentence in a...in a penitentiary. It's
15. a simple amendment and I think I've discussed this with the
16. sponsor of the bill and with Senator Glass and I think there
17. shouldn't be too much opposition.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Glass.

20. SENATOR GLASS:

21. Well it's true Senator Nudelman...we have discussed
22. it but I do oppose the amendment making this a business offense.
23. I think you...as you point out when you change the language to
24. willful that certainly doesn't bother me because I believe the
25. way this bill is drafted...it's going to be mandatory on any-
26. body who deals with the government to file these affidavits
27. otherwise they're not going to be able to receive any...any
28. funds from a governmental entity. That...I think the merit
29. of this bill the way it now stands is that we have simplified
30. the procedure and said in essence if you do business with a
31. governmental entity and your property is in a land trust you're
32. going to have to disclose the true parties and interest. But
33. I...I think that being the case to reduce the violation to a

1. business offense with a maximum fine of a \$1,000 is un-
2. necessarily crippling to the bill and I would urge its
3. defeat. I don't think the present Class 4 felony which
4. is one to three years...in case like this is unreasonable
5. and I would urge that the bill be left intact insofar as
6. the penalty provision.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Nudelman.

9. SENATOR NUDELMAN:

10. ...Just to clarify that Senator Glass, that's not
11. a minimum...that's not a maximum of \$1,000. It's a min-
12. imum of a \$1,000, it would be a flat \$1,000 fine and I
13. think there's a type of a crime here that...that could be
14. a borderline situation and if a fella is guilty of something
15. like this...through inadvertence and as lawyers we all know
16. that sometimes inadvertence connotes intent and I don't
17. think that type of a defendant should be required to spend
18. time in a penitentiary. I think it's a simple matter of
19. governmental philosophy and I just don't believe that some-
20. body who might neglect something where he in...where he in
21. fact should perform an act and may neglect to do or do it because
22. he has insufficient information and might be a little lazy
23. to get the right information, I don't think that fellow
24. should spend any time in a penitentiary.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Sours.

27. SENATOR SOURS:

28. Mr. President, Senators, as for this amendment in answer
29. to the query made there are always other statutes on the books
30. too. The principle one being conspiracy which would be in
31. great aid if there were some...if there were two parties
32. engaged in some kind of a shady deal conspiring to violate
33. this law. This too is a good amendment in my opinion.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Any further discussion? Senator Nudelman moves
3. the adoption of Amendment No. 6 to SB 10. All those
4. in favor signify by saying aye. Opposed? Request
5. for a roll call. Clerk will call the roll. All those
6. in favor of the adoption of Senator Nudelman's amendment
7. will vote aye.

8. SECRETARY:

9. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
10. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
11. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
12. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
13. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
14. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
15. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
16. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
17. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
18. Weaver, Welsh Wooten, Mr. President.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Nimrod, no. Saperstein, aye. Mitchler, no. McBroom,
21. no. Course, aye. Chew, aye. Clarke, no. Bell, no. Knuppel,
22. aye. Senator Buzbee, aye. Regner, no. ...Question the
23. yeas are 29, the nays are 17. The amendment is adopted.
24. Further amendments?

25. SECRETARY:

26. Amendment No. 7 by Senator Fawell.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Fawell.

29. SENATOR FAWELL:

30. ...Mr. President, Members of the Senate, Amendment No. 7
31. is one which we discussed earlier this summer in regard to
32. several of these land trust bills. The thrust of it, I know
33. Senator Rock is familiar with the concept which is being

1. presented here, is to make it clear that no person is
2. deemed to have a prohibited interest under the Corrupt
3. Practices Act solely by reason of a interest in a given
4. business or shares a stock in a corporation unless he
5. owns at least 5% of the fair market value or 5% of the
6. outstanding stock of such business. Now the reason for
7. this is that as many of you know there are now pending
8. in our courts a number of cases which have held that
9. simply because a person who may sit on a board of education
10. or a park board may own stock in the local bank and the
11. school district, for instance, has a contract technically
12. speaking in the contract of deposit of funds at that bank.
13. Technically that school board member is guilty of Corrupt
14. Practices Act violation and is therefore subject to a
15. penitentiary offense if he or she stays in office. In
16. fact, the very fact that he or she has been in that position
17. they're subject to being charged with a penitentiary offense.
18. This makes it clear that you don't have a violation of the
19. Corrupt Practices Act when you happen to sit on a local
20. governmental entity board as long as you do not have more
21. than a 5% in a particular business entity with which you
22. may be dealing although in no instance are you allowed to
23. vote in regard to any such contract even under those cir-
24. cumstances. I think it's fair and in no way corrupt, the
25. Corrupt Practice Act, and I think does very practical justice
26. in these local communities where we are losing a great deal
27. a very prominent, capable people who cannot continue to
28. serve in these capacities simply because they happen to
29. sit on the local bank board for instance and this is where
30. the prime problem is. In your small communities...your
31. boards of education have contracts with each of the local
32. banks, if there's more than one, and you'll find that many,
33. many times your prominent people are sitting on that bank

1. board. I...I don't think there's any opposition to this
2. and I would ask that the amendment be adopted.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Any further discussion? Question is, shall Amendment
5. No. 7 be adopted? All those in favor signify by saying
6. aye. Opposed. Amendment No. 7 is adopted. Further
7. amendments? Third reading. Senator Latherow.

8. SENATOR LATHEROW:

9. Well, Mr. President, Members of the General Assembly,
10. I rise on a point of personal privilege today for two
11. reasons. One, sitting in the President's gallery to our
12. right is Ex-Representative Jim Nolan and a group from
13. Western Illinois University. I wonder if they'd rise and
14. be recognized? Western Illinois University also we recognize
15. over there is...comes from the area called Forgottonia.
16. Many of you had not had the occasion to get in that part
17. of the State of Illinois but we for long have recognized
18. the forgetfulness of State government especially and generally
19. Federal government when it comes to looking after their
20. problems and our problems in western Illinois. And there
21. happens to be created a group that calls themselves in
22. several counties Forgottonia and today it is our...distinct
23. honor to have with us on the President's area the governor
24. of Forgottonia, Governor Gaun.... I wonder if he would
25. stand and be recognized by members of the Senate?

26. PRESIDING OFFICER (SENATOR MOHR):

27. It's always nice to see a friendly governor. ...Senator
28. Roe on the Floor? ...Senator Rock, SB 6.

29. SECRETARY:

30. SB 6. (Secretary reads title of the bill).

31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you Mr. President, Members of the Senate. SB 6
3. in this First Special Session is, I think, a step forward
4. in a concept with which we are going to have to come to
5. grips namely public financing of public campaigns. This
6. idea frankly was proffered in the last Session by Senators
7. McCarthy, Partee and Cherry. And it adds an article to
8. the election code. It provides that a candidate's pamphlet
9. be mailed by the Secretary of State to all the voters in
10. Illinois which will contain photographs, biographical
11. material concerning the candidates which the candidates
12. submit themselves. I have a companion bill which provides
13. for an appropriation to the Secretary of State and a third
14. bill which would provide for an income tax checkoff system.
15. Admittedly it is a small step but a significant step forward
16. in the area of campaign finance by the public or by the
17. State. I would solicit a favorable vote.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Soper.

20. SENATOR SOPER:

21. Senator Rock, would you submit to few questions?
22. First, I...I don't have the bill on my desk here. Does
23. this concern all candidates for all offices in the State
24. of Illinois or just...or just for State offices?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Rock.

27. SENATOR ROCK:

28. Applicable State general election each nominee for
29. the office of United States Senator, representative in
30. Congress, Governor, Lieutenant Governor, Secretary of State,
31. State Treasurer, Comptroller, Attorney General, State
32. Senator, Representative in the General Assembly and Supreme
33. and Appellate Circuit Judges.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Soper.

3. SENATOR SOPER:

4. Do you think a million dollars is going to be enough
5. money or is this going to be one of those things like
6. Topsy just grows and grows and grows and grows and grows,
7. y'know?

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Rock.

10. SENATOR ROCK:

11. Well, two things...I don't frankly know whether a
12. million dollars is enough, too much or not enough. That
13. figure was kind of a figure, a projection. When the Secretary
14. of State subsequent to the Constitutional Convention sent
15. out copies of the Constitution they figured 17¢ a pamphlet.
16. ...We took the same figure just as a starting point. But I
17. also want to point out that the bill calls for money paid to
18. the Secretary to be in the book by the candidate. So I...I
19. don't think that there's - at this point at least - real
20. commitment of General Revenue Funds for this purpose. There
21. will be at least significant reimbursement by the candidate.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Mr. President and Members of this Body, I think Senator
26. Soper's questions illustrate what my comments were a few
27. moments ago and that is what it's going to cost for dis-
28. closure in the type of legislation we're playing games
29. here with today. The money that was in the shoeboxes are...
30. is going to be a pittance. Now if you're going to be con-
31. sistent, you're going to pass campaign disclosure legislation,
32. you're going to dry up the funds for candidates. This is
33. necessarily going to be followed by some sort of financing
by taxpayers of campaigns and this is exactly what they

1. don't want. Now the majority of the Body here saw fit
2. to pass campaign disclosure legislation, that having
3. occurred I'm going to give the majority their will when
4. it comes time to vote I voted no because I think a man
5. should finance his own campaign but they want disclosure
6. that's going to hurt the candidate. It's going to dry
7. up the source of contribution because there are many
8. people who don't want to be identified. I...I think the
9. dirtiest, lowest blow that has occurred in Illinois politics
10. between one politician and another one occurred last week
11. when...when Attorney General Scott disclosed the con-
12. tributions by Governor Shapiro. I think that it dries
13. up those kind of funds. Republicans who would support
14. Democrats or Democrats who would support Republicans. And
15. to be consistent those of you who voted for campaign dis-
16. closure now should vote for this legislation. I didn't
17. vote for the disclosure but that's what the will of the
18. Body is, I'm going to support this legislation. And I
19. think we're going down the road where it's going to cost
20. the people not a million but millions and millions of dollars,
21. this concept, and it will not bring one more honest man into
22. government. There's a story that Diogenes took a lantern
23. and went to look for an honest man and when he thought he
24. found him he sat down with him and lo and behold when he
25. woke up in the morning the man had stolen his lantern.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Is there any further discussion? Senator Berning.

28. SENATOR BERNING:

29. Well Mr. President and Members of the Body, I think
30. that it's inappropriate for this Body to start what will
31. become a snowballing operation. For one thing, I can
32. immediately read the reaction to many of our unimpressed
33. constituents who by the very fact that we considered

1. ethics legislation apparently hold you and I and all
2. elected officials in somewhat less than the highest
3. esteem. And here now we are saying to them, we are
4. going to embark on a program of promotion of ourselves
5. and any other candidates. I think it's very ill advised,
6. it's a waste of money and I for one am not ready to embark
7. on a program of Federal or State financing or promotion of
8. elected officials or candidates. I think this is very
9. ill advised and ought not to pass at this time if ever.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? Senator Soper.

12. SENATOR SOPER:

13. Well, Mr. President, I'd like to get my five minutes.
14. I just asked a couple of questions and a couple of things
15. come into my mind with this. Now if this means that every-
16. body that runs in a primary and runs for any office in this
17. State including Representatives and Senators I can imagine
18. any fella that had a business, Lucky Louie, the used honest car
19. salesman, all he'd have to do is come and hand in his pamphlet
20. to the Secretary of State and...and a list of, I don't know
21. whether you'd have to have a list of the voters in his...in
22. his district and pamphlets would go out. And he'd get his
23. name advertised, free of charge, and we'd take up...

