

A Roll Call for Attendance was taken and indicated that all were present with the exception of the following:

Representative Day; illness in the Family



....in your purpose. Give me a quiet confidence in Your mercy and a sure hope in Your grace, so that with good conscience I may joyfully be about my task. I commend to Your care this day and this week all who are connected with the work that confronts me. Make me remember that their work can become as tiring as mine, their responsibilities as exacting as mine, their nerves can become as taut as mine, and their job can become as boring at times as mine. See us all through the day and grant us restful hours to recapture our strength and the zest for tommorrow. We pray in the name of Him who came not to be served, but to serve, ever Jesus Christ our Lord. Amen."

W. Robert Blair: "Roll call for Attendance."

Fredric B. Selcke: "Alsup."

Alsup: "Here."

Fredric B. Selcke: "Anderson."

Anderson: "Here."

Fredric B. Selcke: "Arnell."

Arnell: "Here."

Fredric B. Selcke: "Barnes."

Barnes: "Here."

Fredric B. Selcke: "Barry."

Barry:

Fredric B. Selcke: "Beatty."

Beatty:

Fredric B. Selcke: "Beaupre."

Beaupre:



Fredric B. Selcke: "Bluthardt."

Bluthardt: "

Fredric B. Selcke: "Borchers."

Borchers:

Fredric B. Selcke: "Boyle."

Boyle:

Fredric B. Selcke: "Bradley."

Bradley:

Fredric B. Selcke: "Brandt."

Brandt:

Fredric B. Selcke: "Brinkmeier."

Brinkmeier:

Fredric B. Selcke: "Brummet."

Brummet: "Here."

Fredric: "Caldwell."

Caldwell:

Fredric B. Selcke: "Calvo."

Calvo:

Fredric B. Selcke: "Campbell."

Campbell: "Here."

Fredric B. Selcke: "Capparelli."

Capparelli: "Here."

Fredric B. Selcke: "Capuzi."

Capuzi:

Fredric B. Selcke: "Carter."

Carter:

Fredric B. Selcke: "Catania."



Catania:

Fredric B. Selcke: "Chapman."

Chapman:

Fredric B. Selcke: "Choate."

Choate: "Here."

Fredric B. Selcke: "Clabaugh."

Clabaugh:

Fredric B. Selcke: "Collins."

Collins:

Fredric B. Selcke: "Craig."

Craig:

Fredric B. Selcke: "Cunningham."

Cunningham: "Here."

Fredric B. Selcke: "D' Arco."

D'Arco: "Here."

Fredric B. Selcke: "Davis."

Davis:

Fredric B. Selcke: "Day."

Day:

Fredric B. Selcke: "Deavers."

Deavers:

Fredric B. Selcke: "Deuster."

Deuster:

Fredric B. Selcke: "Dee."

Dee: "Here."

Fredric B. Selcke: "DiPrima."

DiPrima:

Fredric B. Selcke: "Douglas."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Douglas:

Fredric B. Selcke: "Duff."

Duff: "Here."

Fredric B. Selcke: "Ralph Dunn."

Ralph Dunn: "Here."

Fredric B. Selcke: "R. L. Dunne."

R. L. Dunne:

Fredric B. Selcke: "Dyer."

Dyer:

Fredric B. Selcke: "Ebbesen."

Ebbesen:

Fredric B. Selcke: "Epton...I got him...Ewell."

Ewell:

Fredric B. Selcke: Farley."

Farley:

Fredric B. Selcke: "Fary."

Fary:

Fredric B. Selcke: "Fennessey."

Member: Fary's here, Fred. Fary's here."

Fredric B. Selcke: "Fleck."

Fleck: "Here."

Fredric B. Selcke: "Flinn."

Flinn:

Fredric B. Slecke: "Friedland."

Friedland:

Fredric B. Selcke: "Garmisa."

Garmisa:

Fredric B. Selcke: "Geo-Karis."



Geo-Karis: "Present."

Fredric B. Selcke: "Getty."

Getty: "Here."

Fredric B. Selcke: "Gibbs."

Gibbs:

Fredric B. Selcke: "Giglio."

Giglio: "Here."

Fredric B. Selcke: "Giorgi."

Giorgi:

Fredric B. Selcke: "Griesheimer."

Griesheimer: "Here."

Fredric B. Selcke: "Is he here? Grotberg."

Grotberg:

Fredric B. Selcke: "Hanahan."

Hanahan:

Fredric B. Selcke: "Harpstrite."

Harpstrite: "Here."

Fredric B. Selcke: "Hart."

Hart:

Fredric B. Selcke: "Hill."

Hill:

Fredric B. Selcke: "Hirschfeld."

Hirschfeld:

Fredric B. Selcke: "Gene Hoffman."

Gene Hoffman:

Fredric B. Selcke: "Ron Hoffman."

R. K. Hoffman:

Fredric B. Selcke: "Jimmy Holloway."



J. D. Holloway:

Fredric B. Selcke: "R. Holloway."

R. H. Holloway: "Here."

Fredric B. Selcke: "D. Houlihan."

D. L. Houlihan:

Fredric B. Selcke: "J. Houlihan."

J. M. Houlihan:

Fredric B. Selcke: "Hudson."

Hudson:

Fredric B. Selcke: "Hunsicker."

Hunsicker:

Fredric B. Selcke: "Huskey."

Huskey:

Fredric B. Selcke: "Hyde."

Hyde:

Fredric B. Selcke: "Jacobs."

Jacobs:

Fredric B. Selcke: "Jaffe."

Jaffe: "

Fredric B. Selcke: "Emil Jones."

E. Jones:

Fredric B. Selcke: "Dave Jones."

J. D. Jones:

Fredric B. Selcke: "Juckett."

Juckett:

Fredric B. Selcke: "Katz."

Katz:

Fredric B. Selcke: "Keller."



Keller:

Fredric B. Selcke: "Kelly."

Kelly: "Here."

Fredric B. Selcke: "Kempiners."

Kempiners: "Here."

Fredric B. Selcke: "Kennedy."

Kennedy: "Here."

Fredric B. Selcke: "Kent."

Kent:

Fredric B. Selcke: "Klosak."

Klosak:

Fredric B. Selcke: "Kosinski."

Kosinski:

Fredric B. Selcke: "Kozubowski."

Kozubowski:

Fredric B. Selcke: "Krause."

Krause: "Here."

Fredric B. Selcke: "Kriegsman."

Kriegsman:

Fredric B. Selcke: "Kucharski."

Kucharski:

Fredric B. Selcke: "I don't know. Call her up and tell her.

LaFleur."

LaFleur: "

Fredric B. Selcke: "Lauer."

Lauer:

Fredric B. Selcke: "Laurino."



Laurino: "

Fredric b. Selcke: "Lechowicz."

Lechowicz: "Here."

Fredric B. Selcke: "Leinenweber."

Leinenweber:

Fredric B. Selcke: "Lemke."

Lemke: "Here."

Fredric B. Selcke: "Leon."

Leon: "

Fredric B. Selcke: "Londrigan...Getty's here...Macdonald."

Macdonald:

Fredric B. Selcke: "Lundy."

Lundy:

Fredric B. Selcke: "Madigan."

Madigan:

Fredric B. Selcke: "Mahar."

Mahar:

Fredric B. Selcke: "Mann."

Mann:

Fredric B. Selcke: "Maragos."

Maragos:

Fredric B. Selcke: "Martin."

Martin:

Fredric B. Selcke: "Matijevich."



W. Robert Blair: "Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker, will the record show that Representative Day is absent because of illness in his family."

W. Robert Blair: "Ja, journal will so indicate. The gentleman from Madison, Mr. Kennedy."

Kennedy: "Mr. Speaker, a point of information. Ah, I think that door down there should be unlocked. Seriously, because ah, it's an easy way to get out if we had to get out. It's locked and it's been unlocked in previous weeks and I think someone ought to see to it that the door's unlocked. Thank You."

W. Robert Blair: "Thank you for calling it to our attention. The doorkeeper will proceed with, for to unlock the door. Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, could the record show that ah, B. B. Wolfe and Farley are excused due to ab..illness."

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

Fredric B. Seicke: "Mess..a...Messages from the Senate, by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in adoption of the Governor's amendment to a bill of the following title: 'House Bill Number 18.' Concurred in by the Senate, October 31, 1973, Edward E. Fernandes, Secretary....Mr. Speaker, I am directed to inform the House of Representatives, the Senate has concurred with the House in the adoption of the Governor's amendment to a bill of the following title: 'House Bill 122.' Concurred in by the Senate, October 30, 1973, Edward



E. Fernandes, 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 203, Concurred in by the Senate, October 30, 1973, Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in their adoption of the Governor's amendment to a bill of the following title: 'House Bill 204,' concurred in by the Senate, October 30, 1973, Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in their adoption of the Governor's amendment to a bill of the following title: House Bill 213, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, 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 412, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, 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 966, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, 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

GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

to a bill of the following title: House Bill 1083, concurred in by the Senate, October 30 , 1973, Edward E. Fernandes, 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 1089, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, 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 of a bill of the following title: House Bill 1212, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, 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 1247, ah, concurred in by the Senate , October 30, 1973, Edward E. Fernandes, Secretary. Mr. Speaker, I am directed to inform the House 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 1273, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, 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 1282, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, 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 1436, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, 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 1471, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, 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 1517, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, Secretary.

Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of the bill of the following title, the veto of the Governor to the contrary notwithstanding:

House Bill 652, passed the Senate, October 31, 1973, by a 3/5 vote, the veto of the Governor to the contrary notwithstanding, Edward E. Fernandes, Secretary. Mr.

Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House amendment to a bill of the following title: Senate Bill No. 660, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, 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 following joint resolution: House Resolution Number 80, concurred in by the Senate, October 30, 1973, Edward E. Fernandes, Secretary. No further messages."

W. Robert Blair: "Agreed Resolutions."

Fredric B. Selcke: "House Resolution 591. Oh, 591 is out.

Ah, House Resolution 592, Juckett. Hi, Henry...OK...some more of them? House Resolution 593, Juckett, etal... House Resolution 594, Juckett, etal...Yes, sir...Got ya, Paul...Yea, I mean Carl....."

W. Robert Blair: "Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker, this is Juckett day for agreed resolutions, and the first one 592 congratulates the North Star, a student newspaper of Niles Township High School, recently received an American rating ah, from the National Scholastic Press Association. House Resolution 593 congratulates the Citizens of Park Ridge on the occasion of the one hundredth anniversary of becoming a village, and House Resolution 594 salutes Chief Frank Haeg of the display fire department for his loyal and dedicated service and leadership and I move the adoption of the agreed resolutions."

W. Robert Blair: "Any further discussion, questions on the adoption of the agreed resolutions. All those in favor say Aye...opposed No the Ayes have it. Agreed resolutions



adopted. Further resolutions? Death Resolutions."

Fredric B. Selcke: "Ah, House Resolution 584. J. David Jones, etal...in respect to the memory of Jerry Finkle...House Resolution 589, Choate, Blair, etal...respect to the memory of Charles Joseph Whalen..."

W. Robert Blair: "Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Well, Mr. Speaker, ah, there are two death resolutions here for people that ah, most of us have been around for quite some while, ah, ah, and have some feeling for, Charley Whalen and Jerry Finkel and I move the adoption of the death resolutions."

W. Robert Blair: "Discussion? All those in favor of the adoption of the death resolutions say Aye...opposed no.. the Ayes have it.. the resolutions are adopted....Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Mr. Speaker, I move that the regular session adjourn until the hour of 9:30 a.m. tomorrow, November 6."

W. Robert Blair: "Is there any discussion on the gentleman's motion that we adjourn the regular until 9:30 tomorrow morning...All right...Hearing then on the gentleman's motion, all those in favor say Aye...those opposed...No... it a tie...then we're adjourned until 9:30 tomorrow morning in the regular...All right....First Special Session...is now in order. Gentleman from Cook, Mr. William Walsh asked leave that the roll call from the regular session ah, for attendance be the roll call



for attendance in the First Special Session. Is there leave? All right...That will be the roll call and, ah, Message?"

Fredric B. Selcke: "Message from the Senate by Mr. Fernandes. Ah, Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House adoption of the following joint resolution: House Joint Resolution No. 3, concurred in by the Senate, October 31, 1973, Edward E. Fernandes, Secretary. No further messages.....Ah, Message from the Special..special notice committee of the Whole...First Special Session, Monday, November 5, 1973, 12:30 o'clock p.m., the House floor. House Bills 1, 2, 3, 4, 5, 6,7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 for Committee of the Whole..."

W. Robert Blair: "Gentleman from Cook, Mr. William Walsh."

W. D. Walsh: "Ah, Mr. Speaker, I move that the , we resolve ourselves into a Committee of the Whole for the purpose of considering the bills just read by the Clerk."

W. Robert Blair: "All right, the lady from Lake, Mrs. Geo-Karis seconds the gentleman's motion that the House now resolve itself into a Committee of the Whole...ah, for the purpose of considering the bills which have been laid before the a Committee of the Whole by action of the Speaker..as indicated on page 4 of the Special Notice for the Committee of the Whole...Discussion?...All those in favor say Aye.. opposed no, the Ayes have it and, ah, all right, ah, the



Committee of the Whole will come to order and pursuant to the rules the Speaker designates ah, the gentleman from Cook, Mr. Bluthardt as the Chairman ah, for the Committee of the Whole....."

Bluthardt: "All right, the Committee of the Whole will come to order...Those who wish to testify will kindly come to... forward and sign witness slips. "

Unknown: "Testing 1, 2, 3. In order to complete this transcript refer to the dictaphone 4000 tape no. 32, dated November 5, 1973, at approximately digit 1812.



COMMITTEE AS A WHOLE:

Bluthardt in Chair...

Speaker Bluthardt: "All right, the Committee of the House as a Whole will come to order. Those who wish to testify will kindly come forward and sign witness slips. Our plan is to start numerically.....1 through 21 and go as far as we can today. Perhaps even finish it. If not, meet again tomorrow at 10 o'clock....in the morning and proceed to its conclusion. There will be one exception, I plan to call my Bill, House Bill 8, after House Bill 2, because 1, 2 and 8 are very similar....and I don't think it will take a lot of explaining on #8. May we have a motion then so we won't have to take Roll Call again, a motion to....ah...for leave to use the Roll Call of the... ah... Regular Session that was just taken, as the Roll Call for this Committee as a Whole? We have leave. We plan to call House Bills 1 and 2 together as a package.... and all those whoah...wish to testify....be a witness and testify on those Bills,.....ah....please come forward and sign the witness slip. I think we're ready to proceed. Ah...Speaker Blair, do you wish to be a quick witness on House Bills 1 and 2. Speaker Blair."

W. Robert Blair: "All right. My testimony is with respect to House Bills 1 and 2...in the First Special Session. As you know....ah...these Bills are Cosponsored by Representative Bill Collins and myself and we both have a preliminary introductory statement that we would beg your indulgence for. As every Member of this Committee as a Whole knows only too well, the cost of being a candidate for public office can be enormous. There are financial costs and there are personal costs. The individual who offers himself to the electorate must be willing not only to expose himself, but the members of his family as well, to the glare of public scrutiny. Indeed, I can find no



defensible arguments to persuade me that the public does not have every right to know if a candidate's private affairs might have an instrumental effect on his capability to perform his office in the best public interest. The suspicion when fed by careless innuendo are worse by design, can lead voters to the erroneous conclusion that a candidate may be deeply beholden to certain individuals or interests because of their financial support of his candidacy. The cost of campaigning today dictates that most individuals, especially those seeking statewide office, accept financial support from people interested in their candidacy and unless we radically alter electoral systems to provide for a new and different system of financing election campaigns we must, it seems to me, enact Legislation that will enhance the public's opportunity to judge for itself whether or not a candidate's private activities might put him on a course of conflict with the public interest. Now, as I have indicated earlier, Representative Collins and I have Cosponsored the passage of House Bill 1620, which is identical to House Bill 1, of this Special Session. A number of the Members of the House....ah....of course voted to pass House Bill 1620, that's the reason that it's currently on the Senate Spring Calendar. The provisions of the Bill before you are fair, workable and enforceable and they will work a hardship on no one. To the contrary, they will remove a hardship. House Bill 1 ...reaffirms....er....the belief....er....reaffirms the belief that an informed electorate can choose a best qualified candidate...for public office. The critical part of that judgment, it seems to me, surrounds the identity and the degree to which any candidate may be susceptible to wearing another man's collar. House Bill 1 embodies the basic intent of this Nation's founding Fathers in creating a system of government which places its trust and faith in the informed judgment of its citizenry. Now, my



Cosponsor, Representative Collins will take just a few moments to explain the various provisions of the Bill, go right down through it, and to add some general comments of his own and then we will both be happy to answer any questions that any of the Members of the Committee as a Whole might have with respect to House Bills 1 and 2."

Speaker Bluthardt: "Thank you. Representative Collins."

Collins: "Thank you, Mr. Speaker, Mr. Chairman, Ladies and Gentlemen of the House. House Bill 1 is substantially the same as House Bill 1620 which was sponsored by Speaker Blair and me in the last Session and which passed ...the ...ah..the House in May by a vote of 133 to 11. This Bill applies to candidates for the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, Treasurer, Members of the General Assembly, and Judicial offices. The Bill defines a political committee asthe candidate himself or any individual committee, association or organization which accepts contributions or makes expenditures on behalf of or in opposition to a candidate or candidates for public office during a calendar year in an aggregate amount exceeding \$1,000. The Bill requires every political committee to have a chairman and treasurer, however, in the case of a candidate who is administering his own campaign finances he may designate himself as chairman or treasurer or both. The Bill further requires every treasurer of a political committee to keep a detailed and exact account of all contributions and expenditures made by or on behalf of the committee in putting the full name and mailing address of every person from whom a contribution is received or to whom an expenditure is made. The Bill requires every political committee that anticipates collecting or spending over one thousand dollars a calendar year to register with the State Board of Elections, which shall administer the Act. It requires the treasurer of every political committee to file with the board reports that include the



total amount collected and spent by the committee as well as the name and mailing address of each person for whom the committee has received contributions, or to whom the committee has made expenditures within the calendar year and the aggregate amount in excess of \$100. The Bill makes such reports available for inspection by the public. It further prohibits anonymous contributions, provides that wilful violation of disclosure provisions of this Act shall constitute a Class A misdemeanor....which is up to one year imprisonment and \$1,000 fine. The Bill authorizes either the appropriate State's Attorney or the Attorney General to prosecute violations of this Act. That, in a nutshell, is a brief explanation of the Bill. As I said it is almost identical to House Bill 1620 and the Speaker and I will attempt to answer any questions you may have."

Speaker Bluthardt: "Are there any questions? Representative Palmer. "

Palmer: "Representative Collins, is there a compelling need for this Legislation? I see that it applies to the State level...and if so, why does it not apply ...ah...to the county...ah...officers.....and officers over....in municipalities....ah...that are home rule or over 500,000?"

