

HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH GENERAL ASSEMBLY

ONE HUNDRED THIRD LEGISLATIVE DAY

NOVEMBER 1, 1971

1:00 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR,

SPEAKER IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

A roll call for attendance was taken and indicated that all were present with the exception of the following:

Representative Bruce L. Douglas - family illness;

Representative John P. Downes - illness;

Representative 'Giddy' Dyer - no reason given;

Representative Benedict Garmisa - no reason given;

Representative Harold A. Katz - no reason given;

Representative James Pate Philip - no reason given.



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

Hon. W. Robert Blair: "The doorkeeper will see that those not entitled to the floor will be removed therefrom and those that are in the hallways on each side of the chamber are also removed therefrom. The invocation this afternoon will be by our House chaplain, Dr. Johnson."

Dr. John Johnson: "We pray on the basis of Psalm 33. Almighty God we confess that your word is right and that all of your works are done in truth. You love righteousness and all of the earth is truly full of your goodness. You speak and your will is accomplished. Remind us, O Lord, that that nation is blessed which confesses you to be God. Remind us that as your eye is upon all who fear you your heart is open to all who trust in your mercy. As we now face another difficult week, guide us and preserve us so that when the activities of this week are over, we may experience the real joy of service because it has been done in your fear and favor. Let your mercy continue to be with us, O Lord, this day and this week, as we hope in your presence. And now, we beseech you in behalf of the daughter of Representative George O'Brien who is hospitalized. Be to her the good physician and the Good Shepherd who restores and comforts and heals. We pray, O God, because you are a father to all who place their trust in your name. Amen."

Hon. W. Robert Blair: "Roll call for attendance. All right, with leave of the House, we'll go to House Bills third



reading. 3572."

Fredric B. Selcke: "House Bill 3572, a bill for an act to add Section 11 to an act in relation to state revenue sharing with local governmental entities, and to make an appropriation for distribution to certain local governmental entities. Third reading of the bill."

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

John J. Houlihan: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3572 appropriates \$8,000.00 to the Village of Park Forest South and in House Bill 3572 the formula for when errors are made in the distribution of the counties and municipalities share the income tax is provided. I ask for your support of this bill."

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

Arthur E. Simmons: "Well, Mr. Speaker, I believe that bill was amended and it appropriates \$40,095.00, \$8,010.00 to the Village of Park Forest and then County of Warren, \$14,000.00, Village of London, \$2,000.00, City of Chilli-cothe, \$15,048.00, is that correct?"

John J. Houlihan: "That is correct. I can explain that. That the administration came in with an amendment that they veto the bill that appropriated this and it passed the House and the Senate earlier this year and the reason the Governor vetoed it was because there was no vehicle to refund this money."

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



John J. Houlihan: "No."

Hon. W. Robert Blair: "All right. Ah, the question is shall House Bill 3572 pass with the provision that it become effective immediately upon its becoming a law that requires 107 votes. All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. Burditt, 'Yeas'. On this question there are 147 'Yeas' and no 'Nays' and the bill having received the required number of votes under the constitution is hereby declared passed. Those members that have bills on third reading that desire the Chair to consider for calling, if you would advise the Chair of that fact why we will certainly consider it. 3708."

Fredric B. Selcke: "House Bill 3708, a bill for an act to amend Section 917 of the 'Illinois Income Tax Act'. Third reading of the bill."

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

Harber H. Hall: "Ah, Mr. Speaker, I'd like to have leave of the House to consider 3508 to 3515. Ah, together."

Hon. W. Robert Blair: "37."

Harber H. Hall: "3708 to 3715 as a package."

Hon. W. Robert Blair: "Is there objection? All right, hearing none, then the Clerk will read 3709 through 3715."

Fredric B. Selcke: "House Bill 3709, a bill for an act to amend Section 11 of the 'Retailers' Occupation Tax Act'. Third reading of the bill. House Bill 3710, a bill for an act to amend Section 10b of the 'Cigarette Tax Act'."



Third reading of the bill. House Bill 3711, a bill for an act to amend Section 20 of the 'Cigarette Use Tax Act'.

Third reading of the bill. House Bill 3712, a bill for an act to amend Section 11 of 'The Messages Tax Act'. Third

reading of the bill. House Bill 3713, a bill for an act to amend Section 11 of 'The Gas Revenue Tax Act'. Third

reading of the bill. House Bill 3714, a bill for an act to amend Section 11 of 'The Public Utilities Revenue Act'.

Third reading of the bill. House Bill 3715, a bill for an act to amend Section 6e of Article VIII of an act relating to alcoholic liquors. Third reading of the bill."

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

Harber H. Hall: "Mr. Speaker and Ladies and Gentlemen of the House, this is a series of bills is introduced for the purposes of making it amply clear that the Auditor General has the authority to receive access to otherwise classified information involved in the Department of Revenue in the area of the various tactics involved with this series. It is essential the housekeeping bills in the process of auditing the records of the Department of Revenue, the Auditor General is required to check all these accounts and to assure that they balance and to insure and write a report that the accounts all do meet the requirements of the auditing act. I ask for your support in these series of bills."

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

Roman J. Kosinski: "Ah, Mr. Speaker, will the sponsor yield for a question?"



Harber H. Hall: "Yes."

Roman J. Kosinski: "Ah, Mr. Hall, when the original act was written and the Auditor General was precluded from such examination as were other people, it was a confidential series, if I'm not mistaken, am I correct?"

Harber H. Hall: "Actually the legislature probably should have recognized the fact that the Auditor General is required to audit the accounts of the Department of Revenue and he probably should have been excluded when the initial act was created."

Roman J. Kosinski: "How had he been auditing such accounts heretofore?"

Harber H. Hall: "Well, as you are aware the Auditor General is an office up until we change it under the 1970 Constitution and the office is created and reports to two state institutions, one the Governor and one to the legislature. They have performed their required duties to audit every agency of this state and they have been auditing the Department of Revenue work, but this is to insure their continual access to these otherwise confidential records, which to which others don't do not have access."

Roman J. Kosinski: "Then it is truly a housekeeping bill?"

Harber H. Hall: "Yes, it's a housekeeping measure, they will not be doing anything now that they haven't done. Both the Department of Revenue and the Auditor General initiated this legislation for the benefit of conducting both of their respective offices."



Roman J. Kosinski: "Thank you."

Hon. W. Robert Blair: "Okay, the question is shall these bills pass, each of them with the provision that they become effective when they become law. All those in favor will vote 'Yeas', the opposed 'No', 107 votes are required. The Clerk will take one roll call and make a xerox copy of that for each of the other bills. Have all voted who wished? The Clerk will take the record. On these questions there are 157 'Yeas' and no 'Nays' and each of these bills having received the votes required by the constitution become effective upon their becoming a law are hereby declared passed. 2646."

Fredric B. Selcke: "House Bill 2646, a bill for an act to amend Section 5 of an act to regulate the practice of dental surgery and dentistry in the State of Illinois. Third reading of the bill."

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

John S. Matijevec: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2646 is a bill that allows for the extension of of services by dental assistants. It is a bill that was sponsored by the Illinois Dental Society. It has no opposition and I respectfully request your favorable vote on House Bill 2646."

Hon. W. Robert Blair: "Further discussion? All right, the question is shall this bill pass? All those in favor vote 'Yeas' and the opposed 'No'. Have all voted who wished? McClain, 'Yeas'. The Clerk will take the record. On this



question there are 142 'Yeas' and no 'Nays' and this question having received the constitutional majority is hereby declared passed. The gentleman from Cook, Mr. Simmons, for what purpose do you rise?"

Arthur E. Simmons: "I wish to vote 'No' on that bill."

Hon. W. Robert Blair: "Record the gentleman as voting 'No' 3707."

Fredric B. Selcke: "House Bill 3707, a bill for an act to add Section 22.02a to and to amend Sections 2, 3, 17, 21, 22.01, 23, 26b, 26b.1 and 26b.6, of the 'Soil and Water Conservation Districts Law'. Third reading of the bill."

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

Ben C. Blades: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3707 is a bill that updates the present Soil and Water Conservation Districts Law legislation and it provides that any major governing body of a municipality may petition into an existing soil conservation district. It clarifies the statute on how a sub-district directors may be elected and it makes it makes possible for soil conservation districts to meet the requirements of the F.H.A. in order to obtain low interest rate loans. I solicit your vote on this bill."

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

John W. Alsup: "May I ask the sponsor a question?"

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

John W. Alsup: "Ben, under your proposed bill, is it possible for a city through this method to vote in the surrounding



area against their will?"

Ben C. Blades: "Ah, John, I can't answer that question. I understand, this bill has been, I understand this bill has been provided by the has been worked out by the Soil Conservation office here in the Agricultural Department in keeping with the various district offices and county offices a at home and they are all in agreement on it. I can't answer your specific question, other than municipalities may petition in to an existing Soil Conservation District."

John W. Alsup: "This was my only concern was that a city could vote in a large area surrounding the city against their will, and they. . ."

Ben C. Blades: "I don't believe that. . ."

John W. Alsup: ". . .sponsored by the Soil and Water Conservation Districts, apparently they wouldn't do this."

Ben C. Blades: "No, I don't believe that would be possible, John."

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

Edward L. Kipley: "Ah, Mr. Speaker, may I ask where this bill is listed on the calendar? I can't seem to find it."

Hon. W. Robert Blair: "Well, I'll have the Clerk explain it now."

Edward L. Kipley: "I beg your pardon."

Hon. W. Robert Blair: "I'll have the Clerk explain it to you."

Fredric B. Selcke: "Ah, Mr. Kipley, this bill is listed out of order. If you will look oh on the page 2 of the calendar, the first column, it's 2, 4, 6, 8, 10, 12, 14, 16, 18,



20, it's the 22nd bill down."

Edward L. Kipley: "I have the bill now, thank you."

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

Ben C. Blades: "Ah, I understand that our our legislative synopsis doesn't show any sponsorship on this. This does have bi-partisan sponsorship on both sides of the aisle, Representative Stedelin and myself and I believe the leadership, the Assistant Leadership. I solicit your vote."

Hon. W. Robert Blair: "All right, the question is shall this bill pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are . . . Maragos, 'Present', Jaffe, 'Present'. On this question there are 133 'Yeas' and 2 'Nays' and this bill having received the constitutional majority is hereby declared passed. House Bill 3736."

Fredric B. Selcke: "House Bill 3736, a bill for an act to amend Section 1 of an act in relation to the compensation of Sheriffs, Coroners, County Treasurers, County Clerks or Clerks of the Circuit Court, Recorders and Auditors with their necessary clerk hire, stationery, fuel and other expenses, in counties of less than 1,000,000 inhabitants. Third reading of the bill."

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

Ben C. Blades: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3736, only applies to counties of less than 50,000 population. It does not abolish the office of



coroner, it merely provides that the Coroner's Office, that the coroner shall be paid on a per diem basis, rather than a salary. Now, the background for this is is the fact that under the old constitution the coroner's office, in the more especially in the smaller county, was on a fee basis. The new constitution does not provide for a fee basis, it does not provide for a salary, and the lowest salary is \$8,500.00 a year. But on a fee basis last year and heretofore, many of the small counties would only have to spend \$400.00, \$500.00 or \$1,000.00 a year for the job of coroner on the fee basis and this merely provides that the local board may accept a per diem basis of not less than \$50.00 and not less than \$25.00 and not more than \$50.00. I solicit your vote."

Hon. W. Robert Blair: "Is there further discussion? All right, the question is shall House Bill 37-, all right, the gentleman from Cook, Mr. B. B. Wolfe."

Bernard B. Wolfe: "I'd like to ask a question of the sponsor."

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

Bernard B. Wolfe: "Representative Blades, is this the bill that we heard in the Executive Committee?"

Ben C. Blades: "That is correct."

Bernard B. Wolfe: "Ah, did you get anything worked out on that language that you remember I read, I raised the question that possibly there was nothing said as to what accounts for a day that they were worked and it might be worked out that they might get more money than they're getting now,



because it doesn't specify. . ."

Ben C. Blades: "I I I talked with the Reference Bureau on that and some other legislators and it was the feeling that if we turned this over to the local board, it was up to the local board to set the requirements of what a day's work is."

Bernard B. Wolfe: "Thank you."

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

Robert E. Brinkmeier: "Mr. Speaker, a question of the sponsor please."

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

Robert E. Brinkmeier: "Representative Blades, if this legislation is enacted into law, when would it go into effect?"

Ben C. Blades: "Ah, I guess next July 1, wouldn't it Mr. Chairman?"

Hon. W. Robert Blair: "If there isn't a date. . ."

Ben C. Blades: "A bill enacted at the present time would go into effect when?"

Hon. W. Robert Blair: "Ah, July 1, unless there is a contrary date specified in the bill."

Robert E. Brinkmeier: "Thank you."

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

Does the gentleman care to close? All right, the question is shall House Bill 3736 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wish? The Clerk will take the record. On this question there are



120 'Yeas' and 5 'Nays' and this bill having received the constitutional majority is hereby declared passed. House Bill 3717."

Fredric B. Selcke: "House Bill 3717, a bill for an act to amend Section 25 of and to add Section 25.34 to an act to revise law in relation to counties. Third reading of the bill."

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

A. Thomas McMaster: "Mr. Speaker and Ladies and Gentlemen, as you all know under the new constitution the county officers of Clerk and Treasurer can not collect fees for extending and collecting taxes. This bill will allow them to provide by proof of cost what the costs of collecting and extending taxes are and will allow them to contract with the various legislative bodies to be paid for that cost. Gentlemen, this is an immediate effective date and I urge your vote in favor of it."

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

John Jerome Hill: "I wonder if the sponsor would yield to a question?"

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

John Jerome Hill: "Approximately how much on a percentage basis would the county collect for taking care of the collection of the taxes?"

A. Thomas McMaster: "Ah, this cost must be determined by their actual costs and would not be made upon a percentage



figure. That's what their actual costs are. It's up to the county board to prove what those costs are for extending and collecting taxes."

John Jerome Hill: "Ah, did you present this bill because the counties have been complaining to you that they don't have enough money to function in county government?"

A. Thomas McMaster: "I don't think this is necessarily the fact, Mr. Hill, ah, as you know counties are going through a great change as far as revenue is concerned and this is merely a method of allowing them to collect a cost of these duties that I have explained."

John Jerome Hill: "Ah, Mr. Speaker, I'd like to speak on this bill."

Hon. W. Robert Blair: "Proceed."

John Jerome Hill: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we're confronted here with a bill that apparently, at least from the knowledge that I received, has been presented to us because of the lack of monies on the county basis. I represent part of Kane County and I find that the complaint is a very continuous complaint, that they don't have enough money to operate in county government. Now, a while back we passed through the House of Representatives both by Republican and Democrats, House Bill 285. That would have provided the idea of putting the election for county supervisors on the same election as our election and primary is. It would have saved in Kane County approximately \$160,000.00. In Kendall County approximately



\$70,000.00. In DuPage County approximately \$200,000.00, and Will County approximately \$150,000.00. Now, the reason I mentioned that is this. That when this. . .what happened? What'd you do cut me off?"

Hon. W. Robert Blair: "Turn him on. Okay."

John Jerome Hill: "Ah. . ."

Hon. W. Robert Blair: "Proceed."

John Jerome Hill: "The reason. . .is it on now? The reason I'm opposed to this piece of legislation is because the Senate did not avail itself to save these amounts of money for the property tax payers of the counties that I represent. I can not see us voting for more funds to provide county government when the Senate in the State of Illinois defeats a bill that would have saved Kane County \$160,000.00. I would suggest to you that you do not pass this bill, hold it in abeyance and see if we can bring some sensible resemblance of financial responsibility to the Senators that they will pass 285 and save these amounts of money to the tax payers of the area that I represent. Thank you."

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

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

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

Gerald W. Shea: "Ah, in the second paragraph of the new language, it says that each school district in unit of local government shall makes provisions in its annual budget or appropriation ordinance to cover its proportionate part of such costs. As I read this, any district that now has a



paid levy or a school district that has a ceiling on its taxes, say of \$2.00, pays its cost to collection out of that \$2.00. If I read this bill correctly, and they say it cost 10¢ to collect the taxes, we would be in effect taking the lid off that \$2.00 and making it a \$2.10 levy. In effect, raising property taxes. Do I read this right?"

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

A. Thomas McMaster: "Ah, not in the way I read the bill, Mr. Shea. As I read the bill it allows them to provide for this cost under their present rate limitation. As you know, when they were paying fees, they were paying three per cent fee. Certainly by not paying this fee, have the three per cent that they did not have before as far as a personal or school board district or other districts were concerned. I do not read this as an extension over and above the ordinary rate limitation."

Gerald W. Shea: "Well, that, that's what I read it and it concerns me there and certainly in Cook County we were either only collecting either one and a half or two per cent depending upon what it was, and it certainly wasn't it was not enough to cover the costs of running both the Treasurers and the Accessors Offices and that function of the County Clerk that goes into the tax process and if I read this correct if we put in both the cost of the accessor, we put in the cost of the County Clerk for the levy and extension feature and we put in the cost of the Treasurer for the collection feature that the cost to the local dis-



tricts could be extremely high and if the cost is in addition to any paid levy that they have, it could have the effect of raising property taxes substantially, and this is what would bother me."

A. Thomas McMaster: "Again, Mr. Shea, as I read the bill it does not allow for an extension over and above the ordinary past rate limitation. I can not speak of your cost in Cook County, I know that in downstate counties, they have been collecting the three per cent plus the extension free fee from the County Clerk and this has amounted to approximately as far as the costs are concerned, approximately the level of one and one half per cent. The other over and above that has gone into the general corporate fund of the county."

Gerald W. Shea: "Would you have any objections of making a statement in the bill itself that this will no way allow people with paid levy limits to raise those limits?"

A. Thomas McMaster: "Now, Mr. Shea, I would hope that this bill, or if you wish an amendment put on it, could be put on in the Senate. I certainly think as far as our time limitations are concerned it is an absolute necessity that we pass this out of the House today."

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

William A. Redmond: "Would the sponsor yield to a question, please?"

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



William A. Redmond: "Representative McMaster, are we not in this case requesting or insisting that local governments, school districts and municipalities and all the other local governments levy taxes from their rate to pay costs other than their own costs. In other words, to pay county costs?"

A. Thomas McMaster: "They have always in my estimation, Mr. Redmond, paid this cost in the past."

William A. Redmond: "Well, then the answer to the question is that we are asking school districts here, chiefly school districts, to levy taxes that have been authorized by the people for educational purposes to levee those taxes to pay county costs. Is that correct?"

A. Thomas McMaster: "In my understanding, Mr. Redmond, this has gone on in the years passed, and they have paid over and above the cost of extending and collecting and I feel that this is allowing them an increase of what they have had to use of their own expenses in the past and I feel that it will not hurt them to that extent."

William A. Redmond: "Hasn't the fee system, then, eliminated by the new constitution of 1970?"

A. Thomas McMaster: "The fee system has been eliminated. This is to allow them to collect costs, it is not a fee."

William A. Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, I regret the necessity to oppose this bill, but it seems to me that at a time when the schools are in dire needs of finances to educate the youth of this state, that it doesn't behoove this legislature to authorize to



demand or direct that they siphon off from their sparse funds, funds to pay county costs. It has been prohibited by decisions of the Supreme Court of this State to require one government to levy taxes to pay the costs of others governments. Which seems to me that if the county needs reimbursement for these costs, that the County should be the one to make the levy and that they shouldn't put this burden on the schools and all the other local governments, and therefore I suggest that this bill should be defeated."

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

Charles W. Clabaugh: "Mr. Speaker and Members of the House, I don't think I know nearly as much about counties government as the gentleman that just spoke. But I think the gist of this bill is simply this. That at the present time under the constitution and the law under which we've been operating for a good many years, the legislature set a certain amount that the County Clerk received for extending the spreading the taxes. Also, also, the legislature set the amount of taxes the amount of fee that the county collector and county treasurer got for collecting and disbursing the tax. Now, in most counties, the fee charged by the county and allowed by the state charging against the school districts and against the cities and the villages was far in excess of the amount that it actually cost. I think that we were told in DuPage County that a building, a county building was built out of the excess fees that the



county collected of which the school districts paid about three-fourths or four-fifths of that amount. Now, what this, I think that the result of this bill would be, it will help the school districts, because they will be charged only the proportionate share that they that it costs. Whereas in the past the three per cent has been in greatly in excess. If three per cent is correct, greatly in excess of the amount of the money that the county spent. Now, I wouldn't be surprised and you're going to find that what helped the school district, might hurt the county, that probably because they're going to lose these excessive amounts of fees that they can use for county government that they probably will have to levy an increase in county tax. But as far as the school district's concerned, they've been trying for years to get us to do just a little bit more than this so that they won't have to pay any of it and so they continually sign it and rightfully so the excessive amount that they were being charged compared to what the county spent for collecting. As far as the school districts, the cities, the villages, park districts and all those in townships, I think it's a windfall for them. It may cost the county more, though, however."