24. PRESIDING OFFICER (SENATOR WEAVER):

25. For what purpose does Senator Rock arise?

26. SENATOR ROCK:

27. On a point of order I think that the Senator's remark
28. are not germane to the bill. Now...he said he did not have
29. a copy on his desk, it's pretty obvious he didn't read it.
30. But the last four or five paragraphs that he's uttered here
31. have absolutely no relationship to the substance of this bill.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Soper.

1. SENATOR SOPER:
2. Now, then...then answer a few questions for me
3. Senator Rock...anyone that's a candidate for any office
4. that you stated would have the privilege of coming to
5. the Secretary of State's Office with his picture and his
6. pamphlet and that would be mailed out at the expense of the
7. State. Right?
8. PRESIDING OFFICER (SENATOR WEAVER):
9. Senator Rock.
10. SENATOR SOPER:
11. What do you need the million dollars for if you say
12. no.
13. SENATOR ROCK:
14. No.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Rock. Did you answer?
17. SENATOR ROCK:
18. I did. I said no. He asked me a direct question,
19. I gave him a direct answer. No.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator Soper.
22. SENATOR SOPER:
23. Then why have the Secretary of State mail it out, if...if
24. you...say there's no money involved from the people's money?
25. PRESIDING OFFICER (SENATOR WEAVER):
26. Senator Rock.
27. SENATOR ROCK:
28. Well, I...I did not say there was no money involved.
29. As a matter of fact the whole sum and substance of SB 7 is
30. an appropriation for money.
31. PRESIDING OFFICER (SENATOR WEAVER):
32. Senator Soper.
33. SENATOR SOPER:

1. Well, I'm bewildered. Whether I read the bill or
2. not if you tell me you want appropriation, you tell me
3. that it's not the people's money, then who on God's green
4. earth is going to handle this money. Is every candidate
5. that comes in going to deposit money with the Secretary
6. of State to have these pamphlets mailed out? Yes or no.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Rock.

9. SENATOR ROCK:

10. Yes.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Do you have other questions, Senator...

13. SENATOR SOPEK:

14. Well, yes. What do you need the appropriation for?

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Rock.

17. SENATOR ROCK:

18. As I explained initially, we took an amount that we
19. thought would be consonant with the mailing that was proffered
20. by the Secretary of State with regard to the Constitution
21. after the Constitutional Convention. I do not have the figures
22. nor does the Secretary have the figures of what the exact
23. amount would be. It calls for each candidate in the General
24. Election, not the primary, the General Election to pay for the
25. privilege of being in this book. Don't have to be in the book.
26. If you want to be in the book you pay for it.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Sours.

29. SENATOR SOURS:

30. I'd like to know if I may Mr. President, Senators, from
31. the good Senator, what purpose this...what good purpose Senator
32. Rock will this accomplish that needs accomplishment now?

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Rock.

2. SENATOR ROCK:

3. Two purposes, I think Senator. One is voter education.
4. You will recall that in the last election the Illinois
5. State Chamber of Commerce came out with a pamphlet called
6. We the People and had the photographs and...biographical
7. statement of those candidates who did in fact submit them
8. to the Illinois State Chamber. I think it served a very
9. useful purpose. In addition to that I think that this
10. will, hopefully, hopefull, encourage people to spend less
11. in the way of throw away cards and pamphlets and brochures.
12. They will be listed in this central book which will be mailed
13. to each and every voter.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Sours. Senator Sours.

16. SENATOR SOURS:

17. It...it's your position then that the general public, the voting
18. public needs education. Is that right?

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Rock.

21. SENATOR ROCK:

22. Senator Sours, I don't think there's any question about
23. that and I am a voter also.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Sours.

26. SENATOR SOURS:

27. I'd like to make this brief comment then. I don't think
28. it's...it's the province of government to do this kind of
29. education. I have a feeling that a good primary and a good
30. election is infinitely better than all the platitudes that
31. might appear in some booklet and I do not want to be considered
32. that I agree with what the State Chamber of Commerce has done
33. in the past either. That's private money, it can do with

1. their private dues funds as they may desire. But to put
2. the State in the business of telling people who's running
3. for public office to me is not only a waste of money but
4. it isn't the province of the State. The big enemy of the
5. ...of the voters today is the six pack and the football
6. game, if not that the basketball game, if not that wrestling,
7. if not that baseball, if not that hockey and I could go on
8. ad nauseam. Some people don't want to vote. Some people
9. you couldn't cajole them with...with first prize money
10. in the lottery even. I don't know why we should waste money
11. trying to tell people they ought to vote. If they don't
12. have enough faith in...in staying home then they will vote.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Mr. President,...in reading this bill, Senator Rock,
17. I find some very serious problems that make it impossible
18. for me to support such a measure. ...Number one, I note
19. here that this is to be mailed to every voter. That would
20. mean then that the Secretary of State who does not have
21. access nor the list of all the voters would have to go
22. through the job from all the counties and get together a
23. complete mailing list. Now you and I know having been in
24. involved politics what this means when the State starts to
25. have control of that mailing list. And that list starts to
26. get into the wrong hands and then starts being used for
27. other purposes. Number two, if it goes to every voter
28. that means conceivably that if there are four voters in one
29. house there would be four pamphlets in one house. If these
30. ...let's take this across the State, if there are an average
31. of two or three voters to every household that would mean
32. that you have one-third of the pamphlets are only effective.
33. The other two-thirds are in fact wasted. If they cost a

1. dollar a piece and they have to be changed for every district
2. we're going to find ourselves alone in this particular area
3. of some eleven million dollars or ten million dollars involved
4. in that pamphlet. It costs 10¢ a piece to mail a letter. If
5. there are eleven million voters that's over one million dollars
6. just for the mailing. Now I can't conceive how anything of
7. this type can be less than fifteen million dollars or twenty
8. million dollars. This does not really educate the voter.
9. I find that political parties and the office for the president
10. and the vice president get free advertising here. That they
11. can buy extra pages into it. We're trying to put the govern=
12. ment here, our state government, in the business of running
13. campaigns and that's not really what we are for. We're here
14. to reduce taxes. We're here to bring efficiency and this is
15. a full new subject. I would think that there might be some
16. merit to the basic idea but to bring it into a bill and ask
17. us to vote on it at this particular time I think is y'know
18. wrong. Because we're being forced to make a decision on
19. something without having done the proper homework, investigation
20. and take care of the kind defect that I happen to be aware
21. of that come to my attention in reading the bill. ...I think
22. at this time it would be not possible for me and I ask those
23. on our side to not support such a measure.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Mr. President and colleagues, I had most of what I had
28. to say on the subject of ethics legislation last night. I
29. merely rise in support of this particular bill. I appreciate
30. the forthright, the lucid explanation given by Senator Rock.
31. I think it is a good first step in the direction of which we
32. all want to go. I am the first to concede the difficulty of
33. trying to acquaint the public with those involved in politics

1. what they're doing, what they're attempting to do. And
2. indeed I know it's sometimes difficult to interest them.
3. This is the core of the problem, really, that all ethics
4. legislation addresses...the problem is not one that has
5. to do with mail but simply reawakening confidence and
6. even interest in the whole political process. This is
7. a cheap means of getting printed material into every
8. voters hands. Is the most efficient means I can think of.
9. In this day of mass media when radio and television are
10. so enormously effective in campaigning and indeed in all
11. basic forms of communication. This still is a very
12. practical first step. Regardless of where we go in the
13. future I think we can look back on this as a logical,
14. sensible, positive first step toward the goal of all
15. ethics legislation. I heartily endorse the idea and the
16. bill.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Partee.

19. SENATOR PARTEE:

20. Mr. President and members of the Senate, just...just
21. briefly I want to answer some of the questions I've heard
22. asked here. First of all, there's a question raised as to
23. where would you get a mailing list? Now if the Illinois
24. elections are honest, the people who vote are on a voters
25. list. The State Board of Elections would have a list of
26. all voters in this State and it's nothing new about mailing
27. out to voters matters of election concern. As a matter of
28. fact the Constitution mandates when we have Constitutional
29. amendments that are coming up on an election Calendar that
30. they be mailed to the voters. So that...this is nothing
31. new, this is something that has been done before. The
32. figures as arrived at by the State of Washington which already
33. does this say that it would run about 30¢ a household and

1. we figure here we...we could do it for considerably less,
2. the projected figure is about 17¢ a household. In addition
3. to that in Washington they have a tollfree line where people
4. who did not receive them could call and ask for them. Now
5. what is the reason for this? We talk about ethics, we talk
6. about disclosure. One of the reasons that the political
7. process and particularly the...politicians are in ill repute
8. today with the voters is because of the inordinately large
9. amounts of money that was spent in the last campaign for
10. President of the United States, some 80 or 90 million
11. dollars. And the idea is to edify and teach people who the
12. candidates are. They should be given the opportunity to
13. read a book which of course would apply to different sections
14. having different names in for different sections and have
15. the opportunity to be told not in an editorial, not in a way
16. that expresses someone's personal viewpoint or position but
17. just a mind run statement as to each of the candidates, who
18. the candidate is, where he came from, what his program is,
19. whatever the limitation of words would permit, 350 in some
20. states, to say what it was about the person so the voter
21. could be told and know who the people are on the ballot that
22. they're to vote for. And could intelligently then cast a
23. vote without the expenditure of large sums of money which
24. entails the obtaining of campaign funds from people who
25. sometimes give them for a person...for a purpose other than
26. a pure governmental interest. Now if you want to start
27. bringing campaign costs within some reasonable limitations
28. this is one of the initial very small steps to do it.
29. Standing right there where Secretary Fernandes is standing
30. right now was a man last week named Joe Meek. A man who
31. ran for the United States Senate in this State, a man who
32. incidentally is of the Republican persuasion but for whom
33. I have as much respect as I have any man who lives in Illinois.