Collins: "This question arose before when we were considering House Bill 1 and House Bills 1620....and I do feel that...ah... that there is a compelling need for this type of Legislation....as evidenced by the call for the Special Session, as evidenced by the...the....position taken by the Governor. The public in general, I think, feel that they have a right to know how we are receiving our political contributions and how we are making expenditures. I for one feel that this is something that is incumbent upon us and it...it....it has come that the public does expect it of us and rightfully so. Now, as to why it...it restricts itself to State Officers, this is not a conscious effort on our part to ...ah...remove local officials from the



provisions of such an Act. It was felt though, that initially the effort should be made to deal with the larger offices who ...who probably would receive larger contributions and would be expending larger amounts of moneyin...in campaigns merely because of the....the scope of the campaign. Also, it was felt ...and felt by me, thatah...ah...to get this program going, we should deal with these offices and maybe we'd just be biting off more than we could chew to incorporate every conceivable officewithin the....ah....scope of the Act. This is not to say that I would not....er...we would not anticipate at some future date ...ah...expanding thethe....scope of such an Act. And, personally I would favor inclusion such officers as you suggested...But, I do think that for the initial effort....ah....it was important to deal with the larger offices and the larger sums of money."

Speaker Bluthardt: "The Chair will recognize Representative Terzich."

Terzich: "Representative Collins, you mentionedah...just previously that the public demanded this Bill. Could you tell me which public?Did you receive any correspondence, or anyone demanding this Bill."

Collins: "Well, there is only one public and that's the public that you and I serve....the people of the State of Illinois and of our Districts. Yes, I've received correspondence. But..."

Terzich: "What correspondence did you receive?"

Collins: "What correspondence?"

Terzich: "Any number of pieces, one....two....five...six?"

Collins: "No, there hasn't been an overwhelming ...ah....ah.. outcry from the people of my District. I've received some mail. The....of course...we're all well aware of the....position taken by our leaders on both sides and of course not to mention the editorial comment that we



have all been very much aware of."

Terzich: "Well, would you say that the newspapers or the public is demanding the ethics Legislation?"

Collins: "Well, personally I think....ah...as spon....Cosponsor of the Bill....ah...I as a member of the public and I as a public official am making that demand...also."

Terzich: "Thank you."

Speaker Bluthardt: "Wait your turn, Roscoe....I think it's Representative Totten....'Totem'is next. Representative Totten is recognized."

Totten: "Couple questions of the Sponsor....Representative Collins. Ah....It is my understanding that this Bill would effect political committees such asward, township and county organizations, is that correct?"

Collins: "That's always been my understanding, yes."

Totten: "What would be the extent of the reporting, that ward, county and township organizations would have to do under this Bill?"

Collins: "The reports of all political committees that would have to be filed would be any contributions or expenditures made ...in exceed....in excess of \$100. Either singly.... or in the aggregate."

Totten: "Ah...is any....if we received donationsah...in the aggregate that may have accumulated over a year, to over \$100, we would have to keep track of these as they came in in case they did aggregate over \$100."

Collins: "The Bill requires that you keep an account of all contributions, no matter what amount."

Totten: "And, then, if they should aggregate over \$100, we would have to report 'em."

Collins: "Then they would become subject to the reporting provisions of the Bill."

Totten: "Which would appear to be a difficulty for volunteer organizations. What happens if a volunteer makes a mistake inadvertently, or what are....we are subject



to the penalty provisions, are we not?"

Collins: "Well, I think, under any law whether you violate it intentionally or accidentally, you would come under the provisions of it. Then it would incumbent ...upon the respective parties to decide whether there was anyah... guilt involved."

Totten: "Okay. Underah...under Section 61, dealing with anonymous contributions....ah...if a candidate should receive an anonymous contribution in the mail, and it would be cash, what do you do with the money?"

Collins: "I don't know, this was an Amendment that we adopted that was suggested by another Member and I raised the same question that you did, if I receive an anonymous contribution, how do I give it back? So, I....I....I really don't know how that could be dealt with other than to keep it and report it as anonymous."

Totten: "What is the penalty then for keeping an anonymous contribution? If you can't do anything with it?"

Collins: "I...I...I'm unable to answer that because as I say I....I....there is....oh, there is no penalty involved... as I understand...the reading of the Bill. Ah...I'm not in love with that provision...and...ah...ah....while I I...certainly endorse the...the...the...intentions of the Gentleman who offered this Amendment to House Bill 1620, which was the case...I certainly would not object to any effort to remove it."

Totten: "Thank you."

Speaker Bluthardt: "Representative Bradley."

Collins: "It was just pointed out to me, Representative Totten, that there is only the penalty in Article IV, which is the reporting provision. This is where the penalties are brought to bear."

Speaker Bluthardt: "Rep....Mr. Bradley."

Bradley: "Representative Collins, in 1620 I recall a provision that mandated that the....every candidate must have a



chairman of his campaign committee and a treasurer of that campaign committee."

Collins: "That's right."

Bradley: "And it also provided that if the candidate failed to report a contribution to his campaign that the treasurer and the chairman of his campaign were as guilty as the candidate himself and stood liable for whatever the penalty might be. I wonder if that is still in this Bill?"

Collins: "Well, I don't ...I don't remember that it was part of 1620, Representative Bradley...I...I'm certain it's not and I....and I....and I don't remember that it was part of our original Bill."

Bradley: "It's not in here though...but...but now does this Bill...."

Collins: "If it is....ah...we should make every effort to remove it, but I don't.....I don't...I...I....I'm positive it's not in here."

Bradley: "All right. Does it still....does this Bill mandate that we have a....a...chairman of our campaign and also a treasurer."

Collins: "It mandates that you have a chairman and a treasurer unless you're operating ...a....a....administering your own finances as a campaign committee of your self and then you can designate yourself as chairman, treasurer or both."

Bradley: "All right. Now, is there an amountah...a dollar amount below which you do not have to report, in this Bill or do you report every dime."

Collins: "You must report everything in excess of \$100."

Bradley: "All right. And, then is there a maximum amount that can be spent by a candidate....ah...such as we had adollarper person that we represented, there was something of a figure of about \$18,000is there..is.."

Collins: "No, this Bill is merely disclosure....we've stricken the ...ah....the limitation ...ah...provisions of House Bill 1."

Bradley: "Thank you very much."



Speaker Bluthardt: "Roscoe Cunningham."

Cunningham: "Thank you for accelerating my turn, Mr. Chairman. I would ask the distinguished Sponsors of this Bill if they would look kindly toward an Amendment that I propose to offer on the proposition that on the assumption that somewhere along the line a....ah...spending limit will be added to this Bill, as to what each candidate may spend. Now, the Amendment that I am going to suggest and I want to apologize to you for not mentioning this in the boy's room a minute ago, you got away before I could broach the subject. But, the Amendment would require public utilities to make available to district and statewide candidates their mailing lists for their users. They have these on computers.....are you listening to me, Mr. Sponsor? They would.....it would require public utilities to make available to....to district and statewide candidates the mailing lists of their user at cost. As all of us know the light companies, the telephone companies and the gas companies have these lists readily available of everyone in our districts. They're on stickers. Many of the companies already do so. If you go and ask them why they will give you a copy of the list. But it would make it very simple if it were written into the law that that was their responsibility, at cost, to furnish these lists. It would be a great convenience to the candidates, it would hold down his expense for running for office, it would be in the interest of good government because it would reduce the amount of money being spent running for office. In the interest of efficiency because you're not duplicating a lot of work that's already been done. The present system, when you run, I'm sure you do the same as I, you bring in all your friends have them address your mailing brochures....and as a result you soon run out of friends. And, this other arrangement that I propose, would bring mechanical efficiency to the fine art of good government.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Now, with those...ah...words that I hope are persuasive what would be the position of the distinguished Sponsors as to whether or not we might amend your Bill with your blessing along those lines."

Collins: "I'd have to check with my Cosponsors, Representative Cunningham, but as for myself I would resist any such Amendment to this Bill. I hardly think that what you propose ...meritorious though it may be....ah...really lends itself to the issue of Disclosure Legislation. Ah...I...I so I would like to read your Amendment and perhaps support it, ifah...presented in the form of a Bill of itself. I'm not sure I could support, but I don't think that it would be ...ah....ah....proper Amendment to this Bill. And, I might say also that House Bill 1, in the Regular Session did include spending limitations and was one of the reasons we were unable tomove the Bill out of this House. Many of the Members of this House felt that disclosure Legislation is what we should have, pure and simple, and that's what we've attempted to do with House Bill 1620 and now House Bill 1, in this Special Session.Ah....so I....speaking only for myself and no one else, I don't feel that I could support your proposition as an Amendment to House Bill 1. Perhaps I could be persuaded to support it as separate Legislation."

Cunningham: "Well, may I consider your answer as a maybe and after you've thought about it...."

Collins: "No...ah..."

Cunningham: "further if itif it's happily in the affirmative why we'll have the Amendmentwe'll have it ready here in a few minutes.

Collins: "No...take my answer as a 'no'."

Cunningham: "Even if our support of your Bill is contingent upon your Amendment, would that still be no?"

Collins: "Yes."

Bluthardt: "Further questions? Brian Duff."



Duff: "Mr. Speaker, I.....questions of the Sponsor.....
 Ah...I'm curious to know how far this definition of.....
 ah....political organizations go. And, for example, the
 IVI endorses candidates, ...ah...does that make them a
 political organization.....that would have to...ah.....
 provide this information?"

Collins: "Yes, if they collected or spend more than a thousand
 dollars in support of ...or in opposition to a candidate,
 yes."

Duff: "Ah....in the area of all political contributions that
 are given, if more than a thousand dollars is given to
 them and then they endorse candidates, would they have to
fulfill all of the requirements?"

Collins: "I believe so."

Duff: "Under the area where it says the Attorney General
 can prosecute under this, ...ah...would he prosecute
 ah....through a Grand Jury?....Or, would he just file an
 information?"

Collins: "I....I don't think that...that is covered in the
 Bill, Representative Duff."

Duff: "Well, now, it may not be, our staff analysis indicates
 thatthe...."

Collins: "Violation is not a felony, it is a misdemeanor."

Duff: "Well, now...ah...then are you indicating that the
 staff analysis is incorrect where it says that this
 authorizes either the States Attorneyor the Attorney
 General to prosecute violation?"

Collins: "Ah...NO....your question was....whether it should
 go to the Grand Jury or not, and I said I don't think that
 that is testifying. Section 73 does specifically say
 the State's Attorney or the Attorney General."

Duff: "Well, my question is, can we know or would you amend
 it to indicate under what basis the Attorney General
 would prosecute?"

Collins: "If that's necessary, certainly."

Duff: "Well, if he is going to be able to do it, I think



we ought to be able to know how, wouldn't you agree?"

Collins: "Yes, I think I do. If you want to propose some clarifying language, we would be happy to consider it."

Duff: "Now, if somebody were running for Governor or any other political office in a primary campaign and..."

Speaker Bluthardt: "Excuse me, Brian, but you know, I am going to try and handle it as a rather amiable and kind of at ease hearing but please try to be quiet enough so that the Sponsor can hear the questions that are being put to him."

Duff: "If, under a primary campaign somebody was running for a major office and they were receiving a large number of contributions, let's say \$100 contribution, which somebody gave him after a corn roast in McHenry County in cash in the middle of a crowd and then he wins the primary and then because they rushed over to some other county to make another speech he stuck it in his pocket and forgot about it or gave it to one of his staff aides and said, take this and make sure it gets entered and it didn't get done, which I think is not an unusual possibility in the hectic attitude of a major campaign, we are all familiar with that. Now, if that person were hostile, in fact, and were then to bring a charge after that primary campaign would you agree that it would be a very simple matter for an indictment to enter against the candidate for Governor because some one person charged and testimony that they in fact gave such a contribution and the only recourse, or they could even say it was \$1000 and the only recourse that would be available to that candidate for a sensitive office if indicted, let's say three weeks before the general election would be his word against one other person's word?"

Collins: "Well, actually that's a violation of Section 23 which is the reporting section and there is no penalty attached to that."



Duff: "Well, then, how is it going to be enforced?"

Collins: "The only penalties attached are failure to report. The failure to report, there is no criminal penalty attached to it."

Duff: "Well, how is it enforced then?"

Collins: "Well, I would assume only by civil remedy. In the original Bill, if I remember correctly, we did have criminal penalties attached to that Section also and that was removed by Amendment, I believe on the floor of the House."

Duff: "Well, if there is no enforcement of that provision, it might as well not be in there, isn't that true?"

Collins: "I will defer to Representative Katz on that, that was his Amendment and he made a very persuasive argument in this Section and I really believe that I should ask him to answer that question rather than myself. Is Representative Katz on the floor, Mr. Speaker?"

Speaker Bluthardt: "I don't know if I happen to agree to recognize him anyhow so why don't you proceed?"

Collins: "Well, I would like to get an answer to that question, Mr. Speaker and consequently I will hold a little while until Representative Katz comes on the floor."

Speaker Bluthardt: "I would like to remind you that under House Rule 57F your time will be limited to ten minutes."

Collins: "I wasn't aware, Mr. Speaker, that the House Rules pertained to Committee of the Whole in its entirety since the Committee of the Whole is generally an informative process but I will accept your ruling."

Speaker Bluthardt: "Thank you. Representative Matijevich."

Matijevich: "Mr. Speaker, I would like to ask the Sponsor a couple of questions. Chairman Collins, you don't have to be listening as Grotberg said. Chairman Collins, I would like to make one question because you, in your role as Chairman of the Special House Investigating Committee that is investigating the Liquor Commissioner, the Commission Director, etc. and the firing, I recall



at the last meeting we had wherein you asked to subpoena Angela Geo-Karis you made the statement and I could have the transcript here, I don't have it with me but I could even quote from the transcript where you said that we are going into Springfield into a session to discuss the matter of ethics and you thought it was appropriate that we have the Governor's chief fundraiser to come into that Committee. Yet, last week we had some allegations in the St. Louis Post-Dispatch wherein the Director Cellini had a helicopter flying around the State. Evidently, quite a few people believe that the thing nowadays is to fly around, but he was flying around the State getting contributions from road contractors. Yet, I understand that you don't choose to investigate that in our Committee. Now, first of all I guess I am trying to call you the most amiable hypocrite that we have here in the House by introducing this legislation but can you see what I am driving at?"

Collins: "Well, naturally I resent the tone of your remarks. Now, the allegations that you refer to, I understand were in a paper that I don't read because I don't live in the area. Also, I did say that we were in this, coming into this session to consider ethics legislation which we are now laying before us in House Bills 1 & 2 and also in Bills that will be considered, Sponsored by other Members of the House after we conclude. However, and I don't know what your remarks have to do with the Bill before us, but as you know, we were given a specific charge by the Speaker of this House in regard to our Committee hearings and I did reply to you earlier, privately, that I thought the matter that you refer to was outside the scope of our Committee hearing. I never at any time said that I didn't think that such matters should be considered by a Committee or any Committee. However, it obviously, and I stress the word obviously, is outside the scope of our hearing. I do, but again,



to return to House Bill 1, I fail to see what you are getting at as to the merits of the Bill."

Matijevich: "Well, the reason I do, Sponsor Collins, is this.

I recall as a Member of the Lindbergh Ethics Committee when at that time I thought that some Agency in State Government, and I thought at that time the Lindbergh Committee was appropriate, ought to get into the matter of the heavy obligation of spending by a state-wide candidate, any Governor, whether he be a Democrat or a Republican and maybe if we found out the amount that it costs to run a state-wide campaign we would get good ethics. Now, I realize that a campaign disclosure is a step but I think and I have introduced no Bill because I have been here long enough to know whatever the Leadership decides, that's the Bill will come out. But I think that we are spinning our wheels until we finally decide that we are going to make any campaign contribution unlawful and then set up some public campaign funding system. Now, if we really mean what we talk about when we talk about ethics, that's what we are going to do and until we do that, I think we are spinning our wheels and I have seen that happen here three sessions in a row with relation to ethics and it's about time we get down to the business of it and now do you have any answer to that, Phil?"

Collins: "I couldn't agree with you more. As you know, this is my fourth attempt to enact some kind of meaningful ethics legislation and my first attempts preceded by quite some time any allegations that you refer to and certainly any Committee hearings that were convened. Again, our original Bills were introduced prior to that action and I am glad that you and I are on the same side in this effort and I would hope that we both will vote to make House Bill 1 and House Bill 2 the law."

Matijevich: "Well, only one closing comment. House Bill 1 or 2 isn't going to do it. We are either going to stay



here and do ethics legislation right or we are going to go home and tell somebody we gave them ethics and we didn't and the Speaker's name is on it and your name is on it and so what. If we don't have ethics which is pure, we don't have ethics. So I say, let's stay here and finally, say that we are going to have some public financing system of ethics in campaign spending or we are never going to have ethics. Congress has a disclosure law and look at all the trouble they are having. Either let's get down to the business of it, do it here, or you might as well go home right now."

Speaker Bluthardt: "Representative Leinenweber."

Leinenweber: "Mr. Chairman Collins, you probably mentioned this or you or Speaker Blair in your explanation but I missed it, when are the filing dates that the Committee files reports of contribution expenditures?"

Collins: "Let's see, yes, see the Board of Elections will compile not later than the last day of August each year an annual report for each political Committee which has, which has filed a report with the Board during the period from July 1 of the preceding year. The Committees shall report on the 15th and 5th days next preceding and on the 15th day next following the date on which an election, primary election or primary runoff election is held and also on the 30th day of June and the 31st day of January."

Leinenweber: "I have a question relative to the subject of loans as a method of financing a person's campaign. Quite a lot of people either go to the bank or somebody who has money and borrow money and then expect to repay the loan from contributions received at a later date. Sometimes the loans are paid, sometimes they are not. At what point would a loan, first of all do you have to disclose a loan?"

Collins: "The Bill includes a loan, except a loan by a



financial institution in accordance with applicable laws and regulations and in the ordinary course of business."

Leinenweber: "In other words, if a person gets a loan other than through a financial institution he must report that in the nature of a contribution?"

Collins: "That's correct."

Leinenweber: "All right, but he does not have to report a loan made with a financial institution."

Collins: "That's correct."

Leinenweber: "Thank you."

Speaker Bluthardt: "I just want to observe that we are still on House Bills 1 & 2. We have got 21 to go through. I wish you would make your questions brief, get to the point, sit down, let somebody else be recognized and I wish the rest of you would try to be fairly quiet out there so we can get through at least half of these today. The Chair now recognizes Representative Shea."

Shea: "Well, Mr. Chairman, Members of the Committee, I would first of all like to introduce a former Member of the House that's on the floor today, Representative John Downs."

Downs: "Mr. Speaker, Ladies and Gentlemen of the House, I just come down to spend a little time with a few of my friends and look over the situation. I know you got a lot of work to do but it's nice to have a lot of time on your hands and run around the world. I have been in Europe twice and in Florida three times and Wisconsin twice and I thought I better come down to Springfield. I was down here a couple of times but you people weren't in session. I don't want you to think that I don't miss it. I do. But I am very happy that you are confronted with the work that's before you. Good luck to you and thanks again."

Speaker Bluthardt: "Good to see you, John. I am sure all your old friends are happy to see you looking so good



and healthy. Good to have you back. Proceed, Mr. Collins. Mr. Shea."