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

John W. Alsup: "Well, Mr. Speaker, Ladies and Gentlemen, I might be able to shed a little light on some of this, since I was a county treasurer and knows a little about how it



works. The taxing districts could add to their levy for loss in cost. And if they added too much this was one of the objections of the railroads would file. And it could usually run something in the neighborhood of about four or five per cent. Inasmuch as the counties usually collected close to one hundred per cent of the real estate and in many of the counties fairly close to one hundred per cent of the personal property. But they did collect three per cent as a fee and Mr. Clabaugh is right that this was in excess of the actual cost of expansion and collection of the taxes and the distribution. Now, what we're faced with really, here, is this problem. If the counties and the townships can not recover the costs of the accessing, expending and collecting and distribution of the taxes, eventually it's going to tremendously hurt the schools, because their amount of the tax is rather small in comparison to the total, and therefore if they can possible operate on some other source of revenue, they wouldn't care whether the taxes were ever collected, it's to the best interest of the schools to pay their actual portion of the cost in the long run."

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

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

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

Eugene F. Schlickman: "Representative, I understand that in the Cook County Board today there was introduced an ordinance



that would give to Cook County the authority to withhold or deduct two per cent of the taxes that it collected for the cost of administration. Now, if that Cook County ordinance is enacted, and if this bill passes and becomes law, which will prevail in the County of Cook, and I think perhaps I can rephrase that question by asking does this bill, is this bill applicable to home rule counties?"

A. Thomas McMaster: "There have not been to my understanding, anything put on the bill, the amendment that would take this power away from home rule counties. I can not say as to what the County Board in Cook County has passed in the way of ordinances in the last day or so."

Hon. W. Robert Blair: "Is there further discussion? The gentleman from Knox, Mr. McMaster, to close."

A. Thomas McMaster: "Mr. Speaker, Ladies and Gentlemen, I do not feel that this bill is going to hurt school districts, I think it is going to help them. I think it is a good bill for county government, it puts responsibility of proof of costs on them and is their responsibility to prove it. I urgently urge your support of this legislation."

Hon. W. Robert Blair: "The question is shall House Bill 3717 pass with the provision that it will become effective immediately upon becoming a law. All those in favor will vote 'Yeas', the opposed 'No', and 107 votes are required for passage. The gentleman from Cook, Mr. Moore."

Don A. Moore: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Mr. Speaker, anyone who is interested in



county government in the State of Illinois should have a green light on this particular bill. And I mean the small counties as well as the big counties. For the small counties in the state, of which we have many, this bill is a must. They do not have this detached levy which they can increase for their general corporate tax fund. For the large counties, such as the County of Cook, and I would like to remind every representative from the County of Cook that sits here today, this amount will come to an inform between seven and eight million dollars back to the county treasurer in the County of Cook. Otherwise, Mr. Speaker, in Cook County and the large counties, there is going to have to be an increase in taxes and a smaller counties are going to have to cut back on the vital functions of county government that they're now performing, because they do not have an adequate tax base for which to operate. I think this is an excellent bill, it's a good bill for every county in the State of Illinois, and I would urge a 'yeas' vote. Thank you, Mr. Speaker."

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

Gerald W. Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to explain my 'No' vote. As I said, I have, the way I read the bill, I think this takes the tax rate limitation off of many of our local districts. I think it's going to have a tendency to raise real estate property taxes, I think they're just too high right now, and it's bills like this that take these rates off that I



think are bad, and I vote 'No'."

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

C. L. McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, I think that this is a good bill and I'd like to tell you a little bit why I think it's a good bill. As you know, now I can't talk about the metropolitan areas, because I don't know anything about them, but I live, I'd like to give you a couple of examples of downstate southern Illinois counties. For instances, Massac County will lose \$82,000.00 after this year in what we used to collect in fees for extension and collection of taxes that made the difference in the way that they could operate their county government. Pope County will lose \$27,000.00 or \$28,000.00 with their total valuation in Pope County, the County general fund will only bring in \$20,000.00 a year. At the present time with the loss of this money, the Sheriff of Pope County has to work on a construction project in the mines in order for him to even maintain the office. He hasn't been paid but two or three months in the year that he's been in office, now. Now, the thing that everybody talks like this might be something different, but it isn't. At the present time, at the present time, if the State Highway Department comes to the city limits of your town and they want to make an improvement through your town, the city of Vienna has to make an agreement that they will put up so much money that will pay for their share of the



improvements. All in the world this bill does is let the people in the communities and the taxing districts pay their fair share. It has nothing to do with increasing real estate taxes, but certainly if we don't do something about this situation in the small counties downstate, this legislature will have no choice but to raise the limit on the 75¢ where they can do it on all taxes. Thank you, sir.

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

John Jerome Hill: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I'd like to tell this House that the Republican County Chairman of the Board in Kane County almost had me convinced to vote for this particular piece of legislation. But after last Friday when my Republican Senators voted present on House Bill 285, that would have saved the property tax payers in Kane County \$160,000.00, it seems to me that that County Chairman had better get over in the Senate and explain the facts of life to those people over there. And that's why I'm voting against this bill. The County Chairman almost had me convinced that this was a good piece of legislation, but my Republican Senator convinced me it wasn't."

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

A. Thomas McMaster: "Mr. Speaker, I would like to ask that this bill be taken from the record for the time being."

Hon. W. Robert Blair: "All right, is there objection? All right, take it out of the record. 3621."

Fredric B. Selcke: "House Bill 3621, a bill for an act to



declare a regional state office building project to be in the public interest. Third reading of the bill."

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

Ed Lehman: "Thank you, Mr. Speaker. And Ladies and Gentlemen of the House. May I have 3622 heard? They are companion bills?"

Hon. W. Robert Blair: "Are there any objections? All right, if there be no objection, the Clerk will read 3622."

Fredric B. Selcke: "House Bill 3622, a bill for an act to provide for rentals to the Illinois Building Authority for a Regional Office Service Building to be constructed in East St. Louis, Illinois. Third reading of the bill."

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

Ed Lehman: "Mr. Speaker and Ladies and Gentlemen of the House, these bills are provide the Illinois Building Authority authorization for \$3,350,000.00 to acquire land as signed, assign and construct in East St. Louis, Illinois, a state office building. The building will be approximately 52,000 square feet and house an estimated twelve agencies will be operated by the Department of General Services and will be located in the central business district in the city of East St. Louis. The major benefits of this building should include 1.) central location for the administration and operation of state agencies in the metropolitan area; 2.) initiate the redevelopment of central district of



East St. Louis. I would appreciate your support."

Hon. W. Robert Blair: "All right, is there any discussion?

The question is shall each of these bills pass? The gentleman from Cook, Mr. Shea."

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

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

Gerald W. Shea: "Could you tell me how much money from general revenue is being appropriated in this fiscal year?"

Ed Lehman: "I assume it's in the budget, Jerry."

Gerald W. Shea: "Do you know how much the dollar amount is?"

Ed Lehman: "I have no I don't."

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

Ed Lehman: "Somebody said not much."

Gerald W. Shea: "Is this just a little over \$300,000.00?"

Ed Lehman: "Yeah. Yeah, \$302,000.00."

Gerald W. Shea: "Well, do you think it's more important to appropriate \$300,000.00 out of general revenue for another capital improvement, or do you think it's more important to use the \$300,000.00 to feed people in this state?"

Ed Lehman: "Well, there is this type of building in four of the larger communities in the State of Illinois, Crawford, Champaign, Springfield and there's one being completed in Marion, Illinois at the present time. I would appreciate your support, Mr. Chairman."

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

Ed Lehman: "May I include that this bill came out of Approp-



riations Committee 19 to nothing and has bi-partisan support."

Hon. W. Robert Blair: "All right, the question is shall these two bills pass? With the provision that they become effective upon their becoming a law. All those in favor will vote 'Yeas', the opposed 'No', this requires 107 votes. The Clerk will take two roll calls. Yeah. Have all voted who wished? The Clerk . . .the gentleman from St. Clair, Mr. Krause."

James G. Krause: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this piece of legislation. I testified before the Appropriations Committee for this bill and I would certainly appreciate an affirmative vote up there. I would like to see the 107 votes. This is a building that is very much needed in the city of East St. Louis and when we talk about the welfare, this is going to provide some jobs for some of the people who are on welfare, plus the Department of Public Aid is moving into the new building, along with many of the other departments that are scattered around throughout the whole region, so I would certainly appreciate a 'Yeas' vote on this particular bill."

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

Philip W. Collins: "Mr. Speaker, and Ladies and Gentlemen of the House, concern for hungry people was expressed here, but I think you should look at some of the agencies that are



going to be serviced by in this building. The Department of Public Aid was mentioned by Representative Krause, but also the Department. . . roll call."

Hon. W. Robert Blair: "All right, the Clerk will take the record. On each of these questions there is 128 'Yeas' and no 'Nays' and these bills, each of these bills having received the vote required under the constitution to become effective immediately are hereby declared passed. 3640."

Fredric B. Selcke: "House Bill 3640, a bill for an act to vacate, extinguish, abandon and release an easement for highway purposes held by the State of Illinois over and through certain land located in Greene County, Illinois. Third reading of the bill."

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

Jerry Corbett: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3640 releases highway easement in certain land located in Greene County. There is no money involved and I know of no opposition. I'd appreciate a favorable vote."

Hon. W. Robert Blair: "Any further discussion? All those in favor vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 149 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 3641."

Fredric B. Selcke: "House Bill 3641, a bill for an act to



vacate, extinguish, abandon, and release easements for highway purposes held by the State of Illinois over and through certain lands located in Jersey County, Illinois. Third reading of the bill."

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

Jerry Corbett: "Well, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3641 vacates highway easement to certain land located in Jersey County. I know of no opposition, there is no money involved. I'd appreciate a favorable vote."

Hon. W. Robert Blair: "Any further discussion?"

Jerry Corbett: "Let them know there is no money involved."

Hon. W. Robert Blair: "Ah, any further discussion? Ah, the question is shall this bill pass with the provision that it will become effective immediately upon becoming a law. All those in favor vote 'Yeas', the opposed 'No', and 107 votes are required. All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 144 'Yeas' and no 'Nays' and this bill having received the vote required under the constitution is hereby declared passed. 1504."

Fredric B. Selcke: "House Bill 1504, a bill for an act to amend Sections 5 and 6 of an act relating to the practice of beauty culture. Third reading of the bill."

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



Thomas J. Hanahan: "Mr. Speaker, I wish to table that bill."

Hon. W. Robert Blair: "All right, does the gentleman have leave? All right. House Bill 1504 is tabled. 2854."

Fredric B. Selcke: "House Bill 2854, a bill for an act to amend Sections 5.6 of an act to create sanitary districts and to remove obstructions in the DesPlaines and Illinois River. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Burditt. All right, take it out of the record. All right, the gentleman from Sangamon, Mr. Jones."

J. Davis Jones: "Mr. Speaker, I'd like to ask leave to table House Bill 2608 and 2609 on which I am the chief sponsor."

Hon. W. Robert Blair: "All right, is there leave? We'll table 2608 and 2609. 2422."

Fredric B. Selcke: "House Bill 2422, a bill for an act to add Section 19-30 of 'The School Code'. Third reading of the bill."

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

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, your digest for 2422 is inaccurate. The bill was amended on second reading on Friday, and you'll find the amendment to House Bill 2422 with the amendments which were distributed here earlier today. What we did here on second reading was to remove the entirety of House Bill 2422 and in its place put emergency legislation to provide that school districts which are entered into by a joint agreement



for area vocational centers may apply their referendum approved of five cents for a maximum of five year levy for the sale of revenue bonds to match the sixty per cent state money which was included in legislation which we passed last Spring. Now, this bill affects particularly two areas, DuPage County and Vermilion County and will be applicable to those two particularly. I've discussed this bill with a number of interested parties, I think we have satisfied the question and I would appreciate your support. This is emergency legislation and I need 107 votes."

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

Roman J. Kosinski: "Mr. Speaker, will the sponsor yield for a question?"

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

Roman J. Kosinski: "Ah, Mr. Sponsor, the synopsis indicates that the leasing and financing. . ."

Gene L. Hoffman: "Ah, Representative, the synopsis as I indicated earlier is incorrect, because on Friday, I believe it was, I took the whole bill out and the bill is now the whole amendment, which you find on your book and was as I explained."

Roman J. Kosinski: "Well, was this portion of it changed, Gene?"

Gene L. Hoffman: "Yes."

Roman J. Kosinski: "Will it permit financing through an agency other than the Illinois Building Authority?"



Gene L. Hoffman: "The entire, the entire bill was removed 2422, the entire the entire bill was removed, in fact we now amend Section 19-30 as opposed to the sections you see listed here."

Roman J. Kosinski: "Is there any reference now to financing authority?"

Gene L. Hoffman: "The the proceeds of the sale of the bonds may at the discretion of the school district be transferred, but this money is raised locally. In this bill it provides for bonds, it's nothing in terms of financing from other sources, because the sixty per cent that we passed last Spring is through the school building commission and these funds are tied in with the area vocational or with the Division of Vocational Ed have already been allocated to the seven area vocational centers, and this bill that I have applies to two of them."

Roman J. Kosinski: "Then I do understand that it doesn't specify which authority will handle the sale of any bonds?"

Gene L. Hoffman: "The sale of the bonds will be handled by the local school districts."

Roman J. Kosinski: "Thank you."

Voice: "Roll call."

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

Kenneth W. Miller: "Mr. Speaker, I'd like to ask a question of the sponsor if he'll yield, please."

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



Kenneth W. Miller: "Ah, Gene, what what provision is there in this bill now for referendum?"

Gene L. Hoffman: "The the bonds the bonds are to be sold on the basis of the five cent five year maximum levy that has already been approved by referendum."

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

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker, will the sponsor yield for a question?"

Gene L. Hoffman: "Yes."

Hon. W. Robert Blair: "Yes, he indicates he will."

Thaddeus S. Lechowicz: "Representative Hoffman, who does the bonding now, is the I.B.A.?"

Gene L. Hoffman: "The bonding is done on a for the area vocational centers, is a combination. This bill deals specifically with the local 40% contribution. The I.B.A. comes up with the 60% and that was the bill we dealt with last Spring, Thad, and that's already been, there were ten million, you remember, for the area vocational centers?"

Thaddeus S. Lechowicz: "Yes."

Gene L. Hoffman: "And that's already been allocated by the Board to the seven centers and this bill applies to two."

Thaddeus S. Lechowicz: "Well, the way I read the bill it says that a School Building Commission, now is that, is supposed to be transferred to the School Building Commission, right?"

Gene L. Hoffman: "They are going, they are in charge of the



area vocational centers working with the Division of Vocational Education, and the joint agreement which has been established in these seven areas in the State."

Thaddeus S. Lechowicz: "All right, thank you."

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

Robert Craig: "Mr. Speaker, Members of the House, this, all this bill does is give my particular area the Vermilion County, which voted upon themselves, the people took upon themselves to vote a five per cent tax for five years for this building purposes and all this does is give him the right to sell bonds rather than wait until the end of the five year period to start the building, it'll make them start now and it'll give us a start now where we can get an operation of which the people have already voted for this tax to retire these bonds and I appreciate your support."

Hon. W. Robert Blair: "Ah, further discussion? The gentleman care to close? All right, the question is shall House Bill 2422 pass? All those in favor will vote 'Yeas' and the opposed 'No'. Take the record. On this question, there are 151 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 3543."

Fredric B. Selcke: "House Bill 3543, a bill for an act to make an appropriation to Homer C. Vandenberg. Third reading of the bill."



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

John H. Conolly: "Mr. Speaker, this bill was given to me by the and I entered it by request of the Illinois Veterans' Commission District Officer in Waukegan for a veteran in my district who did not receive his World War II Veterans' because it was taken from, it's been alleged that it was taken from him from his mail box and it was proved that it was the signature, the endorsement on the check was a forgery. This gentleman is in the Veterans' Hospital and in dire need of additional financings and I would therefore ask you to appropriate the \$143.00 due to this man."

Hon. W. Robert Blair: "All those in favor will vote 'Yeas', the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question, there are . . . Maragos, 'Yeas'. On this question there are 146 'Yeas' and no 'Nays' and this bill having received the constitutional majority is hereby declared passed. 3080."

Fredric B. Selcke: "House Bill 3080, a bill for an act to vacate, extinguish, abandon, and release an easement for highway purposes held by the State of Illinois over and through certain land located in Henry County, Illinois. Third reading of the bill."

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

Tobias Barry: "Mr. Speaker, Ladies and Gentlemen of the House, this is a standard easement bill. Ah, the following bill, 3081 is the same. There is no money involved, but there may well be. However, I don't want to get these two bills



bogged down and I would appreciate your vote. You have my assurance that they go nowhere until the Highway Department says so to me and to the Governor. I'd appreciate your vote."

Hon. W. Robert Blair: "Did you request both bills?"

Tobias Barry: "If you will, please."

Hon. W. Robert Blair: "3081."

Fredric B. Selcke: "House Bill 3081, a bill for an act to vacate, extinguish, abandon, and release an easement for highway purposes held by the State of Illinois over and through certain land located in Henry County, Illinois. Third reading of the bill."

Hon. W. Robert Blair: "Mr. Barry."

Tobias Barry: "I would only ask your favorable vote involves small areas of land on the south side of Kewanee, Illinois, and as I said before they will not be passed in the Senate or signed by the Governor until the Highway Department is satisfied that all their land is not involved."

Hon. W. Robert Blair: "All right, ah, the question is shall these two bills pass? All those in favor will vote 'Yeas' and the opposed 'No', and the Clerk will take two records. Have all voted who wished? The Clerk will take the record. On this question there are 156 'Yeas' and one 'Nay' on each of these bills and each of these bills having received the constitutional majority is hereby declared passed. 2859."

Fredric B. Selcke: "House Bill 2859, a bill for an act to amend Section 3, 4 and 19 of the title of the Health and



Safety Act. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Cook, Mr. Telcser. Take it out of the record. 2863."

Fredric B. Selcke: "House Bill 2863, a bill for an act to amend an act relating to counties. Third reading of the bill."

Hon. W. Robert Blair: "Take it out of the record. 2532."

Fredric B. Selcke: "House Bill 2532, a bill for an act to provide for the resource management and preservation of Lake Michigan and adjoining land. Third reading of the bill."

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

Robert E. Mann: "Mr. Speaker, thank you, Mr. Speaker and Members of the House. House Bill 2532 is the sole legislative recommendation of the Lake Michigan and adjoining land study commission, which was authorized by this General Assembly. It was a bi-partisan commission and I'd like to pay tribute to the House members that Ted Meyer and Genoa Washington, to my Vice-Chairman, Senator Robert Coulson and to the Senate members, Art Bidwill and Bob Coulson, also to the majority leader and his staff who worked patiently in working out amendments, Mr. Chairman, which I believe to not dilute or emasculate the bill, but which do, in my judgment, make the bill more workable. Mr. Speaker, this legislation sets forth a bill of rights for the protection of Lake Michigan and the lake front, which will clearly and on one place prevent uses that are



detrimental to the lake and the lake front. It utilizes existing and environmental agencies to draw up a plan for total waste management. This plan must be drawn in conjunction with local government and requires public hearings in the affected counties. Similarly, the Department of Conservation is required to develop a comprehensive plan for the lake front, to provide optimum public use for recreational purposes. Once more, this plan will be developed in conjunction with local governments and public hearings are required. Gentlemen, there is enough contamination already present in the lake to perhaps kill it. Our commission findings, supported by independent studies reveal that the same industrial waste, chemicals and untreated sewage entities, found in Lake Erie before its death, are present in abundance in Lake Michigan. The Lake County Health Department, on the basis of its October, 1971 samplings, finds 11 of the 12 swimming beaches showed a distressing deterioration in water quality over the last four years. These bacteria, I might add constitute a severe health hazard. On December 3, 1970, the commission brought four of the leading experts in the nation on environment and viruses to Chicago. The essence of that testimony was that sewage and water treatment facilities may not be killing all viruses that pass through them and as a consequence are left open to such severe diseases as hepatitis and encephalitis as well as colds, flu and skin rashes. What I'm saying is that we must stop using the lake as a giant



waste sink and this bill will do just that by preventing discharges which will degrade the quality of water in Lake Michigan. Mr. Speaker and Members of the House, this bill is not designed to hurt anyone or any interest. It is a pro Lake Michigan bill and I respectfully seek your support."

Hon. W. Robert Blair: "Any discussion? The gentleman from Cook, Representative Simmons."

Arthur E. Simmons: "Would the sponsor yield to a question?"

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

Arthur E. Simmons: "My question is purely technical, but I believe you have two amendments to this?"

Robert E. Mann: "Amendment Number Two. . .yes."

Arthur E. Simmons: "Amendment Number Two strikes on page 5, lines 8 through 11 and adds a Section 5. Now, on page 5, line 24, we already have a Section 5. When this bill is transcribed, will we have two Sections 5 in it?"

Robert E. Mann: "No, no."