1. Joe Meek told the story of how when he ran for the United
2. States Senate, personal problems and decisions engulfed him
3. on a day to day basis about trying to raise the necessary
4. funds to run for political office. Just yesterday a man
5. who has made a significant contribution in the Illinois
6. Congress said that one of the reasons he would not run for
7. the United States Senate is because the availability of a
8. million and a half dollars was not there for him to run.
9. And if that is the basic reason why he decided he did not
10. want to run for the United States Senate. Well I think
11. the time has come when we must do something to make running
12. for public office more reasonable in terms of cost and less
13. possible in terms of purchase. I think an office ought to
14. be earned. I don't think it ought to be purchased. I don't
15. think the office of running for state office or for federal
16. office in this country ought to go to the highest bidder. I
17. think it ought to go to the person that people know about and
18. have a right to vote for and select on the basis of competence
19. and not on the basis of the acquisition of the American dollar.
20. And this is a very small step toward making the state finally
21. responsible, as it will, to produce the best people to hold
22. public office at a cost which is not exorbitant. At a cost
23. which is not prohibitive. This is a good bill and I certainly
24. solicit your support.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. Yes, Mr. President, Members of the Senate, I would like
29. to make a couple of remarks in favor of this bill. I endorse
30. the remarks that have just been made by Senator Partee and will
31. not repeat them. I endorse remarks made by Senator Rock and
32. Senator Wooten and others and will try not to repeat them.
33. But it strikes me that if we Democrats and Republicans ought

1. to be together on this issue because this issue gets
2. into the question of whether or not the political parties
3. ...the political parties will retain power. Now what's
4. been the traditional source of power for the political
5. party? Number one in years gone by political parties
6. used to have patronage where they could get the word out
7. on candidates through means of people who were hired by
8. the governmental unit. And it was effective and the
9. party was able to hang together because we had patronage.
10. But that's been taken away in a process of over a hundred
11. years. The other technique of keeping parties together
12. has been money. And I think all of us agree there's been
13. a revulsion against the private contribution and the excesses
14. of it insofar as financing campaigns. So when you take away
15. patronage from the party and when you take away monies from
16. the parties really you don't have much left to keep the parties
17. glued together and you won't have the parties running the
18. government. You'll have other people than the parties running
19. the government and I don't think Democrats or Republicans be-
20. lieve that to be in the best interest because after all we are
21. elected. Other people that might run the government are not
22. elected. On the basis of cost I think some figures can be
23. used logically here. The appropriation on this bill is one
24. million dollars...one million dollars of taxpayers money. The
25. question arises, is that a prudent decision? I think yes.
26. When the transportation bond issue was up in this Chamber about
27. three years ago to go through without referendum for nine hundred
28. million dollars we had a fight on whether or not the interest
29. rate on the nine hundred million dollars should be 7% top or
30. 5% top. And the figures that I had at that time were that
31. for each drop of 1% in the interest rate on this transportation
32. bond issue, every time the interest rate would drop 1% the taxpayers
33. would be saved \$98,500,000 in interest costs alone. The

1. interest rate remained at 7%. The public are exposed to
2. an extra cost of \$98,500,000 in interest costs because
3. that proposition prevailed and there were special interests
4. interested in the passage of that bond issue. The contractors,
5. the bonding houses were all interested in that issue and
6. those people and those groups are fertile sources - or have
7. been - fertile sources of campaign contributions. I take
8. that one instance alone. I could go on to other legislation
9. that would take a long time, legislation we passed in the
10. last Regular Session where the taxpayers are...are facing
11. tremendous costs because special interests have prevailed
12. in this and the...our sister Chamber. So the figure of
13. one million dollars of taxpayers money to attempt to put the
14. concept of public financing of campaigns is not a high cost.
15. We have seen fit to pay for elections through taxpayers costs.
16. We pay for the polling places, we pay for the judges, we pay
17. for the Constitutional Convention brochures, it strikes me
18. that this is one opportunity where we should move forward and
19. I'm willing to move forward and say yes taxpayers I'm willing
20. to spend one million dollars of your money toward trying to
21. seek an improvement in the election process. And I urge an
22. affirmative vote.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. ...Mr. President, Members of the Senate, a while ago
27. someone alluded the fact that this would eliminate the
28. cost to the candidate because for a small fee of \$200, I
29. believe it is, is what is stipulated in...no \$75 for a
30. state senator, \$200 for a United States Senator, United
31. States Representative...to have your picture, a brief
32. description of your candidacy published. Is this mean that
33. it would prohibit a candidate from printing an additional

1. brochure on his...on his own or her own in order to
2. distribute. Could I ask the sponsor that question?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Rock.

5. SENATOR ROCK:

6. No. It contains no prohibition of any kind.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Well, then, this is in addition to what a candidate
11. would normally engage in promoting himself or herself in
12. the district and I see in no way would that argument have
13. any validity unless a candidate absolutely spend nothing
14. in their district to be a...for the office. But I heard
15. of these enormous...sums of money that are...being required
16. to be spent in order to be a candidate. I was shocked to
17. learn yesterday that someone would spend \$75,000 to run for an
18. Illinois State Senate seat paying \$17,500. I...I don't know
19. ...truthfully I don't know where I could spend that money
20. in my district if I was going out throwing it in the street
21. everyday during the campaign. But this same person could
22. again spend \$75,000 to get herself re-elected and I don't know
23. what good this would do because certainly with \$75,000 in
24. a campaign expenditure in a senatorial district and we're
25. all the same size now...this would just be a minor addition
26. to a campaign cost like that. Then there's another question
27. and I...I'm going to compliment Senator Nimrod for bringing
28. the attention that sometime 3, 4, 5, 6, 7, 8 and possibly
29. 10 of these pamphlets would go into the same household. But
30. on page 2 it says whenever practical the Secretary of State
31. shall cause the pamphlets to be printed so that no candidate's
32. picture or statement shall be included in the copy of the
33. pamphlet going to any county where such candidate is not to be
voted for. In other words we've got all different pamphlets,

1. going to different places and this would be an additional
2. cost. And how you would accomplish that and a million
3. dollars is beyond me. This is a bad, bad bill.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator...Senator Rock.

6. SENATOR ROCK:

7. I thought that was in the form of a question. I'm
8. not sure frankly but I will attempt...

9. PRESIDING OFFICER (SENATOR WEAVER):

10. We'll take it that way.

11. SENATOR ROCK:

12. ...answer that question. One, it says wherever
13. practical. Now I'm sure that in my judgment the Secretary
14. of State is a very practical man and I'm sure that he can
15. make that decision. In addition in the state that does have
16. this, as can be done in our own state, and as is done currently
17. you send to the head of the household. If you get five
18. identical names in the same house you obviously don't send
19. five books or needn't send five books. Now that's...that
20. Senator Partee alluded to that in direct response to Senator
21. Nimrod. I would ask for a roll call.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Netsch has asked for recognition Senator Rock.

24. Senator Netsch.

25. SENATOR NETSCH:

26. Mr. President, as the old saying goes I had not intended
27. to speak on this issue until my name was heard on the Floor
28. and now I feel compelled to make some comment. Senator Mitchler
29. in the first place just for the sake of accuracy the \$75,000
30. was for two of us not for one. That does make some difference
31. although I freely concede that it was a huge amount of money
32. to spend and I am not pleased about it and I am not proud of it.
33. ...I hope that it will never have to happen again I...can't

1. happen again I haven't got that much money left...but one
2. of the things that is going to be important to avoid that
3. kind of problem in the future, I believe....I genuinely
4. believe is some form of public financing of campaigns.
5. It is an extremely difficult thing to work out, to draw the
6. lines on but it is important, it is coming, it will be here at
7. sometime in the future. I would suggest to you that the
8. very modest step toward public financing that this bill
9. represents - and it is a very modest step - could well be
10. offset if Senator Mitchler would just reduce the number of
11. resolutions and other things that he distributes and puts
12. on our desk. ...I think we could pay for this whole thing
13. and...and have everyone who is running for office advertised
14. to the same extent. So that is where the savings will come
15. from Senator Mitchler. But apart from that I think that
16. while this is not the most effective way of bringing about
17. public knowledge and information it does do a little bit of
18. that and if there is anything that is justified as a govern-
19. mental expenditure it is that which will bring about a greater
20. public understanding of and knowledge of those people who are
21. being selected to serve them. I think on that basis it is a
22. very legitimate step in the right direction.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Rock may close debate.

25. SENATOR ROCK:

26. I would just ask for a roll call, Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. The question is shall SB 6 pass. And upon that question
29. the Secretary will call the roll.

30. SECRETARY:

31. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
32. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
33. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver, Welsh Wooten, Mr. President.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Bruce, no. Carroll, aye. Merritt, no. Course, aye.
10. Savickas, no. Daley, aye. Newhouse, aye. Kosinski, aye.
11. Palmer, aye. On that question the ayes are 25. The nays
12. are 13. SB 6 having failed to receive the constitutional
13. majority is declared lost. SB 10.

14. SECRETARY:

15. Go to 12.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. SB 12. Senator Harris.

18. SECRETARY:

19. SB 12. (Secretary reads title of the bill).

20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Harris.

23. SENATOR HARRIS:

24. Mr. President, Members of the Senate, SB 12 is designed
25. to strike what I would like to describe as a meaningful and
26. ...and effective balance between the right and the need of
27. the public to know more about present political campaign
28. practices and procedures and the many difficulties that are
29. brought on by the increasing costs of campaigning. On the
30. one hand the bill expressly prohibits any quid pro quo
31. arrangement relative to the making of or receipt of campaign
32. contributions and expenditures. It seeks to eliminate the
33. abuse of public responsibility because of improper relation-
ships between public officials and those who have financially

supported their campaigns on a do something for me basis. On the other hand, and I think this is really the significant thing, the bill recognizes that all persons who so choose have a right to participate in the governmental process by voluntarily making contributions to political candidates of their choice and that such persons have a right to have the fact and the amount remain as confidential as the way they mark their ballot. Unless they have personally violated the campaign regulation laws of the State that would be provided in this bill. SB 12 would be administered by the State Board of Elections. It would regulate the receipt of contributions and the making of expenditures by candidates. Candidates are defined in the bill as all persons who seek nomination or election to or who serve in the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, Treasurer, Member of the General Assembly or who seek the office of judge of the Supreme Court, the Appellate Court and the Circuit Court of Illinois. Now pursuant to the provisions of the bill every candidate must designate an official candidate's committee and on or before the deadlines provided in the bill the first which set forth these reporting requirements he must advise the board of the name of his official candidate's committee and the name and address of the committee's chairman and treasurer. Two types of reports are required in the bill. First is a report which must be filed by all candidates who are standing for election not more than twenty nor less than fifteen before and after all primary and general elections that would be involved. ...Disclosure covers the name, address, date and amount of all contributions over \$150 received by the candidate. The second report re...covers all contributions and expenditures with no threshold. However the name and amount would be confidential as relates to the board and is in my judgment a very reasonable

threshold that will encourage broadly based involvement in support of persons seeking to fill office in this political process of ours. The bill does provide for an effective date of July 1, 1974 - first reports that would have to be filed would be reports by all candidates standing for election in the November 74 General Election. These reports would have to be filed not more than twenty nor less than fifteen days prior to that General Election. I'd be happy to respond to any questions, would urge a favorable support for this bill, and as I have stated, I think strikes the compromise between a level of need for confidentiality for the base base of the pyramid kind of contributor and for those on a... that...that would contribute amounts greater than the threshold provided.

PRESIDING OFFICER (SENATOR WEAVER):

Senator Knuppel,

SENATOR KNUPPTEL:

1. SENATOR KNUPPEL:

2. Senator Harris, if you'll yield for a question?

3. SENATOR HARRIS:

4. Certainly.

5. SENATOR KNUPPEL:

6. If I understood you right, you said that these reports had

7. to be filed before the election, at least 15 days?

8. SENATOR HARRIS:

9. Yes.

10. SENATOR KNUPPEL:

11. ...What about ... contributions?

12. SENATOR HARRIS:

13. They would be covered...they would be covered in the

14. report...the report must be filed not more than 20 nor less

15. than 15 prior to and not less than 15 nor more than 20 after-

16. wards. Then, additionally there is also required a January

17. reporting of any activity on an annual basis.

18. SENATOR KNUPPEL:

19. Now, what good will this disclosure do for a man that's

20. already been elected as far as the public is concerned? In

21. other words, if I were running and I knew I had 4 or 5 people

22. that were going to finance about 2/3's of the campaign or

23. unions or something like that and I'd say just don't bother,

24. don't send your check until 14 days before the election. My

25. credit's good. What...what does this bill then accomplish?

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Harris.