Shea: "Phil, I have just two points. Number one, at one time you had a limitation on what a candidate could spend which I thought was an excellent way to limit soliciting funds. I noticed in this Bill you have not got any limitation. Could you tell me why you have withdrawn that theory or thought?"

Collins: "Well, I thought it was an excellent provision also, but unfortunately some of the Members of the House found it as an excellent excuse for not supporting the Bill so we, in our desire to get across what we thought was the most important provision of this legislation and that is disclosure, we agreed to strike it by Amendment in House Bill 1620 and so introducing this Bill in substantially the same form, we omitted it from this Bill. I concur with you. I think that a limitation is in order. I still do support the concepts but in a sincere desire to pass this Bill the most important provisions, which are disclosure, we thought it advisable to go along with the suggestion to strike the limitation of provisions."

Shea: "All right, now, I understand that and I may have an Amendment to offer on Second Reading for that. Now, perhaps you can explain to me the Committee theory here. I, as a candidate, either solicit funds or accept funds from people that want to donate to my campaign. Now, if that contributor is some kind of an organization they have to do some reporting also, is that it? I am a little leery when it comes to that point. If Mr. A., who is a president of a corporation, donates to me \$1500 I report Mr. A's contribution and Mr. A does nothing further, is that correct?"

Collins: "Yeah, so far, yes, you are right."

Shea: "But now, if Mr. A belongs to say, the Better Government Association and is a Director of the Better



Government Association, would they then have to report what they collected?"

Collins: "No, he is making a personal contribution as I understand your question. The BGA does make no contributions as we all know, so no, the same conditions would prevail."

Shea: "All right, now, the BGA does endorse candidates..."

Collins: "No, they don't."

Shea: "Well, they used to..."

Collins: "Yeah, they used to."

Shea: "Have they stopped that completely now?"

Collins: "Yes, it is my understanding the IRS said that if they did not stop doing that they would lose their tax exempt status."

Shea: "Well, that's one of my questions. All right, now let's say an organization such as the Riverside Township Democratic Organization, they collect dues, I think they are \$1.00 per month. Now, if those people gave me \$150 I would have to report the \$150, is that correct?"

Collins: "Yes, yes."

Shea: "All right, now what would that organization have to do?"

Collins: "Pardon me, would you repeat that Jerry?"

Shea: "Yeah, the Riverside Regular Democratic Organization has members. Those members pay dues. The dues are \$1.00 a month or \$12 a year. It's a voluntary organization. Assume they contributed to my candidacy or to your candidacy or anybody's candidacy \$150. I, as a candidate, would have to disclose that I received from them the sum of \$150. What would their obligation under this Bill be?"

Collins: "I believe they would have to report because they are collecting and expending an excess of \$1000."

Shea: "Well, they would be collecting and expending an excess of \$1000 for their corporate purposes. But to



give to me as a candidate, they would only be giving \$150. Now, what I am trying to get at is at what point and for what reasons do we make organizations that have a corporate charter for purposes other than soliciting funds for candidates, when do we make them get into this arena of reporting?"

Collins: "When they contemplate or actually do collect and expend an excess of \$1000 and of course, your organization would be under the definition of a political Committee which is one which is expending in excess of that amount. So the \$150 that you receive from them would merely be an item of expenditure disclosed in their report that they would be required to make as a political Committee."

Shea: "All right, now assuming this political Committee, if that's what you want to call it, it's a chartered organization, solicited funds and expended them in the purpose of its charter."

Collins: "The \$1000 refers to expenditure made on behalf of political candidates."

Shea: "Well, this is what I am getting at, Phil. Assuming for a minute, they collect their funds but they make no direct disbursements to any candidate for state-wide office such as judges, legislators or state officials. They make no direct expenditure but assuming for a minute that they print the names of all candidates that they pay for house to house distribution of literature, etc., would they then be required to report such activity or would they become a political Committee?"

Collins: "Yes, they would if these amounts that you are referring to would exceed \$1000. That's because they are acting on behalf of candidates even though they have not directly contributed to the candidate himself."

Shea: "All right now, why would they then be obligated to report, because they are involved in the political process?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES

Collins: "Because they would meet the definition of political Committee."

Shea: "Well, what happens to the, take my local newspaper out there, they endorse candidates, they get involved in the political process because they feel that they have an obligation to the community and I am certain that their effectiveness, you know, an editorial, say of two inches on the editorial page on a Sunday paper going into 50,000 households, is certainly got to be worth, you couldn't buy that kind of ad for anywhere near \$1000. Where does that put them in this Bill in the political arena?"

Collins: "It doesn't affect them. While I agree with you, it's hard to put a value upon that type of support, there is no contribution, cash contribution involved and it would not be, certainly would not be under the provisions of the Bills."

Shea: "Well, but, but you are telling me that a newspaper or any one of the media, say an editorial endorsement on one of our local televisions that's beamed at 10 o'clock into probably a half a million households."

Collins: "Well, obviously that type of support is public by the very nature of its support and that's what we are attempting to do by this Bill is to make other types of financial support public. The newspaper endorsement, the newspaper editorial or the media endorsement or editorial by its very nature is public."

Shea: "Well, but certainly when an organization goes out and rings doorbells for you, that's public support. There is no changing of dollars and that's the same kind of support that we are saying is permitted without any disclosure by one entity but is not permitted without disclosure by another entity."

Collins: "Well, if you are suggesting that we include volunteer workers under this Bill, I would disagree with you and could not support any Amendment such as



that."

Shea: "But I think you are including volunteer workers."

Collins: "Oh, no, the Bill states that volunteer workers are not included."

Shea: "In others words, if my ward organization or township organization gives me no cash contribution nor makes no cash contribution to any candidate, then they would not be covered. Is that correct?"

Collins: "I believe so. Section 14, subparagraph 5 excludes or exempts from the definition of contribution services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political Committee."

Shea: "So that if Members of that organization and that organization chose to volunteer their time they would not be required to report anything then."

Collins: "That's right."

Shea: "All right, thank you."

Speaker Bluthardt: "Further questions? Representative Giorgi."

Giorgi: "Phil, in the event someone gave someone else a cocktail party and the chairman of that party tendered \$1000 check to a candidate, who's responsibility is it to, besides the candidate declaring the \$1000, would the person that gave the cocktail party also have to declare and tell who gave the money or how does that work?"

Collins: "No, no it would be the incumbent upon the candidate to report the receipt of the contribution."

Giorgi: "And would he have to provide the names of the people that provided the \$1000 or the other third person?"

Collins: "He would have to report the name of whomever gave him the contribution."

Giorgi: "Just one name for the \$1000 although it was procured from maybe 20 or 30 people, is that what you



are saying? Is that what your Bill does?"

Collins: "No, if one individual is carrying money for a number of others, obviously the contribution does not come from him but comes from the other individuals and those names would be reportable in that they, insofar as they would exceed \$100 each. If the money came on a check drawn on the account of this one individual as you are referring to, then obviously the only identifiable person would be the one that presented you the check and that would be the only report that you would be required to make."

Giorgi: "In other words, I don't have to report the \$1000 from the single individual."

Collins: "I was trying to listen to two of you and I am sorry, would you repeat that please?"

Giorgi: "Well, it's kind of confusing but maybe I can take it up with you privately because I don't think we will be able to solve it here because it leads into another question. Let's say that the UAW or the AFL, they sent out flyers endorsing candidates. Now, they don't pick one specific candidate, they will send them out to the entire State. And the only expense is in the print of the brochure and the stamps. Now, if they receive a certain level of expenditure, who do they report to or do they have to report?"

Collins: "If their expenditures exceed \$1000 then they would meet the definition of a political Committee and would have to make the reports required under the Bill of a political Committee."

Giorgi: "Well, then we are back to Jerry Shea's questions about value. I noticed, Jerry, in this last newspaper shortage, that the newspapers were selling ads on the editorial page. Now, is it true that your Committee is considering studying allowing the editorial page to be used for ads in the event we think an editorial has a value for an endorsement of a candidate? In other



words, say the Tribune endorses you for an election and you are in the left hand column, is it true your Committee is studying the thought of allowing the left hand column of the Rockford newspapers or Peoria Journal Star also to be sold, is that what your Committee is contemplating?"

Shea: "I don't know how my Committee got into this, but the Committee is contemplating nothing such as you suggest, as a matter of fact when you refer to my Committee I take it you mean the Executive Committee and the only meeting we are having this week is tomorrow morning to consider two Resolutions that have nothing to do with this type of legislation."

Giorgi: "In other words, it has never occurred to your Committee. The lack of imagination and vision is apparent, is that it?"

Shea: "Well, I have to complement you for your vision and imagination and if the Tribune will sell me the left hand or the right hand side of their editorial page for my political ads at a rate I can afford, I think I will take advantage of it."

Speaker Bluthardt: "Representative Dee."

Shea: "I said at a rate I can afford. Now I don't know what that rate would be."

Speaker Bluthardt: "Representative Dee."

Dee: "Mr. Speaker, Chairman, just two questions. Number one, if we have a Committee that raises money for a political organization, turns that money over to the political organization, in excess of \$1000, must we report the names of each person that turned that money over to the political Committee even though the political Committee itself may not endorse candidates or may endorse candidates."

Collins: "I think, yes, that, under the Bill that would be I believe a transfer of funds between political Committees."



Dee: "Number two, in the event that you run a fish fry, say for \$10 and obviously it's only \$1.25 fish fry, must you report the name of every person that buys a \$10 ticket?"

Collins: "No, no you would only have to report those that bought in excess of ten tickets because the aggregate is in excess of \$100."

Dee: "Well, now, we turn these out to our precinct captains and we usually give them ten tickets. Now we would have to report, now he doesn't buy the ten tickets, he turns in the money for it. Now we have to report his name or each one of the donors?"

Collins: "You have to keep a record of each cash contribution no matter how large or how small. You would only have to make a report in the event that one individual made a contribution or purchased tickets which in the aggregate exceeded \$100."

Dee: "But we would have to have a list of everybody that bought a ticket."

Collins: "Well, I think that's obvious because you wouldn't be able to ascertain an aggregate unless you did have a record of all contributions, no matter what size."

Dee: "Thank you."

Speaker Bluthardt: "May I commend the last speaker. He has picked out the difference between House Bills 1, 2 and House Bill which happens to be mine. That makes that distinction, Mr. Dee. I hope you will look it over."

Dee: "House Bill 8 is an excellent Bill with one glaring exception."

Speaker Bluthardt: "All right, other. I can't see, is that Gene Schlickman back there? Mr. Schlickman."

Schlickman: "Thank you, Mr. Chairman. I have one question I should like to direct to the Chair. Do I understand correctly that the Bills under consideration in this Committee of the Whole Session will automatically



advance to the order of Second Reading without a vote?"

Collins: "No, that's not my understanding. I think it would take action by the House rather than by the Committee of the Whole to move the legislation along to Second Reading. All we can do is report back."

Schlickman: "All right, I have two questions or three questions, Mr. Chairman."

Speaker Bluthardt: "State your point of order, Mr. Matijevich."

Matijevich: "My point of order is that I don't think that's in agreement with what the Speaker said last week. Of course, I was in my office listening to the loud speaker, but I..."

Speaker Bluthardt: "You should have been on the floor, John."

Matijevich: "I ran over when I found out we were doing it through the Committee of the Whole because I think it is a poor process without having an Amendment here on the floor and really no vote and really not the real serious deliberation that it ought to have."

Speaker Bluthardt: "But here we are so..."

Matijevich: "But here we are and anyway, the point is that I am understood to believe and I believe the Speaker said it right from up there when somebody asked the question will we vote on these Bills, it was said no, we won't."

Speaker Bluthardt: "That's correct. We will not vote on them."

Matijevich: "Well, if we don't vote on them don't they go up to Second Reading, all of the Bills?"

Speaker Bluthardt: "No, this Committee will merely report back to the House. The House will then take whatever action it feels is necessary or proper under the circumstances."

Matijevich: "Well, that's not what I was led to believe. The Speaker is up there just for our, is that the way



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

it's run?"

Speaker Bluthardt: "That's uh..."

Matijevich: "That's not the way the Rules state."

Speaker Bluthardt: "It's my understanding of Robert's Rules of Order and the House Rules. Yes."

Matijevich: "How about the House Rules?"

Speaker Bluthardt: "Same thing."

Matijevich: "I thought the House Rules were that there is no recommendation by a Committee of the Whole. Therefore, we make no recommendations and I am..."

Speaker Bluthardt: "We are not making a recommendation, we are merely, we are merely going to..."

Matijevich: "Well, the procedure has always been in the past and that's all I go by, is that when there is no recommendation the Bills go to Second Reading and that's why I thought it was a poor process because all Bills whether they are meritorious or not go to Second Reading. Now if there is anything different to that, point me the Rule."

Speaker Bluthardt: "My understanding of the Rules when we meet as a Committee of the Whole is that we cannot take any action other than to rise at the completion of our meeting and that if any action is going to be taken we merely can report back to the House as a whole, to the House sitting in the special session that we have heard these Bills, period. If there is any action to be taken by the House at that time, that action must be taken by a Member of this House by proper procedure."

Matijevich: "One last point, can you point out the Rule to me so that I can look at it for awhile?"

Speaker Bluthardt: "The only Rule on the House meeting as a Committee of the Whole is 31C & D. It says nothing about taking votes, there is nothing about, the only thing it says that we shall meet as a Committee of the Whole. It sets out the procedure for the meeting for



the appointment of the acting Chairman and spells out that there shall be no Amendments considered at a Committee of the Whole. It's silent on any further procedure by Committee of the Whole. Now, Robert's Rules of Order, I understand, provides that there shall be a report back. There may be a report back and that report may merely be that we have heard these Bills, period. And that's the end of the report."

Matijevich: "Well, my point, though is that Robert's Rules would be in contradiction to our Rules which says we make no recommendation. Making no recommendation means we don't make a report."

Speaker Bluthardt: "The Rule does not spell that out. It's silent on that."

Matijevich: "I am going to look at it."

Speaker Bluthardt: "Read it. For what reason does the Gentleman from Cook, Mr. Shea wish to be recognized?"

Shea: "A point of order."

Speaker Bluthardt: "State your point."

Shea: "I believe and I would like your parliamentary to tell me if I am right or wrong, that the Rule requires or says that the Speaker may, instead of assigning a Bill to Committee or assigning, having the Committee on Assignments assigning a Bill to Committee, that the Speaker may lay the Bill before a Committee of the Whole House. I will wait until Mr. Blair gets through with the instructions."

Speaker Bluthardt: "It's not Mr. Blair. I think if you would just read the Rule."

Shea: "Well, I have read the Rule, Mr. Bluthardt and I know you can't make, but I'm trying to find out at least as the Gentleman from Cook and Chairman of this Committee, what your understanding of it is. Now, it's my understanding that the Speaker has lain these 21 Bills before this Committee, that we would report back to the House that we have heard the 21 Bills in the Committee



of the Whole, and that those Bills would then go to Second Reading without any further reference to a Committee. Now, am I....is that my understanding and is that a correct assumption?"

Speaker Bluthardt: "All right. Now, Jerry, I can only read the rule, and that rule provides;....'there...in the instance of a Committee of the Whole, in forming a Committee of the Whole House, the Speaker shall leave the Chair and the Chairman to preside in the Committee shall be appointed. No Amendments shall be offered to any Bill by Resolution while being considered by a Committee of the Whole.' And, it says nothing further. Now, my understanding is that...."

Shea: "Would you look back just one paragraph and read that and then explain to me in there....that, unless the.... there's objection by the House. Now, does that mean by a majority or does that mean by a Member?"

Speaker Bluthardt: "Well, I don't think that applies at all. I....."

Shea: "Well, I think it's very applicable, Mr. Bluthardt."

Speaker Bluthardt: "Well.....you asked me a question and I'm trying to answer it."

Shea: "Okay, fine...."

Speaker Bluthardt: "All right. 'No Bill or Resolution shall be considered by the Committee of the Whole House until two days after the same shall be printed and placed on the desks of the Members.' If the House refuses consent to such a reference, then the Bill or Resolution shall be referred by the Speaker to an appropriate Committee.' Now, I don't think that...ah....I think we have followed this procedure and I think that if you suggest some other procedure be followed now, I don't think it would be timely. Because you had your two days in which to do that."

Shea: "All right. Now, I don't know about this two days, but we are in the first of four Sessions where we're going to



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

have hearings. I have made no objection in this, but in the other second, third and fourth, prior to the time that we have any hearings, and I could certainly give two days notice if my single voice of objection would permit, will that prevent the Committee of the Whole from having a hearing?"

Speaker Bluthardt: "I would think not. I really couldn't rule on that now. We're in the middle of a Committee of the Whole. We are conducting this hearing....this meeting. I can only rule on those things that are before me and not matters that would probably be brought before the House."

Shea: "There are 21 House Bills before you now....that you are acting as Chairman of, is it your intention when the Committee reports these back, or will these Bills go to the desk of the Speaker again and be in limbo? Or, will they appear on the calendar, on the order of Second Reading?"

Speaker Bluthardt: "I think I can only do what's required by the rules and that is that I report that the Committee met, heard these Bills....period."

Shea: "Well, Ed, I understand what you're trying to say up there and I'm trying to find out myself and possibly the rest of the Members in this Committee, just what is going to be the procedure. Are we going to sit here and hear 21 Bills and then find they're pigeonholed on the Speaker's desk....Or..."

Speaker Bluthardt: "I don't see how I can answer that question Jerry. I don't see how I can answer that question. I have a.....I've been charged here to conduct a Committee of the Whole. I've been charged to hold the hearings and to report merely that we've held this hearing. Because I don't see where the rules provide any other ...other way of conducting it. Now, what the Speaker of the House or other presiding officer of the House does when they come to him, I couldn't answerI don't know."



Shea: "All right, might I ask you this, would you join with me in asking the Speaker to call a meeting of the Rules Committee so that we may prepare to lay before the House an Amendment to the Rules or at least something so that we may know with some specifics what's going to happen to these Bills. Because it looks like to me all we're doing is getting ready to set up ...with somebody assigning the Bills, some to Second Reading, some to Committees to be buried forever. I....I think that when we conclude the hearings on these 21 Bills, I'd be glad to sit down and discuss that possibility with you. Right now I think the question of joining with you would be out of order....on this."

Speaker Bluthardt: "May we proceed then. Mrs. Geo-Karis..... We do have.....we do have other witnesses. We have witnesses that came from Chicago that would like to be heard. I'd like to get them on the stand before...ah...before dark at least....so that...unless you....yeah...there's a football game tonight, but unless you feel a compelling reason to get up and ask some questions, something that hasn't already been asked, I'd....I ask you to reserve it until a later date. Oh....I'm sorry, Gene Schlickman had the floor at that time....I can hardly see you Gene with those keg lights or kleg lights or what ever you call 'em...Gene Schlickman."