Arthur E. Simmons: "Okay."

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

Robert S. Juckett: "Mr. Speaker, would the sponsor yield for a couple of questions?"

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

Robert S. Juckett: "As to the use of all land by property owners on Lake Michigan, what restrictions are there in the bill as to the use of their land by the owners?"

Robert E. Mann: "Bob, in answer to your question, ah, my



amendment, ah, what we provide is that the citizens shall have optimum physical and visual access to the lake and existing right of access shall be maintained. We also provide that the Department of Conservation within a year after the passage of the bill shall develop a plan for the maximum use for the public of Lake-front property. That plan shall be subject to at least three public hearings in the counties affected."

Robert S. Juckett: "Well, does this mean that the property owner will lose the use of his land if it abuts on Lake Michigan or does it mean that the Conservation Department will after public hearing, etc. be able to provide access to private property to the lake?"

Robert E. Mann: "Ah. . ."

Robert S. Juckett: "Well, what would then be the purpose of holding these meetings and what would be the type of a plan that the Conservation Department would come up with?"

Robert E. Mann: "Well, first, in regard to your question, the answer is in the negative. What the plan will do after the public hearings will be to set forth a plan for maximum use of lake front property for the public and recreational uses. It in no way will require the change of existing land use."

Robert S. Juckett: "Well, I see here on page 3 of the amendment that the plan shall include provisions for the acquisition of the State of these lands. Now, is it the intention of this commission that the State should acquire all



of the land that is bordering on Lake Michigan? As far as the State of Illinois is concerned?"

Robert E. Mann: "No. What the intention is that the state shall develop a plan that will maximize the recreational use of lake-front land, but we do not direct the Department of Conservation to acquire parcels. We enable them to draw up a plan so that in the event of land of an acre or more which becomes available for sale, the State would have a plan that would maximize use of that property."

Robert S. Juckett: "Well, I notice that that's in lines 26 through 31 where the state would then have the right then of first refusal of any parcel of land that is 25 acres or one acre or more. So that the state in other words, if I owned a piece of land on Lake Michigan and if I got a purchaser for that land, that the State then could say, we're sorry, we want to buy it and your deal is off and we want to buy the land from you. Is that correct?"

Robert E. Mann: "No, in the original bill, Bob, we had given the state right of first refusal. By amendment, . . ."

Robert S. Juckett: "Which amendment is that, Bob? I'm looking at Amendment One."

Robert E. Mann: "By amendment number one, we we say that in their plan they may have the power, but in the original bill we gave them that power without qualification, so that at the under the amendment they may only have that power in connection with a plan which must be presented in connection with local government and open to public hearing.



So, it's no longer a matter of a mandatory power, it's only permissive."

Robert S. Juckett: "Now, how far back from Lake Michigan does this bill affect property?"

Robert E. Mann: "Well, with regard to ah right of first refusal permissiveness, it applies to lake-front property. We define lake-front property as that lake which abuts, that property which abuts Lake Michigan."

Robert S. Juckett: "For how far back? As far as the land goes?"

Robert E. Mann: "Well which is fronts on the lake, that's the way we define it."

Robert S. Juckett: "In other words, it's conceivable that it could go 100 feet back or a mile back?"

Robert E. Mann: "Well, I know of no parcels that are are of a mile on the lake-front. I might add that as probably you know, Bob, that the lake that the State now has this power. All we are requiring the state to do is to come up with a plan in connection with local government which would be subject to scrutiny in public hearings and I think it's much more advantageous and sensible to have a plan which will maximize public use of the lake-front, rather than to have parcels held or taken."

Robert S. Juckett: "Okay. Does this bill require private land to be used by or to be usable by the public in general?"

Robert E. Mann: "Absolutely not."

Robert S. Juckett: "And if adopted the plan would require



that the . . . the plan would require, if the plan called for the use of this land for the public, it would require the public to buy the land, is that correct?"

Robert E. Mann: "No, it would not. All that it would be doing is in the form of a plan to get the state powers it already has, but this plan would have to be comprehensive and coordinated, worked out in conjunction with local government and subject to public hearings."

Robert S. Juckett: "Okay, now where in the bill, then, would there be the taking of private land without compensation?"

Robert E. Mann: "Absolutely not."

Robert S. Juckett: "Nor the use of that land without compensation?"

Robert E. Mann: "Absolutely not."

Robert S. Juckett: "And it would be setting standards for the dumping into Lake Michigan, in effect would be prohibiting it, dumping."

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

W. J. Murphy: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think Representative Mann is necessarily answering the questions wrong that was asked him. Ah, technically wrong, but he is giving to the state and to the Conservation Department, in particular, broad powers under this bill. Now, it says three public hearings. What they do is exactly what they did just about six months ago, they formulate a plan and get it all ready to go down here and



after they've made all the decisions on it, then they come up and hold three public hearings, very short with the people, they don't do a lot, change their plans, they have no intentions of changing their plans, they satisfy the lead of the law by holding three public hearings, but you might as well save your time and not even go to the hearings, because you'll get no where anyhow. This is giving broad powers to the State, it is taking away private land usage from the people in, for instance Lake County, along the Lake Michigan, and this is the purpose of the bill. Now, the thought behind the commission and behind the bill, I'm in sympathy with, I'm torn between two things on this bill, one is Lake Michigan and the other is the right of the public and the rights of the people who own this property. And as far as the Conservation Department is concerned, they cared little about these people's rights, and all they care about is carrying out their plans. Last year last Spring in this General Assembly, I passed a unanimous resolution to this House prohibiting them from taking the homes from 148 families in Vincent Harbour, along Lake Michigan and the Director says 'I don't care what the General Assembly says, we're taking them and they have proceeded in that fashion. I think this is a dangerous precedent, I think that this is the end of another end of a freedom that we've had, the freedom of land use, and for that reason I think it's a bad bill."

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



tleman from Boone, Representative Cunningham."

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

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

Lester Cunningham: "Ah, Representative Mann, under the answer you gave Representative Juckett, you stated twice that the state has that power now. Are you talking about the Meyer bill and the Feet River bill where there were so many feet extended from the river bank. When did they, when did the state receive that power. Now, under the questioning of Representative Juckett, when he ask for the parcel abutting the lake or if it was extended a mile or so back. You answered him by saying that they already had that power."

Robert E. Mann: "Ah, the state and local governments such as the Park District, have eminent domain powers and in answer to Representative Murphy, I merely wanted to indicate that Senator Robert Coulson of Waukegan was the Vice-Chairman of our commission and he certainly was not about to nor did we authorize, we had considerable debate on this in our hearings, and it's quite clear from the language, especially after the amendments, that this does not give the power to the state or the Department of Conservation to take without due process of law, affecting public rights and private rights are not affected. But, as Representative Murphy indicated himself in his own answer, the Department of Conservation has already done this."

Lester Cunningham: "Well, Representative Mann, would you say



that this is the the first step of state zoning?"

Robert E. Mann: "Not at all. After the amendment, Representative Cunningham, in which we modified and clarified the state's role with regard to development of the plan, there aren't any zoning ramifications in the plan."

Hon. W. Robert Blair: "The gentleman from Lake, Representative John Henry Kleine."

John Henry Kleine: "Ah, Representative Mann, ah what protection does this give the State of Illinois with regard to drilling to extraction of natural resources? You will recall that our commission had a similar bill which was killed in the Senate last year. Ah, which made a prohibition granting of a permit, practically an impossibility if it were going to expose any of the natural resources, or extractions. I was just curious how you would cover this? I'm going to vote for your bill, incidentally, I think it is a protection of our environment and I think your commission's done a fine job, but I just want to know how now you have worked out this phase of the problem, because you know the thrust of our bill was certainly rather strict with no extractions afforded, and of course, we wish to evoke this on our sister states."

Robert E. Mann: "Ah, John, I'm glad you asked that question. Because this is one of the amendments that we worked out with Representative Hyde, with the Majority Leader and ah the provision that we have in there is that drilling shall not be permitted unless the Director of the Environmental



Protection Agency first determines that such activities will not threaten the destruction of any beneficial ecological system. So, if the so that drilling could be conceivably be permitted but it would be subject to the Environmental Protection Agency."

John Henry Kleine: "That takes care of it."

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

Edward E. Bluthardt: "I wonder if the Representative would yield for a question?"

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

Edward E. Bluthardt: "Representative Mann, isn't the ah first let me ask you this. Your amendments, either one of them, ramp the the option the first option to the grant to the state? Is this still within the bill?"

Robert E. Mann: "Ah, the original bill said that the Department of Conservation shall have right of first refusal. And in our amendments we said that they may have it so that it's only permissive."

Edward E. Bluthardt: "Well, let me ask you this. Isn't the granting of such an authority to the state government or to any agency of the state government unique in in state government?"

Robert E. Mann: "No, because the ah the Environmental Protection Agency and the Pollution Control Board already have broad powers granted to it by State government, and in just in further answer to your question, and ah ah the state has



already been granted that power of eminent domain by the General Assembly."

Edward E. Bluthardt: "Well, that's just my point. Isn't this an effort to circumvent the provisions of eminent domain of condemnation, so that you grant the power to purchase as the option to purchase in the event the property is put up for sale? That way you avoid the necessity of going into court and condemning the property. Let me ask you this. Say that I own a piece of property on Lake Michigan and I decide to sell it to a friend or relative of mine, and the State says no, we're going to exercise our option. Am I forced to sell it or does the state then have to resort to court in an eminent domain proceeding?"

Robert E. Mann: "Well, first of all, as I said, ah, there's no mandatory provision in here with regard to the State's role. That's the first thing. Secondly, they may have the power of the right of first refusal, but in their plan, naturally, an equitable means of purchase would be worked out."

Edward E. Bluthardt: "I'm not so sure of that. Now, let's go a little further. One of the effects of this bill would be to discourage the use of Lake Michigan or any part of it for another airport? Is that correct?"

Robert E. Mann: "With regard to the airport provision, the bill says the following: 'that it must have the approval of the local municipalities and its chief executive and it must also have the approval of the General Assembly



and the Governor. Now, since the state holds the bid of Lake Michigan in trust for the people, we are really not adding anything more than what would be required at the present time. We do not bar an airport; what we do require is that the state which owns the bid approve it and that the local municipality and the Governor approve it."

Edward E. Bluthardt: "Well, I'd I'd like to ah speak briefly on the bill. I am wholely opposed to the concept of an airport in Lake Michigan. I know the effects of airports, I live right next to O'Hare Field. We can't get any relief from that pollution factor and I consider O'Hare Field to be the greatest pollution factor in the entire world. I know the effect of O'Hare Field on the shrubbery on the greenery, on the creeks and on the rivers. They're polluted with the oil and other debris that comes out of O'Hare Field. And yet because of that I oppose the construction of an airport in Lake Michigan. But here we're asked to grant a power that I consider, and I am convinced is unique in that it attempts to circumvent the constitution and the laws of this State and I think of the nation, too, when it comes to acquiring properties from private persons for public use. The mere saying that you may give the state the option to purchase land is saying that you are giving the state that right whenever they wish to exercise that. I think it's wrong, it's in bad concept, I think it's diluting the rights of land owners and I oppose the bill."

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



tleman from Cook, Representative Shea."

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

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

Gerald W. Shea: "In Section (e) where you go into these provisions authorizing the city council of the adjoining unit of government, plus the General Assembly, plus the Governor, does that mean that at the present time Chicago's probably got one of the finest pure water systems anywhere in the nation, it supplies water to a majority of the suburbs in and around Cook County. Now, before it could build another filtration plant or anymore water facilities in the lake, would it then have to have approval of not only the council but also of this General Assembly and the Governor?"

Robert E. Mann: "Representative Shea, if you'll read the first part of that paragraph, there are certain uses which are already specifically authorized by statute and one of those uses is the use to which you described for the purpose of purifying and cleansing water."

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

Robert E. Mann: "Well, Mr. Speaker and Members of the House, I think what we are confronted with is the loss of one of the great natural resources, not only to the City of Chicago and to the State of Illinois, but of the world. Our ecologists have told us that our oceans are dying, we know now from our independent investigation of the bed of Lake Michigan



and the waters in the lake, that many of the characteristics and entities found in Lake Erie before its death are now present in abundance in Lake Michigan. We know that the problems in the Lake not only relate to Lake County. We know that there have been fish caught recently in the south end of the lake with mercury in them. We know that there are air pollution deposits. We know that the bed of the lake which measures its utilization and aging has reached levels due to phosphate input which were in excess to Lake Erie before its death. Now, with regard to the adjoining land. It was the thought of this commission that no plan to save Lake Michigan would be complete without consideration for the adjoining land, so we have a comprehensive plan. We have a plan which calls for a plan both for total ash waste management which will protect the inland rivers and for the recreational and public use of the lake-front. The amendments do not affect any existing rights. We are not giving the Department of Conservation more than they have now. We have thoroughly researched that through law but what we are saying is develop a plan in one place once and for all which will conserve this greatest of natural assets. Mr. Speaker and Members of the House, this was a bi-partisan bill, this bill has bi-partisan sponsorship. I think we have an obligation to that great natural resource to do everything we can now to save it and I respectfully urge your vote."

Hon. W. Robert Blair: "The question is shall House Bill 2532



pass? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. The gentleman from Cook, Representative Meyer to explain his vote."

J. Theodore Meyer: "Mr. Speaker and Ladies and Gentlemen of the House. I realize that this bill has been well explained and it is pretty well misunderstood. South of Madison Street in the City of Chicago, other than municipal corporations, there are two private land owners that this bill would affect within the state of Illinois. North of Madison Street, until you get up to where Sheridan Road turns off, I believe to Foster Avenue, it's all owned by the City of Chicago. From there on, we run into private land. From there until the State line at Wisconsin, I would estimate that we are probably talking about 1,500 land owners: 1,500 land owners divided by approximately 7,000,000 people that reside in Cook County, metropolitan Chicago. I think that it would be reasonable for this General Assembly to give to the State of Illinois the right of first refusal on this property which is unique for those approximately 7,000,000 people, the majority of whom now live in suburban Chicago, the right to enjoy our lake, therefore I vote, yeas, Mr. Speaker, thank you."

Hon. W. Robert Blair: "Ladies and Gentlemen, I'm going to ring the bell to open your switches again. Okay, the Clerk says we're all right. The gentleman from Cook, Representative Hyde to explain his vote."

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House,



I want to add my strong support to this bill. The bill was on the calendar last session or when we adjourned in June and I want you to know that we worked very hard all summer on this bill in conjunction with industry and interested people to make it a flexible bill to make it a workable bill, to make it an acceptable bill. Ah, it's easy enough to sit back and watch Lake Michigan go the way of Lake Erie. I for one, am unwilling to do so. Somebody, somewhere, sometime has to come to grips with these problems and start planning comprehensively, not overlappingly, in conjunction with everyone, including this General Assembly and the city council and private industry and land owners to do something and to affix some responsibility to make Lake Michigan the godsend that it is, the unique body of water that it is and the single asset that makes Chicago the greatest city in the country in my judgement, we have to do something to protect the drinking water, the recreational use of that lake and this bill takes a giant step in the right direction. Now, I've heard fears expressed about the right of first refusal being an encroachment on the power of eminent domain. I view it just the opposite. Eminent Domain means the purchaser wants the property, whether the owner wants to sell it or not. The purchaser sets the price and if the buyer doesn't like it, he's in court faced with about five hired appraisers to show how reasonable the state was in wanting to acquire the property. Just the reverse is true with the right of first refusal,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

which I remind you is permissive. The right of first refusal, the owner wants to sell the property, he initiates the transaction, not the state, he sets the price and then the state can buy it at the owners price or not. At least they have the opportunity to refuse. Now, this to me is a much more liberal treatment of the ownership of land and those of you who are interested in an airport in the lake, all this bill does is say there shall be no airport on the lake unless the Mayor and the city council of Chicago want it and this General Assembly wants it. And to me this is a significant important modification of what I believe the state of the law is right now. This bill says that we care about Lake Michigan, this bill says that the Illinois Institute of Environmental Quality shall formulate a plan in conjunction with and to be adopted by the pollution control board, we can assume that these people can be reasonable, I think we're doing a disservice to those people and common sense to say that they will act unreasonably and this is a vital step to making Lake Michigan continue to be alive and well and living on the shores of Illinois. I hope you will support the bill."

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

Philip W. Collins: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote I certainly can see the well intentions and merit of the sponsors of this bill, but I think a great deal more property, private property



has been alluded to earlier if I read the bill correctly, the definition of land adjacent to the lake is everything a mile and a half inland which among other things would include the entire loop of downtown Chicago. So I would suggest that there's a great deal more private property to be concerned with than we have been led to believe today. I think this bill while certainly well intentioned, has needs a lot of cleaning up and at this time I think that we're making a great mistake to rush into the support of such an ill-conceived bill."

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

Henry J. Hyde: "I wonder if I just might have leave and I've already explained my vote to answer one point. Ah, the gentleman. . ."

Hon. W. Robert Blair: "I'm sure you do."

Henry J. Hyde: ". . .if I may. The gentleman said a mile and a half and that's land adjoining. Ah, the bill speaks of land abutting, abutting and adjoining are two different concepts. Abutting means right on the land, not a mile and a half in, and that's all the bill speaks of. Thank you."

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

Arthur E. Simmons: "I haven't voted yet, but I'm going to vote for this bill and but I would like to ask the sponsor a question about something in the amendment. It says that the State of Illinois or any municipal corporation within



whose jurisdiction such land is located shall have first refusal. My question is supposing somebody wants to sell it and both the municipal body and the State of Illinois want to acquire it. What which one takes precedence?"

Robert E. Mann: "Well, obviously in the plan that would be set out, Art."

Arthur E. Simmons: "So. . ."

Robert E. Mann: "That would be set out in the plan so that there would be no conflict."

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

John Henry Kleine: "Ah, Mr. Speaker, I would commend this rather visionary, courageous bill. It's certainly in the field of a complicated, environmental question, but unless we get this thing started somewhere, we're not going to get anywhere in this particular field. Now, our committee has had many many hours of this. We feel its a possible bill, it's workable, it's a starting place, and in addition, I would like to say to Robert Mann that in referring to Lake County, I would like to defend Lake County because we are not responsible particularly for the contamination that is now appearing. I would like the commission to point their finger at our good neighbors to the North, Wisconsin, and get after some of those big pump politicals up there that do a lot of noise about all over the country, but don't spend any time at home doing their home work and that includes Milwaukee, Kenosha and all the rest. Thank you."



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

Philip W. Collins: "Ah, yes, Mr. Speaker, if you'll indulge me, the Majority Leader corrected me. I'd like to correct him. The bill says that land adjoining Lake Michigan means land that lies within one and a half miles of Lake Michigan so I would suggest that he to you sir that my initial explanation was correct, Mr. Majority Leader."

Hon. W. Robert Blair: "Have all voted who wished? Take the record. Record Representative Collins as voting 'Present', Representative Phil Collins. R. Walsh, 'Present.' Conolly, 'Yeas'. Kleine, 'Yeas'. Merlo, 'Yeas'. Representative Leonard votes 'Present'. On this question the 'Yeas' are 122, the 'Nays' are 7 and 3 answering 'Present' and this bill having received the constitutional majority is hereby declared passed. Representative Scariano, for what purpose do you rise, sir?"

Anthony Scariano: "Mr. Speaker, I move that the vote by which House Bill 2532 passed be reconsidered."

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

David J. Regner: "I move that that motion lie on the table."

Hon. W. Robert Blair: "The gentleman has moved that that motion lie upon the table. All those in favor of the motion to table signify by saying 'Yeas', the opposed 'Nay' the gentleman's motion prevails. House Bill 3660."

Fredric B. Selcke: "House Bill 3660, a bill for an act to



amend Section of the Illinois Pension Code. Third reading of the bill."

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

Peter J. Miller: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3660 is a bill for to protect if the Lord called the third termers and took them from our midst, their wives would be protected and get a widow's pension. I think it's a very meritorious bill. I've had that protection years ago and I'm asking that we afford it to the third term members. I ask for a favorable roll call."

Hon. W. Robert Blair: "Is there any discussion? The question is shall House Bill 3660 pass? All those in favor signify by voting 'Yeas', the opposed 'No'. Have all voted who wished? Take the record. On this question the 'Yeas' are 139, the 'Nays' are 1 and this bill having received the constitutional majority is hereby declared passed. House Bill 3063."

Jack O'Brien: "House Bill 3063, a bill for an act to add Section 6b to an act to revise the law in relation to marriages. Third reading of the bill."

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

Eugene M. Barnes: "Mr. Speaker, Members of the House, House Bill 3063 amends the marriage act to require among other examinations given under Section 6a the act to revise the



laws in relation to marriage to require that if sickle cell anemia to require that sickle cell anemia testing would be given prior to the certification for license for marriage. Sickle cell anemia is a disease that historically has been an unheard of killer in this country. Sickle cell anemia is an inherited disease, not a contagious disease that causes sickling may be prevented among the people of African descent. Sickle cell anemia occurs mainly in blacks and far less frequent in Italians and Greeks and other people living around the Mediterranean Sea. Mr. Speaker, could I have just a little quiet."