28. SENATOR HARRIS:

29. Well, at the example you've demonstrated it would have to

30. be reported following the election, that reporting requirement

31. and further, it would have to be reported on the January report-

32. ing requirement.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. I .. I personally feel that this bill does just as much as
4. any of the others and probably the most sensible of the dis-
5. closure bills. However, I...I can't support any of these
6. because I am of the opinion, like they said about the Judiciary
7. when they got the new Judicial Article you know and it was a
8. great thing, but they didn't tell the people that it was going
9. to cost the people of the State of Illinois 5 times what the
10. Judicial System they had would cost. This is true of so many
11. things in Government. The EPA, the budget now is about 6 times
12. or...or maybe 12 times what the budget for the Department of
13. Agriculture is. Time after time after time we pass legislation
14. here and everybody thinks they're getting a goody, but I say
15. that the bureaucracy and what goes with it will cost the people
16. in the State of Illinois. This will be followed by financing
17. of campaigns out of public funds and that this is the only end
18. that can follow. I feel that this is a step in the wrong
19. direction. I feel that what I collect or don't collect, I
20. have to answer to God for anyway. If...if...if I...if I'm
21. guilty of stealing, if I'm guilty of kickback, if I violate
22. the law, it's my conscience. And, I'm sure, that there will
23. be people that will get away with things and never be caught
24. and then there'll be some who are. But, what...whether I do
25. or don't is going to be a matter between me and my God. And,
26. that you can't legislate morality no matter how you do it.
27. That I can collect these contributions late, it's a known fact
28. through political science that the memory in politics is about
29. 2 years. I get my contributions in late, report them after the
30. election and what difference does it make? I just don't believe
31. that any of this legislation is more than eyewash for the news-
32. papers, the people and I think as Senator Graham said, the
33. Saints come marching in that those...a lot of those people

1. that are voting here tonight are hoping that we do adjourn
2. tonight so that this legislation doesn't in fact ever get to
3. the Governor's desk. And, they get their brownie points because
4. they voted for it and they can go back and say they supported it.
5. But, I'd be less than a hypocrite to stand here and feel the
6. way I do and not vote no on this legislation. I could vote
7. yes, after all once it gets 30 votes what's the difference,
8. you're not going to beat it by voting no, but I think I'd
9. have to vote no anyway. I'd have to go back to my people
10. and say honestly that's the way I felt. It got 30 votes, but
11. I think if you sort that you'll find some of those people
12. in there that...that waltz down there and when they saw it
13. had 30 votes, added their name on at the end. Thank you.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Chew.

16. SENATOR CHEW:

17. Yeah, Mr. President, I wanted to ask the sponsor 1 or 2
18. questions for clarification, if I may.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. He indicates he'll yield.

21. SENATOR CHEW:

22. Senator Harris, if one were to contribute \$300 to the
23. candidacy of a candidate, am I to understand that the route
24. of that report would be name, address, amount, submitted to
25. the Election Board for public knowledge, or is that going...

26. SENATOR HARRIS:

27. That...that's correct

28. SENATOR CHEW:

29. For public knowledge?

30. SENATOR HARRIS:

31. That's correct.

32. SENATOR CHEW:

33. But one who contributes \$95...

1. SENATOR HARRIS:

2. It would be filed with the Board and the Board would
3. retain that information in a confidential nature. Subject
4. to ultimately, if a determination were made that that con-
5. tributor violated this Act. That that person's contribution
6. would then become a matter of public knowledge.

7. SENATOR CHEW:

8. ...Who would determine if that person violated the Act.

9. SENATOR HARRIS:

10. A complaint would be filed with the Board. The Board
11. would hold a preliminary hearing as to whether a...a formal
12. hearing would be held. The Board would have the power to
13. make a determination whether a violation had occurred or
14. not. All of the rulings of the Board, of course, would be
15. subject to administrative review under the Administrative
16. Review Process.

17. SENATOR CHEW:

18. Now, one other question here. If the \$95 is to be con-
19. fidential, then how would one file a complaint against a con-
20. tributor?

21. SENATOR HARRIS:

22. As I've just said, Senator, if...if you thought that
23. there were a relationship that violated the provisions of
24. this Act, you could file a complaint with the Board. The
25. Board would hold a hearing on the question of whether a
26. violation of the Act had occurred or not.

27. SENATOR CHEW:

28. In other words, you're saying the candidate could file
29. a complaint and no one else.

30. SENATOR HARRIS:

31. No, any...any person within the jurisdiction of the
32. Board.

33. SENATOR CHEW:

1. But just John Q. Public, Senator, would he have the right
2. to file a complaint on a confidential contribution that he is
3. supposed to know nothing about?

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Harris.

6. SENATOR HARRIS:

7. Well, a person filing the complaint would originate the
8. complaint because of some suspicion on his part... This bill
9. would not provide them with willy-nilly opportunity to go into
10. the confidentiality relationship that would exist under the
11. provisions of this. But, any person who had a legitimate con-
12. cern about any candidate that would be so determined by the
13. Board, would have it... the hearing process available to them
14. for relief of their concern.

15. SENATOR CHEW:

16. In other words, any citizen could file a complaint on
17. any contributor and ...

18. SENATOR HARRIS:

19. Yes...

20. SENATOR CHEW:

21. ...to require the Board of Election to open its records...

22. SENATOR HARRIS:

23. No. No, to hold a preliminary hearing as to whether there
24. should be a formal hearing and in the formal hearing appropriate
25. protections and safeguards on the part of the Board would have
26. to be pursued before a decision of whether there had been a
27. violation of the Act or not, on the determination of the Board.
28. Now, this is not... a cursory kind of process at all but a very
29. carefully structured process.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Chew.

32. SENATOR CHEW:

33. One... one final, Senator. A candidate for the General

1. Assembly will probably get \$150. A candidate for Governor or
2. Secretary of State will probably get a thousand. Those two
3. contributions are handled exactly the same way and they're
4. made public to the citizens of the State of Illinois and the
5. newspapers, the media and etc. And, of course, if the con-
6. tributor sought a favor, shall we say that's worth \$999 from
7. the Governor or the Lieutenant Governor, etc., ... then it
8. would be published that this person had made a contribution,
9. say of a \$1,000 and the favor is granted in the form of maybe
10. employment or etc. and etc., then all of this is a matter of
11. public knowledge. Am I correct?

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Harris.

14. SENATOR HARRIS:

15. Yeah...yeah. Senator, I don't really think you brought
16. your question to a close. You are describing, I think, what
17. would be determined a quid pro quo contribution. They are
18. clearly prohibited in this bill.

19. SENATOR CHEW:

20. That...that was not the...

21. SENATOR HARRIS:

22. And the two amounts that you have referred to, the \$150
23. and the \$1,000 would be...a part of the public disclosure
24. section of the bill. Those...those two identifications would
25. be publicly disclosed.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Chew.

28. SENATOR CHEW:

29. Now, does that answer the question in your opinion about
30. the \$150 that a candidate for the General Assembly would get.
31. That would be in effect handled the same way, is that correct.

32. SENATOR HARRIS:

33. Yes.

1. SENATOR CHEW:
2. Thank you.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator Netsch.
5. SENATOR NETSCH:
6. Mr. President, will the sponsor yield for a question?
7. PRESIDING OFFICER (SENATOR WEAVER):
8. He indicates he will.
9. SENATOR NETSCH:
10. Senator Harris. I...I have a couple of questions. ...I
11. would have to say, I have read the bill three times and I really
12. have some trouble figuring it out. And, my questions are
13. questions that...that where I really need some information.
14. I don't like some of the bill anyway, but I'm just trying to
15. figure out what it does do. Does this bill have any appli-
16. cability at all to the money spent by or transferred by or
17. contributed to political parties on behalf of candidates.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Senator Harris.
20. SENATOR HARRIS.
21. The...such a situation, in other words, a...a contribution
22. from a political party or a committee would be reported in its
23. aggregate to...to the Board of Elections. It would be reported.
24. SENATOR NETSCH:
25. In the aggregate ...
26. SENATOR HARRIS:
27. Yes, that's my understanding. Yes, that's correct.
28. SENATOR NETSCH:
29. ...but not...but not the source of the funding to the
30. political party. Is that correct?
31. SENATOR HARRIS:
32. That's correct.
33. SENATOR NETSCH:

1. ...So, that it would be possible for someone to avoid the
2. Act really, by funnelling all of his money into, all of his
3. contributions into the political party structure, either
4. Republican or Democratic, and...then having money spent from
5. the political party on behalf of the candidate. ... If the
6. money were in the form of a direct contribution from the
7. political party to the candidate, in other words, a...
8. Republican Party gives Senator Harris \$200 for his campaign...
9. that would be covered by some of the record keeping, recording...
10. sections, however, if Republican Party spent \$200 itself for
11. billboards, handbills, whatever, on behalf of Senator Harris'
12. candidacy, as I read the bill, that would not be covered. And,
13. in either...neither case would the source of the original con-
14. tribution to the political party be covered. Is that correct?
15. PRESIDING OFFICER: (SENATOR WEAVER):

16. Senator Harris,

17. SENATOR HARRIS:

18. The...the example that I have, that I will respond to now
19. is that the Republican Party expends directly in behalf of a
20. candidate, or, the Democrat Party expends directly in behalf
21. of a candidate, on its contract with whatever the purpose might be,
22. whether it be billboards or advertising, is not covered by
23. this bill. That's correct. If the Republican Party or the
24. Democrat Party contributed to the candidate, that would be
25. covered.

26. SENATOR NETSCH:

27. And, the covering would be a listing, reporting or record
28. keeping by the candidate of \$200 from the Republican Party.

29. SENATOR HARRIS:

30. Yeah, on that example. That's correct.

31. SENATOR NETSCH:

32. But, there would never be any way of...

33. SENATOR HARRIS:

1. The detail...the detail of that source is not required
2. under this Act.

3. SENATOR NETSCH:

4. We would never know whence came the money that was then
5. transferred.

6. SENATOR HARRIS:

7. From all of those fine contributors to the Democrat Party
8. or those questionable contributors to the Republican Party.
9. That's correct. The detail is not required by this Act.

10. SENATOR NETSCH:

11. No they're legitimate contributors in...

12. SENATOR HARRIS:

13. Yes...

14. SENATOR NETSCH:

15. either event. I just want to know who they are. That's all.

16. SENATOR HARRIS:

17. You're...you're...

18. SENATOR NETSCH:

19. And it would not. All right. The second things is ...there
20. ...I have some difficulty in reading together the provisions of
21. Section 7, Section 8 and the subsequent provisions having to do
22. with what is available at some point for public inspection....Do
23. I understand that in...starting in 1976, that some of the infor-
24. mation that has been reported or some of the information that has
25. been kept by candidates and their candidate's committees, would
26. be subject to public inspection. Nothing until 1976.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Harris.

29. SENATOR HARRIS:

30. The first report, Senator Netsch, would be prior to the
31. November '74 election. That...that...and those divisions that
32. relate that to being public or confidential, would become effective
33.

1. then. Then you would have the...July, and incidentally, I spoke
2. in response to Senator Knuppel's question, that the annual
3. reporting date is in January, it's in July. I misstated that.
4. It...but in July of '75, the annual report would be required
5. and the ... first reports required under this bill would be
6. not more than 20 nor less than 15 prior to the General Election
7. in '74 and the second report not less than 15 nor more than 20
8. after the election and then the annual report in July of '75.

9. SENATOR NETSCH:

10. But, the vast bulk of that which is reported in this next
11. election year, for example, is still maintained as confidential
12. information by the Board.

13. SENATOR HARRIS:

14. If it were below the threshold, yes, it would be maintained
15. in a confidential relationship with the Board. Above the thresh-
16. old, it would be public information.