Schlickman: "Thank you, Mr. Chairman. I shall like to direct a few questions to the Sponsor if I may?....Representativefinancial institutions in Illinois are subject to more regulations than any other kinds of activities with which I'm familiar. They certainly have financial institutions in the State, they certainly have an extra ordinary interest in the Legislative process here in Illinois and yet I find that this Bill apparently exempts....bank loans to candidates from disclosure. I would ask if my reading is correct and if so why?"



Collins: "Yes, your reading is correct, Representative Schlickman, this provision was taken directly from the ...the Federal Act....I believe the feeling behind exempting such a loan was exactly what you allude to, that the regulations of such institutions is stringent and.....the loan would have to be made in keeping with legal provisions and therefore it was unnecessary to include them. I would not have any argument with an attempt to change that provision. I....I....really didn't give it that much thought prior to this but I...I...think it probably is unnecessary if you thought it important enough I sure would be happy to consider an Amendment."

Schlickman: "All right. Another question. Corporations including banks and labor unions are subject to regulations by the General Assembly. They have an extraordinary.... interest in the Legislative process. An interest that goes beyond the interest of that individual...an individual voter. A corporation and labor union are traded by individuals, they're supposed to be controlled by individuals, they have money which belongs to individuals...and yet corporations, labor unions ...having an extraordinary special interest, having money that belongs to other people are not prohibited in this Bill from making political contributions. You mention Federal policy in response to my first question, do you know the Federal government prohibits political contributions, by corporations and labor unions and I'm wondering why we don't have similar prohibition in this Bill?"

Collins: "Actually, under this....under the original House BillHouse Bill 1, we did. Ah...the thought in drafting this House Bill 1, was that the major objective that we sought was to an Act meaningful to to disclosure Legislation. We got into many objections...to the Bill in its original form last year...both Bills...because of the point that you bring up, also because of the limitations within the Bill and so when we reached a point where we



were unable to pass anything, I think the hard...political decision was made that the important thing is that we enact disclosure Legislation, at least initially, so this was our attempt to deal with disclosure. It's not ...I... there....there's no attempt tomade...er...to dissuade you from feeling that....that the provisions you suggest should beand are proper. We had them in the Bills initially....but to get the disclosure provisions passed we felt that this was the....the....most stringent Bill we could offer at this time...I'm not in disagreement with you at all."

Schlickman: "Thank you. I have a nonsubstantive question. In your definition of contributions, there is the phrase 'made for the purpose of influencing'. Now, influencing to me is a subjective word. Some may feel that they are influenced, some may feel that they are not influenced. I would suggest that that phrase be stricken because of its subjective nature and we simply say that contributions made in connection with the nomination for election or election....we thereby eliminate the subjectivity. We have something that is objective and all inclusive, relative to the disclosure contribution."

Collins: "Yeah....I like your thought. Whether the word is made in connection with or something similar to that.... let's work on something. I...I...I like that."

Schlickman: "One final question. Is it your intention that this Bill...upon law....becoming law, would be applicable to the Primary Election 1974?"

Collins: "The Bill becomes effective upon becoming law and I would hope that it would be for the Primary of 1974. Yes."

Speaker Bluthardt: "With 107 votes."

Schlickman: "Hopefully."

Collins: "We exceeded that on House Bill 1620."

Schlickman: "Thank you, Mr. Chairman. I do want to express my appreciation to the direct responses from the Sponsor."

Collins: "Thank you."



Speaker Bluthardt: "Mrs. Geo-Karis."

Geo-Karis: "Representative Collins, I have two....er...three simple questions. One question is this, is the State Elections....Board of Elections, State Board of Elections, if there should be a complaint about a contribution made, will you have any machinery in your Bill to provide for immediate action on it, if it is close to an election?"

Collins: "I didn't understand you, Adeline, what was that again."

Geo-Karis: "My understanding is, that all these contributions are to be reported to ...are to be registered with the State Board of Elections. Right? Every Committee rather?"

Collins: "Right."

Geo-Karis: "Now, when do they make the report? After the election or before it, or as it goes on?"

Collins: "There are various reporting dates, which I read in response to Representative Leinenweber's question, earlier. There are...."

Geo-Karis: "That's all right. I mean, is it before"

Collins: "There are five annual days, Sir. Before an election after an election and also on June 30th and January 1st."

Geo-Karis: "All right. Let's give you an example. Supposing the...ah...State Board of Elections gets a complaint about a political committee for a contribution that may or may not be legal to that political committee and it comes in say....within three days of the election. Now, is there any machinery provided in your law.....in your Bill rather, which will mandate that the State Board of Elections will take immediate action on the complaint...prior to that election....or is it just opened?"

Collins: "No....in Section 5-5...that is covered, where it says the Board shall expeditiously make the....expeditiously make an investigation. Then it says the Board shall render its final judgment within 21 dates...21 days of the date of complaint, except that 60 days proceeding



the date of the election...ah...the Board shall render... render its final judgment within 7 days of the complaint. That also applies to after the election, within 7 days after..."

Geo-Karis: "Well, then, 7 days ...ah...might be too long if the complaint takes place within 48 hours of the election. Will you have some machinery to provide for such an emergency ifit has happened?"

Collins: "Well, it says that the Board shall render such judgment before the date of such election if possible. And, in the prior sentence, it does say, as expeditiously as possible. So, I think we're saying the Board shall make its decision prior to the election....if humanly possible."

Geo-Karis: "All right. My other question. Section 6-1, quote, 'prohibits anonymous contributions.' Supposing someone leaves an envelope with \$105, to the....ah.... campaign committees offices in the mail chute. What do they do with that money?"

Collins: "That question came up a little earlier, and it came up in regard to House Bill 1620. I have to ask if Representative Lundy is on the floor. It was his Amendment that I accepted, but I asked the same question as you. I really don't know how to deal with this."

Geo-Karis: "Do we give it to the State?"

Collins: "Well...."

Geo-Karis: "This has happened and it's going to happen."

Collins: "I...I...I...just don't know and I...I...I threw up my hands at the time and said, well fine...I...I...I agree with the intentions of the Sponsor but I really don't know how to handle it."

Geo-Karis: "Well, Representative Collins, I will probably.... and Members of the House, I will probably vote for your Bill because I am committed to my people back home to support ethics Legislation, even of this nature. However,



going to establish a war chest for one of the candidates, and I might add these are nonpartisan candidates, some many thousands of dollars. I dare say at this point that Representative Dave Tuerk and myself didn't begin to match our combination of funds with that one total war chest. And, I would just like to mention the fact, I believe in the Eastern State of Maryland they had a little trouble with ethics, on a local level and didn't go all the way to the State, so it seems to me that we do have a problem here that we should go to local level and I would like to ask the Sponsor this question. Would you be amenable to putting in there the election of mayors, county boards of supervisors, village people,...if not, I think we're missing the boat on ethics because there's more going on at the local level than there is at the State level. Would you be amenable to that?"

Collins: "I...the question came up earlier....and...in preceeding sessions also, and as I stated then I not only am amenable but I would endorse such Legislation. I merely feel that it may be premature because now we're trying to apply this type of Legislation to over 63,000 local governments. I think that this House Bill 1...ah...is a ...at least a shakedown cruise for the larger offices, for the offices where ordinarily the larger amounts of money would be expended. Ah...and...and so I prefer to see it go into effect with these major...ah...ah....offices and major campaigns...at this time. I certainly will support Legislation such as you suggest....ah...and I hope within the near future. I...I...just think it would make this Legislation before us cumbersome...at this point and so while I'm in 100 percent agreement with you, ...ah....I prefer to proceed with House Bill 1, as is, with the clearer understanding and intent that...ah...within the very near future....and the hope we would all join in the expanding this type of Legislation, to include all of the



office that you suggest."

Schraeder: "All right. One other question. In my political career...which is a number of years, I received one anonymous contribution of \$50, to be perfectly frank, I used it in the campaign, to this date I don't know where the \$50 came from, nobody has claimed ownership of it, and I'd just like to answer this, I assume...I assume, I think this is very important to the Members of the House, that they're going to receive any number of anonymous contributions, can I have a little order, Mr. Speaker. I assume that there are a lot of people that contribute to a political campaign, and I know there are in my community, because we had an episode in the last mayor race, where people didn't want their names disclosed. So, we're going to receive anonymous contributions, I know I will, and if I get it, what am I supposed to do with it? Give it to the Salvation Army, or spend it in the political campaign?"

Collins: "Well, this is the third or fourth time this question has come up and...ah....Representative Lundy, you got me in more trouble with this Amendment of yours, Joe..... Representative Lundy....this is the fourth time that this question on ...how do you handle anonymous contributions, has come up. Frankly I don't know how....I know of course that it is in the Governor's Bill that Representative Berman is handling and perhaps he would have some thoughts on it too, but this concept was initially proposed to me by Representative Lundy and with the Chair's permission I'll defer to him...."

Speaker Bluthardt: "Mr. Lundy."

Lundy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House....Mr. Chairman...Phil, as you know, the reason for including a ban on anonymous contributions in ...in 1620 which was my Amendment to that Bill, was simply to avoidah...having peopleah...escape through subterfuge



the ban on contributions in the name of another person, because that ban really doesn't mean anything, if the contribution can be made anonymously. I was interested to see in reviewing the ...Florida Ethics Statute recently passed by the Legislature in Florida called the 'Government and the Sunshine Bill'...that in their case they also ban anonymous contributions and what they do in the case of anonymous contributions in effect is have them escheat to the State, just say they go into the General Revenue Fund. If anybody received an anonymous contribution and didn't know what to do with it, he turns it over to the State Board of Elections or whoever is administering the Act and it goes into the General Revenue Fund and I suppose that is a possible answer. In this case, I don't know what the Governor's Bill contemplates, but that would be my answer I guess to the question as to what do you do with it.

Collins: "Well, I believe it says the same thing....that they are illegal but it really doesn't tell you what to do with them and that question has come up a number of times today and in previous hearings."

Speaker Bluthardt: "Mr. Rayson....Do you want to move the previous question, there....Mr. Maragos?....Mr. Rayson."

Rayson: "Thank you, Mr. Chairman, one quick question. I notice in this Bill, House Bill 1, the Board of Election takes over, administrates, right? Now, based on the Bill that was overridden, creating the Board of Elections, I take in a compliment of four, on questions under that Bill they have kind of a lottery in case they don't get along. How would that effect this Bill, if they don't get along, and there is a two to two vote? How would the administration of this ethics Legislation get along if the Board had a two to two vote?"

Collins: "Well, I, ...the provisions of House Bill 1, I think are explicit in regard to substantive matters, if some-



thing does come before the State Board of Elections, upon which they do not agree, then I think that Bill is quite clear.....it will be decided by lottery."

Rayson: "Well, you're saying that the other Bill would tie in to this. But will it....."

Collins: "Surely, because the State Board is going to administer this Act."

Rayson: "But I mean the powers given the...the...State Board under the Elections Bill might be circumscribed and it may not apply to this. I'm only raising the question, I do not know."

Collins: "I don't see how they do....but if they do, I'd be happy to hear from you."

Speaker Bluthardt: "Mr. Maragos."

Maragos: "Mr. Chairman, Members of the Committee, I'd like to ask the Sponsor what the complete definition of an anonymous contribution is?"

Collins: "Do we define it?.....We don't define it other than the word anonymous. Again, I've been having the same difficulty with this contribution as many other Members. I...I...think...the definition anonymous is obvious."

Maragos: "Well.....if it comes as a check, you normally know it isn't....You can also trace it... To what degree of responsibility does the candidate have in determining or trying to find out who mailed or sent him that contribution?"

Collins: "I think a contribution would be obviously anonymous, if there is no way of identifying the contribution either from the contribution itself or from the envelope or.... stationery which transmits it. I don't think that ...ah... there would be any obligation beyond that."

Maragos: "Because, the question....the only two anonymous contributions that I can think of would be receiving cash in the mail with no return address and nobody writing it. That would be the most difficult way of tracing it. But if you had it from a bank draft, even though the donors...



name was not on there, they could go back to the bank records. That's why I asked you, what kind of responsibility ...to what extent do you have to ...search to find out who is anonymous or not anonymous?"

Collins: "Well, I think that puts the burden upon you, because it makes it....the Bill makes it illegal to accept an anonymous contribution and if you want to remove that cloak of anonymity then you would have to go as far as would be required to reveal who the...the...ah...the person was..."

Maragos: "Thank you. Thank you, Mr. Collins."

Collins: "Ah....."Thank you, Mr. Chairman and Members of the Committee."

Speaker Bluthardt: "Mr. Joseph Meek."

Meek: "House of Representatives, first of all, may I thank so many of you who have brought back to me this afternoon some very very pleasant memories. I know most of you and frankly I don't envy you the geography of where you are meeting and the problems that you have ahead of you. My purpose here today is to talk about the principal of ethics. I've torn up this speech about three times and made it much...much shorter. Let me just say that I am here to back no particular Legislation of the 20 Bills that you have, the very commendable Legislation that the Governor has put together, the equally commendable Legislation that Mr. Blair, etal. have put together, and that Mr. Bluthardt, and Henry Hydethe whole lot of you. The idea is to me that you've got to do something and the two discouraging things that I've heard this afternoon are ...one; we don't need to do anything, there is no need for this. And the second is; there is no interest abind....abounding about this Legislation. Ladies and Gentlemen....."

Speaker Bluthardt: "Joe, would you speak into the Mike, they are having some difficulty hearing you."



Joseph Meek: "Just take it from me, who has been out of this thing for three years, the faith in the form of government in which I have an inordinate amount of pride, is well eroded. And, the people that we may think aren't interested in what you're doing here ...are interested and they're concerned. And as of this day as I rode down here I feel kinda weak and I feel kinda sick at heart. The second thing is when you say no interest, I've asked people time and time again if they had written to you about ethics, of all kinds, and they shrugged their shoulders and they say 'no, what the hell is the use', and when you get that far down the hill you've got to think about something very constructive believe you me. All I want to do is to site or convey to you my feeling that the time has come. These Bills may not be alike, all of them, they do however indicate a belief on the part of leaders of both political parties, that the time for action has come. The time has come to put wisdom before wealth. To put conscience before and above cash. And to put dedication to duty before dollars. Not instead of mind you but because and before it. I came here first in 1927, wherever the House was meeting then, it wasn't in this room, and a lot of government has gone over the hills since it's been my privilege to Lobby for the State of Illinois and the little guy around the Courthouse Square. And, after that it was my privilege or it was a matter of temerity to run for the United States Senate, against a very good friend of mine and a very able Gentleman, Paul ..Douglas, I simply forgot to carry Cook County and that's the end of the story. And then I went on from there and I came down in Con Con and worked with many of you Gentlemen in this room....and Ladies....on that particularly exasperating affair, finally now I am teaching a course in Lobbying at Triton College. The first of its kind in the country and the biggest part of my job is



to try to convince people that the profession that you followthe thing that I am teaching...is an honorable sort of a profession. And, that's going pretty far, and the danger of it is that people have an idea that this is politics. It rains hard on people of both parties...when freedom fails. I want to talk to you for just a very few minutes about my own experiences as a candidate for the United States Senate. I don't think there is anyone else in this room that's ever ran for statewide office, at least for the United States Senate. This was in 1954, I shall be very candid with you, it cost the people who backed me some \$920,000 to run for the United States Senate so long ago. I didn't have over \$1920....but I suppose I was a sacrificial lamb, I don't know. But once you win a primary, once you start to go, then you go to work to aspire to the highest office in the land. There came a time when I came back from Olney, Illinois, at 1 o'clock in the morning at Midway, had been to the 'plowing matches' Senator Douglas and I had been there, trying to get the farmer vote or something or other, I've forgotten now. My wife met me at that airport, and she was crying bitterly. I said, 'what's the matter', she said that the treasurer of our outfit....the campaign committee has said that we have exhausted our own \$14,000 and we're supposed to dig up \$23,000 or we won't be able to carry certain Wards that are essential in a certain place.... and he said 'what are we going to do, Joe?'. And, I said 'if by tomorrow night I don't get commitments to cover my television programs, I'm going to pull out of the race it doesn't mean that much to me to bankrupt the Meek family.' The next afternoon we went out to Midway and met the Vice-President, now the President of the United States Mr. Nixon, who was with Mike Coles, who was with the Des Moines...publication. We rode down to the Drake Hotel with them and while I was sitting there waiting for Mr.



Nixon to make his speech, some gentleman, God Bless him, from the Sun Oil Company gave me three \$1000 bills. I don't know who he was, he didn't tell me to vote for all the oil Legislation. I then got 800...er..\$2000 from a brewing company. I couldn't drink that much beer if I tried. And, I went home...and I took...er had the money in this pocket and I threw it over a chair. Today I'd sit up with a gun and watch it. And I went on with the campaign. And, along about that time, and I am about at the end of these confessions, a gentleman came to see me from Washington, purported to be representing the Eisenhower people. I don't think he really was. His name was Birmingham, if you want to know. He said, 'why do you call yourself a Taft Republican?' I said, 'because Osten Weiman, a good friend of mine, got a committee from the Eisenhower people for him. I had to be against Mr. Eisenhower and for Mr. Taft....and I wanted to be. Why do you ask?' He said, 'because we want you to call yourself an Eisenhower Republican from now on. Drop the Taft appellation.' I said, 'it won't do any good. The Taft people will say, 'there goes Joe' and the Eisenhower people will say, 'there comes Johnny come lately'. I said, 'if I did, what will you do?' He said, 'we would take all of your television committments, something around \$170,000, we will negate the opposition of some of your friends in your own party. We will put you in the United States Senate.' And, I said, 'what do I have to do to make that deal?' More than what you have told me with thishyphen?'.....'Yes, you have to promise as long as you're in the United States Senate you will vote the way Sherman Adams asks you to vote, from start to finish period.' Well, I was a little cocky and I rejected it. The next day the publisher of a great newspaper gave me the same deal...and I turned that down and I didn't have the dough...to put the roofs on a lot of churches to make ah.....to make alot of.....state-wide.....