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

Eugene M. Barnes: "Of 25,000,000 black Americans in the United States, 1 out of 10 carries the sickle cell trait. That is that the individual receives a perfect an imperfect gene from one of his parents. The chief danger of a trait like this is that it it is passed down from generation to generation. If two people with sickle cell married and say and had say four children, it is possible that only one out of that four would be normal. There are over 6,000 black people in this country that shares this fate. Neither muscular dystrophy nor sickle cirrhosis nor hemophilia nor diabetics can match this frightening statistics. Sixty years has passed since sickle cell anemia was first identified and diagnosed, but it was only in the recent past that much headway has been made in controlling it. I feel that this disease is such a frightening proportion that the State of



Illinois, a leader in many fields, should lead in this field to require testing to be able to identify the people who have this trait and could possibly pass it on to generations of unhurled torture for many kids to come in future generations. I implore the members of the General Assembly to give me favorable consideration on this bill. It will require a two-thirds majority, I understand. I'm requesting that this will become law upon passage and I implore you to vote favorably concerning this particular bill."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is shall the House pass House Bill 3063? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. This would require a 107 votes. A three-fifths vote. Have all voted who wished? Take the record. On this question, . . . Mann, 'Yeas'. On this question the 'Yeas' are 154, the 'Nays' are 0 and this bill having received the constitutional 60% majority is hereby declared passed. House Bill 3064."

Jack O'Brien: "House Bill 3064, a bill for an act to amend Section 27-8 of 'The School Code'. Third reading of the bill."

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

J. Glenn Schneider: "Thank you, Mr. Speaker. Members of the House. House Bill 3064 is in affect a complete companion bill of 3063. It deals also with sickle cell anemia and Representative Barnes has already very well clarified any



questions or doubts you may have about the nature of the disease. 3064, however, affects the School Code, permits for the examination of children in the first, fifth and ninth grade, and recording of the results of the study through the public health service, in order to help control sickle cell anemia. I might add that in response to a couple of questions I've had prior to the bill, that the cost is born by the individual as it is described in the School Code. I solicit your support. Like 3063, 3064 is also an emergency provision. I'd appreciate 107 votes."

Hon. W. Robert Blair: "Is there any discussion? The question is shall House Bill 3064 pass with the emergency clause? It's not on the calendar. All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 149, the 'Nays' are 1 and this bill having received the constitutional majority is hereby declared passed. House Bill 3642."

Jack O'Brien: "House Bill 3642, a bill for an act to amend Section 5 of the 'Fair Employment Practices Act'. Third reading of the bill."

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

Thomas J. Hanahan: "Mr. Speaker, may I have leave to hear 3643 as a companion bill. . . appropriation?"

Hon. W. Robert Blair: "Are there objections? Hearing none, will the Clerk please read House Bill 3643."



Jack O'Brien: "House Bill 3643, a bill for an act making an appropriation to the Fair Employment Practices Commission. Third reading of the bill."

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

Thomas J. Hanahan: "Mr. Speaker and Members of the House, the five members of the Fair Employment Practices Commission since we have adopted the inclusion of the sexual discrimination to the act are meeting presently from 50 to 70 hours a month and have requested a salary to coincide with their obligations of being members of the Fair Employment Practices Commission. Salaries as determined by the House Executive Committee and the Appropriations Committee was as follows: "\$7,500.00 a year for the Chairman and \$5,000.00 a year for the four commissioners, of which House Bill 3643 appropriates 1/2 a year's salary from January 1 to July 1 for this purposes. This bill needs 106 votes, I urge its adoption."

Hon. W. Robert Blair: "Ah, it needs 107. Is there any discussion? If not, the question is shall House Bill 3642 and -43 pass with the emergency clause? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. And the Clerk will take two roll calls. Have all voted who wished? Take the record. On this question the 'Yeas' are 129, the 'Nays' are 1 and these bills having received the constitutional 60% majority are hereby declared passed with the emergency clause. House Bill 1851."



Jack O'Brien: "House Bill 1851, a bill for an act to add Section 27-5 of 'The School Code'. Third reading of the bill."

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

Harber H. Hall: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1851 was is an amendment essentially introduced to a bill previously introduced on the same subject and it merely institutes a requirement that Illinois high schools may not exclude women in their inter-scholastic athletic programs. This is in accordance with Section 18 of the 1970 constitution and if I may take this opportunity, I'd just like to read the provisions of the bill. 'Where an intramural or interscholastic athletic program is involved, no pupil shall be excluded from the program solely on account of sex. However, this does not prohibit the reasonable exclusion of girls from participating in contact sports, such as football, basketball and wrestling.' I think the need for the legislation is obvious. I think it will. . ."

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

John Jerome Hill: "There seems to be something wrong. You have House Bill 1851 upon the board and the bill that Mr. Hall is explaining doesn't coincide with what is in the digest."

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



Harber H. Hall: "Well, Mr. Speaker, if I may explain what is occurring here. Last week, House Bill 1851 with the chief sponsor Representative Lindberg, had to do with also amending the school code and everything was stricken after the enacting clause and this amendment was inserted. This was on second reading, and today I am asking for passage of this provision which now simply provides that the high schools in Illinois will not restrict the participation in that in interscholastic programs to women. Ah, from women. Ah, on the basis of sex they should not be accepting that contact sport, they may be excluded from participation in the contact sport, such as basketball and football. Outside of that our schools, with the passage of this legislation, would not be able to exclude women from participating. Now, as an example, we recently saw where a high school girl could not participate in her high school chess team, although she was obviously the better player in the school. We know of golfers and tennis players and swimmers who excel in these athletics, but are not permitted to compete with the boys and with other expert players in interscholastic events. With that explanation and considering that this is an implementation of Section 18 of the constitution prohibiting the discrimination on the basis of sex, I would ask for your support for House Bill 1851."

Hon. W. Robert Blair: "The gentleman from Adams, Representative McClain."

Elmo McClain: "Will the sponsor yield for the question?"



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

Elmo McClain: "Who is the sponsor, Hall? Did the principle ah, where did this ground swell occur for this bill?"

Harber H. Hall: "Well, you know what a well known liberal I am and I'm taking the floor here to announce my interest in women's liberation. Ah, the ground swell of course occurs from female participants who can't excel and can't reach the pinnacle of their abilities in athletic events, because they don't have competition. And the reason they don't have competition is because our antiquated high school association does not permit them to do that. Now, the high school association would like them to have sewing circles and so-called play days, but they don't want them to compete with the boys on these in these sports."

Elmo McClain: "Ah, are you going to do away with the G.A.A.? Are you going to plan to do away with the Girls Athletic Association?"

Harber H. Hall: "Well, . . ."

Elmo McClain: "They have one now."

Harber H. Hall: "Well I couldn't imagine why this bill would affect any association of girls that want to have an association for any purpose. Only they would be able to dissolve their own organization."

Elmo McClain: "Mr. Speaker, I'd like to speak to this. Now, getting kind of crazy. Now, the principals have an opportunity if they so desire to belong or not to belong to the Illinois High School Athletic Association. They can vote



on it if they desire. . ."

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

Eugene F. Schlickman: "Mr. Speaker, an inquiry. Are we discussing House Bill 1851?"

Hon. W. Robert Blair: "Representative Schlickman, the same inquiry was made a few moments ago by Representative Hill."

Eugene F. Schlickman: "Well, I hear a lot of discussion on sex, but 1851 has to do with educational tours. Are they one and the same?"

Hon. W. Robert Blair: "Might be. Representative Schlickman, there were amendments offered on second reading at which time Representative Lindberg withdrew as principal sponsor, Representative Hall then picked up the bill as a principal sponsor."

Eugene F. Schlickman: "We had a sexy shell, then?"

Hon. W. Robert Blair: "Well, if that's. . ."

Elmo McClain: "Mr. Speaker, I'm going to finish. . ."

Hon. W. Robert Blair: "Representative McClain, proceed."

Elmo McClain: "It just seems kind of crazy to me that we start entering into the Illinois High School Athletic Association. They've got their own organization, they've made their own rules. The principals vote on it if they so desire and here all of the sudden is the legislature trying to get involved on who's going to play chess and who's going to be on the tennis team and etc. And let the schools run their own athletic programs. Chicago schools,



Catholic schools in Chicago don't even belong to it and I think we're getting pretty far afield when we vote from this."

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

Mrs. Eugenia S. Chapman: "Mr. Speaker, I was going to help the sponsor of this bill by not talking, but ah when I I originally saw the bill I was so pleased to see Representative Hall interested in implementing the constitution insofar as equal treatment for the sexes is concerned in public schools, and this bill does just that. I was happy to see him do it because it seems to me that every time I rise to make a plea for any kind of bill that involves equal opportunities where sex is concerned we get lots of giggles and jokes and a lot of fun and I never seem to get 89 votes so I was hoping for better for Representative Hall today, and I still am. I'd like to make two points. One is that if you're in the public schools, you've got to belong to the Illinois High School Athletic Association if you are going to engage in interscholastic sports. We're talking about public schools interscholastic athletics and this is all under the Illinois High School Athletic Association even though it is a voluntary association. And secondly, the bill specifically states that reasonable exclusions are permitted and if I could get my glasses on, I'd like to read to you again the point that Representative Hall has made. It says 'this does not prohibit the reasonable ex-



clusion'. In other words, let the boys and girls play chess together, let them play tennis together, but this does not prohibit the reasonable exclusion, of girls from participation in contact sports, such as football, basketball and wrestling. I'm voting 'Yeas' and I hope you will, too."

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

Edward L. Kipley: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this bill. My good friend, Harber Hall. I find myself in the unique distinction of being with Jeanie at the same time. I think the ground swell for this bill goes back a few more years than Harber has mentioned. In the past I have been an active participant in the Youth and Government Program with the Y.M.C.A. And for the past four years they have passed this bill and have never been able to figure out why the legislature wouldn't give girls an equal chance to compete in sports in the nature they can compete in without contact. Now, I had the privilege also of being a member of the high school that where Betty Robinson trained and at the time I was on the track team and I used to work out with her when she was the Olympic champion, she could beat everybody in the south suburban conference, yet, she couldn't compete on the team. We'd have been glad to have her. And I think there are many instances of the same kind. I think this is a good bill, I don't think it's a mickey mouse bill by any



means, and I think you ought to give it favorable consideration."

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

Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, in all due respect to the sponsor of this legislation, I think the issue may be not so much whether girls should or should not participate in athletics, but whether in fact the General Assembly of the State of Illinois should be involved in this type of a decision making process. They have the facility through the Illinois High School Association at this time to do this if they wish. I suggested perhaps we are going out of bounds when we get involved in this type of legislation, and it's not a question of whether one approves or disapproves of the idea, but whether in fact the General Assembly should be dealing with this type of a topic."

Hon. W. Robert Blair: "Is there further discussion? If not, does the gentleman from McLean, Representative Hall wish to close the debate?"

Harber H. Hall: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I certainly appreciate the support voluntarily given by several members of the General Assembly here and I know that this type of legislation where it substantiate the intentions of the constitution and backed it up is going to be needed, because just as Representative Hoffman pointed out the High School Association would like to control all



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

this and until now over the years they have been extremely conservative in the area of women participating in athletic events of any kind. Now, I had in my office in Bloomington, Mr. Fitzhugh, the head of the Illinois High School Association and he explained to me that they were trying to liberalize their thinking, but that it was becoming along slowly. But that he suggested that each year they would make some improvements. Now, improvements is not what we need. What we need is fair and equal treatment, so I believe this is a good bill and I hope you vote for it."

Voices: "Roll call."

Hon. W. Robert Blair: "The question is shall House Bill 1851 pass? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Fleck, 'Yeas'. Telcser, 'Yeas'. Take the record. On this question, Duff, 'Yeas'. On this question, the 'Yeas' are 122, the 'Nays' are 11 and this bill having received the constitutional majority is hereby declared passed. House Bill 3639."

Jack O'Brien: "House Bill 3639, a bill for an act in relation to the operation of appointing authorities consisting of members of the General Assembly. Third reading of the bill."

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

William J. Cunningham: "Mr. Speaker, Ladies and Gentlemen of the House, when we passed a series of bills back in June



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

about the appointing authorities of special districts, we came to one concerning the General Assembly appointments and we left out some of the mechanics as to how the thing should be done. This is the bill to give us the necessary services and facilities required to make such an appointment and since appointments at the present time are currently due in some districts, it has an emergency clause on it and will require 107 votes. I ask for your favorable support of this bill."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is shall House Bill 3639 pass with the emergency clause? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 132, the 'Nays' are 1 and this bill having received the constitutional 60% majority vote is hereby declared passed with the emergency clause. House Bill 3654."

Jack O'Brien: "House Bill 3654, a bill for an act providing for grants to protect witnesses in criminal investigations and prosecutions. Third reading of the bill."

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

Harold Washington: "Mr. Speaker, Members of the House, House Bill 3654 is the witness protection act. It simply provides that those people who report crimes or those who are witnesses in crime for the prosecution in criminal matters, as well as their families, may be protected by the State's



Attorney from funds which they will receive from the Illinois Law Enforcement Commission. I have discussed this with the Illinois Law Enforcement Commission, I know of no opposition to it. It came out of the committee with a resounding vote. It's a most needed legislation. Obviously if we, the General Assembly, will provide and delineate crimes and if we are to be concerned about adequate police protection, if we are going to be concerned about the whole spectrum of criminal justice and obviously they must support the people, who we ask to support in enforcing the law. I ask for your support."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is. . .the gentleman from Cook, Representative Schlickman."

Eugene F. Schlickman: "Will the sponsor yield to a question?"

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

Eugene F. Schlickman: "Representative, don't we already and haven't we already appropriated funds to the Department of Law Enforcement for informants?"

Harold Washington: "Not to my knowledge. As a matter of fact, I have a break down from the Illinois Law Enforcement Commission that I'm talking about and there are no such funds appropriated. There is no such program in the State of Illinois that I know of."

Eugene F. Schlickman: "My recollection is that at least in 19- fiscal -71, we did appropriate money for informants and I would assume that that amount could be used for the pro-



tection of those informants who would serve as witnesses in the prosecution of any defendant."

Harold Washington: "This is not an appropriation measure.

This is a substantive law proposal. The appropriation bill is in committee and I intend to table it."

Eugene F. Schlickman: "Oh, I'm sorry. Thank you."

Harold Washington: "The, the federal omnibus control act or safe streets act provides adequate funds to cover these matters and I think there are a few details to be worked out with the Illinois Law Enforcement Commission, but I think the funds are there. They have never in the past been appropriated for specifically this purpose."

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

Henry J. Hyde: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is one of the most important pieces of legislation to be presented to this General Assembly. Those people who rank themselves as law and order proponents, certainly should support this concept. In the city of Chicago, we have had one gang leader tried three times on a murder charge. All three times the jury has not agreed. The state's chief witness against him has been shot at, his life has been at danger and he has said he will not testify again. Some protection has to be given to people whom we ask to come forward to testify against criminals or people who are on trial for criminal activity. The intimidation of witnesses if it is to continue as effectively as it



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

has in the past, will result in the total breakdown of law and order and we in the City of Chicago are particularly interested in just the opposite occurring. I think this is significant legislation, I think it will go a long way in helping the law mean something and to be enforced and to encourage witnesses to testify in criminal trials and I hope it has the resounding support of this General Assembly. Thank you."

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

W. J. Murphy: "Mr. Speaker, ah, Representative Washington, I can certainly understand the purpose behind this, but I'd like to ask a question. Suppose someone informs on me. Do I not have the right to confront that man that's informed? Is he protected to the right that I don't have the right to confront him?"

Harold Washington: "Since you live such a clean life, I can't possibly imagine the circumstances. However, this bill does not direct itself to that purpose. All it does is to protect an informant or a prospective witness or their families where necessary. You would have the right of confrontation, where most people have that right under our system of justice under the court."

W. J. Murphy: "Thank you."

Hon. W. Robert Blair: "Is there further discussion? Does the gentleman wish to close the debate? The gentleman from Cook, Representative Washington."



Harold Washington: "With the support of the statement by Representative Hyde, I rest my case."

Hon. W. Robert Blair: "The question is shall House Bill 3654 pass? All those in favor signify, with the emergency clause, all those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 151, the 'Nays' are 0 and this bill having received the constitutional 60% majority is hereby declared passed with the emergency clause. House Bill 2562."

Jack O'Brien: "House Bill 2562, a bill for an act to amend Section 17 of an act to create sanitary districts in certain localities, to drain and protect the same from overflow for sanitary purposes and to provide the sewage disposal. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Kane, Representative Friedland."

John E. Friedland: "Mr. Speaker, request leave to consider House Bills 2562 through 2565 as a package?"

Hon. W. Robert Blair: "Are there any objections? If not, would the Clerk please read House Bills 2563, 2564 and 2565."

Jack O'Brien: "House Bill 2563, a bill for an act to amend Section 12 of the 'Sanitary District act of 1911'. Third reading of the bill. House Bill 2564, a bill for an act to amend Section 12 of the 'Sanitary District Act of 1917'. Third reading of the bill. House Bill 2565, a bill for an



act to amend Section 16 of the 'Sanitary District Act of 1936'. Third reading of the bill."

Hon. W. Robert Blair: "The gentleman from Kane, Representative Friedland."

John E. Friedland: "Mr. Speaker, Ladies and Gentlemen of the House, House Bills 2562 through 2565 amend four sanitary district acts to provide for increased cost of operation for purposes of coronation of sewage only. There were two amendments, agreed amendments that were adopted on second reading on the floor, the first one amendment on each bill changed the word 'expenses' to 'cost of operation' and the second amendment to each bill provided for a referendum.

I would urge considerable passage."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is shall House Bills 2562, 2563, 2564 and 2565 pass? All those in favor will signify by voting 'Yeas' and the opposed by voting 'No'. The Clerk will take four roll calls. Have all voted who wished? Take the record. Take four records. On these questions, the 'Yeas' are 116 and the 'Nays' are 4 and these bills having received the constitutional majority are hereby declared passed. Record, is, wait, you want 'No' on all four of these bills? All right. Okay, record R. Walsh as voting 'No' on all four of the bills. Brenne, 'Yeas'. Bluthardt, 'No'. Fleck, 'No'. Choate, 'No'. Barry, 'No'. Stone, 'No'. Hill, 'No'. Matijevich, 'No'. Boyle, 'No'. Stedelin, 'No'. Schneider, 'No'. House Bill 3681."



Jack O'Brien: "House Bill 3681, a bill for an act to add Section 3-1.1 and Article 21A to 'The Election Code'.
Third reading of the bill."

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

Fred J. Tuerk: "Mr. Speaker, Members of the House, House Bill 3681 is the non-resident voting act which allows those citizens of the United States who are outside the territorial limits of the U.S.A. to write and who were qualified to vote before they left the United States, to right, the right to vote for President and Vice-President. The bill sets up all the machinery and provides the necessary safe-guard and most importantly it gives the citizens who have been disenfranchised the right to vote for their two top leaders. I would urge your favorable support. This bill did pass earlier this session unanimously, 157 to 0. I submit this bill for your support."

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

Brian B. Duff: "Ah, would the sponsor answer a question, please?"

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

Brian B. Duff: "Does this apply to ex-patriots and people who have left the military service and taken haven in other countries?"

Fred J. Tuerk: "No."



Brian B. Duff: "Thank you."

Hon. W. Robert Blair: "Is there further discussion? If not, the question is shall House Bill 3681 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 141, the 'Nays' are 0 and this bill having received the constitutional majority is hereby declared passed. House Bill 701."

Jack O'Brien: "House Bill 701, a bill for an act to add Section 3-1.1 and Article 20A to 'The Election Code'. Third reading of the bill."

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

David J. Regner: "Mr. Speaker and Ladies and Gentlemen of the House, this is a non-residence voters bill, also. It's a slightly different version, but it's one that they have not seen in the Senate as yet. And it does allow non-residents voters for people stationed overseas for President, Vice-President, U.S. Senate and all state-wide elections and I urge a favorable vote on this bill."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is shall House Bill 701 pass? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. Lechowicz, 'Yeas'. McClain, 'Yeas'. On this question the 'Yeas' are 145, Pappas, 'Yeas', the 'Nays' are 0 and this bill having received the constitutional majority is hereby declared



passed. House Bill 3545, Laurino, 'Yeas' on the last roll call."

Jack O'Brien: "House Bill 3545, a bill for an act to amend Sections 22, 37, 39 and 40 of the 'Environmental Protection Act . Third reading of the bill."