17. SENATOR NETSCH:

18. Right. I think those are...I have some other minor
19. questions which are not significant. I...I might just, if I
20. may end up my comment. I know, but I've been trying to get
21. information up to this point, Mr. President. ...I think that
22. your answers have helped solve some of the...the questions of
23. interpretation I have with the bill. And, on that basis, I
24. would like to say simply, that I cannot vote for the bill. I
25. think it is a shell. I think it does not get anywhere close
26. to what we are talking about in campaign disclosure. If we
27. had not gotten a good campaign disclosure bill out of this
28. Body, an hour or so ago, it might be a more difficult question.
29. But, having passed Senator Roe's bill, which is good, it seems
30. to me that this does nothing but really make people think there's
31. going to be some information and at the same time, not give
32. them that information. There is not right of privacy regarding
33. campaign money. It is public money. It is for a public purpose.

1. It all ought to be a matter of total public record from this
2. day forward.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Wooten.

5. SENATOR WOOTEN.

6. Mr. President, you'll all be pleased to hear that Senator
7. Netsch made much of what I was going to say unnecessary. I
8. merely want to reiterate that this is...strikes me as being
9. as cosmetic legislation rather than substantial, because the
10. disclosure is confidential, it is not public. And, there is
11. a loophole big enough to drive a truck or several trucks contain-
12. ing money, through. And, I believe we do the public a dis-
13. service in proposing a bill like this which purports to do
14. something and simply does not do it. We will keep the dis-
15. closures confidential. You will have to pry them out really,
16. of the Elections Board, with a pretty good case. And, that
17. seems to me to frustrate the whole idea behind campaign dis-
18. closure. It appears to address the problem but actually
19. complicates it.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Partee.

22. SENATOR PARTEE:

23. Well, Mr. President, this whole question of disclosure
24. legislation, I think, has gotten involved in several concepts
25. being thought of simultaneously. I think it has a divisional
26. aspect. The one part of campaign...of disclosure legislation
27. relates to the personal holdings and the personal income of
28. candidates. That concept was embraced in the bill which
29. Senator Donnewald had, the one which Senator Roe had, which
30. relates not only to what a person personally possesses or
31. what a person personally earns, including his husband or
32. wife or members of his law firm or members of his business
33. and his associates. There has not been any large hue and

1. cry about the personal campaign disclosure bill...not cam-
2. paign but personal holdings disclosures. And, I still say
3. that the law in the State of Illinois on personal involvement
4. is still the best law in the United States on that subject.
5. Now, when last Spring the attempt was made to pass some
6. legislation of this nature, we said that there would be some
7. bills that would come to address themselves to campaign dis-
8. closure. Now, campaign disclosure problems are the problems
9. which have caused a great deal of hue and cry and frustration
10. in America today, the campaign disclosure or lack of it. This
11. bill is not a panacea for all of the problems attended in that
12. area of political development. It does have one rather
13. salutary feature as far as I am concerned and that is it
14. will be handled, not by some recently created or proliferated
15. organization called the Board of Ethics or something, but
16. will be handled by that branch of Government already established,
17. already staffed, already with salaries set for its members
18. called the State Board of Elections. I think the State Board
19. or Elections ought to handle it. Certainly their duties
20. are not so widespread in the...in handling elections which are
21. few and far between that they would not have the time and the
22. staff to handle this problem. So, number 1, I think, having
23. chosen the State Board of Elections to administer this law
24. is a wise and salutary thing. Now, I think certainly, Senator,
25. that we do need something in terms of a law and that we cannot
26. depend on men's consciences to make certain that they don't
27. break the law. There's an old expression that my conscience
28. is my guide. In later times, we have come to find out that
29. in many instances a man's conscience was not his guide, but
30. rather was his accomplice. Certainly, you cannot legislate
31. morality. We had the ten commandments that set forth what the
32. moral tone and climate of this world ought to be and we did
33. not stand on them. We felt that someother laws were required.

1. Hence, we have statutory laws to enforce those commandments.
2. The commandments say, thou shalt not kill, thou shalt nor
3. steal, but that isn't all we regard as being the admonition
4. necessary to keep peace in the world. We have statutory laws
5. against stealing, we have statutory laws against killing and
6. we must have statutory laws in this area. Now, I recognize
7. that the feature mentioned here with reference to political
8. parties espousing candidates...there's no way that I know that
9. you can prevent the, let's say the Republican Central Committee
10. of Sangamon County, when Senator Davidson's on the ticket to
11. run for Senator and he has his own campaign group that raise
12. his money and spend it in conformity with this or other legis-
13. lation, there's nothing on the wor...in the world that's going
14. to keep the Sangamon Republican Central Committee from running
15. maybe a television ad or running a billboard and saying, these
16. are our candidates, Davidson for Senator, Joe Blow for Coroner,
17. Mike Smith for Sheriff or whatever the offices are at that
18. particular time. And that is an espousal, or course, of the
19. candidacy of that particular person and the money as spent for
20. that espousal will, of course, come, not from Senator Davidson's
21. till, but from the Central Committee's till. Now, these laws
22. are not always as antiseptic as you would desire them to be,
23. but the Lord knows you have to start somewhere, with a law
24. that would make and bring into focus some campaign disclosure
25. legislation. And, campaign disclosure legislation with reference
26. to source of money and the manner in which it is spent, in my
27. opinion is very important. As I say that this not a panacea,
28. it is not perhaps the finest legislation capable of the product
29. of a man's mind. I say it...it goes a long way toward bringing
30. into focus the problems that beset us. Thank you.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Bell.

33. SENATOR BELL:

1. ...Mr. President,...I think we've had enough discussion
2. on this. I think Senator Partee's eloquence is...certainly
3. merited in reference to this legislation and I'd like to
4. call for a roll call.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. I have two more on the list, Senator Bell. Senator Hall.
7. SENATOR KENNETH HALL:

8. Thank you, Mr. President. If the sponsor will yield to
9. a question. I notice here that it says that a candidate ...
10. any person who seeks nomination for office of Governor,
11. Lieutenant Governor, Attorney General, Secretary of State,
12. Comptroller, Treasurer, Senator, Representative of the General
13. Assembly, or the Office of Judge of the Supreme, Appellate,
14. or Circuit Court of the State. Now, if we're going to have
15. an...a disclosure law, why have you just stopped here?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Harris.

18. SENATOR HARRIS:

19. Well, Senator, it's my judgment that...two...two reasons,
20. in my opinion. I am concerned with regulations of candidates
21. who hold State responsibility and further I'm fearful of
22. visiting on the literally thousands upon thousands of office-
23. holders of lesser offices, the requirements of campaign dis-
24. closures, subjecting them to penalty provisions for those
25. innocent violations of regulations that descend on them. I
26. honestly think it is unfair in my own personal opinion, and
27. we've all had the experience with the disclosure requirements
28. of the present Ethics Act when it was dropped down and included
29. so many people, that there are literally thousands of violators
30. of that law today if they want to be pursued and processed and
31. I just think that that broad application is something that I'm
32. not going to be a party to, yet at least.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Hall.

2. SENATOR KENNETH HALL:

3. Well, Senator, when you referring to lesser office...
4. offices, there are many offices that pay far larger salaries
5. than the salary we're drawing. There are many people who
6. run for other offices who seek...who will probably be getting
7. larger donations and much larger than I received running for a
8. State office if we're just going by title. I mean, when you
9. say lesser offices...

10. SENATOR HARRIS:

11. I'm not pursuing this on the rate of compensation at
12. all, I'm talking about the the level of responsibility and
13. the structure of our Government. I'm concerned with State
14. regulation of State responsibility officeholders. And, I
15. don't quarrel with your conclusion at all, Senator, but this
16. is the course that I've attempted to direct this bill toward.
17. I believe that...certainly we should begin with the regulation
18. of State Officers and Members of the General Assembly. I
19. think that there is reason and rational conclusions that
20. would support broadening that group to include the Judiciary
21. beyond the recital that you read and which I identified in my
22. opening remarks.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Hall.

25. SENATOR KENNETH HALL:

26. So, in other words, you think that you have a disclosure
27. law if you just limit it to just State officeholders? Then
28. you think that....

29. SENATOR HARRIS:

30. That...that's what I'm attempting to do by means of this
31. bill. That's correct.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Palmer.

1. SENATOR PALMER:

2. ...I would like to answer the sponsor some questions.
3. ...Some of the things that Senator Partee alluded to that I
4. would like answered and I intended to ask him and...Senator
5. Glass and myself covered these particular questions that...
6. when the Committee As A Whole met. It relates itselfs to
7. volunteers ... now, I'm not going to elaborate too much on
8. this bill. It's a very luminous bill, but would you turn to
9. page two of your bill, Mr. President, I'll try to be brief.
10. First of all on expenditures. I'm going to ask you a very
11. simple question. When you describe expenditures, what would
12. your answer be if some volunteer ran a cocktail party or a
13. coffee that exceeded the amount of \$200. Would that be re-
14. quired to be reported?

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Harris.

17. SENATOR HARRIS:

18. Well, I think that that would be covered under the word
19. donation. I think it would be and that's clearly set out in
20. line 23. I think that that's clearly a donation. That would be
21. a determination by the Board. ... if complaint were filed in
22. connection with it. I personally believe a candidate would be
23. compelled to report that under the qualification and the coverage
24. ...yeah...of the word donation as opposed, of course, to that
25. exclusory language that begins in line 18, personal services
26. provided by individuals to or on behalf of a candidate or
27. a candidates committee shall not be deemed to be a contribution
28. for purposes of this Act. Personal services is one thing that
29. I think appropriately should be excluded, but a person picking
30. up the tab for a \$200 cocktail party, I think clearly comes
31. within the definition of donation.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Palmer.

1. SENATOR PALMER:
2. ...describe this as a donation then would it become in-
3. cumbent upon the candidate in your opinion...
4. SENATOR HARRIS:
5. To report it as an expenditure. That's...that's
6. SENATOR PALMER:
7. Well, in order to report it, he would have to go to these
8. nice people and say Mr. and Mrs. So-And-So, Mr. and Mrs.
9. Harris, you ran a nice party for me. Please tell me how much
10. did you spend and what did you do and all that.
11. SENATOR HARRIS:
12. Yes.
13. SENATOR PALMER:
14. That right?
15. SENATOR HARRIS:
16. That's correct.
17. SENATOR PALMER:
18. Now, as your own opinion, would you think that this might
19. chase away that kind of donor?
20. SENATOR HARRIS:
21. I don't think there's any question but what campaign dis-
22. closure legislation will minimize contributions. There's no
23. question in my mind about it.
24. SENATOR PALMER:
25. Now, Section 4, although there are other references to
26. your candidates committee, may I ask you a direct question.
27. This bill...does this bill require that every candidate have
28. a committee?
29. SENATOR HARRIS:
30. Yes.
31. SENATOR PALMER:
32. Are you telling us by this bill that a candidate does
33. not have a ...