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

state-wide contributions you would never dream of or maybe you will someday and I got the pants beat out of me in November of 1954 by maybe 180,000 out of 3 million votes. My point is this. You are going to face that someday. What's going to happen when somebody gives you \$1000 or \$3000 with no strings attached. You are going to thank God for it. And I think there ought to be a limitation on that contribution. I think \$1000 is enough for anybody but there are many wealthy men who are genuinely anxious to insure themselves in good government who don't try to dictate which is the abhorrent part of paying 50 bucks to some guy and then think you're owning him. But to make a long story very, very short what worries me is that that situation has grown much worse until without fear of contribution I think that the United States Senate for the most part is an exclusive club of millionaires. I don't think some of the people who are considering running against the present incumbent in Illinois realize what they are going to be up against unless the people you are running against are also limited as to the amount of money they can take. If you are going to limit the amount of money over here that you can spend, then you are going to have to limit the amount of money over there that they can put out or they can take from their friends because the people who are now in the Senate have wealth, a great deal of wealth. And all they need to do is use their own wealth in something that means a great deal to them. And all they need to do is go to the gold club or go to their social set and get \$1000, \$5000, \$10,000 with no strings attached and belong to no political committee and there again, you find yourself in a position of where you are just a creature of the wealthy people of the country and I resent most deeply, Ladies and Gentlemen, the fact that we are so big in government, so big in bureaucratic control, so



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

big in special interests, so big in all things that after all is said and done, the people in society are beginning to call this a delightful game and the fella that can get the United States Senator at his tea party some afternoon has attained a social status impossible otherwise. I won't bore you anymore. What I want is a kind of a Bill which would cover both sides of the coin, not that the wealthy people haven't a full right to run, actually I think a man with real dough who is a conscientious citizen is a pretty safe people to have here because he can reject all temptation. But I would like to have it so that most of you in this room would feel like you could run for the United States Senate or Governor or Congressman, whatever you like with the feeling that you did it honorably and that while you were restricted in what you could spend, the other people were also restricted in what they could obtain. And finally, I think you have got to find some way of making the thing simple. I think you have got to find some way of remembering that the Ethics Board or whatever you may call it must be above suspicion. It must be, indeed, like Phario's life. All I do is come to you at the age of 70 and tell you in all candor that in the 46 years in Springfield there have been some bad boys, but most of them have been good boys. And you are the ones that are taking it for a ride now when a few people at the national level and at the federal level would bespoil your record, you are the ones that suffer. And I won't forget for a long time this night that I went home in Western Springs and said to my children, I am going to run for the United States Senate and they looked at me as though I was cracked in the head or I had gone crazy or was doing something beneath me. I warn you that the kids of today have that in their heart as well and unless you can drop the political label and unless you can get



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

together in these 20 Bills and others that may come and sit down before the 1974 election and work out something you can work, say something, give something to these people who believe you know and are sympathetic with this form of government and I tell you in all my observations, I think you can leave and kiss the two party system goodbye. I don't know which Bill is good, which Bill is bad. The Governor's office called me Friday night and the gal from the Community Chest was there and I told her I had paid downtown but she didn't believe me and the phone rang and it was the Governor's office, a Democratic Governor. She said you can't go down there and talk on his Bills anymore than anybody else's Bills. I said I don't intend to. But she said you are supposed to be a Republican. How can you talk if the Democratic Governor invites you? Well, he did invite me and if Mr. Blair wants me back or anybody in this room, Mr. Bluthardt, I will come back and the sad part of it is that for the first time in 47 years I am coming down here paying my own expenses and it almost kills me, I can tell you that. And so I would like to close by thanking you with this audience, if you will, in telling you an old story I heard in the Senate in nineteen hundred and thirty something when T.V. Smith was in that Senate from the University of Chicago and he was a great talker and a great story teller and he tried to transmit to the people in the Senate what their responsibility was and finally, he turned to a story of a spinster, a lady who was upstairs in her bedroom and in her dreams, she found a beautiful, tall, dark, handsome, Elvis Presley type of a fella coming in her bedroom. And in her dream, maybe anticipatorily, I don't know, she said sir, what are you going to do to me? And in the dream he replied, I don't know lady, it's your dream. And it is, believe you me."

Speaker Bluthardt: "Mr. Meek, I believe there is a question,



Mr. Meek. The Chair recognizes J.J. Wolf."

Wolf: "Joe, I just want to ask you one, you represent the retail merchants for a number of years and we have been friends for a number of years. Among the retail merchants, many of whom might make contributions to individual candidates, have any of them told you that they would like to have made public any small campaign contribution that they make to a political candidate?"

Meek: "I don't think either way that they, no they haven't directly and I don't think they are concerned about the way it's done. I think they are just simply concerned, Mr. Wolf, about the erosion that's taken place and from Watergate to shoe boxes and back again, they are just certain that something is wrong and that this has turned into a rich people's, by the rich people and for the rich people and until such time as we change that picture, then we have lost the Lincoln stature. No really, there hasn't been anybody except to shrug their shoulders and say well, we don't believe in anybody anyway. No, they haven't asked me."

Wolf: "Well, the reason I ask is because a number of retailers I have talked to about it, they would agree possibly on large contributions but it puts them under a particular gun depending upon the type of community or city, for example a merchant or even regardless of what particular party happens to have the administration in the city, if they are to make a campaign contribution in the aggregate of \$100 which could mean \$50 in a primary and \$50 in November and have that made publicly, you know, disclosed, it would antagonize their own customers who might be of different political persuasion and possibly the local city administration and they are not too happy about it."

Meek: "No, that's very true. You can't even get a retailer to vote because he is afraid some Republican or Democrat will see him go in the poll and that's the cowardice



that we have fought all of our lives. Frankly, I think that you have got to have a limit that is realistic and to me, a man that pays \$1000 to a fellow who is running for an office hasn't paid very much in the form of a tithe. If he is a Christian gentleman he is supposed to tithe more than that to the church and if this isn't part of your religion to have a government, by the people, then I never saw it. I think it's too low. I think it should go higher and I am not so sure that you have to publicize the names of people under a certain amount of money who provide the campaign money."

Speaker Bluthardt: "Further questions? Well, thank you, Mr. Meek. Your witness slip indicated you want to speak on House Bill 1 & 10. I take it your remarks that you have just concluded will cover 1 & 10."

Meek: "Mr. Bluthardt, from whatever the Bills are, whether they are Mr. Lundy's Bills which I have a genuine interest, whether they are Bills coming from Mr. Hyde, whether they are your Bills which are exceptionally well drawn, whether they are Bills from the Speaker of this House, whether they are Bills from the Governor of Illinois, my only prayer is that you will see the importance of solving this problem somehow, someday. I don't know what you come out with, but for the love of heaven make an honest try and I am not going to speak on #1, #10, they all have flaws in them. You have mentioned most of them. It has been a constructive debate that I have listened to but it should be decided by a few men in a closed room who wrestle it out and bring it back to a group such as this so that we might get down to cases and what we can do. The simpler the thing is the better. The more, Mr. Chairman, that we can find a way to enforce this with somebody who is closest to the law, furthest from witch hunts, and you write a Bill which is not so fancy that you have evasion in it, the more we will have been successful.



But somehow, and it sounds silly, do a little for God's sake. If you don't, no one around this world is going to believe you even care and you do. I know that."

Speaker Bluthardt: "The Chair calls Janet Otwell. Is Janet Otwell present? Janet Otwell, Vice-President, League of Women Voters of Illinois. She indicates she is an opponent of House Bills 1 through 21. Mrs. Otwell."

Otwell: "Mr. Speaker and distinguished Members of the House, I am pleased to be here today to present the position of the League of Women Voters of Illinois. There are almost 10,000 members of the League in Illinois who are enrolled in 85 local leagues throughout the State. The League studies and acts on governmental issues and our action is taken in the public interest. We are a non-partisan organization that supports issues but we never support candidates. We have long looked to the Legislature for the enactment of meaningful and effective ethics legislation. During our deep involvement in revising the 1870 constitution, we did much preparatory work in determining what we wanted included in the new document. I would like to quote to you from our testimony on February 20, 1970 presented to the Legislative Committee at the Constitutional Convention. We highly recommend inclusion of a code of ethics in the Constitution. If the people of Illinois are to feel the same confidence in the Legislature as does the League, they need the assurance that the men and women they elect can subscribe to some basic standard of behavior, disclosure of financial interests and conduct as legislators. A code of ethics is the peoples' assurance that legislators know the trust and power that is placed in them. For the League, it is preliminary to the suggestions we now make to give legislators that power and trust in greater degree



than does the present Constitution. It is now three years later and it is even more imperative that the Legislature enact meaningful ethics legislation which will help restore the confidence of the electorate and the democratic process. For many years, the League has worked in the field of representative government. We want an open governmental system which is representative and responsive. Such an open system requires campaign financing practices which insure the public's right to know, which eliminates corruption and undue influence, and which enables candidates to compete more equitably for public office. The initial step toward achieving such a system are measures which provide for full disclosure of all campaign contributions, expenditures and effective monitoring and enforcement by an independent body. The League of Women of Voters of the United States has recently undertaken a specific study of campaign financing and local League members throughout the country are discussing this issue in depth. We will reach a consensus in late November. When this study item was adopted in May of this year, it was adopted because we felt there was a compelling need for reform. We knew the present system needed redoing and we voted to proceed with a very rapid study. Therefore, we are now looking into three areas, limitation, which include limitations on contributions, expenditures, expenditures from media, number of campaign committees and length of contributions, base of funding, which includes the questions of some direct or indirect public funding, tax credits or deductions, income tax checkoffs, direct public funding and or free government services and the use of the media which includes the use of equal time laws. Watergate has the whole nation thinking about what kind of campaign financing we want in this country. We believe that the campaigning process should encourage active and broad participation by the

**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

citizens and promote understanding of major issues. We believe that the system should produce office holders accountable and responsible to all their constituents in equal measure, neither influenced nor thought to be influenced by the size of a campaign check. While we are not at this time supporting any specific piece of legislation coming before you, the League does want to convey to you the principles we want embodied in such legislation. Thank you for the opportunity of addressing you."

Speaker Bluthardt: "Thank you, Mrs. Otwell. Are there questions of this witness? Again, thank you very much. I have no other witness slips. We will now go on to House Bill 8 and you might note that House Bill 8 and I am going to say a few words with your leave. It's my own Bill. House Bill 8 is almost identical to House Bills 1 & 2. I put those in, I asked Mr. Otis about 3 1/2, 4 months ago to draw a Bill up for me that would be a disclosure Bill, a simple disclosure Bill similar to the Blair-Collins Bill of last session, 1620. I was one of the 11 who voted against that Bill and I also voted against the House Bill 1 of that session for the same reason. I thought it went too far. I thought it was unworkable and impractical. I felt that it didn't have much of a chance to pass the General Assembly and you know that it didn't. The main reason that I felt that it was not a good Bill is because I felt that it went too far. When you read that Bill, analyze it, that Bill required anybody running for public office or any political organization to keep an itemized list of every penny received. So that if you had a raffle and you were selling raffle tickets to like a turkey raffle at a penny apiece, when that accumulated to \$100 you would have to have a list of each and every individual who bought a ticket. Name and address of everybody who bought a ticket. If you were running a



dance, dinner dance and you gave a precinct captain ten tickets to sell, when he returns those tickets or the money for those tickets he would have to give you a list of each and everybody he sold those tickets to. I think that is going too damn far to be practical and workable and therefore I have presented to the House, to the General Assembly for what it's worth, a simple disclosure Bill that requires disclosure of the money you receive over \$100 and expenditures of those funds, from whom you receive the monies and how the monies are expended. Now, that's the main and I think only difference between House Bill 8 and House Bills 1 & 2. We will go now to House Bill 3 if there are no other questions. House Bills 3, Mr. B.B. Wolfe. I understand B.B. Wolfe is ill and has asked Jimmy Houlihan to handle it for him. House Bill 3. Mr. Houlihan."

Houlihan: "B.B. Wolfe asked me to present to the Committee of the Whole this Bill. It is merely a Commission Bill which would study the entire problem. He felt that we weren't going to be able to really adequately deal with the problem in the time that we had available. It would set up a Commission that would have five from the Senate, five from the House and eight public members with a reporting date of April, 1974 and would be repealed in '75. I think what he wanted to do was to give time and have an adequate discussion of this in the Commission form and that was his intention."

Speaker Bluthardt: "Questions? Mr. Maragos."

Maragos: "Why the even number? When I read the Bill I was surprised it was 18 instead of 19 or 17. Is there any reason for it?"

Houlihan: "I didn't discuss with him the even number. I know that he tried to have it in the formula that I think most of the Commission Bills are and I think that was 18."

Maragos: "Aren't there 13 Members, 5 & 8?"



Houlihan: "There is 5 from the House and 5 from the Senate and 8 public Members and I think having them from both sides..."

Speaker Bluthardt: "Mr. Totten."

Totten: "One question of the Sponsor if he could answer, Jim. Under this Bill, I think there are ten legislative and eight appointed by the Governor. Then, as we are presently constituted that would be twelve, there would be twelve members of the Democratic party for all practical purposes and six of the Republican party under that Commission."

Houlihan: "Under the premise that the Governor would only appoint members of the Democratic party, I suppose that would follow."

Totten: "O.K., thank you."

Speaker Bluthardt: "Other questions? Well thank you, Mr. Houlihan. Mr. Palmer."

Palmer: "Jim, do you feel that by reason of your speaking for this Commission Bill, is it an indication of your thinking that there is no need in this point of time for the special session of a campaign disclosure act?"

Houlihan: "No, I was, when I talked to B.B. and he discussed this Bill I thought that we ought to enact the ethics legislation now, although as we proceed with this Committee of the Whole and I am kind of bogged down without moving anywhere, I am somewhat of the inclination he may have been right. Yet, I think the public demands and wants the action now. Whether we are going to be prepared to do that I think is questionable."

Speaker Bluthardt: "Further questions? House Bill 4 is the Appropriation Bill that funds House Bill 3. Thank you, Jim. House Bill 5, Mr. Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I understand that in this meeting we are not permitted to introduce Amendments to our own Bills



which I find unfortunate. Since the completion of this Bill I have found certain substantive changes I wish to make. Should this come to Second Reading they will be made at that time."

Speaker Bluthardt: "Would you like to hold it until next session?"

Kosinski: "No, I will continue, sir."

Speaker Bluthardt: "All right, proceed."

Kosinski: "I, am, as you are quite aware, that the integrity of the public official is suspect. In some cases, I am certain this is quite justified. However, I am a public official and I don't wish to be suspect. I am sure most of you do not. While I am not presenting a package and it is in an area in which I don't have great expertise, I think integrity is a common problem. and much like the ten commandments, should be rather simple. And I think we are most vulnerable in a particular area, that area of collusion between the State employee, the public official and agencies, vendors who supply goods and services to the State of Illinois. It has always been obvious to me that the slot machine is hungry because there are a lot of little old women standing around with nickels to feed it and a prostitute is a prostitute in many instances because of available money. And the cop on the take, while he may have inclinations, gives vent to those inclinations because somebody is ready to hand him a buck. And the wayward elected official because of someone who deliberately force feeds this susceptible person with campaign funds or monies in other ways. I am in accord with receiving campaign contributions from any sources that are legal. But for our protection, and I repeat our protection I present this Bill which makes the public a party to such contributions when the contributor supplies goods and services to the State. I repeat this is where we are most vulnerable.



Totten: "Would the Sponsor answer a question, please? You have included all businesses regulated by the State and so on in there. True, there probably are significant contributions made in that area but there are also many unions that serve as, or that represent employees by the State. Did you overlook including them in this Bill or are they included in some language..."

Kosinski: "It was not included but not with deliberation. I was hip on the idea of services and materials or commodities to the State of Illinois. This did not fit into that category."

Totten: "Would you, on Second Reading, should this Bill get there, be amiable to an Amendment to include labor organizations?"

Kosinski: "The consideration of any Amendment on Second Reading is to the body, sir. If you wish to put in such an Amendment, I am certain that we would probably consider it."

Speaker Bluthardt: "Further questions? Thank you, Mr. Kosinski. There is a gentleman here from the Illinois State Chamber of Commerce and with your leave I would like to call him now so he won't have to come back tomorrow. Mr. Paul Neil, Illinois State Chamber of Commerce, Manager of the Legislative Department of Chicago, who writes, the proponent of all Bills dealing with Special Session #1. Mr. Paul Neil. Well, he might have to come back tomorrow if he wants to talk. House Bill 6, Mr. Bob Juckett."

Juckett: "Thank you, Mr. Chairman and Members of the Committee of the Whole, I hope you will excuse me, I have got a very bad cold and it was just fortunate I brought some sunglasses so I could see out of my eyes. The summary of House Bill 6 I think is presently being passed out to all the Members but the intent of the Bill aims at identifying possible sources of influence on elected officials through campaign



contributions and our method is by an Amendment to the Illinois Governmental Ethics Act adding thereto, a Section 5A which is disclosure of campaign contributions. Who is covered? All elected officials and candidates for State or local office who have received or are receiving contributions given to influence the outcome of an election. The items reported, all contributions whether to the candidate or to a political committee organized in his behalf, must be reported by the candidate and they are listed in four categories. The first category is for any contribution of \$100 or more, singly or in the aggregate from a proprietorship, partnership or corporation. The name, the address and nature of the firm must be listed together with the amount of the contribution. Second category is for any contribution of \$100 or more, singly or in the aggregate from any professional organization. The name, address and nature of profession must be listed together with the amount. Category three is for any contribution of \$100 or more singly or in the aggregate from any other person. The name and address of the contributor and the amount of his contribution must be listed. And then item number four. For contributions aggregating \$100 or more received from persons of like professions or economic activities. The name, address and nature of the profession or activity of each person contributing and the amount of each contribution must be listed. The fourth category is a unique provision intended to close a common loophole whereby a professional organization or group may seek to influence a candidate secretly by instructing or advising each of its members to give \$99 or under \$100, substantial amounts to a candidate aggregating a sizeable legally unreportable contribution where reported. The candidates who file their nominating petitions with the Secretary of State would be required to file their



reports of campaign contributions with the Secretary of State. All other candidates would file with the County Clerk of their county of residence. The dates on filing is a report to date of all contributions received in anticipation of candidacy would be filed at the time the candidate takes the necessary action to become a candidate for nomination, election or retention. A supplemental report would be filed 30 days after the election, a cumulative report would be filed 10 days prior to the election and now if the candidate continues to receive contributions after filing the report in the number 2, 30 days after the election, he must file reports for such contributions at quarterly intervals as long as they continue. The reports of the campaign contributions would be available to public inspection and copying under the same provisions as our statements of economic interest under the Ethics Act. Willful failure to file or will filing of a false or incomplete report would be punishable by fine of up to \$1000 or imprisonment up to a year or both. It would become effective immediately upon becoming law."

Speaker Bluthardt: "Questions? Mr. Palmer."

Palmer: "Representative Juckett, I looked through the Bill here and perhaps I have missed it, but I don't find a definition of a professional organization. What and who is included in this class?"

Juckett: "A professional organization would be an organization of like people in a profession or economic activity."

Palmer: "It would not have to be in one of the commonly understood professions, is that correct?"

Juckett: "No, that's correct."

Speaker Bluthardt: "Any further questions? Mr. Collins."

Collins: "Representative Juckett, if I read the Bill correctly the reports would only have to be made by the candidate and not by the political committee?"

Juckett: "Yes, that's correct."



Collins: "What is the reasoning behind this?"

Juckett: "Well, the candidate is the person who is trying to be influenced if that is what the intent is and the candidate is the person on the firing line and not the political committee and we would like the candidate to know who is influencing him or who is contributing if that is an influence on him and we would want it to have him give his permission to the committee to solicit for him rather than a group of committees going out of which he has no knowledge and would not know what they are doing on his behalf."

Collins: "Well, my question of course is would this permit the use of committees for the dodge that has been employed in the past and that is where the candidate would actually receive no money himself but various committee operated on his behalf were able to. They would not have to report and he would have nothing to report. Is this possible under your Bill?"

Juckett: "No, because the political committee would be in violation if it did not report to the candidate and the candidate would then be put on notice that there is a committee working on his behalf."