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

Harry Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3545 amends 'The Environmental Protection Act' and requires that notice of filing of an application for a permit for a sanitary land fill be given to the corporate authorities of each county, township, if it's unincorporated territory, municipality and sanitary district where the land fill is to be located. And also to members of the General Assembly from the legislative districts where located. It also requires that notice of variance and enforcement proceedings to be given in all cases to members of the General Assembly from the legislative district, with the property or installation concerned is located. Now, the reason for this piece of legislation is quite obvious, I think. In many cases in the past, the E.P.A. has failed to notify those governmental authorities where sanitary land fills are to be located. As a result of this failure to notify, many local officials are suddenly confronted with a sanitary land fill which they may want or may not want, but they have not had time to appear at one of the provisions that the E.P.A. calls for, to require



within 21 days a public hearing where interested parties can be heard on the matter. All it does is to require that the E.P.A. give that privilege to local government authorities to be aware of what's going on in the corporate authorities which they represent. I would solicit your support for this much needed legislation. Thank you."

Hon. W. Robert Blair: "Is there discussion? The question is shall House Bill 3545 pass? All those in favor signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question the 'Yeas' are 142, the 'Nays' are 0 and this bill having received the constitutional majority is hereby declared passed. Cox, 'Yeas'. House Bill 1555."

Jack O'Brien: "House Bill 1555, a bill for an act to amend Section 205 of the 'Illinois Income Tax Act'. Third reading of the bill."

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

Charles J. Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1555 removes the exemption that the National Banking Institutions presently have as far as the Illinois State Income Tax is concerned. Due to a Supreme Court decision, in 1819, these banking institutions had been limited to the degree that the states can not tax them. In 1969, Congress passed a Public Act which enabled the states by affirmative action of the legislators to apply state income taxation upon banking institutions and upon dividends



received by people holding stock in those banking institutions. The administrator of the national banks in Washington reports that there are presently 414 national banks in the State of Illinois generating an income in excess of \$1,500,000,000.00, with a net income at the end of their deductions of \$9,173,000.00. This is approximately what the income tax would generate, but this does not lose what would tax on the income and from income generated and received inside the state by national banking institutions with their principal office in other states. This is a great source of income for the State of Illinois, and I ask for your favorable support."

Hon. W. Robert Blair: "Is there any discussion? If not, the question is shall House Bill 1555 pass? All those in favor signify by voting 'Yeas', the opposed 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 138, the 'Nays' are 0 and this bill having received the constitutional majority is hereby declared passed.

House Bill 3596."

Jack O'Brien: "House Bill 3596, a bill for an act to amend Sections 2 and 12 of the 'Probate Act'. Third reading of the bill."

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

Robert G. Day: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, this bill simply changes the term in the Probate Act where reference is made to an illegitimate child to an



ante-nuptial child. Of course, the purpose of the bill is to remove the stigma of illegitimacy from the child and the bill I think will accomplish that passed out of Judiciary Committee with one suggested amendment which is on it which was more or less of a housekeeping type of an amendment.

I would appreciate your support."

Hon. W. Robert Blair: "The, is there any discussion? The gentleman from Madison, Representative Calvo."

Horace L. Calvo: "Would the sponsor yield to a question?"

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

Horace L. Calvo: "Is this kind of like the used car and now we call it a pre-owned car?"

Robert G. Day: "Call it what?"

Horace L. Calvo: "We used to say used cars, and now one particular manufacturer says pre-owned automobiles, is this kind of like your bill?"

Robert G. Day: "Very, very similar."

Horace L. Calvo: "Okay, thank you."

Hon. W. Robert Blair: "The question is shall House Bill 3-, the gentleman from Cook, Representative Kosinski."

Roman J. Kosinski: "Will the sponsor yield for question, please?"

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

Roman J. Kosinski: "Does this in any way have any reference or inference in terms of any inheritance situation?"

Robert G. Day: "Any inheritance situation? Ah, makes no change in that. The child is now called an ante-nuptial



child would have the same rights of inheritance that an illegitimate child would have now, it makes no change."

Roman J. Kosinski: "Thank you."

Hon. W. Robert Blair: "The, is there further discussion?

The question is shall House Bill 3596 pass? All those in favor will signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. On this question, the 'Yeas' are 140, the 'Nays' are 1 and this bill having received the constitutional majority is hereby declared passed. Dan O'Brien, 'Yeas'. House Bill 3597."

Jack O'Brien: "House Bill 3597, a bill for an act to amend Sections 3-808 and 8-102 of 'The Illinois Vehicle Code'. Third reading of the bill."

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

Robert G. Day: "Ah, Mr. Speaker and Ladies and Gentlemen of the House, this bill reduces the annual registration fee for ceremonial vehicles to \$5.00 for every two years. The bill is limited to ceremonial vehicles, such as the American Legion locomotives, this type of vehicle, which are only used on seldom occasion on the public streets, and it felt that the regular license fee was unfair for not-for-profit corporations that have these vehicles, maintain them and just use them for things like that. That's all the bill does."

Hon. W. Robert Blair: "Is there any discussion? If not, the



question is shall House Bill 3- , the gentleman from Cook, Representative Simmons."

Arthur E. Simmons: "Mr. Speaker, I notice that this bill has three amendments, number 1, 3 and 4. Amendment Number One says amend page 2, line 18 and 19 and 20 and on Four it also says on page 2 by inserting between lines 19 and 20. I wonder if there they conflict with each other?"

Hon. W. Robert Blair: "Ah. . ."

Robert G. Day: "Ah, Mr. Speaker, and Ladies and Gentlemen of the House, the Amendment Number Four was an amendment which was suggested by Representative North and that amendment corrects a typographical error which was in a previous bill dealing with automobile registration and that bill was passed by the House and the Senate and it had the wrong section number in it. And that's all it did. And Amendment Number Four simply corrects that."

Hon. W. Robert Blair: "Is there further discussion? The question is shall House Bill 3597 pass? All those, with the emergency clause, all those in favor of the passage signify by voting 'Yeas', the opposed by voting 'No'. Have all voted who wished? Take the record. Mann, 'Yeas'. On this question the 'Yeas' are 141, the 'Nays' are 3 and this bill having received the constitutional 60% majority is hereby declared passed with the emergency clause. House Bill 3700. Representative Murphy, for what purpose do you rise, sir?"

W. J. Murphy: "I move the previous question."



Jack O'Brien: "House Bill 3700, a bill for an act requiring disclosure of economical interest. Third reading of the bill."

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

George W. Lindberg: "Mr. Speaker, at this time I would ask leave to return House Bill 3700 to the order of second reading for the purpose of amendment."

Hon. W. Robert Blair: "Are there any objections? The gentleman from Union, Representative Choate."

Clyde L. Choate: "May I ask the gentleman the nature of the amendment?"

George W. Lindberg: "The amendments are either passed out now or will be on your desk. The first amendment is in the nature of a housekeeping amendment by striking Section 6-10 which was the sanction for unions or corporations who made contributions in violation of the act, and of course since that particular provision was stricken, ah there is no need for a sanction against a corporation or a union. Ah, the second amendment expands on page 5, line 9, yeah, the definition of public official, in the prohibited activities section where public officials are prohibited from dealing with the agencies of which they are members, ah, it is being expanded to include persons who are on boards or commissions or agencies that make certain decisions concerning the purchase, sale or lease of public property or the classification of land for these purposes. It extends



the definition for that purpose. The third amendment, Representative Choate, will be an effort to delete the substance of the amendment that you placed on the bill which in my opinion would absolutely defeat the bill, or in the alternative cause it to be unconstitutional or substantially impair the participation of citizens in Illinois government. That would be Amendment Number Thirty-Six. That would be that would limit the extent to which public officials could participate in a business to those businesses that are regulated by the Illinois Racing Board."

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

George W. Lindberg: "Are . . ."

Clyde L. Choate: "In the first place the amendment did not limit itself solely to the Illinois Racing Board and you full well know it. Secondly, I had been told and it wasn't you that told me that you were going to attempt to move the bill back to the order of second reading today to attempt to remove my amendment. And I want you to know this to start with that it happens to be that I feel that it's your prerogative to attempt to do this if you so desire. I'll have more to say about it, though, when we discuss the merit of your amendment. Thirdly, I want you to know that I will also have something to say, about, since I've been open and honest with you about this from the very outset of your attempt to pass House Bill 3700, Representative Lindberg, I will have a little to say about your statement that you think that it might scuttle the bill."



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

Clyde L. Choate: "I have no objections on that basis."

Hon. W. Robert Blair: "Thank you, Representative Choate.

Hearing no objection, House Bill 3700 will be returned to the order of second reading. Are there any amendments?"

Jack O'Brien: "Amendment Number Thirty-Four, Lindberg. Amend House Bill 3700, as amended, on page 18 by striking Section 6-10."

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

George W. Lindberg: "Ah, Mr. Speaker, I've pretty well explained this amendment. Since the aspect of the bill, which prohibited corporations and unions from making political contributions was stricken by an amendment that was adopted last Thursday, there is no reason to have a sanction against such action since it would not be prohibited under the bill, so I would move for the adoption of the amendment that would strike Section 6-10 from the bill."

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

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. I was wondering if we could have a copy of the amendments that are going to be proposed."

Hon. W. Robert Blair: "Okay. The Clerk tells me that they have been distributed, Representative Lechowicz. The gentleman from Madison, Representative Kennedy."

Leland J. Kennedy: "Ah, Mr. Speaker, I wonder if the gentleman



would yield to a question? I didn't quite, George, I didn't quite understand your explanation of this amendment."

George W. Lindberg: "Lee, last Thursday that part of the bill that would have prohibited unions and corporations from making political contributions was stricken from the bill. Therefore, the penalty for making such contributions should be stricken also, since there is no violation. So, Section 6-10 is the one that would have penalized a corporation or its officers or union or its officers if they had engaged in the conduct that has now been removed from the bill, so there is no reason to have the sanction in there, it's just cleaning up the bill."

Leland J. Kennedy: "That's all you're doing."

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

Thomas J. Hanahan: "Would by removing, would the gentleman yield? Would by removing Section 6-10 remove the prohibition on insurance corporations from contributing or any violation thereof under the present code?"

George W. Lindberg: "Ah, no, because the original bill does not address itself to the penalties that are outside the purview of this bill. So by removing this sanction we are not disturbing existing law on that subject matter."

Thomas J. Hanahan: "But would this be a greater penalty is written in Section 6-10 of a prohibition? Would this be a greater penalty of the insurance in liquor industry that are prohibited now by law from contributing?"



George W. Lindberg: "Well, I don't know the present penalty is but this section would be totally inoperative upon a violation of the law to which you are referring."

Hon. W. Robert Blair: "Is there further discussion? All right, the question. . . what, if not the question is shall Amendment Number Thirty-Four to House Bill 3700 be adopted? All those in favor signify by saying 'Yeas', the opposed by saying 'No', the amendment is adopted. Are there further amendments?"

Jack O'Brien: "Amendment Number Thirty-Five, Lindberg. Amend House Bill 3700 on page 5, line 9 by inserting after the word 'state' the following: 'or any official making decisions concerning the purchase, sale, or lease of public property or classifications for land use purposes.'"

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

George W. Lindberg: "Ah, Mr. Speaker, Representative Lynn Brenne brought to my attention that under Article III, 'Prohibited Activities by Public Officials' the language was not sufficiently broad enough for the definition of public official to include those persons who serve on government boards and commissions, purchase, sale, or lease public property or classify public property for land use purposes such as zoning boards. And it was the intention Mr. Wexler and myself that those individuals would also be included under the prohibited activities prospect of this bill and so I would urge the adoption of this amendment."



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

Gerald W. Shea: "Ah, George, will you when you use this word concerning the purchase, sale or lease of public property or classification for land use purposes, you put this same statement somewhere else in the bill the other day, did you not?"

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

Gerald W. Shea: "What section did you put it in the other day?"

George W. Lindberg: "Ah, I believe it's in Section ah 5 or Article V, the Public Disclosure or Article IV, the Public Disclosure part so that members of zoning boards who ordinarily don't buy or sell property but do classify property would be required to make the financial disclosure required to make the financial disclosure as required in Article IV. We're also by this language including them now in the prohibited activities part of the bill."

Gerald W. Shea: "Well, where you put it in the other day, and I don't know if this is in the exact language, but I read it over and, the way that it's in here it says 'public officials who make the decision concerning the purchase, sale, lease or classification of land use purposes of public property, and I'm wondering if the way you have it written that you talk about purchase, sale, lease only with regard to land use and not of public property part.'"

George W. Lindberg: "I understand that that's been corrected



in Enrolling and Engrossing with regard to the public property part. That was a clerical error in the drafting of the Thursday amendment. It's sense been rectified and this will. . ."

Gerald W. Shea: "Well, how did they, how does it now read out of Enrolling and Engrossing? I mean certainly if somebody changed it in Enrolling and Engrossing, I want to find out how they did it, because this the way that this was written, I was opposed to it and I wanted to bring it to your attention, but I think if somebody up in Enrolling and Engrossing is changing something that we're doing down here on the House floor, I want to find out about it."

George W. Lindberg: "I believe the amendment was changed ah right here at my direction upon inquiry of other people, it didn't that particular provision was obviously not to be on the amendment. It just didn't make any sense, it was just an error in drafting the amendment."

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

Donald A. Henss: "Mr. Speaker, will the sponsor yield for a question?"

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

Donald A. Henss: "Ah, George, ah I was trying to refer to these sections on the action that was just taken and if I may with regard to Section 6-10, apparently we have just stricken this language, 'any person who accepts a political contribution in violation of Article V of this act, shall



pay into the State Treasury for each violation, a sum of money not less than \$5,000.00 and not more than \$25,000.00. Now, Article V. does include more than just the prohibition original prohibition against corporations and labor giving these political contributions. For instance, you find that no political committee may accept any contribution from an anonymous donor. And no political committee can accept a contribution when there is a vacancy in the office of Chairman or Treasurer. I'm wondering if we have just omitted the penalty or if there is another penalty, I've forgotten, for violation of these provisions?"

George W. Lindberg: "6-11."

Donald A. Henss: "Would be the penalties for those particular . . . all right, so there is a separate penalty for those?"

George W. Lindberg: "Yes."

Donald A. Henss: "All right, thank you."

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

E. J. Giorgi: "I'd like to ask Representative Lindberg a couple of questions if I may."

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

E. J. Giorgi: "George, do you provide for the, in our area, they appoint various members to the boards, and there is no salary involved, but they spend millions of dollars. Now, for instance, ah our Sanitary District members, our Library Board members, our Park District members, our Board of Education members where are they included in the bill? They



are not salaried, but they spends millions and millions of dollars."

George W. Lindberg: "Well, the definition of public official pretty well answers that question. There is no relevancy to salary except for persons who are appointed to positions in which case they must earn a compensation in excess of \$20,000.00 nor to be required to be disclosed. But otherwise, public officials, I think you'll find the definition in Section 2-15 means any person who is elected to any office in the state, including offices in counties, municipalities, school districts, and units of local government and includes any salaried employee of a public agency of this state. . ."

E. J. Giorgi: "But George, you forget that I said that these people are appointed and they spend millions of dollars, did you fail to include them in this 2-15?"

George W. Lindberg: "Ah. . ."

E. J. Giorgi: "For instance, our Sanitary District members are appointed by the Local Judiciary, our Park District members are elected without any pay. . ."

George W. Lindberg: "Well, well, this amendment this amendment does that, Zeke, by adding or any official making any decisions concerning the purchase, sale or lease of public property or classification for land use."

E. J. Giorgi: "I still don't think they're covered, George."

George W. Lindberg: "Well, it's intended that they be, ah, I feel that this. . ."



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

Thaddeus S. Lechowicz: "Thank you, Mr. Speaker. Will the sponsor of the amendment yield to a question?"

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

Thaddeus S. Lechowicz: "Representative Lindberg, I don't have a numbered copy of the bill. We have here the amended version as is served in the proper sequence, and I'm wondering if you'd be so kind as to tell me exactly what Amendment Number Thirty-Five with which section does it amend? According to your amendment, it is page 5, line. . ."

George W. Lindberg: "This, this this would amend 2-15, Section 2-15, which is the definition of public official."

Thaddeus S. Lechowicz: "Thank you."

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

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

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

Bradley M. Glass: "George, I have a couple of questions for clarification, ah, does this intend to cover officials who classify, make decisions regarding the classification of land use purposes of public property or of all property?"

George W. Lindberg: "Well, it would be of all property. As I explained to Representative Shea, the earlier amendment was corrected on the Clerk's desk to eliminate that dangling phrase. . ."



Bradley M. Glass: "I. . .I. . .I"

George W. Lindberg: "This amendment is correct, ah, in that regard."

Bradley M. Glass: "Ah, all right, the other question ah if you know some zoning boards plan commissions make recommendations only. The final action on zoning boards is taken by the municipal authorities, and I wonder if it is the intention of the amendment to cover the individuals who make recommendations and not the final decision?"

George W. Lindberg: "Ah, ah, it's the intention of the amendment to include those individuals, which is what Representative Washburn specifically brought to my attention. Any officials making decisions concerning the purchase and so forth. My analysis would be that that would include planning commissions and zoning boards, which is the intention of the amendment. Ah, they do make a decision which is in the nature of a recommendation, but I think that since in some cases it requires a two-thirds majority of the city council to reject their decision, or their recommendation, I think that it has the affect of a decision. I'll agree that I think the language should be clarified and I'll try to do so in the Senate."

Bradley M. Glass: "Thank you very much."

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

John Jerome Hill: "I wonder if the sponsor would yield to a question?"



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

John Jerome Hill: "I'd like to get back to the question that Representative Giorgi was asking you. In the amendment in the amendment it says or any official making decisions concerning the purchase, sale or lease of public property or classifications for land use purposes, and I want to proceed on this, too, because our Sanitary District is appointed the members, and also the Park District in our area is appointed. Now, just how are these people covered under your amendment? I don't see it."

George W. Lindberg: "Well, well, we are amending the definition of public official so as to include those individuals. Now, if you feel that it is not clear, we can get some language that is more clear. The very purpose of this amendment is to ah make it clear that persons appointed or elected to those important positions are included under the prohibited activities and the Article IV disclosure provisions of this act."

John Jerome Hill: "All right, are these people considered officials?"

George W. Lindberg: "Yes."

John Jerome Hill: "Well, in the in the heading of the bill where it explains public officials, it doesn't give a specific official decision of what it means."

George W. Lindberg: "Well, . . ."

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



Bernard B. Wolfe: "Will will the sponsor yield. . ."

Hon. W. Robert Blair: "Well, Representative Hill isn't finished, yet."

Bernard B. Wolfe: "Oh, I'm sorry."

Hon. W. Robert Blair: "Representative Hill, have you completed your questioning, sir?"

John Jerome Hill: "No, I'm I want to know where it is, in other words in Section 2-15 it says public official and gives a definition of that."

George W. Lindberg: "Yes. "

John Jerome Hill: "And those are elected."

George W. Lindberg: "Yes, and then we go on with this amendment, Jack, which is Amendment Thirty-Five, which we're talking about, and we have the words 'or any official', 'or any official', 'making decisions concerning the purchase, sale or lease of public property, or classification for land use purposes'."

John Jerome Hill: "Are these people considered officials?"

George W. Lindberg: "Ah, for the purpose of this act if this amendment is adopted, yes."

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

James R. Washburn: "Ah, George, I ask the same question of you last week and you answered it by reading me a certain section along these lines, I don't know what section it was, but members appointed members to various boards, library boards, sanitary districts and one thing and another,



were covered because they were charged with the authority of spending tax dollars. Now, that's the answer that you gave me last week, that they were covered in another section of the bill, is that right or not? Now, I want to know, because I'm interested in the bill, too."

George W. Lindberg: "No, at your suggestion we expanded the definition of who should report under the financial disclosure law to include persons who sale, whether they are elected or not, who sell, buy or lease public property and who make decisions regarding the classification of land use and we put that in Section 4. Now we are expanding the definition of public officials to include those persons.
I . . ."

James R. Washburn: "I I know, I realize that but that takes care of the zoning boards, and planning commissions, and that was one part of my question to you, but the other part was the members of boards, unsalaried members of boards, and you gave me the answer and quoted out of the bill some section, I thought that they were covered because they were charged, because they had the authority to spend tax dollars. Now, is that someplace in your bill or not?"

George W. Lindberg: "Well, it will be now if we adopt this amendment. Because we are putting that definition into the definition of public official in Section 2-15 so that there can be no mistake about it. It may not be clear, if not we'll clarify it in the Senate."

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



B. B. Wolfe."

Bernard B. Wolfe: "Ah, thank you, Mr. Speaker. Would the sponsor yield for one question on this?"

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

Bernard B. Wolfe: "Ah, George, I think you gave the answer in your spoken definition and not in the written amendment. You said that it means any person because the definition of 2-15 says that public official means any person who and so forth and so on. Now, at the end of the statement, there is a comma there which would read 'or any person in public office making decisions concerning rather than repeat the word official which is this is not the this is the what the members are complaining about and I think if you would just use the terms consistent with your original definition that it will all fall into pattern, but the second question that I have is that now 2-15 and 2-18 are inconsistent in that or maybe they are consistent in that when we use the term public official, it would mean anyone, whether he is a state employee or not and irrespective of whether he earns \$20,000.00 or not, is that right?"