1. SENATOR HARRIS:
2. Candidates covered by the bill must have a campaign
3. committee. That's correct.
4. SENATOR PALMER:
5. You mean the candidate does not have a right to run with-
6. out a committee?
7. SENATOR HARRIS:
8. That's correct. The...the candidates covered by the pro-
9. visions of this bill will be required to have a committee. That's
10. correct.
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Senator Palmer.
13. SENATOR PALMER:
14. Mr...Senator, do you think that a candidate does not have
15. a constitutional right to run for office without a committee.
16. PRESIDING OFFICER (SENATOR WEAVER):
17. Senator Harris.
18. SENATOR HARRIS:
19. Obviously I do. I think this is a thoroughly constitutional
20. bill and I think that a legitimate public service in involved
21. here to require a person to have a committee in connection with
22. the candidates covered by this bill.
23. PRESIDING OFFICER (SENATOR WEAVER):
24. Senator Palmer.
25. SENATOR PALMER:
26. I...I ask you, Senator...I ask you Senator, not whether
27. the bill is con...whether a Senator or a public official or
28. candidate has a right to run without a committee. Isn't that
29. a constitutional right?
30. SENATOR HARRIS:
31. I'm answering you in the negative on that question. I'm
32. saying that I believe that...
33. SENATOR PALMER:

1. ...that he does not have that constitutional right.

2. SENATOR HARRIS:

3. Well, that would have to be litigated, Senator. I
4. personally think that there is basis to sustain this as
5. a reasonable requirement that the public good is served by
6. requiring these candidates to have a campaign committee to
7. report contributions and expenditures.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Palmer.

10. SENATOR PALMER:

11. Now, on further on Section 4, which has been mentioned by
12. Senator Partee. ...This bill would say that no volunteer or
13. organized political organization has no right to expend sums
14. of money on behalf of a candidate. Is that your direct answer
15. to that?

16. SENATOR HARRIS:

17. The committee is required to report expenditures. That's
18. correct. The committee is required and the committee is re-
19. quired to report expenditures.

20. SENATOR PALMER:

21. ...or...for assuming for example, Mr. X. has a committee,
22. a volunteer committee, however, the county chairman of his
23. county very graciously decides to expend some expenditure for
24. him towards his campaign. He does not have the right to do
25. that? without getting consent on his own? You're prohibiting
26. that by this bill?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Walk...

29. SENATOR HARRIS:

30. If I...if I understand your question, I do not...I ...I
31. believe it is not involved in the regulation of this bill. Are
32. you saying that a committee other than the candidates committee
33. expends money directly in behalf of the candidate.

1. SENATOR PALMER:
2. Right.
3. SENATOR HARRIS:
4. Not to the candi...as a contribution to the candidate?
5. SENATOR PALMER:
6. Right.
7. SENATOR HARRIS:
8. That is not covered under the bill and I responded to that
9. query by...that also has been raised by Senator Netsch.
10. SENATOR PALMER:
11. That's what? That they have the right to do that?
12. SENATOR HARRIS:
13. That's correct. The thing that is covered here is an
14. expenditure by a candidate or by the candidate's committee and
15. that expenditure is required to be reported to the Board under
16. this bill.
17. PRESIDING OFFICER (SENATOR WEAVER):
18. Senator Palmer.
19. SENATOR PALMER:
20. Well, it...as a closing statement, I see nothing but blocks
21. here and dry-ups' or...for candidates - you know gentlemen - please.
22. One thing that has been established with the Committee As A
23. Whole and some of the conversations here that the cost of
24. financing an election campaign has certainly increased. And,
25. instead of coming up with some solution here to help the
26. candidate, we are doing everything here to break down his
27. ...his ability to run. Which reminds me of an incident that
28. was reported in Peoria. The...they tell the story of a gentlemen
29. that was pulling a long, heavy chain across the street. And...
30. but when he got to the middle of the street, the nice officer
31. from Peoria stopped him and he says, why are you pulling the chain
32. across the street and he turned around and says, officer did you
33. ever try pushing a chain across the street. Well, that's what

1. we're doing here. We're telling candidates to push that chain
2. across. The candidates has got a hard enough pull to go through
3. a primary, a hard enough pull to go through an election. And,
4. instead of finding some solution to help the candidate, we are
5. presenting legislation to cut down his ability to raise the
6. most important thing to finance the cost of a campaign and that's
7. money. As Senator Roe has admitted here and so have the witnesses
8. that they have not, Senator Harris, I think you have admitted too,
9. that they have not found a substitute for money. And, also you
10. are drying up the volunteers. There many Sections in this bill,
11. Senator Harris, that are just chasing away people that would
12. like to help a candidate voluntarily and that is their right
13. under the Constitution. That is their privilege to say under the
14. Constitution of this great country that I would like to advance
15. the candidacy of Senator Harris. And, why should we pass bills
16. to stop that? And, I maintain that we are not helping the
17. gentlemen to pull that chain across the street, we're sending
18. him back to push it across. And, I think we should help our
19. candidates rather than to put these deterrents and dry up all
20. of the resources that he might get.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Harris may close debate.

23. SENATOR HARRIS:

24. Mr. President, we've, of course, had a great deal of
25. dialogue on this subject matter the past two or three weeks,
26. two very thorough committee of the Whole discussion here all day. I
27. believe, sincerely and strongly that this is a sound bill and
28. an appropriate, significant step to provide for adequate campaign
29. expenditure disclosure, structured to be administered by the
30. State Board of Elections, the body that should be involved on
31. the question of election activity in Illinois. This is a
32. sound piece of legislation and I do urge your support for
33. the passage of Senate Bill 12.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Question is shall SB 12 pass, and upon that question, the
3. Secretary will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
8. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
9. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
10. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
11. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
12. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
13. Sommer, Soper, Sours, Swinarski, Vadlalabene, Walker,
14. Weaver, Welsh Wooten, Mr. President.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Kenneth Hall, aye.. Carroll...Carroll, aye. Kenneth Hall,
17. aye. Fawell. Bruce, no. ...purpose does Senator Harris arise?
18. ...question, the ayes are 35, the nays are 11 and one present.
19. SB 12 having received a constitutional majority is declared
20. passed. ...Senator Harris.

21. SENATOR HARRIS:

22. Now, Mr. President, I'd like to seek leave of the Body to
23. have entered in the Journal for this Special Session that
24. Senator Conolly is absent from the Senate today because of a
25. death in his family. The funeral was this morning. Senator
26. Hall is absent today because he has appeared before a National
27. Association meeting in Miami, Florida, in which he was a parti-
28. cipant in that annual meeting in regard to legislation regulating
29. Blood Banks which Senator Hall sponsored. I would like the
30. record to show that reason for their respective absences.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. SB 10.

33. SECRETARY:

1. SB 10. (Secretary reads title of bill).

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Scholl. Senator Scholl.

5. SENATOR SCHOLL:

6. Mr. President, Members of the Senate, the issue of dis-
7. closing land trusts has been kicked around now for the last
8. 8 months. ...Today we've put on some very constructive amend-
9. ments that were submitted by Senator Glass, Senator Fawell and
10. Senator Nudelman. Rather than take up a whole lot of time dis-
11. cussing this issue that has been dis...talked about for a long
12. time, I'm going to ask for a favorable roll call.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Rock.

15. SENATOR ROCK:

16. Mr. President, Members of the Senate, I hope particularly
17. Senator Nimrod will listen because I'm going to quote, about an
18. hour ago, Senator Nimrod said he thought it was unfair, I think
19. was the word he used, to consider a piece of legislation of
20. the magnitude of SB 6, when we really hadn't had an opportunity
21. to study it. I want to point out, SB 10 was introduced on
22. October the 29th. A couple of hours ago, amendment No. 1 was
23. offered. I don't know whether anybody's had an opportunity
24. to read Amendment No.1 with the exception possibly of Senators
25. Glass and Nudelman, but Amendment No. 1 struck everything after
26. the enacting clause and put in a whole new bill. I just think
27. that we've had since October 29th, I think to strike everything
28. after the enacting clause and then to put on seven amendments,
29. this is not, in my judgment, responsible deliberation.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Any further discussion? Senator Glass.

32. SENATOR GLASS:

33. Well, Mr. President, in response to Senator Rock's comments
that this is not responsible deliberation, I suppose I would have

1. a hard time disputing that statement, because we are in the
2. closing hours of this Session and a tremendous volume of
3. legislation is being considered. So, I don't know how else
4. you get legislation than when you're under pressure to get
5. the job done. But, I would point out that instead of adding
6. pages and paragraphs to a bill, what has happened with SB 10
7. is that it has been simplified,...made very direct and, I
8. think very understandable. In essence, it provides that
9. before monies are paid by the State for title to the right or
10. to use any real estate...or for any interest therein, the
11. identities of the beneficial owners must be disclosed. I
12. don't think there's anything mysterious about it. The amend-
13. ments that Senator Nudelman introduced which I opposed, I
14. don't think seriously hurt the bill, particularly in the area
15. of eminent domain...as was pointed out in the debate, the owner-
16. ship of property can be determined ... in...in those cases
17. which are in court anyway. So, that...I think this bill has
18. has a lot of attention by a number of counsel, including, Senator
19. Sours, Senators Nudelman and Palmer and I think Senator Scholl
20. should be congratulated on ... on his determination to have
21. a good bill before us. ...And despite the relatively brief
22. time we've had to debate it and understand it, I think it's a
23. good piece of legislation and I hope it will pass.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. ...further discussion? The question before the Senate is
26. shall SB No. 10 pass. Upon that question, the Secretary will
27. call the roll.

28. ACTING SECRETARY (MR. WRIGHT):

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
2. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
3. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
5. Weaver, Welsh Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Weaver, aye. McBroom, aye. Nimrod, aye. Soper, aye.
8. Been a request for a poll of the absentees. Absentees will
9. be called.

10. ACTING SECRETARY (MR. WRIGHT):

11. Bruce, Buzbee, Carroll, Chew, Clarke, Conolly, Course,
12. Daley, Donnewald, Dougherty, Harber Hall, Kenneth Hall, Hynes,
13. Johns, Keegan, Knuppel, Kosinski, McCarthy, Newhouse, Ozinga,
14. Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith,
15. Swinarski, Vadalabene, Welsh and Wooten.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. There's been a request to place the bill on the order
18. of consideration postponed. So ordered. Next bill will be
19. SB 13.

20. ACTING SECRETARY (Mr. Wright):

21. SB 13 (Secretary reads title of bill).

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Nimrod:

25. SENATOR NIMROD:

26. Mr. President, and fellow Senators, we have today discussed
27. a great deal about campaign disclosures and ethics, and I
28. would ask that each of you who have received a copy of the bill
29. and the amendment that was made yesterday,...allow me to take
30. a minute here to just review what has happened and the status
31. of the bill as it is now. This bill is a campaign disclosure
32. bill and creates the Illinois Campaign Disclosure Act and what
33. it does basically, in it's form as it is now,,is to provide for

1. all who seek public office, to be under a campaign disclosure.
2. And it is sensible, because it takes the approach that those
3. who are running for constitutional office and those whose
4. campaigns are of a magnitude which are over \$100,000, certainly
5. require and demand the attention of having...it...their ...
6. campaign disclosures and expenditures made into the form of
7. a report. It calls for those who are of lesser offices, those
8. who seek the state-wide offices of State Representative and
9. State Senator, the Judiciary, and all local offices, requires
10. them to make a report of anyone who is contributing over \$200.
11. It sets a threshold at this particular point and it does not
12. require you to report if your campaign...contributions are
13. less than \$1,000. I think that this is a very sensible approach.
14. It provides for basically the same kind of hearings and the
15. procedure that was involved in SB 12. And, this particular bill
16. is administered by the State Board of Elections. I think what
17. we have to do here is to say that we have some basic differences
18. as of why this is a better bill, is that certainly we come to
19. the point that it's certainly unnecessary to take and make any-
20. one report if it is a...of a minor nature. I think that people
21. who contribute...or people who are concerned, are not the
22. general public and I don't believe the ones that are concerned
23. at this particular point or anyone else that...except ourselves,
24. who have to set a standard by which the public can judge us.
25. And, I think the time is here an now that the public looks to
26. us to see how we handle it and I'm very please to see that the
27. Senate has passed two campaign disclosure bills today and I
28. would ask that you pass this one so that it may also be weighed
29. in with the others with it's aspects, and there are those that
30. are different, so that there can be an agreement as to the kind
31. of bill that will come out of this particular Legislature, both
32. between the House and the Senate. I would be happy to answer
33. any questions that might be presented.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The lady from Chicago indicates she would like to ask
3. Senator a question. Senator Netsch.