Collins: "Well, wait, maybe I am missing something, Bob. If a contribution is made to the committee working on his behalf, the contribution is not actually made technically to the candidate so would he be excluded from the obligation to report?"

Juckett: "No, he would not."

Collins: "O.K., fine."

Juckett: "No, he would not. We tried to make the committee reportable to the candidate."

Collins: "I see they have to report to him and he has to report to the officials."

Juckett: "That's right."

Collins: "Now, you also leave out any disclosure of expenditures. Is there a good reason behind that?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

1957-1958

Juckett: "That was deliberate and intentional on the part of the Sponsor, because I don't see where an expenditure by the candidate is going to influence the candidate. But, an expenditure...er...a contribution to a candidate could possibly influence the candidate. I think what we're after is to determine all sources of influence...and if a contribution is a source of influence, then the people who look at these reports can make up their own minds and do research if they want and to the type of Bills that a candidate might vote for or vote against. And you might come up with some sort of a pattern. Where a candidate once elected has supported all the Bills that ...of people who might have given him contributions. The expenditures, I don't think fall into that category and I would hate to think that maybe if we had to report our expenditures that somebody could go to that supplier and tie him up so that the candidate could not get his supplies for that particular election."

Collins: "Well, I agree with you that the first provision is more important than the second, although I may disagree with your entire argument. II...also see that your Bill has the same...ah....flaw, in my estimation that House Bill 8 had, in which I was precluded from asking any questions about."

Juckett: "I'd be willing to take a question."

Collins: "Ha...Ha....No, I can't seeI can see your argument although I think the sale of tickets being such an important source of money for most candidates, especially at our level of candidacy....that..I...I will take exception with their exclusion."

Juckett: "Well, we have an Amendment which we will offer which includes it....and it adds a fifth category ...ah...let's see, on page two, line five and six, ...which would insert the purchase of tickets."

Collins: "Good, I'm happy to hear that....Also, I don't think



in the Bill there is any provision for the report of total amount of contributions and again we get into that hand-up of accountability of contributions under the threshold. If we don't have a thorough record it would be difficult to have an aggregate amount to report properly...and also, perhaps a loophole whereby if you don't have the obligation to keep a record of the smaller contributions...ah...it would be pretty difficult to determine whether there is an aggregate or not."

Juckett: "Well I assume that all candidates are honest and that they would keep a record of all contributions and that they would list those that were ...ah...in excess of the limit for nonreporting."

Collins: "Well, I share your feeling, if we were permitted to make that assumption we wouldn't have the need for all of these Bills either."

Juckett: "Well, I've received two letters...."

Collins: "Thank you..."

Juckett: "I've received two letters in regard to a survey we put out. One for and one against. And that was the limit of pressure that was put on me....for campaign contributions."

Speaker Bluthardt: "Mrs. Catania."

Catania: "Ah...Representative Juckett, this fourth category raises some questions in my mind. It would be necessary to ask the profession or the job of every person who contributed to the campaign. In other words, if you had waitresses and truck drivers and gas station attendents you would have to keep track of all of these and keep a running score of your total contributions from truck drivers and waitresses and gas station attendents and teachers and on and on and on and on and on and on....."

Juckett: "And companies and lobbyists and people with special interests.....yes."

Catania: "All right, yes...I appreciate that, but also you



would have to keep track of everybody's job activities?"

Juckett: "That is correct."

Catania: "And, what about people changing jobs? It would be the job activity at the moment they made the contribution?"

Juckett: "It would be at the time of the contribution."

Catania: "All right. What about married couples? Ah....If a husband and wife have two different kinds of job activities, contributed, would you divide that in half?....And,.... ah...say half came from a school teacher and half came from a doctor?"

Juckett: "Well, I think on your campaign contribution form which you would be using, you would ask for their occupation and if they list only the man's occupation then you would go with his occupation. If he listed both of them then you would....then it's a joint gift, then you could divide it in half and apply both to....ah...half to each of the occupations."

Catania: "Is that spelled out in the Bill? I don't have a copy of it in front of me."

Juckett: "Ah...well, it says of....the related activity....we don't spell it out specifically, no."

Catania: "Well, I think it would be important to spell out exactly how you would deal with the contributions of families, married couples...ah...and...it troubles me that you do want to have every single job activity considered. For instance, if you ended up getting a \$113 from six school teachers..."

Juckett: "Then you would list...those"

Catania: "You'd have to list all six of them."

Juckett: "Correct."

Catania: "It seems to get a bit burdensome after a while."

Juckett: "Well, what we're after isah..the possibility of influence. And, if they're doing it in concert...which you have no knowledge of...ah...the only way that we can do it is by setting limits over which any amount received



would be listed."

Catania: "Do you think it would be unreasonable to make a stipulation that if they belonged to an organization related to their activity, that that would be a consideration. I think that that would simplify it a little bit. Because I think that is what you're getting at....is influence by organizations rather than influence by just individual members of a profession, isn't it?"

Juckett: "Well, you also have the activity ...say of a company who has an individual make the contribution....or of a labor union who makes the contribution...not in the name.....not in the name of the labor union."

Catania: "Yeah, if it were a union then it ...certainly a union member would be a member of an organization. ...and they should be required, I suppose, to say if they belonged to a union, but...ah...just someone who happens to work in a dime store for instance or whatever, I don't think that that would have an effect ...and I think that it could get very cumbersome to include all of those.... activities and keep a running tally of say 75 different job activities of campaign contributors."

Juckett: "Well, I think this would strictly be a bookkeeping record and I think it could easily be handled."

Catania: "You know when some of us have trouble filing our tax returns....ha...ha....it seems to me that keeping track of 75 different organizations.....or not organizations but just 75 different activities of people who made campaign contributions ...may be a bit more than most of us could handle."

Juckett: "My understanding on the income tax returns it was not the case of the reporting of the item."

Catania: "I think there are all kinds of different problems with income tax returns."

Speaker Bluthardt: "Mr. Totten."

Totten: "Thank you Mr. Chairman. A question of the Sponsor.



Bob, I didn't quite understand....on your definition of professional organizations, do you include labor unions?"

Juckett: "They would be included."

Totten: "Thank you."

Speaker Bluthardt: "Further questions?....Thank you, Mr. Juckett."

Juckett: "Thank you, Mr. Chairman and Members."

Speaker Bluthardt: "The chief Sponsor of House Bill 7 asks that the Bill not be called....House Bill 8 has been.... called. House Bill 9, Mr. Berman."

Berman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 9 is a Bill, the first of a series of 5 Bills which is the Governor's package dealing with ethics Legislation. House Bill 9 I would like to discuss first because it deals with a particular aspect of ethics which we have dealt with in the Legislature before and that is the problem of disclosure of beneficiaries of land trusts. House Bill 9 is a Bill which would require that all of the beneficiaries of a land trust be disclosed by the recording with the proper county official, the Recorder of Deeds, The Registrar of Titles. The lifting of the names and addresses and percentage of interest, of every beneficial owner of the land trusts. There is a requirement that before any recordings take place, before any litigations be brought in behalf of the land trusts, that this disclosure be filed. It is a Bill that I believe addresses itself to the requirement of the disclosure without impeding the proper legitimate uses of land trusts in the legal aspects of the operation of land trusts....but would for once and all provide in a central depository the requirement of public disclosure of all of the beneficial interests of the land trusts. I'd be glad to answer any questions on this Bill."

Speaker Bluthardt: "Are there any questions? Mr. Palmer."

Palmer: "Representative Berman, how does this Bill, House Bill



9, relate ...a...ah...to campaign disclosure?"

Berman: "As we've been talking about."

Palmer: "Does it specifically relate to campaign disclosure... candidates, or is it a general Bill?"

Berman: "No, Sir, it does not relate to campaign expenditure, it relates, I believe, within the context of the general call of governmental ethics. Because, as you well know part of the ...ah...stigma ..ah...that has been associated with the use of land trusts has been the charge that these devices, land trusts, are used to hide the interest of public officials in their ownership of real estate, when real estate is involved in governmental operations such as the zoning variations...ah....vacating of alleys.... transfer of property under condemnation, et cetera. That is the reason for the introduction of House Bill 9, in this Special Session."

Palmer: "Did we not pass....did we not pass and the Governor sign the Bill, that requires that any governmental unit acquiring ...or..ah..real estate, or leasing real estate, where there is a trust involved, to obtain or in the transaction to disclose the persons who have an interest."

Berman: "We passed a Bill, I think the only Bill, although there were several introduced, the only Bill that we passed, the General Assembly passed, and it was signed into law was, Representative John Porter's Bill. And, that dealt, I believe, and...John correct me if I limit the scope of your Bill, ..ah..when a governmental body deals with a land trust...ah...in particular as to zoning and conveyancing....there has to be disclosure. This Bill, House Bill 9, goes farther than that requirement, because it in effect requires public disclosure with the creation and existence of a land trust. Not only when it deals with government."

Palmer: "Well, this is a general Bill.....it effects everyone whether or not they are candidates or whether or



whether or not it has to do with ethics in government.

That right?"

Berman: "Oh, it's not limited to politicians or campaign financing."

Palmer: "All right. Then my question, Mr. Chairman, would be whether or not this Bill is within the purview of the call of the First Special Session. I'm not going to make any big point out of it, I just wonder if it is."

Speaker Bluthardt: "Well, Mr. Palmer, I don't think that's within the power of the Chairman to rule on. I think these Bills have been referred to the Committee of the Whole, and that would be a matter for the House, sitting in Special Session, First Special Session, to determine and not for the Chair. That would be my ruling...Ah.. Proceed, Mr. Palmer."

Palmer: "All right."

Speaker Bluthardt: "Mr. Leinenweber."

Leinenweber: "Representative Berman, as I read the Bill, this ...you say this requires the disclosure of the beneficiaries of any sort of a trust upon the creation of the trust. Is that correct?"

Berman: "Correct."

Leinenweber: "In this day and age, it seems to me there is enough assaults in our right of privacy that I really can't see the basis for this. Now, granted, as Porter as Representative Porter's Bill, and Representative Kempiner's Bill does that if the trustee or the beneficiaries are going to deal with...ah...a public body are they going to ask for a reclassification, zoning reclassification, are they going to ask for the pre-annexation agreement, they agree 100 percent that...ah.. the names of the beneficiaries ought to be disclosed, but why in the h.....name of heavens....in every single instance the beneficiaries in land trusts ...well they really can't see any basis for it. There are...



in the laws right now, there are provisions for the disclosure of the beneficiaries of slum housing..ah... Representative Porter's Bills been signed into law, there is another Bill that I guess we will take up again today. Why do you go so far as totally to remove the privacy of beneficiaries. What is the reason for this?"

Berman: "I think that the nature of the discredit that landtrusts have been subject to requires the application of a broad approach to full disclosure. And, I think that the onus is upon us in House Bill 9 as it is with all the other Bills or many of the other Bills that we are considering today....that the imposition on any individual, I think has to be put into a secondary position as far as ...as the requirement for open disclosure in all its dealings with government. And I believe that the use of the land trusts, whether it's actual or just on the basis of allegations that we have seen from time to time...ah...has put this legal tool into disrepute and I think that House Bill 9 will allow it to exist as a proper legal tool without having the dilitorious effects of having...being the vehicle by which public interests are being hidden."

Leinenweber: "I would agree that...ah..the subject of land trusts is probably in fairly low repute among the populus as a whole, but I think basically this is because of a total misunderstanding of its uses and the type of instrument that it is and the available tools for discovering the beneficiaries of the land trust. One other question I would like to ask ...and that is, does this Bill or any other of the Bills in your package, go toward compelling disclosure of the names of shareholders in corporations. For example, might I not evade House Bill 9 by...instead of placing my real estate in land trusts, place it in the name of a corporation...set up some...nominees as officers...as far as filing with the Secretary of State is concerned and totally negate the ...ah the



the purposes of your Bill."

Berman: "The answer is yes, you could. House Bill 9 only addresses itself to land trusts and I believe and we have discussed with other Members of this Body, ah...how to address ourselves to nominees or corporate holders ... which again lend themselves to secrecy. Ah..."

Leinenweber: "Well, is there a Bill in your package, I know you have several, that would govern the situation of the corporation placing real estate in corporations?"

Berman: "No, it does not."

Leinenweber: "Thank you."

Speaker Bluthardt: "Mr. Maragos."

Maragos: "I'd like to ask Representative Berman, now that we have, since July, or when the Governor signed the present Porter Bill, ah...the opportunity to take care of any possible misuse or abuse of the land trusts in order to hide from the public...anything to do with Governmental Agencies or to take care of any conflict of interest. Do you think that that Bill and that law should be allowed to function for a while before we abolish all secrecy in land trusts; at this time?"

Berman: "I think the Porter Bill is commendable ...ah...I support it and you support it...it passed overwhelmingly in both Bodies. But I think that only addresses itself to one part of this total application of land trusts and I do believe that House Bill 9 is justified and the again in the total concept of full disclosure, that House Bill 9 lends itself with the Governor's entire approach, to open this in governmental activities. In fact, you know when we utilize the ...ah...offices of a Recorder of Deeds...ah...of the Registrar of Titles, we are utilizing governmental bodies and I think that this is one of the reasons why we have suggested House Bill 9 so that the government is not a party to secrecy. That is part of the concept of these Bills."



GENERAL ASSEMBLY

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HOUSE OF REPRESENTATIVES

Maragos: "Granted, but the point is, ...ah....again we are still trying to preserve, in fact the Watergate scandals have not only showed that there is corruption in government but the fact that government itself becomes corrupt when it takes off the rights of privacy to individuals. And, I think it's a finely balanced tool that we have to be careful how how we use....and the scalpel when we're trying to operate on the misuse of land trusts. And rather than destroy them entirely, because if they've had any effectiveness as you and I know, and you've been a lawyer for many years of practice know, that it it's been an effective tool there is times when it's very desirable for the public policy and for the State and the Nation to have secrecy in ownership. The times it has been abused is again ...the narrow area proportionately, and with public officials have used it for conflict of interest purposes. Again, I repeat now that the Porter Bill is on.....I'm just wondering Mr. Chairman and Sponsor of the Bill, if we are not throwing a whole bathwater out,ah...baby with the bathwater out, in order to save one little aspect, I think has been covered now with the Porter Bill that you and I have supported wholeheartedly. I think it is...because I also say this, if I may, we have presently many other states, I think 46 out of the 50 states so not use land trusts, yet we see corruption, we see conflict of interest and we see them using other means of the corporate bail or other approaches to this problem to hide their conflicts...or to hide any abuse that they may have from the officials. Therefore, I am just wondering if we are premature to coming on this particularah...right after we had the Porter Bill, I dealt with the public laws right now, to see....give that a chance to operate then if it doesn't why then I would go along and say personally that I think this Bill



is much needed at the present time."

Berman: "Well, may I just respond very shortly and say this, I don't think that land trusts were designed for purposes of secrecy. I think they were more designed for purposes of ease of conveyance and I think that the secrecy part hashas compromised the use of these of this legal tool. And, I do believe that House Bill 9, as you know Representative Maragos, there has been Bills introduced to abolish land trusts. I have not concurred in that approach. This Bill maintains ah..the vehicle of a land trust, butbut eliminates secrecy. And I think that that is meritorious and the Bill does justify our support on that basis."

Speaker Bluthardt: "The Chair recognizes Mr. Duff."

Duff: "Mr.....Representative Berman, a trustee, as I understand it is a fiduciary. Isn't that correct?"

Berman: "Yes, Sir."

Duff: "And if he were not...and as a fiduciary he should not have a beneficial interest. Isn't that correct?"

Berman: "Yes, that's correct, the fiduciary should not have a beneficial interest."

Duff: "Well, on page one, Section 1, subparagraph A, lines 14 and 15 and 16 and 17. It says beneficial intersets means interest including without limitation a contingent interest held by a trustee, for the benefit of beneficiaries. Is that referring to the trustee? Or, do you think it is a little ambiguous?"

Berman: "Well, I think the word health means....ah.....a.... means health, not owned. It perhaps could use some

Duff: "Clarification maybe."

Berman: "Technical....polishing, but the work, the imposition is on the beneficial interests not on thenot on the ownership or the position of the fiduciary."

Duff: "I think I understand your thrust, I think I was just trying to point out that it perhaps isn't clear."



Berman: "I'll make a note of that, thank you."

Duff: "Ah...now, Representative Berman, to put it in the simplest terms, although it's been referred to in comments here today. I don't think it's been put in a simple sentence. This Bill eliminates the historical Illinois Secret Land Trusts. Is that correct?"

Berman: "No, it eliminates the secrecy of Illinois Land Trusts."

Duff: "That's what I said."

Berman: "Yes."

Duff: "The Illinois Secret Land Trusts."

Berman: "No...no...no...may I correct you."

Duff: "The secrecy of the Secret Land Trusts?"

Berman: "Yes."

Duff: "Oh...Okay."

Berman: "It allows land trusts to continue without secrecy."

Duff: "Okay. The secrecy of the Secret Trusts is eliminated. Representative Berman, you said in your introductory remarks to this Bill that this is one of a series of Bills proposed by the Governor. And, I'm really wondering I recognize that the Governor is not a Member of the Legislature, but most of us through the spring noticed a really a sufficiency of Bills relative to land trusts, secret land trusts, that came through both Houses and had I presume some 40 or 50 hours of total hearing. And, the great conflict within the House relative to the very clear effective use of the land trusts in Illinois over the years and the abuses of it. And, the...some strong efforts to compromise. Not only the passage of Representative Porter's Bill but the compromises effective in both Houses both in Committee on the Floor, between Representative Kempiners Bill and Rep....Senator Scholl's Billah...and the difficulties involved. Now, I'm really wondering, Representative Berman, why after just three months later with the whole attention of this House applied so seriously to such a complicated problem for so



many months. The Governor has chosen to throw a Bill at us....with such...ah...astonishing simplicity and such fantastic long term results for us to cope with in a matter of days. Is there some reason why he wants to through out the effort of the General Assembly through-out the spring months of 1973?"

Berman: "I think that your presumptions are presumptuous, Mr. Duff."

Duff: "The presumption is intended....Representative Berman."

Berman: "I don't think that the action or lack of action in the introduction of a Bill of this exact nature, during our last Session, is really relivent as to whether this Bill has merit at this time. I don't think that this Bill is any more simplistic or more...or less far reaching than any of the other 20 some Bills that have been introduced in this First Special Session, or any of the other Bills dealing with varied other subjects of great in the other Special Sessions. I think that the Bill is simple in its approach and effective in its result. And, I would hope that you would be able to evaluate this Bill on its merits at this time with the charge that has been given to us as a Legislative body."

Duff: "I would agree with you that it is surely not less far reaching than any of the other of the Bills. And, let me just make a statement, Mr. Speaker, to the Bill. I seldom have heard better remarks directed toward the subject than Representative Maragos did on the very complicated subject and I would endorse 100 percent what he said."

Speaker Bluthardt: "Mr.Hudson."

Hudson: "Mr. Chairman, Ladies and Gentlemen of the House, the questions that I had have been answered. Thank you."