George W. Lindberg: "Ah, Representative Wolfe, Section 2-18 was added by somebody's amendment over on your side and I objected to it at that time and I don't think it makes a fatal dichotomy here, but it certainly an undesirable one, but to the definition of state official and public official."

Bernard B. Wolfe: "Yeah, there's that distinction when you use state official and when you use a public official. In



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

other words, you're broadening the public official definition to include any person in public office making decisions concerning the purchase and so forth. Would that also include a civil service official?"

George W. Lindberg: "I would say yes. Ah, the state official definition in 2-18 would be the definition of a state official as used in Section 3-8 and 3-9."

Bernard B. Wolfe: "Right, but the definition in 2-15 now would include all persons in an official capacity, no matter in what level of government they are in and no matter whether they are civil service or non-civil service, who make decisions concerning the purchase, sale or lease of public property, is that not right?"

George W. Lindberg: "I believe that's true."

Bernard B. Wolfe: "Thank you."

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

W. Timothy Simms: "Ah, Representative Lindberg, under this amendment on boards and commissions, would there also be jurisdiction for those boards and commissions that are locally appointed, but are yet spending federal funds, which a unit of local government has jurisdiction? I have for example the O.E.O. program. Would these people have to disclose?"

George W. Lindberg: "Which people?"

W. Timothy Simms: "People that are appointed to the board, let's say for a local anti-poverty, O.E.O.? They are public



officials that are spending funds that they are responsible to the local governmental entities for their appointment, but they are federal funds that they are disbursing? Would these people fall under this classification and would they have to disclose as well?"

George W. Lindberg: "It would be my judgment that they would have to disclose, abscond a federal law that would prohibit the state from enforcing this code against them."

W. Timothy Simms: "Thank you."

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

Gerald W. Shea: "Ah, George, I see that the Clerk has an enrolled and engrossed copy of the bill, and I notice that you're working from one, don't you think that if we could that we should make them available for all the members so we could follow the amendments and find out what is going on, and particularly I'd like to look at the enrolled and engrossed copy and compare it to the one that we did with amendments the other night."

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

George W. Lindberg: "I don't have an enrolled and engrossed copy of the bill, all I have is a document which your aide very capably prepared and furnished to me."

Gerald W. Shea: "I know, but it seems that that's different from the copy that the Clerk has and seeing how the Clerk is the enrolled and engrossed copy, trying to find out what we're amending here, ah, if you could get that out, if they

have one copy, it doesn't take much to duplicate it."

George W. Lindberg: "Well, I'd certainly join in that request if it can be accomplished."

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

George W. Lindberg: "Ah, I'm advised that 2-15 is in the same form that it was in the original bill."

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

Thomas J. Hanahan: "Yes, I'm I'm confused, Representative Lindberg on on something as you read Article IV and then you go into Section a, b, c, d and e. Is under law, because I'm not a lawyer, when you put these various things in certain sections like this, a, b, c, d and e, does this mean that anyone that is not covered by that particular section is exempt and I particularly point out Section e where it says all directors, members and employees of a public agency of the state who are paid \$20,000.00 or more a year by a public agency of the state. For example, the Toll Road Commission members are paid \$15,000.00 a year. Now, if this section e is read in reverse and said, well, if somebody claimed, well, I'm a director and I'm not of and I'm of a public agency of the state and I'm not paid \$20,000.00, am I therefore exempt? Why do you put down a,b,c,d and e in the law, and then could anyone use this as a reason to not be covered?"

George W. Lindberg: "Ah, . . ."

Thomas J. Hanahan: "If in a that particular agency there are



specified because they're under \$20,000.00 a year, such as the Toll Road Commission?"

George W. Lindberg: "Well the section that you're referring to simply states when those persons are to make their filing."

Thomas J. Hanahan: "Well, in Section IV-1 and it says the following persons shall file written statements of economic disclosure, particularly interested in why you go a, b, c, d, and e and in Section e it says that all directors, members and employees of a public agency who are paid \$20,000.00 a year or more. Well, if I was a member of the Toll Road Commission which is a public agency of the state and I am not paid \$20,000.00 a year, could I say that I do not have to disclose an economic interest?"

George W. Lindberg: "The the answer to that Representative Hanahan is the preceding section. Ah, 4-1 says 'who shall file a statement' and in addition to all directors, members and employees of a public agency of the state who are paid \$20,000.00 or more a year by a public agency of the state, we also include in the previous section specifically indicated persons which includes public officials who make decisions concerning the purchase, sale, lease or classification of public property for land use purposes. Ah, . . ."

Thomas J. Hanahan: "Well, this is exactly the question and why the separate sub-sections to give an attorney the right to claim that the legislature and the legislative intent is to exempt those in the public agency that are not paid



\$20,000.00. As I read it not being a lawyer, I would say, that you're exempting goes for those who are not making \$20,000.00 because you specifically set up a separate section, Section e to say that those who are not making \$20,000.00 such as the Toll Road members, the Toll Road Authority Commission members and many other commission members, will not have to buy an economic interest disclosure under the section of this act, and I think if we want to talk about ethics in government, that we'd better point some attention to some of these people who are making less than \$20,000.00. I think another amendment is needed."

George W. Lindberg: "No, that's the exact reason why we have the language which we added to d, Section IV-1 where regardless of salary, if you're a person who makes decisions on buying, selling or leasing public property, or classifying for land use of property you must file a statement. Otherwise you do not have to file one unless you're being paid over \$20,000.00."

Thomas J. Hanahan: "Well, I think it's a defect in the bill because we're going to allow certain members to use an escape and say that under a certain section that the legislature passed, certainly exempted them, in other words, I don't care what you do, why, you didn't answer me one question. Why legally, because I'm not a lawyer, why did you put in the bill sections under Section 4-1 a, b, c, d, and e, instead of running them just into one paragraph. Why legally is this done?"



George W. Lindberg: "The reason it was done is because we did not want all public officials to file statement. For example, ah, the let me put it this way, the reason for the \$20,000.00 threshold was to avoid the necessity of teachers. For example, from making economic disclosure. The bookkeeping problem relative to the value of it would be entirely too great, so we specified those persons who must make these disclosure. Thursday we added to that group those individuals who buy, sell or lease regardless of what they make in addition to anyone who makes over \$20,000.00 even though he doesn't buy, sell or lease with regard to land use."

Thomas J. Hanahan: "But once again, why the separate what do you call this legally, the a, b, c, d, and e, why these separate letters, you know, setting it up technically this way instead of separate paragraphs? I know that a member of the Toll Road Commission Authority who does sell and buy land will be covered. He couldn't use the claim that this is an exemption, by the fact that he is not covered in Section, Sub-Section e of 4-1. This is a little too technical."

George W. Lindberg: "No, no, no, no, no, but he may make that argument but I am sure that a judge would refer him directly to Section d which includes him."

Thomas J. Hanahan: "Well, the reason I want this brought out on the floor is that I want this to be recorded and some judge, you know, someday may listen to this tape, and it is



your intent then that those members of public agencies that do not make \$20,000.00 but yet come under the other four sections would be covered with an economic disclosure act."

George W. Lindberg: "Yes."

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

Michael J. Madigan: "Representative, will the sponsor yield to a question?"

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

Michael J. Madigan: "George, in Section 3-17 there is language that states that no candidate or political committee of a candidate for the General Assembly may accept a political contribution from any person in excess of \$2,500.00. In the forthcoming election I may be a candidate for the General Assembly and I am a ward committeeman of a ward organization in the City of Chicago, and a member of the Ethics Board might feel that this language may apply to any campaign money or election day money that I might receive as a ward committeeman from the State Central Committee or the Cook County Central Committee. I don't feel that it should and can you tell me what would be available to me in this act or this bill which I could use to argue against that opinion of the Board of Ethics."

George W. Lindberg: "Well, in that particular amendment, or section as now written, you could not accept more than \$2,500.00. It doesn't really seem to be one of my favorite provisions in this act and it was not, I did not feel that



campaign spending limitations should be part of this bill, but it is in there and apparently the members of this body felt that it should be proper."

Michael J. Madigan: "In other words, a limitation which was intended to apply solely to members of the General Assembly will also apply to me as a ward committeeman, and therefore to my ward organization."

George W. Lindberg: "No, it says no candidate or political committee of a candidate for the General Assembly may accept a political contribution from any person in excess of \$2,500.00."

Michael J. Madigan: "My political committee is my ward organization."

George W. Lindberg: "Well, you're going to have to ah the the provision is you're going to have to make the contribution payable to yourself. As a candidate."

Michael J. Madigan: "George, now another question. All of these reporting requirements, reporting requirements concerning contributions to a political committee and the expenditures by a political committee over \$100.00. If these reporting requirements are applied to a continuing political organization, it is going to require the services of a full time accountant to keep the books. My continuing organization has books which are maintained by a volunteer. However, if this act, this bill becomes law, I'll be forced to maintain a full time accountant and in light of the penalty provisions, I would prefer a C.P.A. Can



you tell me if you would be amenable to an amendment that would provide that the cost of that accountant would be paid by the State of Illinois?"

George W. Lindberg: "Ah, well, I'll have to admit that I considered that possibility early in the ethics committee deliberations and I believe I mentioned it and it was not responded to favorably. It appears that the right of the public to know is going to cost particularly affluent political committees extra money. I don't with the political funds that I receive I find that my 7 year old daughter could pretty well keep an accurate track, because there's that few. But I suppose that if you have a very wealthy committee that has lots of money coming in and out of it, you may be forced, just like a businessman to retain a C.P.A."

Michael J. Madigan: "Well, George, it's not question of affluence, it's a question of dedication."

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

John S. Matijevich: "Would the sponsor yield to some two questions?"

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

George W. Lindberg: "Yes."

John S. Matijevich: "George, now under the definition of public official we have an official making decisions concerning purchase, sale or lease of public property or classification of land use purposes, right? Now, under Article



IV-1-d, we also use the term public official who makes a decision concerning the purchase, sale, lease or classification for land use purposes, etc. Now, I think this is going to be redundant and confusing. I think that unless you have an amendment to delete that part out of, it was a . . ."

George W. Lindberg: "It was a strategical ah ah redundancy in the sense that Representative Washington wanted to make sure that those persons or Washburn wanted to make sure that those persons were included in the disclosure. Upon further study, we wanted to make sure that they were included in the definition of public official, wherever it appears, and certainly in the Senate that particular language can be cleaned up."

John S. Matijeich: "Yeah."

George W. Lindberg: "Yes."

John S. Matijeich: "I agree that they ought to be in there but I believe that they ought to be deleted because of the redundancy. Now, one other thing. In the definition now of public official and correct me if I'm wrong, I believe the language means any official making decisions concerning the purchase, sale or lease of public property or classification, all of this for land use purposes, is that correct?"

George W. Lindberg: "No, no."

John S. Matijeich: "Well I think we ought to clarify that, too, because what I'm interested in is what we talked about in the commission meeting. For example, the purchasing



agents of personal property, for example, it may be somebody on civil service that has those powers as a purchasing agent and I could read that if you put the whole context of this sentence together it could read strictly for land use purposes, and I think somebody could evade and get out of this section if they may be a purchasing agent. I think we ought to clarify that in separate language, if needed."

George W. Lindberg: "It probably could be a little bit more clear, but for any official modifies the phrase making decisions concerning the purchase, sale, or lease of public property and it also modifies classifications for land use purposes. . ."

John S. Matijevich: "Except except at for land use purposes could be modifying concerning purchase, sale or lease of public property, too, and therefore would strictly keep it in the area of of land rather than personal property and that that concerns me."

George W. Lindberg: "I'll have our Senate grammarian make sure that that's cleared up."

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

Edward E. Bluthardt: "Mr. Speaker, I'm not here to ask questions of the sponsor, I'm here to speak about against the proposed amendment if I may."

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

Edward E. Bluthardt: "I think Representative Lindberg meant well, but he was ill-advised to prepare and offer this



amendment for the following reasons. We're talking about asking members of plan commissions at the time of their appointment and periodically thereafter and also members of the zoning boards at the time of their appointment and the periods thereafter to file financial disclosures, statements of their net worth, their obligation, their indebtedness, not only of theirs, but of their spouses and any children residing in the home with them. I believe that's the understanding of the bill. I wonder if George has any idea of the number of people that he's affecting and how difficult it is going to be for city and village officials to find dedicated personnel to fill all these vacancies in those boards. Plan commissions as I recall has seven members appointed, most of whom in most communities work without compensation. The same goes for zoning boards. Now, how would the neighbors and the gossipers love to see net worths of individuals in their little communities public made public for everybody to know? How much they owe on their mortgage, how much they owe on their furniture, how much they have in the bank, etc., etc. I think it's ridiculous, I think it's going to make it almost impossible in many of the small communities to find personnel to fill those vacancies. I think also that if he wants to limit this thing, if he wants to be a little more realistic and get to the large communities, then limit this only to home rule communities and not to the non-home rule communities. We only have about sixty home rule cities and villages. We



have 1,200 minute, something in excess of 1,200 non-home rule cities and villages. I think it is a ridiculous amendment and I think it ought to be deleted."

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

Roman J. Kosinski: "Ah, Mr. Lindberg, will you yield to a question, please?"

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

Roman J. Kosinski: "And I do understand that a number of these questions have not been germane to the issue at hand. The issue at hand is an amendment. However, inasmuch as precedent has been established, may I ask a question, sir? On under Article IV on page 7, this bill indicates that the dollar amount which represents the net increase or decrease in the net worth of the person making the statement between January 1 and December 1 of the last preceding calendar year will be determined. Under IV-4b then on the next page, it indicates an elected public official shall file this statement at the time he takes his oath of office now we who are concerned with the business entities that have sizeable inventory have a problem therein, because that allows us approximately six days to complete the inventories that can take many weeks, determine a profit and loss statement and come up with the necessary results to take that oath of office. Was the committee aware of this involvement?"

George W. Lindberg: "Ah, yes."



Roman J. Kosinski: "You said yes, sir?"

George W. Lindberg: "Yes. We're aware that it creates some difficulty, but we don't think it's insurmountable, and it's . . ."

Roman J. Kosinski: "Insurmountable for the committee or for the person, the subject?"

George W. Lindberg: "For the person."

Roman J. Kosinski: "You mean that you presume that a six week inventory can be accomplished in five days with the use of Certified Public Accountants and profit and loss statements can be determined?"

George W. Lindberg: "Well, well, the ah the only answer I can give you to that is that well, for example we take office on January 6, you will have filed a statement a year prior to that with regard for your qualifying for office. When you take office on the 6th and have to file your report, I'm trying to think of whether or not it's immediately previous year or not, and it takes, let me try and get an answer for you. . ."

Roman J. Kosinski: "Well, it's obviously for a new candidate it may mean ah the immediate year for one who is holding office the year prior, but still there is the condition that any increase or decrease in that net worth in total assets will be ascertained prior to the 7th of January, which still provides the same problem of inventory, profit and loss statement."

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



Yourell."

Harry Yourell: "George, would the gentleman yield to a question?"

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

Harry Yourell: "George, in Section 3-17 this is of considerable import to me and should be to every member of the General Assembly or any candidate running for any political office if this ethics bill is going to be considered to be passed into law. It says no candidate or political committee of a candidate for the General Assembly may accept a political contribution from any person in excess of \$2,500.00. Now the question that I would like answered is if a newspaper, if a newspaper contributes an endorsement in its newspaper and it's not covered under this act, how do you measure the worth of that endorsement? Now, do you measure by column inch or full page or half page or how do you determine, or how is the candidate going to make a determination of how much to declare as to the worth of that editorial or endorsement?"

George W. Lindberg: "Well, he would look in Section 2-12 and see if he could find the answer there, which defines political contribution or contribution means a gift, subscription, donation, dues, loan, advance, or deposit of money or anything of value, and includes a contract, promise or I can't read the next word to make a contribution, whether or not legally enforceable, made for the purpose of support, influencing or opposing any nomination for



election or any election in Illinois or for the support of any party organization or group or any independent group and so forth. Includes services of employees and that's the explanation. The answer I think your question most directly is that that type of political contribution if you so expand the definition to include the service of newspapers which is gratuitous on their part in endorsing you or your opponent, then I would have to say that it would not be covered under here as a political contribution. The Ethics and Government Commission tried very hard to include as much as possible in the word contribution, but obviously for example, you may have a very attractive wife that contributes significantly to your being elected. I don't know how we can put a value on that."

Harry Yourell: "Well, I appreciate all those words and I understood most of them but the thing that bothers me and will continue to bother me is how much am I going to put down when the Chicago Tribune endorses me on its front page next year?"

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

Brian B. Duff: "Ah, Mr. Speaker, not to, we've got more amendments to come and we're getting far afield, and I move the previous question."

Hon. W. Robert Blair: "The gentleman has moved the previous question. All those in favor signify by saying 'Yeas', the opposed 'No', the gentleman's motion prevails. The gen-



tleman from McHenry, Representative Lindberg is recognized to close the debate."

George W. Lindberg: "Well, Mr. Speaker, we went far afield of this rather simple amendment. I think it does in fact express the thing that it purports to and therefore I would simply move the adoption of Amendment Thirty-Five to House Bill 3700."

Hon. W. Robert Blair: "The gentleman has offered to move the adoption of Amendment Number Thirty-Five to House Bill 3700. All those in favor of adoption signify by saying 'Yeas', the opposed 'No', the amendment is adopted. Are there further amendments?"

Jack O'Brien: "Amendment Number Thirty-Six, Lindberg. Amend House Bill 3700, as amended, by striking Section 3-18 and inserting in lieu thereof the following: 'Section 3-18.. No public official may acquire, or own while in his term of office any financial interest in any business entity regulated by the Illinois Racing Board.'"

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

George W. Lindberg: "Well, Mr. Speaker, the villan of House Bill 3700, I'm offering this amendment, which of course, is intended to off-set what I think is the adverse affect of Representative Choate's Amendment Number Thirty-Two which was adopted on Thursday. Representative Choate's amendment would prohibit any public official, now this means any person who is serving in any form of citizen government here



in Illinois from owning, for example, in his estate interest in any utilities, which are looked upon as being the most safe and investments and has nothing to do with the integrity of the individual, for example, serving on a library board. The same is true with the Department of Financial Institutions, which I believe is primarily limited now to currency exchanges but there may be some other businesses that they regulate, but certainly were in Representative Choate's amendment were included the prohibition of participating in a business controlled by the Department of Insurance, we would eliminate the valuable service that the people in the insurance industry perform at a multitude of local government levels, so on the my attitude is that this is principally a disclosure bill and not a prohibition bill, but since the race track issue has raised so much furor in this state and because it seems to me it is a reasonable prohibition on people serving in local government, to prohibit them from having business relationships controlled by the Illinois Racing Board, I am moving the adoption of this amendment which would replace Representative Choate's amendment 32 by prohibiting persons in public officials from having an interest in any business regulated by the Illinois Racing Board and eliminating therefore from that prohibition the Commerce Commission, Liquor Control Commission, Department of Financial Institutions and Department of Insurance."

Hon. W. Robert Blair: "The gentleman from Union, Representa-



tive Choate."