4. SENATOR NETSCH:

5. Thank you, Mr. President. It's a question, not a speech.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Thank you.

8. SENATOR NETSCH:

9. ...Senator Nimrod, as I read the amended...SB 13...it has
10. the same effect with respect to contributions to political
11. parties and contributions by political parties to candidates
12. as Senator Harris' bill, is that correct?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes. In my bill there is no call for a report on the part
17. of the candidate...he does all the reporting himself, and that's
18. different than Senator Harris' bill. And, all committees that
19. are on behalf of the candidate are reported by the candidate
20. himself. The only report that is made,...you...talking about
21. political organizations that make it, the political organizations
22. that if they make a contribution to the candidate, that amount
23. would show up. But, the reports of the committees themselves
24. as having to make a report, no. This is a candidate reporting
25. bill.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Netsch.

28. SENATOR NETSCH:

29. Right, and so the...the ultimate source of the financing of
30. ...of campaigns really is not reached because there is this great
31. gap involved in the original source and that which ultimately
32. gets reported. That probably is editorial comment, but I think
33. you have answered the question. It is the same as Senator Harris'

1. with respect to the effect on...on political party contri-
2. butions and contributions to political parties. ...
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Nimrod.
5. SENATOR NIMROD:
6. ...Senator Netsch, there is no gap. All monies, all
7. contributions received by the candidate are reported. The...
8. if you're asking me whether the...whether this bill calls for
9. a political organization to make a report, this bill does not
10. do so. This bill only requires the candidate to report.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Senator Regner.
13. SENATOR REGNER:
14. ...yield to a question.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Oh, I'm sorry. Senator Netsch was not completed. I did
17. not intend to preclude your editorial comment.
18. SENATOR NETSCH:
19. You're sure you didn't realize it.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Oh, you know I wouldn't.
22. SENATOR NETSCH:
23. Very well. So that...if...it then leaves open the possibility
24. of someone contributing to the political party as sort of a
25. subterfuge for the ultimate contribution. ... May I ask you
26. one other thing. As I read the bill, your filing dates, that
27. is reporting dates have no particular relationship to the dates
28. of elections, that is they are, I think it was July 15th and
29. January 15th. Is that correct.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Senator Nimrod.
32. SENATOR NIMROD:
33. I think the reporting dates are very irrelevant to the

1. periods involved. They are so set that there is a report
2. following primaries and that there's also a report following
3. the elections, and it also calls for continuous reports. ...
4. The ... if you will note, there are some qualifications that
5. take place that require over a two-year period...that contri-
6. butions that put you into one bracket or the other. But, there
7. is a...these dates are set for the purpose of having a report
8. being made following the primary elections and following the
9. general ele...there's two reports a year.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Netsch:

12. SENATOR NETSCH:

13. They're required after the fact of the election, not before,
14. except as you accumulate information over a period of years, if
15. the same person continues to run for office. May I ask you one
16. other thing, Senator Nimrod? As I read the bill, the only way
17. in which violations of the Act can be initiated before the
18. Board are on a verified complaint by someone who does file the
19. verified complaint alleging that there has been a violation.
20. Is that correct?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Nimrod.

23. SENATOR NIMROD:

24. That...that is correct, Senator Netsch.

25. SENATOR NETSCH:

26. So, the Board does not have the power on its own to
27. initiate investigations, it must wait for someone under oath
28. to make the allegation. Right?

29. SENATOR NIMROD:

30. No, Senator, that is not right. The Board has the powers
31. to conduct investigations and to make reports and this informa-
32. tion is public and these hearings are public, because unlike the
33. other bill it's ...And, if they...if they want to make...

1. investigations on their own they probably can't bring any
2. charges, but they certainly can go out and make the investiga-
3. tions. .

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Netsch.

6. SENATOR NETSCH:

7. ...mean then they could make a general investigation of...
8. of...activities involving the bill, but they could not investi-
9. gate an allegation of a failure to comply with it. That would
10. require the verified complaint.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Nimrod.

13. SENATOR NIMROD:

14. No, Senator, they do not. They have the right to make
15. their investigations at any time they choose. They cannot make
16. the allegation themselves. I think that's the difference, but
17. they can make investigations on a particular candidate ...per-
18. taining for the area of which is in their responsibility.

19. PRESIDING OFFICER:

20. Senator Netsch.

21. SENATOR NETSCH:

22. Just one final comment this time, I think most of those
23. questions have been answered, I still find, with all due
24. respect to Senator Nimrod, great gaping holes in this in terms
25. of its coverage. And, in addition to ones that I have been
26. questioning you about, I think the...the definition of...of
27. political contribution is very, very limited in terms of
28. its scope. It involves only that which is directly received
29. by the candidate, not anything which is expended on his behalf.
30. And, of course, does exclude personal services, which can be
31. a very significant source of contribution and often is. So,
32. that I...I still find that while there is, I think, a little
33. more here than in Senator Harris' bill, a large area that is

1. simply, not really met and covered at all. Thank you.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator...did you wish to...Senator Regner.

4. SENATOR REGNER:

5. ...Senator Nimrod, if I understand this bill correctly, it

6. does not apply to any organization or anything like that, such

7. as Senator Roe's bill did. It applies only to candidates?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senat...

10. SENATOR NIMROD:

11. Senator, that...that is correct. It only applies to

12. candidates and not to organizations. However, it does re-

13. quire the candidate, if there are any committees which are

14. set on his behalf, then those committees are the candidate and

15. he reports those.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Ok. Now, as far as candidate go, how far down does this

18. go. Does it include Ward and Township Committeemen in Cook

19. County and Precinct Committeemen downstate.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Nimrod.

22. SENATOR REGNER:

23. ...and all other local candidates such as Park Boards and

24. so on and so forth.

25. SENATOR NIMROD:

26. The...the bill includes all who seek nomination for election

27. to public office. So, it would include anyone running in the

28. State of Illinois for public office, which would include those

29. which you've questioned about.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Regner.

32. SENATOR REGNER:

33. Ok. Now, let...let's assume that there's a committeeman

1. ...wherever, downstate, Cook County, what have you, that sells
2. ads in an ad book and it goes into what's called a committeeman's
3. fund. Now, may be used for distribution to the organization he's
4. associated with or other candidates or what have you, it does
5. not necessarily have to be used by him in his own campaign.
6. Would he have to report for that fund.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Senator Nimrod.
9. SENATOR NIMROD:
10. If it's a fund that he is responsible for,...seeking the
11. election to office that he would have to report it.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Senator Regner.
14. SENATOR REGNER:
15. Now, it only applies, it's a thousand dollars ... contri-
16. butions a year or a thousand dollars expenditures. Is that
17. correct?
18. SENATOR NIMROD:
19. Yeah. That is...that is correct.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Regner.
22. SENATOR REGNER:
23. Now...now in a case, myself, this year, I have not re-
24. ceived any contributions of any kind. I've not had a fund-
25. raiser. I'm not going to expend any monies at all. Would I
26. have to file anything at all or would I just be out of it for
27. this year completely?
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Senator Nimrod.
30. SENATOR NIMROD:
31. At the time when you were...at the last reporting period,
32. if you had not, you would have filed it. You do not and you
33. do not intend to and you would not have to file any further

1. until you again became a candidate or started to receive
2. contributions in excess of a thousand dollars.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. ...Knuppel, from Petersburg and or Havana.

5. SENATOR KNUPPEL:

6. Mr. Chairman, this is Monday, the day we do wash. In that
7. little song, we do our wash, do our wash, do our wash. Now, the
8. House was nice enough to send us over four bills, let's send
9. them back three. Let's see if they're really serious about
10. ethics legislation. ... Let's let them put their money where
11. their mouth is. It's another good bill and let's be sure they
12. get it. And, let's do our wash, do our wash, do our wash.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Merritt, the Gentlemen from Hoopeston.

15. SENATOR MERRITT:

16. Mr. President, Members of the Senate, I certainly rise
17. in support of this legislation, just as I support SB 12. The
18. thing that makes this bill different, in my opinion, is the
19. fact that we include all elected public officials. I think to
20. have done otherwise would be complete folly. We included all
21. elected public officials under the previous...law in which
22. they must declare their economic interests. I can't see why
23. they wouldn't be included in campaign disclosure legislation.
24. I think to do otherwise certainly makes your Governor on down
25. to your State Representatives and State Senators, makes all
26. of us second-class citizens compared to other elected public
27. officials. Now, if we're going to make these disclosures,
28. and I think we should, then let's put all elected public
29. officials in the same boat. I urge a favorable roll call
30. vote on this bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Glass and then Senator Sours.

33. SENATOR GLASS:

1. Like to ask...Senator Nimrod. I think there may have
2. been some confusion, at least there was in my mind, on who
3. is covered. A candidate's own committee would be covered.
4. Isn't that correct? A committee organized for the purpose
5. of raising funds and expending them for a candidate. That
6. committee would report, wouldn't it?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Yes, Senator Glass, that committee and any committee which
11. is called a candidate's campaign committee and this means any
12. organization which receives a political organization for the
13. exclusive purpose of bringing about the nomination for election
14. of a particular candidate. So, any committees that are organized
15. by him or for him are included.

16. SENATOR GLASS:

17. And the other question is... ..

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Glass.

20. SENATOR GLASS:

21. Thank you. Is there any limit on what can be spent, under
22. the bill, as it now stands?

23. SENATOR NIMROD:

24. No, Sen...no Senator, there are no limits. We'd intended
25. to put it on, but there just was not time to get the bill
26. amended.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Sours.

29. SENATOR SOURS:

30. I have two questions, if the Senator will yield.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Indicated he will yield.

33. SENATOR SOURS:

1. ...There are committees, if one wants to call them that,
2. or we'll call them organizations, such as COPE, C.O.P.E, then
3. there's I.P.A.C.E. and others. Now, they are not under the
4. control or even exist at the suggestion of any particular
5. candidate. It seems to me that they would be excluded, Senator,
6. from your bill. Would they not?

7. PRESIDING OFFICER:

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Senator Sours, the organization itself would be excluded as
11. are other political organizations, however, any contributions
12. which they would make as an organization or individually from
13. that organization, would be included

14. PRESIDING OFFICER):

15. Senator Sours.

16. SENATOR SOURS:

17. Of...of course, Senator, they wouldn't make a contribution.
18. They would have their own ad in the local saffron hued gazette,
19. telling people to vote for, or not vote for somebody. You see,
20. there's the rub. I don't think you've included any of the...
21. of the organizational committees, such as...COPE and others.
22. I think they're, by definition, they're excluded because I
23. don't ask them to support me and they don't come to me and
24. ask permission to support me, for example. They go and they
25. have their own advertising schedule. They spend money on
26. workers. They ... in their...in their union magazine, for
27. example, they'll say, support Joe Blow. And, of course, all
28. of those things are very valuable and they are unreportable as
29. I see it in your bill. Now, ...I'd...I'd like a definite
30. answer on that, if...if you know the answer.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Nimrod.