Speaker Bluthardt: "Further questions of the Sponsor? Thank you, Mr. Berman. House Bill 10.I..I..think perhaps you ought to open with a few remarks then I'll call the



witnesses then you can close if you wish."

Berman: "All right. Thank you, Mr. Speaker. House Bills...."

House Bill 10 is the main Bill in a series of 4 Bills, 10 through 13, that deals with the question of governmental ethics and campaign financing. You have heard from previous witnesses the need for the passage of Legislation dealing with the question of governmental ethics. We have debated it before, we are debating it today and we will be debating it hereafter. House Bill 10, I think, is a far reaching broad concept which has as its keystone the requirement of full disclosure. It is a lengthy Bill and I will be pleased to go into an outline of the specific provision but with the leave of the Speaker we have two witnesses who have come down to testify on House Bill 10 and I would like to ask that they be called first. The nature of their testimony is similar to the nature of the testimony that we heard by Joe Meek and by Mrs. Otwell who also registered as proponents of House Bill 10 and I think that it would be relevant to our discussion if we could hear their testimony first and Mr. Speaker with the leave of the House, if we could have ...ah...first ...Mr. DeWitt Gilpin of the United Auto Workers to testif...to present his statement."

Speaker Bluthardt: "With leave of the House we'll call the two witnesses and then we'll come back to Representative Berman for questioning if any. Mr. DeWitt Gilpin, he is the U. A. W. Legislative Director, United Auto Workers Union. Mr. Gilpin."

Gilpin: "Mr. Speaker, friends of the U. A. W. on both sides of the aisle. I'd just like to briefly indicate that the UAW Community Action Program Council representing 150,000 of our Members in the State, asked during the last Session of the Legislature for passage of financial disclosure and ethics Legislation. Now, I'm



here today speaking for the Regional Director, Robert Johnson and reaffirming our support of disclosure and ethics Legislation. We agree with the objectives of House Bills 9 through 15. It's my understanding they are sponsored by the Democratic Leadership and by Governor Dan Walker. Now, both the House and the Senate have Bills proposing Legislation on numerous disclosure and ethical matters and they are all acceptable to the UAW. But, House Bill 10 covering election contributions and income disclosure, we regard as the key Bill of the Legislative package and the UAW places top priority on getting it passed. House Bill 1 and other Bills sponsored by the Republican Leadership represent other approaches to election reform. On balance, the Democratic sponsored more nearly meet UAW objectives, but some of the Republican proposals seem more realistic specifically the proposal to require the return receipting and public reporting of all contributions over \$100 rather than the \$50 a figure proposed in the Democratic sponsored Legislation. The UAW would also like to see a limit put on the amount that an individual, an organization, a business or an association can contribute. Our objective being to prevent one sector of society from overloading the campaign till. And, as most of you know, union contributions represent only a small percentage compared to what business kicks in during campaigns. We think it is also important to define a political committee as projected in the proposed Bills insofar as regulation are concerned. A committee to elect a candidate, or a political committee of a political party is a different kind of committee than the political action committee that function as parts of unions, business organizations, community groups, consumer organizations, and so forth. Unions for example are required by law to keep record of



their expenditures including those for the permanent political committees such as U.A.W.C.A.P. or A.F.L.C.I.O. and we have to make these reports available to our membership and to the government. We would like to ask a question, would such committees as set up and registered under the Bill also have to make their reports to a State body in terms of their total financial report because if a committee is part of an international union or a committee is a part of General Motors I think you are getting into the area here of do you open the book. Now we think that a solution to that would be that any organization that conducts widespread activities that are not limited to election campaigns should only be required to report if contributions about candidates and contributions to office holders. The U.A.W. would also prefer a more effective income disclosure procedure for elected state officers, State Representatives and Senators. This could be done by making public both income and income tax statements once a year. We think that disclosure in office is as important as disclosure while seeking office. But I think that this is the main idea that despite our regrets about these omissions in House Bill 10 and Senate Bill 1, the U.A.W. pleads that our main thrust should be to urge passage of them, here specifically House Bill 10. We are opposed to talking, amending or pigeon-holing them to death under the guise of seeking perfection. One stride towards Camelot beats nothing. Now, in this connection we don't think that you can legislate security retroactively. There has been a lot of questions raised about why doesn't this candidate come forward and say he got so much money and there has been questions raised about U.A.W. contributions and I simply want to say that we made contributions in the last election to both Democrats and Republicans and we are proud of the people we gave the money to and we



think that anyone who takes a contribution like that ought to be happy to get it from its source. But we think that the responsibility for disclosing those contributions rests strictly with the individual who got them and I am talking about not going back and trying to get retroactive about purity so we raise a straw man as an obstacle to passing legislation of the type I am talking about. Also, I want to state unequivocally, that the U.A.W. says that even in its present form, House Bill 10, or I would even say House Bill 1, if it comes to that, will not cripple our political action program nor reduce their effectiveness. I think that a lot of you haven't understood for a long time that the labor unions have been living under legislation and a dual standard where we are used to reporting and keeping books and making them public and anyone who says that election disclosure campaign distributions ethics legislation will put the labor movement out of business doesn't know the labor movement. For the record, I just want to point out to you that we have always supported disclosure in ethics legislation. We are not a Johnny come lately to this, that all of our contributions to candidates of both political parties in Illinois have been in conformity with law and our union constitution, that all existing legal disclosure regulations including those governing subtler candidates have been complied with faithfully and that any and all expenditures were approved by the proper elected officers entrusted with such authority by membership vote and they're actually duly reported to subordinate bodies. So we say that the fairer you make the political game and the tougher you make the rules against undue influence, cheating or conflicts of interest, the better the U.A.W. is going to like it. That's what our membership wants and we are dependent upon our members for continuing in politics. We also say that



any law that reduces the influence of money in politics and increases the influence of people in politics contributes to the reaffirmation of faith in our democratic process. Also, any law that will help prevent a repetition of the charges and countercharges that resulted from the raising of campaign funds in Illinois in 1972 would improve the credentials of all future candidates. But I think we have to say that as far as we are concerned that all the candidates in 1972 pretty much raised their funds in conventional manner and what really caused all the excitement was that Dan Walker won and nobody is asking the losers who gave them the money. If Walker's victory helped produce a disclosure ethics law, then I think friends and foes can take the credit. The failure of the Senate leadership to secure passage of disclosure and ethics legislation in the previous session after you passed it was incomprehensible to many people including our C.A.P. leadership and most media editorialists. Given the political temper of the times, a replay of such action would be incredible. It could create one of those political firestorms in Illinois and I can tell you that the U.A.W. will certainly try to fan the flames of indignation if that happens. Finally, Sam Gompers 70 years ago, the first President of the A.F.L.C.I.O. proposed political disclosure and ethics legislation. I think labor has waited long enough for it. I think we have a right to expect it out of this session and I just want to say relative to another Bill, we are certainly in favor of the program to begin a method of public financing for candidates in Illinois. Nationally, we favor the federal financing of candidates by the voters. I think that would be a great start in Illinois. I think House Bill 14 is a good start and we would like to see, in addition to the ethics legislation, that we build behind it through House Bill



14, an oncoming method of financing elections in Illinois by public means. Thank you very much, Mr. Speaker."

Speaker Bluthardt: "Well, thank you, Mr. Gilpin. The Chair recognizes Mr. Juckett."

Juckett: "From your remarks and I take it that the labor movement, especially the U.A.W. has no hesitancy in disclosing contributions or in having their contributions disclosed as required by some of these Bills."

Gilpin: "As required by law, no. I think I explained our position about going back and retroactively explaining them. But in terms of future legislation, you are right, that's our position."

Speaker Bluthardt: "Mr. Maragos."

Maragos: "I would like to ask whether the U.A.W. has ever made a full study or has taken a position out of the general position as to the funding of campaigns by governmental authority. You said you oppose the funds federal. What ways would you propose for the State of Illinois candidates such as State Legislators and Governors and the rest."

Gilpin: "Well, the proposed legislation, of course, would put some seed money into it by action of the legislature. I think that that is only a test program and ultimately, you would have to get around to seeking the same form as federal financing which would be through a check off of income tax or some other official means where a member of a party of a voter could finance the candidates of his choice."

Maragos: "Do you think, though, in the long run that it would preclude, say, whether it be labor or corporate or other entities in our economic way of life from then contributing or voicing their opinions as a association or a whole by doing it through the governmental approach?"

Gilpin: "Well, I think if you came to full public financing, federal and State, our influence would have to be a persuasive one. What effect we might have through



contributions we would certainly be willing to forego if you had that kind of a universal participation by the voters in financing elections."

Maragos: "Well, these series of Bills today that are being presented of which I am a proponent as well as you, but the thing is I want to ask you, various formulas are introduced as to who they report to, who shall administer the Act and who, and the various other ramifications. Do you have any preferences between the series that have been introduced or are being held by this special session?"

Gilpin: "Well, if the principle of the legislation is agreed to, we certainly wouldn't hang it up based on whether it's administered by the State Board of Elections or an ethics committee. I think that problem has to be resolved against the background of getting agreement on principle. But I don't think the administration is the priority, the administration of the law. The priority is getting the law passed."

Speaker Bluthardt: "The Chair recognizes Mr. Totten."

Totten: "Question of the witness, Mr. Chairman. Did you indicate in your remarks and I wasn't quite clear, whether you would object to being included in the U.A.W. or the labor movement in House Bill 10 because it is apparent that the labor unions are not included in that Bill as it's presently drafted. Would you object to being included in the same regulations as businesses?"

Gilpin: "Well, we are neither business nor labor under House Bill 10 and neither under House Bill 1 to my knowledge, are not prohibited from making political contributions."

Totten: "The requirements regarding disclosure I would be referring to, where your contributions went to."

Gilpin: "Disclosure? We have no reservations. If that becomes law we will tell you where every dime went with the proviso that I added that I think really, the \$100 figure is a more realistic one if you don't want



to discourage small contributors."

Totten: "A further question. Were you contacted at all, U.A.W. contacted at all regarding your views regarding this legislation during its drafting?"

Gilpin: "Well, we were contacted by legislators by governor's aides, not contacted specifically for this legislation but let's put that in its perspective. We had a meeting shortly after your last session opened here in Illinois where we adopted this position on ethics and disclosure legislation. We made it public to the press and we mailed copies of our statements to the leaders of both the House and the Senate so no one has to needle or ask the U.A.W. to take a position on this question. In fact, going clear back to Walter Ruther, this has been a traditional and public position of the Auto Union."

Totten: "Could you tell me how much money the U.A.W. spent on, in State of Illinois elections in the last election, do you know that?"

Gilpin: "Well, I told you that we don't think demanding retroactive disclosures is germane to getting a law passed. Now, Bill Scott the other day in the Senate told the Senate the same discussion we are having here, the Attorney General said that the U.A.W gave him \$6000. If Bill Scott wants to say that, that's fine with us. If Governor Walker wants to say how much he got or some of the Republican and Democratic legislators want to say what they got from us, that's fine with us. We have no objection. But we think they have to make that decision."

Totten: "Would you care to venture a guess as to how much of the total dollars spent on campaigns say in Illinois, 1972, how much of that money spent was contributions from labor versus contributions from business? Do you have any idea what that percentage would be?"

Gilpin: "I can just give you a ballpark figure. I would estimate that labor contributed less than 10% of the



total campaign funds and I have special reference to Governor Ogilvie's \$2 million dinner which raised a lot of money and to my knowledge there were very few labor contributions to that basic start of his campaign funds. But I am just guessing and I am hazarding a guess but I will tell you unequivocally that the contributions made by labor unions in any campaign, whether it's the committee to elect the President or the committee to elect Dan Walker, that labor contributions always represent a very small part of the total contributions."

Estes: "O.K., thank you." "You."

Totten: "Then what you have said is that you would be agreeable to having the labor movement be included in House Bill 10 in the same fashion that corporations are included."

Gilpin: "Well, we are, if that's all you are saying."

Totten: "Well, I thought you were linking it to the right of a union to make a contribution."

Gilpin: "What I said before, if it comes to that and I will repeat it slowly so everybody gets it because I really want the Legislature to know this. If it comes to House Bill 10 in its present form, even though we think that some changes should be made in it, but if it comes to that, without Amendment, the U.A.W. would support its passage."

Totten: "Well, it's my understanding and maybe the Sponsor could clear it up that labor organizations are not included in House Bill 10. They are not, is that correct? Would the labor movement be agreeable to having themselves included in that in the same manner that corporations are?"

Berman: "Well, Don, if I may respond for a moment I think if you look at page 3, the definition of political committee which it deals with the entities it must disclose, I think that the political action arms of unions would fall within the definition of that definition and would have to disclose so I, my understanding of



this definition would include Montgomery Ward's Employees Association as well as COPE of the political action arm of any of the other unions."

Gilpin: "Could I, I would like to add to that. I commented about the registration of union political activity committees assuming that they are going to have to register and make the same compliance and reports and anyone else. The question I did raise was, I didn't think that this should subject a union, a corporation to having to disclose its books to the committee that did not deal with political contributions or political activities."

Totten: "O.K., then you, you would be agreeable then to, you are saying not contributions. How about salaries of people who work on political action committees and so on like that? That's all part of your contributions."

Gilpin: "Well, I again repeat what I said. If we put an international representative out driving a station wagon for Senator Percy, we have to report that. We have reported it before. We understand the federal regulations. In a sense, all you are proposing here are the regulations that we have learned to live under for a long time in terms of federal candidates."

Totten: "At a State level."

Gilpin: "At a State level."

Totten: "And you would be agreeable to that."

Gilpin: "As defined in House Bill 10. I don't know what, what is it you want in addition to that?"

Totten: "Well, it's unclear to me that the definition of political committee as the Sponsor has indicated includes labor organizations. I think that's rather nebulous definition and what I am after is whether the same regulations applying to people who are regulated by the State and who are suppliers of the State as outlined in the Bill would be required to disclose their political contributions. Would that, couldn't that



also apply to labor unions who represent or affiliates who represent employees of the State? Who the labor movement be willing to that?"

Gilpin: "Well, again I will try to say it real simple. If disclosure becomes law, the U.A.W. has no hesitation in telling you that whatever the law requires we will account for every dime of it by disclosure."

Totten: "Would you be willing to support it?"

Gilpin: "Well again, I want to reaffirm our position that in support of House Bill 10 which I think includes the things you are asking about and saying although we would like some Amendment, if it comes before the House in its present form, the U.A.W. will support it."

Speaker Bluthardt: "Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, a point of order."

Speaker Bluthardt: "State your point."

Geo-Karis: "Inasmuch as these Bills are very vital to conflicts of interest, I question the quorum. I question the quorum."

Speaker Bluthardt: "Well, I think in the matter of Committee of the Whole, a quorum consists of the majority of those who are present."

Geo-Karis: "Correct me if I am wrong, correct me if I am wrong but I thought the quorum..."

Speaker Bluthardt: "Your point is not well taken, Ms. Geo-Karis."

Geo-Karis: "Then I stand corrected for the record? Thank you."

Speaker Bluthardt: "If you want to take it that way, you stand corrected. Are there further questions of this witness? Mr. Duff."

Duff: "I am sorry, Mr. Chairman. I wanted to ask the Sponsor a question."

Speaker Bluthardt: "Do you have questions of the last witness, Mr. Gilpin, Mr. Duff?"

Duff: "Mr. Speaker, I indicated an error on my part. I have some questions of the Sponsor when we get back



to him."

Speaker Bluthardt: "The Sponsor will be called back after we hear from, we conclude with Mr. Gilpin and we have another witness following Mr. Gilpin. No further questions of Mr. Gilpin? Thank you very much. The Chair will call J. Terrence Brunner, Executive Director, Better Government Association. Mr. Brunner."

Brunner: "Mr. Chairman, distinguished Representatives, no booze. The BGA is an old organization in Illinois, 50 years old this year. We have had a number of illustrious leaders in the past, the late Governor Stevenson being one, Senator Charles Percy being the founder of the Investigative Program. I thought I might just indicate to you what we do because there is obviously some lack of understanding of that point from the prior debate. The Better Government Association is presently conducting a non-partisian citizens investigative program to try to ferret out waste, inefficiency and corruption at all levels of government in Illinois. We don't endorse candidates, however, the Board of Directors of the BGA has gone on record as being in favor of the present ethics legislation proposed by the Governor in as far as it concerns a more effective law to replace the legislation which we have which we have indicated in the past in the series with the Chicago-Sun Times was both vague and ineffective. Gentlemen, in the last year we have seen the Vice-President of the United States convicted on a kickback scheme in the state of Maryland, the former Governor of Illinois convicted of bribery, the Cook County Clerk convicted of bribery in the Federal District Court, three road commissioners in Macon County down at the township level convicted of bribery in a kickback scheme uncovered by the BGA and last week a Member of this body plead guilty to income tax evasion. The latest poll, after Cox, shows the President's present confidence rating in citizens of



the United States of America has dropped to 17. The recent Sun-Times poll in the Chicago area showed that 2/3 of the people in that metropolitan area have no trust in their local government. Now, obviously, our system of government is in deep trouble. There is widespread cynicism across the country and I think the question is, how do we restore this confidence in government. The confidence, I believe, is the necessary ingredient to make the system work because our government depends on the voluntary good will and confidence of our citizens. People in the United States of America voluntarily pay their taxes. They obey the laws in general. They obey the policemen. They don't steal basically from other people and without this, without this confidence, the politicians of the United States of America may accomplish what the hippies failed to do and that is, tear down the system. What is this system that we are talking about? We hear the phrase so often in the media. Well the system is put simply in two words by John Adams and he said representative democracy is merely another word for the fact that we can't all go down every week to the town meeting and vote ourselves. We have to have other people do it for us. He said that these people that do it for us our representatives, are merely stand ins for us. They are merely attorneys, agents or trustees for the citizens and he pointed out that if this trust is wantonly trifled away or badly misused that the citizens may constitute themselves new agents, attorneys or trustees. Now the question before us, I believe, Ladies and Gentlemen, is how do you as trustees represent us as citizens. It translates very simply to the phrase the public's right to know. Namely, that means how do you represent it and who do you represent. Do you represent yourself or do you represent some fat cat or a bank or a labor union or another special interest or do you represent the



citizens of the State of Illinois or your District? That's the basic con....that's the basic question. We hear so much about conflict and conflict of interest, certainly in an ethical sense and the question becomes, is there a conflict between the people that you're representing from the contribution standpoint and the citizens of your district? And, I think the public has the right to make a judgement on how you're doing that. We publish voting records and we can't see a lot of difference between the publishing of those records and the publishing of how you're financed. Sandy O'Brien, who the late head of Teamsters Local 710 told me once when I was working out there, he said, 'The question is, who brung you here?' And I think that's the question for the citizens of Illinois when they look at their Legislature. How did you get here? Who's behind you, who's supporting you? The question is, is the Legislative representatives voting partial or honest or in the best interest of those constituents, or does it reflect a committment resulting from a campaign contribution?for instance? Unfortunately, recent events have convinced many citizens across this country....that the latter is the normal practice. That you're voting because of a campaign contribution and not necessarily in the best interest of the citizens that you supposedly represent. Gentlemen the present ...law does not work. It's vague and it's ineffective and I think the time has come for statesmanship on your part. It's a time to begin to meet the problem ru.....ah...restoring citizens confidence. It's the time to start being honest with the citizens. Thomas Jefferson said, 'the entire art of Government is simply the art of being honest.' If you watched Eric Severied the other night he said, 'integrity is the bottom line in our system.' Now, this Legislation before you and the BGA supports the general idea of



effective Legislation and not merely just this Bill. This Legislation isn't, as Senator Sours said the other day, 'it won't make bad guys good,' and it's not going to make it any easier for the BGA or the IRS to catch us if you're doing wrong. But, it might be a small deterrent to some people, and certainly it will be a big help to you in your self-esteem when you have to go back and face your constituents and your families. Because I think that as I mentioned prior, the country is in deep trouble and this Legislation is a real step in the right direction to rebuild the trust and the confidence which as I said are the necessary ingredients in our governmental system. We're not asking Gentlemen for government by angels or saints, we're just asking for honest, responsive, public servants. Thank you."