Clyde L. Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I would hope that the membership would listen for just a second, because I'm going to talk about this amendment and I'm going to refer to a couple of things that have been said, and yes, a couple of things that have been written as far as this amendment and the overall code of ethics is concerned. Now, to start with last week I mentioned that I had received no mail, either pro or con as far as the Code of Ethics is concerned. Well, today I received my first letter and I might say that in this very lengthy six page letter, everyone in this legislature, including the sponsor of this bill is indicted for being a nincompoop, he's brainless wonder and many other adjectives that I can't even remember. Now, this is the only piece of mail that I have received and the author didn't have the courage to sign it, so I discount that. Now, let me refresh everyone's memory just a wee bit as to some of the things that I had to say on the floor of this House last week. My experience in ethics may be on the floor of this House is a little bit more lengthy than some of the other members. I can recall the very first bill, at least in my knowledge, that was introduced, was introduced by Adlai Stevenson, III in the 1965 session. And I recall Senator Stevenson at that time, Representative Stevenson at that time, coming to me as the majority leader and saying that his bill was bottled up in the House Executive



Committee and could I help him get it out. And I did. Then I recall that at a subsequent session when Senator Arrington's bill came over from the Senate and in the closing days of this session, and in the closing days of this session, it came for a vote, and I stood on the floor of this House at that time as I did last week, and said that I had not received any great amount of conversation from the people of my district or from the State of Illinois as far as the Code of Ethics was concerned, but it seemed that the members of the newsmedia and members of this legislature wanted a Code of Ethics, and if they wanted it I'd help get it to them, because I was not going to be one who voted against a good strong Code of Ethics. I at that time and I can say this as a fact, not all members did it. I at that time revealed and laid on the public in the House Journal and made a public record of it, the interest that I held throughout the State of Illinois. Now when we talk about the amendment that I put on, I didn't put it on. There was 102 members in this House that voted on that amendment, there was 14 voted against it, that's 116 voting and 61 didn't vote. So don't tell me that I put the amendment on, it takes a majority of those voting to adopt an amendment. And I might say that I told the Chairman of this commission, the sponsor of this bill, that I had amendments, that I had amendments that in no way was going to attempt to dilute or weaken the bill. And at least treated him with more courtesy than he did me with



his amendment and as he in publicly recognized a while ago, it was through the efforts of my staff and my office that he could receive the copy of House Bill 3700 with all of the amendments on it so he could tell how it looked today. Now, I want to draw your attention to the news media and in particular to the newspapers and I'm not castigating any of the members of the working press with the exception of one and he knows who he is. I'm talking about the editorial writers that said in the so-called Ivory towers in various offices in the City of Chicago and talk about things happening down here, when they don't know what's happening down here, and I doubt very much if they met you on the street that they would know five members of this House of Representatives by their face or by their name. And yet today, they're an authority, but only a couple of weeks ago, they were screaming that we should pass the most stringent and the strongest code of ethics in this session of the General Assembly. Now, they don't want it strong, they don't want it printed, they don't want it to apply to everybody. And I would like to ask them is it because maybe they're fearful because of what Representative McCormick said and attempted to do last week, that they might have to abide by it themselves. I don't know. I'm not saying that this is the reason, but it's a worthwhile question. Let me tell you where I got the idea for my amendment. I'm going to go back several years ago to the time that New York was arguing about a



Code of Ethics and this was in 1964, and I have a couple of copies of the editorial of the New York Times. And they were talking about a Code of Ethics the same as the news media is in the State of Illinois today and those members of that general assembly or state assembly, I think it is, as they call it, were debating a Code of Ethics and there was an amendment there was an amendment presented, as I recall, correctly, that would pro, that would prohibit lawyer legislators from appearing before most state agencies as well as the Court of Claims and etc. etc. Then on March 21, 1964, and I quote they said 'the Mahoney bill would also permit lawyer legislators to continue to appear for compensation before state regulated regulatory agencies whenever quote there is no reasonable possibility that the action of the agency will be unduly influenced and they said this restriction is worthless'. What agency would ever admit that it was unduly influenced by the appearance of a legislator before it? It don't say lawyer legislator, it just says legislator, even though its personnel were well aware that the legislature might have a great deal to say about its appropriation for the following year. Now, I did not attempt in this amendment to limit it to the lawyer legislator at all. But it opened up the thought. It opened up the thought that any legislator who votes in this party, votes on appropriations for these various agencies and if he happens to appear before them in behalf of one of his constituents, as a client or as a constituent, he



could be suspect if you please. Now, if the gentleman, the sponsor of this bill, thinks that he is offending me one iota about eliminating the various agencies that I had in my amendment other than the racing board, then he's wrong, because he's not offending me one little bit. But it has not been only the racing board in recent history and in past history of this state that the news media has talked about as far as conflict, as far as shenanigans as far as pulling wires and tapes and what have you concerned, we have had them talk about the banking industry, we've had them talk about the savings and loan industry and yes only recently we've had them talk about the insurance industry and you know it and I know it. And if it's good for the goose, by gosh it's good for the gander. Now, if the man is sincere in his endeavors here today, I'll meet him half way. I'll take out the Commerce Commission, I'll take out the Liquor Control Commission, but I will not agree at least with one vote to take out the banks, the savings and loan, and the insurance industry and as long as this amendment is in the form that it is in now, I will not vote for it and if you members are for a stringent, strong code of ethics, you won't vote for it either."

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

John S. Matijevich: "Ah, Mr. Speaker, Ladies and Gentlemen of the House, I happen to have in front of me some of the notes that I took when we met in the Ethics and Government



Commission and I have here listed some of the occupations that we should list as prohibited activities. I didn't write them down, I didn't give them, somebody else gave them, and they were under serious consideration. In fact, as I recall, the our attorney was directed at the meeting that we had at O'Hare Inn to include as prohibited activities and I have them listed, insurance, banks, trucking, utilities, contractors. Now, I think Representative Lindberg, we are being somewhat reactionary when we thinks that we're going to make people believe that all the ills in ethics don't have to do with horse racing. Let's face it, the what we read about the horse racing may have stimulated the passage of an ethics bill, but as long as we have that stimulation let's get at it. And let's correct some of the problems that we know exist and that we can't really solve only by disclosure. That we've got to get at them and solve them and I think that if there's really anything unethical, it's the way we're going about this bill. I could amend the ah Representative Choate's amendment, but I really don't have a bill to work from now to make an intelligent amendment. I would amendment the words 'public official' to include state official only. Now, let me read the definition of 'state official'. Any elected state officers, members of the General Assembly, all persons, whose appointment is subject to confirmation by the Senate and all employees of state officers, state agencies in the executive branch and the General Assembly whose annual rate of compensation is



\$20,000.00 or more. I'm sure Representative Choate would agree with that amendment. I can't even make it because I wouldn't even know where to start the way, ah, I don't have a copy of the bill as it is in its present form, but I think we ought to get to the problem. We've read about a grand jury investigation going about bidding on road contracts. Now, we've read about some disclosures about the insurance industry. We saw what happened when we voted on no fault insurance here. We saw what happened when we voted on the dram shop bills. I think we've got to get a vote problem that really deals with ethics, not just the horse racing scandal and we can't deal with them with public disclosure only. I would ask Representative Lindberg if you wouldn't agree that these areas of interest that state officials could have an interest in and would be very unethical, don't you think that they ought to be covered as prohibited activities? Don't you think it would be a stronger bill, a stronger bill, if we would say that these state officers, not local officers, let's change it again, state officers, should be prohibited from these particular occupations, because they do represent a conflict of interest without a doubt. Now, I read where your Governor said that he would sign the strongest bill. Now, the sentiment is for a strong bill. Let's find out how strong we can get it and then see if we've got the vote. If we don't then weaken it, but let's not weaken it first and then go backwards as far as I'm concerned. Why not change it as I have



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

indicated and I'd like to see if Representative Lindberg would go along with that particular recommendation?"

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

Rolland F. Tipword: "Mr. Speaker, . . ."

Hon. W. Robert Blair: "Ah, what, did you ask a question, sir?"

John S. Matijevich: "Ah, that was in the form of a question, Mr. Speaker."

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

George W. Lindberg: "Ah, Mr. Matijevich, the answer to your question is that I would be amenable as I explained and tried to distinguish on the several attempts that Representative Choate made to implement this particular philosophy. I kept asking does he mean state officials or does he mean public officials and finally the amendment came out as public officials, which means in my opinion that no member, no citizen serving in federal government could have the usual investments that people have in utilities and I think that's absurd and I think it would kill the bill. Now, if you're going to talk about state officials as it is has been defined by Representative Stone's amendment, then let's do that, but that isn't what his amendment provides. It's in my opinion it would defeat the bill because it would be difficult even for me to say that a person serving his community on a library board for example, could not own stock in Commonwealth Edison or any of the myriad of utilities



which people commonly invest in. But that isn't what the amendment says, it says it means any public official. Now, if he wants to withdraw his amendment, reconsider that amendment or do what he will, and prohibit members of the General Assembly from owning interest in businesses or entities regulated by the State of Illinois and identified as he has here, I would go for that and I would even permit it to be expanded, as far as I was concerned, because I think we are very close to those agencies, but that isn't what this amendment does. Ah, I I think that's the answer to your question."

John S. Matijeich: "Mr. Speaker."

Hon. W. Robert Blair: "Do you have further questions, Representative Matijeich?"

John S. Matijeich: "No, no, but I would like to answer by saying that you have indicated to me that you would go along with the amendment if it changed 'public official' to 'state official', but if we approve your amendment that we have before us, we eliminate that section altogether. Now, would you be amenable to holding until I could get an amendment to alter the use of the words 'public official' to 'state official'?"

George W. Lindberg: "Ah, I don't think I want to make a commitment until I saw the amendment and got some feedback from the members here."

John S. Matijeich: "You don't have to see it George. . ."

George W. Lindberg: "On the issue."



John S. Matijevich: ". . .all it would do is change 'public' from 'public' to 'state', that's all it would do."

George W. Lindberg: "Well, I'd be interested in knowing what Representative Choate's reaction would be to that, I'd certainly like to have his support on such an amendment if it were offered."

Hon. W. Robert Blair: "It was rhetorical, Representative Choate, I don't think. . ."

Clyde L. Choate: "No, no, if they're sincere, I think, I if they're sincere, if they're not sincere they shouldn't be standing up here talking, Mr. Speaker."

Hon. W. Robert Blair: "Did you wish to ask Representative Choate a question on that?"

Clyde L. Choate: "What, what what is the question?"

George W. Lindberg: "My question was of Representative Matijevich, in that I indicated to him that I would like to know what Representative Matijevich, Representative Choate's position would be on the amendment that he's suggesting."

John S. Matijevich: "I think he may have been listening to someone else, so I'll explain what it is Representative Choate. Ah, in his explanation, Representative Lindberg said that the use of the word 'public official' was all inclusive, so my recommendation was that in your amendment we change it from 'public official' to 'state official'. For example, a state employee of the Department of Insurance shouldn't ah be able to be employed also by an insurance company. There are so many many examples that I could



give you of conflict of interest, but the question implied if Clyde is still listening, the question is Clyde, would you be amenable to changing your. . ."

Clyde L. Choate: "Let me ask you this and see if this is what you mean. Do you mean as Representative Lindberg has said, he knows that we have spent two or three days trying to reach agreement on this amendment, and I went all the way from I believe it was House Amendment 10 to House Amendment 34 until I finally moved for the adoption of it. Is what, do you mean Representative Matijevec that we would talk about being applying only to elected state officials, such as your Superintendent of Public Instruction, your Superintendent of, and Attorney General, members of the General Assembly, Governor and Lieutenant Governor, and leave out school board members, is this what you're meaning?"

John S. Matijevec: "Ah, and employees of elected state officers, state agencies in the Executive Branch. You see, the definition of the term 'state official'."

Clyde L. Choate: "I would buy that."

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

Rolland F. Tipword: "Mr. Speaker, and Ladies and Gentlemen, I'll try not to take too much of your time. The important thing, the unfortunate thing about the amendment that is presented at the present time and I would hope that some of these suggestions might be worked out without us adopting this particular amendment is that this amendment is not



limited. This amendment simply said that no public official can own any interest in any business entity regulated by the Illinois Racing Board, but what it doesn't say is also important. It doesn't go ahead and tell you that it actually says to you that any public official can own anything, any interest in any business that is regulated by any of the other regulatory agencies that are presently included in Section 3-18. Now, I have listened to some of the argument that has just been presented to you, some of the conversation, and I would suggest that perhaps this amendment should be held and a new amendment worked out unless the sponsor of this amendment is insistent that all of these other provisions should be taken out. If he is, and I very strongly urge that we defeat the amendment that is presently presented. I think that we are in a unique position here, each and every one of us. We have friends, we have associates who all over the State of Illinois, who will be somewhat embarrassed, perhaps, if they can not own the interest that this would prohibit if they are in some kind of public official capacity, we regret that this may affect them, I regret it, but nevertheless, I think we are here to represent specifically the interest of an informed electorate, not an informed electorate, as public officials not an informed electorate solely as those who own or do not own interests in any of the businesses that are regulated by any of these stated agencies, but we're here in the interest of an informed electorate all over the State of



Illinois, and if it causes some difficulties to someone because as difficulties can be, it's regrettable, but I think nevertheless it is important. I would hope that we could have a broader provision in 3-18 than that is incorporated in the amendment that would supplant at this time. I regretted seeing the editorials that were spread all over the State of Illinois during this last week-end in many of our major newspapers, in which they complained that the bill is becoming too restrictive. I agree with what has been said to you before, that the press was clamoring for a restrictive and a very very important ethics bill to be passed by this legislative body, one that would provide real information to the people of the State of Illinois. I would hope that we do not go away from here being branded by the press or by anyone else as failing to provide that information to the people of the State of Illinois. We will give them information that will make them informed voters throughout the entire state. And hopefully each and every one of us and all public officials throughout this state can still qualify under this act. For means would be available for each and everyone to do so. And that we can have probably the most ethical state in the union if we pass this bill and if our public officials act under it and I certainly urge that we do not accept this amendment to Section 3-18 as it is presently drafted."

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



Gene L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I think we're getting strangled by our own rhetoric. People are asking other people questions, it seems to me like there are three or four people who have a particular idea here which seems to be somewhat acceptable to certain element. I would like to suggest that these parties get together and talk about this rather than tie this up when you can not come to a solution whether it's either up or down and I would like to make this suggestion to the sponsor of this amendment at this time."

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

Webber Borchers: "Fellow members of the House, and Mr. Speaker, you know frankly I'm getting sick and tired of the whole damn business. And I haven't said a word about it. Now, let me point out to you that this started out as a disclosure of economic interest of the members involved here. That's fair and good, I have no objections, but when you keep adding these things on, amendment after amendment, coming out the really possibly the upper crust so to speak of this state in relation to to intelligence and education and force them in the position where they couldn't even buy a share of stock perhaps an an insurance company if they happen to be in the legislature and has nothing to do with ethics, it was just a good buy, has nothing to do with politics, you foreclose their right to make any economic gains, you will don't allow them any opportunity to perhaps even



be a farmer or have an insurance company or own bank stock, well this is beginning to be ridiculous, and I think it is about time to go back to the original purpose, a fair disclosure of economic interest and that's enough. My business is my own business. I can get rid of it if I have to but I'll be damned if I think it's right that that I'd be forced and like half the people here, like half the people here, be forced to pay perhaps excessive or your heirs, so to speak, whoever you disclose your business properties over to are forced to pay capital gain tax to the federal government and go to all the shenanigans that would be necessary to let loose of your fair and just economic interest. I think it's nonsense."

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

Bernard B. Wolfe: "Ah, a point of parliamentary inquiry, Mr. Speaker, if I may."

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

Bernard B. Wolfe: "Ah, presumably we have before us Amendment Number Thirty-Six and I would like the clarification either from the Chair or from the Chief Sponsor of the amendment. Are we now talking about the ownership, the ownership or acquisition of interest in any in a regulated agency, no matter what that definition may be, or are we talking about a full and complete disclosure within the categories of these so-called regulated agencies? George, did you hear the question?"



George W. Lindberg: "The ah if I understand your question, you asked whether or not we are limiting the prohibited activity specified in Section 3-18 to those business entities regulated by the Illinois Racing Board. If that's your question, the answer is yes, that's the gist of my amendment. I oppose prohibitions completely, but in order to make, because that isn't the kind of bill that we have here."

Bernard B. Wolfe: "Well, well, ah, if if ownership if ownership in a 'regulated agency' is going to be a test for qualification to hold office, that is not contained in the constitution, then I would respectfully ask that the Department of Insurance, and interest there would mean that I as a holder of just an insurance policy in a mutual company which participates would be prohibited from owning such an insurance policy."

George W. Lindberg: "That's exactly right and that's why the whole idea of prohibiting public officials from owning interest in any thing is ridiculous, but Representative Choate addressed himself to that prohibition and I'm trying to minimize it to the least degree that would exist in the bill, but Carmel by the Sea Case of 1970, which you have referred to previously in my opinion clearly makes Representative Choate's amendment 32 unconstitutional and I'm just trying to minimize it since I can not move to reconsider the vote by which that amendment was adopted. There should not be prohibited, there should not be a qualification of



office in this form in this bill, it's a disclosure bill."

Bernard B. Wolfe: "Ah, may I respectfully ask that if ah you are going to discuss 3-18 with other members of the House, that you consider in the regulated agency section a bulletin in complete disclosure of those interests and so forth which would provide the public and other members of the House, a basis for determining either motivation or an interest in that particular kind of business that is regulated by one of these agencies."

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

Arthur E. Simmons: "I move the previous question, Mr. Speaker."

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

George W. Lindberg: "All right, Mr. Speaker, if I might re-iterate as carefully as I can my position on the concept of this amendment. Representative Choate's amendment, I think is a very bad amendment for a citizen, public official type of government as we have here in Illinois. I very much feel that it will defeat or militate toward the defeat of the entire bill. For that reason, because it's the only recourse available to me, I'm trying to limit the significance of his amendment by limiting the ah ah provision to those businesses regulated by the Illinois Racing Board and I would appreciate the support of this House to at least



get the bill back in half way decent condition on this point."

Hon. W. Robert Blair: "All right, the question is shall this amendment be adopted. All those in favor vote 'Yeas', the opposed 'No'. The gentleman from Union, Mr. Choate."

Clyde L. Choate: "Mr. Speaker, the sponsor of this amendment has said on two or three occasions that the amendment that I secured the adoption of by 102 votes would to his opinion make the bill unconstitutional. Now, I'm not a lawyer and he full well knows it and everyone on this floor knows it but if the limitation as far as going to five agencies is unconstitutional, then I say to you that one agencies would be unconstitutional, also. Now, I said before any amendments had been adopted, that I was going to vote for a strong code of ethics, whether the amendments were adopted or not. That is still my position, but I also said that if we were going to have a code then we should have a code that is strong, would be stringent and would at least say that the people would say well they truly voted their efforts toward a strong code of ethics. I attempted to meet the gentleman half way because if he's talking about public utilities and has a big hang-up on that, then I agree to take out the Commerce Commission. He was talking about insurance agencies, if he has a hang-up on that, I agreed to take out insurance, Department of Insurance, not insurance, but ah Commerce Commission and tavern owners he mentioned to me the other day, Liquor Control Commission. I



did not agree and will not agree to take out the Division of Financial Institutions, I did not agree and will not agree to take out the Department of Insurance, simply because if he is going to talk about recent newspaper and news media stories, all three of these agencies as I have said have been affected and have been talked about. Now, it takes 89 votes to pass any bill. You and I know it, and if it's going to become effective immediately, it takes 107. Now, if you want a strong code of ethics, then you're going to put everything in there that makes the public say they devoted their time to all of the state officials, which I create again and limited to that, if that's what he wants. But for crying out loud, let's don't be hypocritical, let's don't take something that's been watered down that according to the news media there has been loop holes created in. Let's don't do that. If we're going to be sincere, let's be for a code of ethics, and I vote 'No' to adopt this amendment."

Hon. W. Robert Blair: "Have all voted who wished? The Clerk will take the record. On this question, there are Conolly, 'Yeas'. On this. . .Laurino, 'No'. McPartlin, 'No'. On this question, there are 54 'Yeas' and 64 'Nays' and the amendment is lost. Are there further amendments? The gentleman from McHenry, Mr. Lindberg."

George W. Lindberg: "On a point of personal privilege, Mr. Speaker."

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



George W. Lindberg: "Ah, the Minority Leader mentioned during the debate at least once and on several occasions that that I never extended him the courtesy of showing him the amendments that I was offering. Ah, that is completely untrue. However, the fact is that with regard to his amendment, the one that we were just talking about here, Number 32, I think the gentlemen that are standing around him are perfectly aware of the fact that when that amendment was called and being read and he was explaining it, I made every effort to obtain a copy of that amendment and no one seemed to be able to dig it up. Interestingly enough, also, when Representative Stone put through his amendment and knocked out the double dipper, isn't it interesting that that was about the only person that didn't come over here and show me his amendment, which most of the other 32 sponsors had done, Mr. Speaker, with the exception of those two members."

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

Clyde L. Choate: "That, that is not true. He didn't tell you the whole truth. Yes, he didn't know about the amendment at that point, he had not read it rather, but I took it out of the record and he might know what I'm talking about, designated Representative Duff to sit down with my staff and we worked on it and it went from Amendment Number Ten to Amendment Number Thirty-Four. That's how long I held it. Did you? Ask Representative Duff to look it over? Did you?"



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

Clyde L. Choate: "Did you? Did you ask Representative Duff to look it over?"

Hon. W. Robert Blair: "All right. Here, . . . all right, the the ah the all right the ah the doorkeeper will maintain his position right where he is. Now, I'm going to recognize the gentleman from Moultrie, Mr. Stone, he indicated that he desired the floor for some purpose."

Paul Stone: "Mr. Speaker, Mr. Speaker, a point of personal privilege."

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

Paul Stone: "Well, I I don't know whether the gentleman mentioned my name in debate or in anger, but whatever it was he is incorrect, he should not have mentioned it at all, especially in debate, in which he did, because he was and is incorrect. I was not aware of the fact that it was necessary to present any amendment to any sponsor. I presented the I presented the amendment on the day before it was debated. The amendment was on my desk late that evening, that evening of the day it was debated, as were all of the other amendments, I believe there were 26 in number that I found that were on my desk the evening before the debate. The gentleman had an opportunity, all the rest of the day they were first presented and the merely the full following day to read the amendments and to go over them. I am not privileged to have as many as much help as the gentleman, the principal sponsor of this bill, that I noticed



that he had at least two people around him all of the time, that these amendments were being considered. I believe that had they been working the night before and the full morning and most of the afternoon before this amendment was adopted, the gentleman could have been and should have been of apprised of what was in my amendment. There was nothing sneaky about it, it was never meant to be and I don't see how anyone could say that that there was anything underhanded about the way my amendment was presented, either the day before or during the argument on the day that it was presented."