33. SENATOR NIMROD:

1. I think we've pretty well answered that, Senator Sours.
2. I only can tell you this, that the political organizations
3. which would include such organizations as COPE, are not covered
4. in the scope of this bill, and if it is your desire to include
5. such organizations within the purview of campaign disclosures,
6. I would suggest that there be a bill introduced to do this.
7. And, there's nothing wrong with doing that. But, I think that
8. what we have to face is that we're now trying to come up with
9. what we think should be the first step. And, the first step
10. that I see in the concept of this bill, and that's why I pre-
11. sented, it, is to make the candidate himself first responsible,
12. then, if we, as a Body, want to go further than that, let's
13. go beyond that purview and add those things that you're talking
14. about.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Sours.

17. SENATOR SOURS:

18. This is my second and last question. It's very brief.
19. As I understand it, the precinct committeemen, plural, the
20. precinct committeemen would have to each, individually file.
21. Now, I happen to be a precinct committeemen, I'm also a
22. member of this Chamber, I'm on the Peoria Public Library
23. Board. Now, will I have to file three of these.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Nimrod.

26. SENATOR NIMROD:

27. You would only have to file if you had campaign contribu-
28. tions exceeding \$200 from any one individual, or ... if...if
29. you even...even if you received over a thousand dollars or
30. spent over a thousand dollars, and you didn't have any one that
31. gave you over 200, you would not have to make any report at
32. all.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Further questions. If not there is a Senator...been ask
2. for recognition a second time. Senator Regner.

3. SENATOR REGNER:

4. ...Just one more question. Senator Nimrod, you said it
5. reads that all candidates for public office would be included.
6. Would not a candidate for committeeman be it township, ward or
7. precinct committeeman downstate, would not that be considered
8. a political office and not a public office and therefore, they
9. would not be included in this bill?

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Well, I...you know, I think that this means that anyone,
14. I think this is where it goes back to candidate definition,
15. and it says that it means any person who seeks nomination
16. for or election to a public office. Now, you brought up the
17. term political office and I'm not sure that there is a difference
18. between the two, and if there is a difference there, I think
19. that something has to be done. It was my intent that they
20. were included...and I'm...really have not investigated that
21. part that might exclude them, but there's certainly time to
22. look into this. I appreciate you're calling attention to it
23. and I will certainly be able to do something about it when it
24. gets over to the House.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any further discussion? If not, Senator Nimrod says,
27. very briefly, he will close the debate.

28. SENATOR NIMROD:

29. I would just call your attention to some unique differences
30. here that you might or might not have been aware of, and that is
31. that in this particular case, there is a distinction in the case
32. of reporting between the constitutional officers, that is the
33. Governor and those that are provided for in the Constitution,

1. and anyone's campaign who exceeds \$100,000. They make a full
2. report of campaign expenditures and contributions, but those
3. who are otherwise in that, whose campaign's would be other than
4. that and are...less than \$1,000...or over \$1,000, they would
5. only report the name of the persons who might...would have
6. contributed over \$200 and the total amount of expenditures,
7. and no other reports. I would ask for a favorable roll call,
8. Mr. President.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. The question before the Senate, is, shall SB 13 pass.
11. And, upon that question, the Secretary will call the roll.

12. SECRETARY:

13. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
14. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
15. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
16. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
17. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
18. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
19. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
20. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
21. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
22. Weaver, Welsh Wooten, Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Been a request for a call of those who are absent.
25. Absentees will be called.

26. SECRETARY:

27. Bartulis, Bruce, Carroll, Chew, Clarke, Conolly, Course,
28. Daley, Donnewald, Dougherty, Fawell, Glass, Graham, Gr...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Aye.

31. SECRETARY:

32. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
33. Kosinski, McCarthy, Newhouse, Nudelman, Palmer, Partee, Rock,

1. Romano, Savickas, Schaffer, Scholl, Smith, Swinarski, Welsh,
2. Wooten, Mr. President.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Bartulis, aye. Carroll, aye. Rock,...Romano, aye, Daley,
5. aye. Kosinski, aye. Swinarski, aye. Hynes, aye. Senator
6. Ozinga asks how he is recorded. Voting aye. Senator Ozinga
7. requests to be recorded no. We still have a problem. Dougherty,
8. aye. Donnewald, aye. I'll have that record tomorrow. On this
9. question, the yeas are 31, the nays are 3. 4 voting present.
10. The bill having received the constitutional majority is there-
11. fore declared passed. Senator...Senator Bell moves the vote
12. by which this bill was just passed, be reconsidered. Senator
13. Regner moves to Table Senator Bell's motion. All in favor of
14. the motion to Table will signify by saying aye. Opposed. The
15. ayes have it and the motion is Tabled. Next bill will be SB 15.
16. Fifteen. Senator Nimrod. The action is up here I think. Are
17. you...do you want to proceed on 15 or are we going to...

18. SENATOR NIMROD:

19. I...Mr...Mr. President, I would...ask leave to Table...
20. SB 15.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. You won't have any trouble getting leave for that? The
23. sponsor has asked leave of this Body to Table SB No. 15. All
24. in favor, signify by saying aye. Opposed. The ayes have it.
25. The bill is Tabled. Senator Nimrod.

26. SENATOR NIMROD:

27. Mr. President, I'd just like to take a moment for a point
28. of personal privilege. I noticed on my desk a release that
29. was here and I certainly am disappointed that one of our colleagues
30. is not going to become a candidate and go to Washington which
31. I think he would so ably represent us and I'm speaking of
32. Senator Howard Mohr, who has decided to stay with us. I want
33. to tell you for that part of it I am rejoiced that he will be

1. with us and be our majority leader. ...And thought I'd just
2. like to make that comment.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. We might change that. He'd be glad to hear your sentiments.
5. Any further business to be brought before this Session at this
6. time? We're not going to close it right away, I'm just trying
7. to call your attention to the fact that we need some action.
8. Do we have any Senate sponsors...I need your attention. I'm
9. getting very little of it. Gentlemen, Senators Nudelman and
10. Donnewald, when you're tthrough making speeches to each other
11. I'd like to find out if there's any Gentlemen here that have
12. any business they would like to transact on the order of House
13. Bills on first reading. Senator McBroom. No, wait a minute,
14. Senator Wooten was up first, Senator McBroom.

15. SENATOR WOOTEN:

16. Yes, I'd like to be listed as the sponsor...Senator sponsor
17. of HB 3 and request unanimous consent that the Committee on
18. Assignment of Bills be discharged from further consideration
19. of that bill. That it be advanced to the order of 2nd reading
20. without reference.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Well, you will not have unanimous consent, but I'm sure
23. they will give you leave.

24. SENATOR WOOTEN:

25. All right.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. ...to have...Senator McBroom.

28. SENATOR MCBROOM:

29. Mr. President, I rise on a point of personal...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. We haven't asked for a reading of them yet.

32. SENATOR MCBROOM:

33. I rise on a point of personal privilege, Mr. President.

1.
2. we have a very distinguished visitor in the gallery, Senator
3. John Knuppel from Petersburg. Would the Senate rise and
4. acknowledge....
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. There is going to be...there's going to be some further
7. business, shortly and would the Senate please be in an official
8. temporary recess
9. - Momentarily -
10. ...Walker.
11. SENATOR WALKER:
12. ...Thank you, Mr. President. I was temporarily distracted
13. back here, but, I thought I heard you mention House Bills 1st
14. reading. I would like to advance HB 1668 to the order of 2nd
15. reading without reference to a committee.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. I don't know what Session you're in Senator.
18. SENATOR WALKER:
19. I'm in the Regular Session, but this is...
20. PRESIDING OFFICER (SENATOR GRAHAM);
21. We're...you're...
22. SENATOR WALKER:
23. ...This is a terrific bill and I'd like to advise the
24. House sponsor that I gave it the old college try.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator, you're the only one that's in the Regular Session,
27. the rest of us are not. Daniel Dougherty...Dougherty.
28. SENATOR DOUGHERTY:
29. I wonder if Senator Walker would yield to a question?
30. When are you going to take that walk on that bridge?
31. SENATOR WALKER:
32. I'm...I'm sure, Mr. President...
33.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. You can take the 5th if you want to.
3. SENATOR WALKER:
4. ...that Senator Dougherty joins me in this request because
5. it's in our district or very close to it. Isn't it Senator?
6. SENATOR DOUGHERTY:
7. It's on the periphery, yeah. Which one, I don't know.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. ...be temporarily in an official recess unless someone
10. disturbs the Chair. The First Special Session of the 78th
11. General Assembly will stand in recess until the call of the
12. Chair and we will move to another Session when the tape is
13. changed and will try to expedite some of the business on this
14. Calendar.
15. (RECESS)
16. (AFTER THE RECESS)
17. PRESIDENT:
18. First Special Session will come to order. Messages from
19. the House.
20. SECRETARY:
21. (Secretary reads Message from the House)
22. PRESIDENT:
23. ...Bills on 1st reading. HB 1.
24. SECRETARY:
25. HB 1 (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDENT:
28. Senate...Senator Wooten. HB 3.
29. 1st reading of the bill.
30. PRESIDENT:
31. Senator Wooten.
32. SENATOR WOOTEN:
33. Mr. President, I would like leave of the Body to advance

1. HB 3 to the order of 2nd reading without reference to committee.
2. PRESIDENT:
3. Senator Wooten moves to have HB 3, which has been read a
4. 1st time, advanced to the order of 2nd reading without reference.
5. All in favor, signify by saying aye. Contrary no. On that
6. question, all in favor, signify by rising. Those opposed, rise.
7. The motion fails. The Rules are not suspended. HB 6.
8. SECRETARY:
9. HB 6 (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDENT:
12. Senator Nimrod will be shown as the sponsor of that. HB 8.
13. SECRETARY:
14. HB...
15. PRESIDENT:
16. There is no sponsor for that, I guess, so that...oh I'm
17. sorry. Senator Howard Mohr.
18. SECRETARY:
19. HB 8 (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDENT:
22. Is there any further business to come before the 1st
23. Special Session? The First Special Session then will stand in
24. recess subject to the call of the Chair.
25. (RECESS)
26. (AFTER THE RECESS)
27. PRESIDING OFFICER (SENATOR WEAVER):
28. First Special Session will come to order. ...Consideration
29. postponed. SB 10. Senator Scholl.
30. SENATOR SCHOLL:
31. Mr. President, I request to call that...SB 10 back and I
32. ...and I ask for a favorable roll call.
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Is there any discussion?...

2. SENATOR SCHOLL:

3. This matter was well discussed this morning and...

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Question is, shall SB 10 pass and upon that question, the
6. Secretary will call the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
11. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
12. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
13. Mohr, Don Mocre, Netsch, Newhouse, Nimrod, Nudelman,
14. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
15. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
16. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
17. Weaver, Welsh Wooten, Mr. President.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Fawell, aye. Saperstein, aye. On that question, the ayes
20. are 34, and the nays are none. SB 10 having received a con...
21. constitutional majority, 34 ayes and 1 nay, SB 10 having re-
22. ceived a constitutional majority is declared passed. ...Harris.

23. SENATOR HARRIS:

24. I now move that the First Special Session adjourn until
25. Friday, November 16 at 10:45. All in favor, signify by saying
26. aye. Opposed nay. Motion carries.