Hon. W. Robert Blair: "Are there further amendments? Third reading. Now, there are, just so we know where we're going, ah, it's is not the Chair's intention that we run too much longer this evening, because I'm sure we'll have sufficient time tomorrow to address ourselves to those items that remain on third reading to which the members want to have consideration tomorrow. However, there are some bills on second reading that I've been advised there is desire to have those called this evening so that they would be in shape for consideration tomorrow. 1543. All right, take it out of the record. All right, we'll go back to third reading for one moment. Representative Gardner has 2222 that he desires to have brought back to second for purposes of amendment. Now, if we can be in order here until another I'd say 45 minutes or so and then we'll be in a position to wrap it up."



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

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

J. Horace Gardner: "Mr. Speaker, I ask unanimous consent to have the bill withdrawn from third to second reading for the purpose of an amendment."

Hon. W. Robert Blair: "Read the amendment."

Fredric B. Selcke: "Amendment Number One, Gardner. Amend House Bill 2222 on page 2, Section 8, line 30 by inserting immediately after the word 'units' the following, 'at reasonable times'."

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

J. Horace Gardner: "I'm moving the adoption of the amendment."

Hon. W. Robert Blair: "Further discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No'. Further, . . . ah the amendment is adopted. Any further amendments? Third reading. Were there any bills that the Chair had been requested on postponed consideration that were to be brought back to the order of second reading for amendment? All right, hearing none on postponed, I understand there is 3661 on third reading that the sponsor desires brought back to second. All right, take it, with leave of the House, we'll go back to second."

Fredric B. Selcke: "It's back on second."



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

Thomas J. Hanahan: "Mr. Speaker, may I have leave to table Amendment Number One to House Bill 3661? I have another amendment on the Clerk's desk to be adopted?"

Hon. W. Robert Blair: "Read the amendment."

Fredric B. Selcke: "Amendment Number One, Hanahan. Amend House Bill 3661. . ."

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

Thomas J. Hanahan: "Yes, I move to table Amendment Number One to House Bill 3661 first, please."

Hon. W. Robert Blair: "Is there leave? All right, ah, Amendment Number One will be tabled. Read Amendment Number Two."

Fredric B. Selcke: "Amendment Number Two, Hanahan. Amend House Bill 3661 on page 1, line 15 by striking '\$45,000.00' and in serting in lieu thereof '\$60,000.00'; and in line 17 by striking '\$35,000.00' and inserting in lieu thereof '\$40,000.00'; and in line 23, by striking '\$35,000.00' and inserting in lieu thereof '\$45,000.00'; and in line 24, by striking '\$35,000.00' and inserting in lieu thereof '\$45,000.00'; and in line 26, by striking '\$35,000.00' and inserting in lieu thereof '\$40,000.00'; and in line 29, by striking '\$35,000.00' and inserting in lieu thereof '\$45,000.00'."

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

Thomas J. Hanahan: "Mr. Speaker, this amendment amends House



Bill 3661 to bring the Governor's salary, Comptrollers' salary, Secretary of State's salary, Treasurer's salary, Lieutenant Governor's salary and Secretary of State's salary to levels between leadership position have discussed and have considered adequate. I would move the adoption of the amendment."

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

Thomas J. Hanahan: "Mr. Speaker and Ladies and Gentlemen of the House, ah this amendment is for the State Officers' salary act and I might point out it does not take affect for another year and three months. I might also point out that when and if it does pass by the General Assembly, it will be enforced for five more years. And that ah if there is objection to setting the salaries for the state officers at this time I would like to know of them, because if we don't do them now, when are we all going to do them? And this is our problem. This is a vehicle, we have to set the Comptroller's salary, which is in the bill. The State Comptroller under the constitution, under the laws of election will have no salary unless a bill of this nature is passed and adopted. Candidates will be running for the office. We set the salary for Comptroller, Secretary of State and Attorney General at \$45,000.00 a year, which certainly for the next five years is not in excess of what they should have. It will in no way conflict with the President's freeze on wages or on salaries."



Hon. W. Robert Blair: "All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. Ah, 3744."

Fredric B. Selcke: "House Bill, . . . House Bill 3744, a bill for an act to establish an act relating to lobbying activities. Second reading of the bill. No committee amendments."

Hon. W. Robert Blair: "Any amendments from the floor? Third reading. Any further. . . All right, on the order of second reading appears 3636 which the Chair had held on second reading for the sole purpose of ascertaining if a fiscal notewas necessary. That determination has been rendered mute because a fiscal note was filed and so. . . that having been done, the bill will be advanced to the order of third reading. Now, the gentleman from Cook, Mr. Shea, for what purpose do you rise?"

Gerald W. Shea: "Mr. Speaker, the bill that is now on third reading, I'm assuming will appear in that stage of the calendar tomorrow. I have two amendments of which I've filed with the Clerk and with the sponsor and I will tomorrow at the time the bill is discussed ask to bring it back and amend it."

Hon. W. Robert Blair: "The, ah, for what purpose does the gentleman from Kane, Mr. Hill rise?"

John Jerome Hill: "Mr. Speaker, I would suggest that the speaker invoke Rule 81 which eliminates those people from



the floor that are not entitled to the floor."

Hon. W. Robert Blair: "All right, would the doorkeeper see that all those people not entitled to the floor are removed therefrom, which includes all newspaper, radio, television, people, are removed from the floor. The rules are quite specific and the objection has been raised by the gentleman from Kane, with regard to that matter. All right, ah, on House Bills second reading appears House Bill 3682 on which the Chair recognizes the gentleman from Cook, Mr. Hyde."

Henry J. Hyde: "Ah, Mr. Speaker, I ask leave of the House to withdraw my motion to reconsider the vote by which the amendment of the distinguished minority leader failed the last time we were in session, last Friday."

Hon. W. Robert Blair: "All right, with leave, all right, is there leave? All right, his motion to reconsider has been withdrawn. Are there further amendments? Third reading. Now, on the order of third reading appears House Bill, with leave of the House, we'll go to third reading, so on the order of third reading appears House Bill 2916 on which the gentleman from Cook, Mr. Collins asks leave to return it to the order of second reading for the purposes of an amendment."

Fredric B. Selcke: "House Bill 2916, a bill, . . . Amend House Bill 2916 on page 1, line . . ."

Hon. W. Robert Blair: "All right, is this Amendment Number One? Mr. Collins, is this Amendment Number One? The gen-



tleman from Cook, Mr. Phil Collins."

Philip W. Collins: "Ah, no, Mr. Speaker, this will be Amendment Number Two."

Hon. W. Robert Blair: "And it's by the gentleman from Union, Mr. Choate. You want to explain your amendment?"

Clyde L. Choate: "Ah, yes, Mr. Speaker. What this amendment does is to provide for the method of filling legislative vacancies and there's really no need to debate the amendment and to explain the where with all of it, just simply because we went through an extensive debate last Friday on it and we found that it would fit this bill better than the one that we tried to adopt it to and I would move that Amendment Number Two be adopted."

Hon. W. Robert Blair: "All right, any discussion? All those in favor of the adoption of the amendment say 'Yeas', the opposed 'No', the 'Yeas' have it and the amendment is adopted. Are there further amendments? Third reading. For what purpose does the gentleman from Cook, Mr. Juckett, rise?"

Robert S. Juckett: "Mr. Speaker, ah, it seems that I was off the floor at the time the vote was taken and I, on Mr. Lindberg's amendment, and my switch was voted red and I did not wish to vote red and I'd like to have it changed, please."

Hon. W. Robert Blair: "All right, is there leave? All right, the yes, record the gentleman as 'Yeas' on Amendment Number Thirty-Six. All right, according to our records, there are



no further bills on second reading that are desired to be read and advanced to third or bills on third or postponed consideration that have amendments to which the members desire to have it brought back to second. All right, resolutions."

Fredric B. Selcke: "House Resolution 444, McCormick, et.al. That's the only agreed resolution."

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

Henry J. Hyde: "Mr. Speaker, this is the only agreed resolution we have today. Resolution 444 congratulates the state employee, Don L. Haverkamp upon his winning the outstanding employee award at the Governor's Awards Program dinner. I now move adoption of this agreed resolution."

Hon. W. Robert Blair: "All those in favor of the agreed resolution say 'Yeas', the opposed 'No', the 'Yeas' have it and the agreed resolution is adopted. Are there further amendments? Further resolutions?"

Fredric B. Selcke: "House Joint Resolution 101, Blades, et. al. House Joint Resolution 102, Shea."

Hon. W. Robert Blair: "The introduction and first reading of House Bills, with leave of the House."

Fredric B. Selcke: "House Bill 3745, Regner, et.al. Amends 'The Purchasing Act'. First reading of the bill. House Bill 3746, Tipsword. Amends 'The Municipal Code'. First reading of the bill. House Bill 3747, Barnes, et.al. Amends 'The Vehicle Code'. First reading of the bill."

Hon. W. Robert Blair: "Messages from the Senate."



Fredric B. Selcke: "Messages from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1284. Passed by the Senate, November 1, 1973, 1971, by a three-fifths vote. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit: Senate Bill 1285. Passed by the Senate, November 1, 1971. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title, to-wit: House Bill 2921, together with the following amendment thereto. Passed the Senate, as amended, November 1, 1971. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption and passage of bills of the following titles, to-wit: House Bills 2368, 2369, 2370. Passed by the Senate, November 1, 1971. Kenneth Wright, Secretary. Mr. Speaker, . . .that's all, that's all, I don't know about the rest."

Hon. W. Robert Blair: "All right, on the motions calendar, and those things have to be addressed today, if they're to



be considered today for any bills for tomorrow, there's a motion with regard to House Bill 3052. 3052."

Fredric B. Selcke: "Motion. Pursuant to Rule 79, I move that the Committee on Registration and Regulation be discharged from further consideration of House Bill 3052 and that it be placed on the calendar on the order of House Bills on second reading. Second legislative day. Signed, Representative Glass."

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

Bradley M. Glass: "Thank you Mr. Speaker, Ladies and Gentlemen. House Bill 3052 addresses a serious injustice that exists in Illinois today and specifically it has to do with the placement of employees by private employment agencies in the domestic field. Some of you may have received mail and telegrams about this bill, but the essence of it is as I have filed an amendment which if this motion passes I will put on, it will require any placement agency placing a person in a domestic, in a household, to limit the, to base the fee rather only on the first year's compensation and specifically I received notification and mail from someone in my district who is employing a person in his household and has employed her now for the last four years as a housekeeper and she has had to pay five per cent of her paycheck every month to this employment agency and she has paid over \$1,400.00 for being placed at this one job. Ah, and I will quote you very briefly from the letter. Ah, a gentleman by the name of Franklin Cordnellais, he's he



refers to the agency and says 'I believe there are similar ones in the state, charge persons who may have been put in the jobs, five per cent of their earnings. Upon being engaged by the agency, they sign a contract providing they can not leave the agency so long as they hold a job that the agency got them, and they must continue to pay the agency five per cent each month. Ah, the lady in question has been charged five per cent of her salary for three years and nine months and has been on this job notwithstanding the fact that all the agency did for her was to get her one job, this one, without ever having tried to get her an earlier one. Her payments to the agency have amounted to more than \$1,000.00, parenthetically they have now been over \$1,400.00. And there is no suggestion from the agency that she should stop continuing to pay the five per cent. He goes on to say that he brought the matter up with his attorney at Kirkland, Ellis, Hodge, and Schavits and Masters who investigated it and found that the continuing fee is not illegal. So that when the bill was originally introduced, it contained a five per cent limitation on all employment agencies, that would be five per cent of the first year's salary. Now, this ah resulted in a large number of telegrams, phone calls and letters being addressed to me and I suppose to some of you, pointing out that this was an unjust situation for the rest of the industry. I therefore have prepared an amendment to the bill which I will offer immediately if this motion passes which as I say will



limit the application of the bill only to domestic personnel which includes housekeepers and the like, and the language of the amendment will read as follows: 'the fee charged for placing an applicant in domestic service shall be a single fee for each placement and shall be based upon the applicant's compensation or salary for a period not to exceed one year. The term domestic service means household work in the home of the employer and includes but is not limited to work as a maid, cook, butler, gardener, chauffeur, housekeeper, or babysitter.' I submit to you, Ladies and Gentlemen, that this bill as it is now written, can not be offensive to anyone, it certainly can not handicap any employment agency and is I submit needed at this time to cure a serious injustice that exists in all be it maybe a few number of cases, but something that this state should not tolerate. The bill in the in the committee resulted in a six to six vote on a do-not pass motion, six 'Nays', six 'Yeas', three not answering, three answering as 'Present'. I therefore urge your support for this bill to get it out of committee and on third reading so we can pass it. Thank you very much, Mr. Speaker."

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

John F. Wall: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3052 had a full hearing before the Committee on Registration and Regulation. It ended in a tie vote, yes, because the bill was defeated by the two members of the leadership on our side, in order to keep peace in the family



just vote along with Mr. Glass, but no one when we asked for witnesses, who were for the bill, there wasn't a soul in the House who stood up and said that he wanted to speak against it, but we had two people who represented hundreds and hundreds of agencies, employment agencies in the State of Illinois, and all also we received hundreds of telegrams representing these agencies in the State of Illinois, who were opposed to this bill. This bill did not receive the recommending to recommendation to be brought out on the floor of the House. What Representative Glass is trying to do is take the bill away from Committee. Now, this is something we have never done before. These people, this bill did not receive the proper amount of votes to be taken from the committee and it should stay there and I urge all of you to vote 'No' on the motion to take it away from the committee."

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

Daniel J. O'Brien: "No, thank you, Mr. Speaker. I would like to ask the sponsor of the motion a question if I might."

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

Daniel J. O'Brien: "Representative Glass, why are you proposing to limit this bill to domestic service?"

Bradley M. Glass: "Well, the answer to that is simply this, Representative O'Brien. As I said before because of the large number of telegrams and calls I got advising me that five per cent of the first year's salary is simply not rea-



sonable in cases of other types of placement that they in fact do charge more than that and this was a fact that I was not familiar with. It was not my intention to cripple anyone's business or to get into areas that I wasn't cognizant of, and therefore, I amended the bill to address just the specific problem that I know exists. I took off the five per cent limit and had it apply only to domestic personnel and limited the only limit is that the salary must be based on the first, the fee must be based on the first year's salary, ah, and can not be a continuing fee so that we do not have a situation where a housekeeper is paying \$1,400.00 over a four year period with no end in sight."

Hon. W. Robert Blair: "Any further discussion? The question is shall the gentleman's motion to discharge the committee with respect to House Bill 3052 pass? All those in favor will vote 'Yeas' and the opposed 'No', and it requires 89 votes. Have all voted who wished? The Clerk will take the record. The gentleman from Kane, Mr. Hill."

John Jerome Hill: "I'd like to explain my vote, if possible, Mr. Speaker."

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

John Jerome Hill: "Mr. Speaker and Ladies and Gentlemen of the House. This certainly is no reflection on the committee or the Chairman of the committee, but it seems to me that this is a bill that we should allow to come to the floor. I've had a little experience in this particular field."



Prior to the time that the N.A.L. came up into our area, I didn't know too much about these hiring agencies and this is a step in the right direction. I'd like to point out to you that even though the amendment would not cover what I'm talking about, it would be my hope that possibly we could do it in the future. How does the N.A.L., you can have two people, one hired from the agency and one hired through N.A.L. and this not only goes on for a year, but it goes on for two years. It goes on for two and a half years. That person hired by the agency would receive approximately \$2.90 per hour and that person running the exact kind of machine hired by N.A.L. receives close to \$5.00 per hour. Now, the difference between those two rates, the agency gets and they not only collect it for a year, they collect it for two years, two and a half years, and in the last session there was a bill up in regard to the Veterans' paying these agencies, and I was opposed to that because they take advantage of the people, and the only reason that you don't receive any communications in regards to anything like this is because the poor devil who is being hired through the agency don't understand what the situation is and I think you should give the opportunity to Representative Glass to amend this for at least the domestics and maybe we can work in this particular area in the next session of the General Assembly and make it more fair for the people of the State of Illinois. Thank you."

Hon. W. Robert Blair: "All right, Houlihan, 'Yeas'. McClain,



'Yeas'. Otis Collins, 'Yeas'. Stone, 'Yeas'. Mann, 'Yeas'. B. B. Wolfe, 'Yeas'. For what purpose does the gentleman from Cook, Mr. Wall, rise?"

John F. Wall: "To explain my vote."

Hon. W. Robert Blair: "Okay."

John F. Wall: "Mr. Chairman, I guess some of the fellows here just don't understand. House Bill 3052 as it was introduced and it was opposed in committee by people who are in employment agency bills, specifically stated that it was strictly a five per cent fee to be charged in all agencies. Now, no agency in the State of Illinois licensed by the State of Illinois can exist on a five per cent basis. They would have to lay off all their counselors, they'd have to lay off and close up a lot of their agencies, they'd have to put a lot of people to work. I discussed with other people about the amendment that Representative Glass put on in committee. I told them that House Bill 3052 was a bad bill because the employment agencies were in full suit and I felt that they had a good reason to. I also mentioned that he would put in put his bill, his amendment in the form of a bill, rather, in January, because it was strictly against day workers or people who are hired only on a temporary basis, that we would help them with the bill. So House Bill 3052 is a bad bill and you should not vote for it. I ask him to put in a bill next year in January, strictly on domestic agencies which don't affect the private employment agencies that we'd help them pass the bill."



Hon. W. Robert Blair: "Ewell, 'Yeas'. Bradley, 'Yeas'.

R. L. Thompson, 'Yeas'. Colitz, 'Yeas'. Terzich, 'Yeas'.

Frank Smith, 'Yeas'. Yourell, 'Yeas'. Taylor, 'Yeas'.

Matijeovich, 'Yeas'. Brummet, 'Yeas'. Bill Cunningham,

'No'. On this question there are 75 'Yeas' and 11 'Nays'

and the motion to discharge fails. Well, there's one more

motion here that I've been asked to call respecting House

Bill 3559. The gentleman from St. Clair, Mr. Krause, is

handling that for Mr. Flinn."

Fredric B. Selcke: "Motion. Pursuant to Rule 79 I hereby give

notice that I will move that the Committee on Public Wel-

fare be discharged from further consideration of House Bill

3559 and that the bill be placed on the House calendar.

Signed, Representative Flinn!"

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

James G. Krause: "Well, thank you, Mr. Speaker. Mr. Speaker,

and Ladies and Gentlemen of the House, House Bill 3559

amends the Illinois Public Aid Code and it removes a pro-

vision for requiring a lien on all real property and sec-

urity interests on mobile homes and trailer coaches of the

aged, blind and disabled persons receiving aid. Now, Mr.

Speaker and Members of the House, I wouldn't be here trying

to discharge a committee if this bill had been heard in

committee, but unfortunately when the committee was suppos-

ed to meet, there were not enough members that showed up to

have a quorum. In fact, it was before Representative Gar-

dner's committee and there were only two members there when



I got there to have the bill heard in committee, there wasn't anybody there. Ah, if this bill had received a good full hearing and had been defeated in committee, I certainly would not be standing here asking you to discharge the committee, put it on the order of second reading, second legislative day, so it can be read a second time today and get a full hearing tomorrow, and Mr. Speaker and Members of the House, I would appreciate a 'Yes' vote on this motion."

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

J. Horace Gardner: "Mr. Speaker, Ladies and Gentlemen of the House, what Representative Krause says is true. We held a committee hearing and we only had three members there during the whole time that we waited for members to come. There have been some bills placed on this calendar that met the same fate and I certainly wouldn't oppose him having this bill placed on the calendar."

Hon. W. Robert Blair: "The question is shall the motion prevail? All those in favor will vote 'Yeas' and the opposed 'No'. Have all voted who wished? The Clerk will take the record. On this question there are 120 'Yeas' and 1 'Nay' and the committee is discharged of House Bill 3559. Now, on the order of second reading appears House Bill 3559 and would the Clerk read that bill a second time."

Fredric B. Selcke: "House Bill 3559, a bill for an act to amend 'The Illinois Public Aid Code'. Second reading of the bill."

Hon. W. Robert Blair: "Are there any amendments? Third read-



ing. Ah, messages from the Senate."

Fredric B. Selcke: "Messages from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill 785. Concurred in by the Senate, November 1, 1971. Kenneth Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: House Bill 1764. Concurred in by the Senate, November 1, 1971. Kenneth Wright, Secretary. No further messages."

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

Henry J. Hyde: "Mr. Speaker, I now move this House stand in recess until the hour of 10:00 A.M. tomorrow morning, November 2."

Hon. W. Robert Blair: "All those in favor of the motion to adjourn say 'Yeas', the opposed 'No', the 'Yeas' have it. We're adjourned."

Adjourn at 6:29 O'Clock P.M.

11/1/71
skn.