Speaker Bluthardt: "Questions? Mr. Leinenweber."

Leinenweber: "Mr. Brunner, I have a question. House Bill 10 requires, under Section 302, a statement of economic interest, which includes, net worth and a statement of all assets. Do you really feel that the information that can be gained from the net worth statement is that important in determining for example who you represent? Now, I can understand, that my economic associations, my sources of income, and my sources of campaign contributions are important to....for the people to make a decision whether or not I might have a conflict of interest which they agree with or disagree with. But, is the information to be gained from my statement of net worth all that important so as to justify what I consider horrendous....invasion of my privacy, now it may be because I have a lot of money or it may be because I have a little. It might be a shame to disclose how little I'm worth after 11 years of practicing law, but my point is, what information of importance can be gained from that which would justify the invasion of my privacy



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

as a public official?"

Brunner: "I take it Representative that you're a financial disclosure statement after 11 years of the practice of law, would like mine does after 10 years of the practice of law. If you can call this practicing law....ha..ha... I think that I have to disagree with you....honestly I don't feel it's a horrendous invasion of your privacy. I think it's one factor to be considered. I think that the present....ah...Legislation, the House Bill 10 is an improvement over what we can look at now as taxpayers and voters. I don't think it goes far enough in many respects. It doesn't cover enough people. It doesn't solve the kinds of problems we show the Sun-Times series as far as notification of individual office holders, warnings, this sort of thing. And, it obviously doesn't cover local officials. I gave the examples at the beginning from the Vice President of the United States, down to the Township Road Commissioner in Macon County, because I think it is indicative of the overall problem with the system and I think that obviously in any Constitutional sense, when we talk about invasion of the privacy, you're talking about balancing again, your right to a certain amount of privacy as a public official versus ...the.... ah....tremendous need of the public to know what's going on in their government. Now, government is too big, too sophisticated....we don't know, I think on any balancing test the...obviously it's more important to the public to know."

Leinenweber: "I...I....I don't disagreethat any information which the public can use in evaluating me ...as having a potential conflict of interest, now it may be for example, if a.....received a lot of income or campaign from example....unions and they represented laboring districts....would work to their advantage. Now, they're entitled to know that, but my point is, I



think this goes beyond that. Now, another provision in this as I understand it, requires disclosure of at least portions of federal or state income tax returns. Now, there are a lot of tax shields and that sort of thing which are written into the law which I think everybody has a right to take advantage of. Now, it appears to me by having to disclose this type of information you're actually.....the official of availing himself of provisions in the law which he's entitled to. Now, I..I just think these are areas which are really nobody's business. Now, if it can be shown...that the information to be gained really is important to the public in determining whether I'm a fit candidate, but I don't think that ...ah...for example...after 11 years of practicing lawmy net worth is going to help them that much."

Brunner: "Well, I'd have to agree with you on the point.... on the point about net worth versus economic interest disclosure. Ah...I'd like to make one thing clear onon the concept of conflict. I don't personally think it's a conflict for a fellow from the labor district, takes money from the labor union, and votes for the labor interest. I think the conflict occurs.. when the fellow votesah..for positions that are antagonistic, essentially to the interests which he represents from his district. But, the...I think the net worth is one ingredient in an overall package. I... I think in a way we're spiring over a moot point because very few citizens are going to avail themselves of the ability to go in and take a look at your statement anyway. That was proven by the systematic survey that made of Legislative ethics statements in the last Session. When we looked at 'em, the BGA, er....or the newspaper.. were the only person that had bothered to look at that for over a full year. But, what we're really saying, I



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

think, in the Legislation, is you're saying to people, look....there might be a few bad guys in...in the government in the past....but basically we're trying to do an honest job for you. We're trying to represent you as well as we can and we're willing to go the one step farther, we're willing to tell you everything that goes on here, just to prove to you that nothing is going wrong. Because, I think, everyone of us recognizes the tremendous degree of cynicismduring a particular investigation....ah...conducted by the BGA in the City of Chicago, with regard to a judge. The question was asked, well do you really feel in your mind that even though there was an apparent conflict of interest on its face, that this person did anything wrong. Well, the answer to that is, well it doesn't matter what I feel, but if you go out in the street in the City of Chicago and say, 'do you believe in the fix at the judicial level?' and you ask the first 10 people that walk along, 9 will tell you 'yes', and you know that if you've been a lawyer. Because the first thing people ask you when you come in is, 'Do you know the judge, can we make a deal?' That's the way it works. I think we have to start to do something about that so that young people, that are...watching Watergate on television don't end up with this tremendous cynicism when they get to be our age."

Leinenweber: "I kinda tend to disagree with you that nobody would pay attention because I think if we had to file our net worth, probably, shortly thereafter there would be a newspaper series in which they would rate everyone of us, from the richest down to the poorest and probably do itat a place....you know....where people would tend to read it. Again, I would only say that any information which would help the people determine....if I have a conflict....and I kinda disagree with you



that a person, just because he represents laboring people, has to vote.....ah....would not be in conflict of interest by voting 100 percent for the laboring people if he in his head did not feel he ought to do so, but that, I suppose is sparring over words too."

Speaker Bluthardt: "Representative Shea."

Shea: "I listened with interest when you talked aboutah... the public confidence...in elected officials. Ah...And, I want to commend you and the BGA for some of the work you've done, but I ask you, don't you think that at times you and peopleah...in a similar vein...have gone out and made statements with regard to elected officials without having all the facts?...and, helped create some of that crisis of confidence?"

Brunner: "No, I don't think that's true Representative Shea... we've meticulously...in the past....ah...checked the facts in our investigation, particularly since I have been there. I came from the Justice Department, I'm sure you're aware of that and we did...we do a thorough investigative job. And, we always attempt to confront or confront the actual public official before we ever put anything into the media."

Shea: "Well....I...I...think ...ah..recently where you made some statements with regards to some elected officials up in Cook County that...la....that later proved to be....I would call it a lack of investigativeness....on your part.. but, now, you made the statement ...ah...and you're a lawyer...a Member of the Bar, admitted to practice in the State of Illinois, is that correct?"

Brunner: "That's correct, Illinois and Wisconsin."

Shea: "Okay, now, you made the statement aboutah... fixing judges...do you of your own knowledge know of any quote, 'fixing of any judges'?"

Brunner: "I...I...think you misunderstood my point.....there Representative Shea.....What I was saying..."

Shea: "No, I understood it quite well....you made a statement



saying that judges could be fixed. Now, I'm asking you.."

Brunner: "I didn't say that..."

Shea: "Now, I'm asking you, well that....what did you say then.....Mr. Brunner?"

Brunner: "What I was attempting to say was.....the question is not, whether or not a judge could be fixed, the question is, 'what does the public think on whether or not a judge can be fixed?' And, I said that I tender the opinion that if you walked out onto the streets of the City of Chicago and asked the first ten people that walked by, 'do you think you can put in a fix in the circuit Court of Cook County?' Nine would probably answer 'yes'. Whether or not that question is true. And, I think that the significance of that is the public lack of confidence in the judicial system. And, I think that's intended, not only to the judicial system but to our government at a local level as well. Those are not my facts in the Chicago-Sun Times poll which indicates that 2/3 of the people in in the Chicago area have no trust in their local government."

Shea: "All right, now, as a lawyer and as an investigator for the BGA, do you know of any instances where any judges in Cook County have been fixed?"

Brunner: "Do I know personally? of an instance where a judge has....."

Shea: "Yes....yes.."

Brunner: "....been fixed in Cook County? Not personally."

Shea: "All right, so that you have no independent knowledge of that fact? Because if you did, you'd have the obligation, would you not, to report that?"

Brunner: "That's correct."

Shea: "All right, thank you."

Brunner: "Yes, Sir."

Speaker Bluthardt: "Mr. Duff."

Duff: "Mr. Brunner.....are you aware that this Bill doesn't



cover the judiciary?"

Brunner: "Yes, I am."

Duff: "Okay, I just wanted to make that point, because we've got into that thrust here pretty heavily andah... the Bill pertains to the Executive and to the Legislative but not at all to the Judiciary...for some reason."

Brunner: "I...I...think I indicated it was our position that we thought that the Bill was good for what on its face covered, but we thought that it ought to cover the other loopholes uncovered in the present ethics Legislation namely the judiciary and local governmental officials."

Duff: "But, you also apparently agreed withah...Representative Leinenweber that ...ah...the...income....er excuse me....the net worth disclosure didn't have the value that the conflict and contribution had?"

Brunner: "I think I'd....I think I'd agree to that...I think the important factor obviously is, where did your contributions come to.....er ..come from? And, what businesses do you have an interest in? I think that's the kind of information a citizen needs to make a judgment as to how his elected Representative is conducting himself. Much more so....the net worth...I've had ah...occasion to have my salary published in the Chicago Daily News.....with a lot of other people....my name was Brunner and it came right after Butkus....he made a lot more money than I did. I...nobody called me up...nobody even mentioned it to me...I don't even think my mother saw it. I don't think"

Duff: "I think Mike Greco saw it....In other words, you would agree that the....under this Bill which would require the listing of assets and liabilitiesah...of everybody in this assembly and in the government....with a salary of \$20,000, even if it's a State employee....ah...that it perhaps wouldn't be useful if we had to list how much life insurance we had, what the net worth was, what the



cash loan value was....how many loans we've made against it....what we paid for our car...how much we borrowed on it...what was remaining on the mortgage....ah...you would agree that that's not necessary to this Bill."

Brunner: "No, I don't think so...I don't agree to that....What I'm trying to say....I think there is two things...I think we're approaching this ...ah..from the standpoint too often of 'would it help you catch somebody?'."

Duff: "What good would it do, Mr. Brunner, if somebody knows how much I owe on my car?"

Brunner: "What I think the importance of that is, you are telling them, in effect, I have nothing to hide, I'm making complete financial disclosure. I heard Representative Mikva discuss this the other day, he said he's lived with it for the last ten years....it has very little effect. Contrary to what you think about the publication in the newspaper, if you look at the type of coverage which occurred after the Federal Statute went into effect as far as campaigns were concerned. There was very little coverage, it was on page 64, in small print. I doubt very seriously whether the citizens of Illinois are really interested in how much your car cost."

Duff: "Well, now, Mr. Brunner, you live in Winnetka, if I'm not mistaken, and you must be aware of the fact that the papers up there print every single disclosure that they get."

Brunner: "Well, I'm not aware of that."

Duff: "Well, then you're not reading your Winnetka Talk. Ah.. I have another question on the fiduciary responsibilities within this district in terms of disclosure. Ah...having been a member of the Ethics Commission, Ethics in Government Commission for 18 months during the 70th General Assembly we struggled long and hard ...ah...with the problem of requiring professionals to disclose



fiduciary intere....fiduciary responsibilities. We talked about of course attorneys who might have somebody come in for a divorce and then decide not to go through with it, we talked about the millionaire who might ask you to do his will and not want anybody to know it. We talked bout the doctor who might treat a heart murmur for an athlete. Ah....we have had in this General Assembly, doctors and...a....dentist currently, pharmacists and others with what would be fiduciary interests. And, do you feel ah....that that is not a value or even that it would be constitutional for us to try to put that in here?"

Brunner: "Well, I have to agree with you that that's a real problem. I don't have the solution to that. Ah....we're essentiallyah...backing the concept. I think that those are the sorts of problems that you have to kick around and wrestle with as it was mentioned before, in committee. I think that's the only way to do it."

Duff: "Thank you very much."

Speaker Bluthardt: "Mr. Deuster."

Deuster: "Mr. Brunner, ah....two weeks ago I was driving to church and I turned on the car radio and I ...ah...heard an interview program with Alderman Singer....who I understand is running against Mayor Daley, for Mayor of Chicago, and they asked Mr. Singer whether he would disclose his campaign contributions and Mr. Singer said, 'well you know if it was a law I'd do that, but otherwise I wouldn't want to do that at all.' And they went, 'Well, why not.' 'Well, many of the people who are financially supporting me...ah....you know, work for City Hall, and if their contributions were disclosed there would be retribution, perhaps they'd be fired from their jobs, there'd be intimidation and you know the reason we have the secret ballot in America is so that everybody can go in and cast his vote and even his wife doesn't know. It's.....Its...



we do that in order to protect freedom.' ...Now, don't you think that we're going to ...ah...terribly destroy the free activity of making even small campaign contributions on the part of countless citizens by requiring that it be publicly disclosed. I'm thinking of all the independent Democrats up in Chicago that might want to contribute to Alderman Singer but with the disclosure law they wouldn't for fear of loss of their jobs. Would you comment on that problem, which I think is a serious one."

Brunner: "Well, I think it is a problem, I think it's a problem in the same way that....ah..the fellow that...like Clement Stone, that has millions of dollars to give away, if you're talking about limiting his participation, you're talking about tampering in a way, with the Constitutional process of choosing your Representatives. However, I don't really think that on balance it's a significant problem. I think that those ...those contributions would be there anyway. At the BGA, on the back of our report, we ...ah...we publish the list of the people that are on the Board of Directors, it essentially represents the major contributors of the BGA. People like Standard Oil orah...I can't think of any other names ...off the top of my head, but ...ah... these peopleah...which are on the back of the book,it had no retribution, I think it's amyth that the....Daley Organization is going to swoop down upon them. It just doesn't happen. They felt the pressure. In fact, two individuals listed on the back, from Hart Schaftner and Marx, ...the Continental Bank were Mayor Daley's campaign managers last time. On the back of our report."

Deuster: "Aren't you familiar with the fact that traditionally over the years, many small business men have never voted in the party primaries because....ah..... they understand



that people have a way of getting revenge. I'm thinking of my Republican district, there might be some Democrat who runs the corner drug store and he might like to contribute to George McGovern, but if he had to publish that contribution, I know what the people would do to him.... and this would seriously...ah...limitdon't you think his ability to participate....freely in the political process? Do what he thinks is right?"

Brunner: "In that particular case....."

Deuster: "Are you familiar with that problem?"

Brunner: ".....that may be true, but as I answered your earlier question I think that you're talking about a Constitutional problem that involves balancing of individuals rights against the overall good of the country. And I think the overall good of the country is more important at this point."

Speaker Bluthardt: "Are there further questions of this witness?.....Mr. Matijevich."

Matijevich: "Mr. Brunner, I'm not sure when you arrived today, but earlier when the first witnesser the Sponsor of the first Bill was here....I made a suggestion that I thought if we're going to get into ethics Legislation, the only true ethics would be eliminate all contributions altogether and go into some type of public financing of campaigns. How would you....how do you feel about that?"

Brunner: "Well, our organization hasn't taken a position on that but personally I would...I would have to agree with you."

Matijevich: "Thank you....and I think if we don't go into that the second step would be eliminate cash contributions. How do you think about that?"

Brunner: "I would agree with too personally...though, we haven't taken a position. I think you start to....with limits, obviously....the prior two questions...on the



balancing of the Constitutional rights...the system is obviously, in my opinion, completely out of control. When you have to spend....as Congressman Mikva...pointed out the other day....\$200,000 per candidate, for a Congressional race, and in my Congressional District, something is badly out of wack."

Speaker Bluthardt: "Mrs. Geo-Karis."

Geo-Karis: "Two things, I understand, earlier, that someone brought out the fact that (unintelligible) and by the same token when you attack candidates, and there is another one running, isn't it ipso facto indirectly...ah...your endorsement of the other candidate? When you say nothing about the other candidate?"

Brunner: "Well, I don't think it's necessarily an endorsement. Obviously it might have some effect. But that doesn't mean that necessarily thatwe endorse the other fellow. I think that....we made it very clear in a number of occasions in the past, particularly ...ah...in the BGA Chicago Tribune investigation of County Government. That it was our feeling thatah...the...the Cook County Republican Commissioners were exactly the same in culpabilityfor the waste and extravagance in the County as the Democrats."

Geo-Karis: "My other question is this. Have you had a chance to read the 21 Bills on ethics that have been submitted to us for this hearing."

Brunner: "Yes, I read many of them."

Geo-Karis: "Don't you think, Mr. Brunner, inasmuch as this is a very serious question and the name of the game is conflict of interest, that's what it really reads about, don't you think that we should get all these Bills and put 'em in a study committee, Legislative Ethics Study Commission and analyze 'em all and people like yourself come in and bring us some good concrete suggestions and then arrive at one good Bill. Isn't it confusing to pass



19 or 21 Bills on Ethics in piecemeal fashion. Are we really doing the public service? First of all we are going to discourage good candidates. People who've worked hard all their lives and want to do some public service. Second of all the people themselves are going to be confused. And, third of all I don't think we're doing the public service unless we can unify all of these Bills and get the best out of all of 'em and make one good one. I can'tI don't think we can do it piecemeal fashion in such a short time as we have in this Legislative Session."

Brunner: "I'm sorry, I wasn't sure that was a question."

Speaker Bluthardt: "Pick out any part of it and answer it if you will."

Brunner: "I'm not all that familiar obviously with the Legislative process andah...I would think that ...ah... with regard to that the time is now. I think that this subject has been dealt with prior to this on a number of occasions. I think that you are all essentially familiar with all of the arguments both ways. I haven't heard any new arguments here today I didn't hear in the Senate last week. And, I think you can beat a dead horse to death, obviously. I think the people are demanding, I go out andah..I probably give three or four speeches a week, all over the metropolitan area as well as down-state and people tell me they are very very angry with not just the Illinois Legislature obviously, but with local county government and the local township government and the President of the United States. And, I think this is real step in the right direction, if you can come out of here with a meaningful piece of Legislation.

Speaker Bluthardt: "Are there further questions of Mr. Brunner?"

Well, thank you, Mr. Brunner. Mr. Berman."

Berman: "Thank you, Mr. Speaker. What I would like to do at this point is to go through the...and summarize the



relevant provisions of House Bill 10 and ...ah...also I think, for purposes of saving some time we will also refer to how House Bills 11, 12 and 13 tie in ...ah...to House Bill 10. The....ah...the main point...provisions of House Bill 10 deal with #1, campaign finance. The campaign committees for State offices, county and State party central committees, and other political committees, must make financial disclosure three times before and once after each election, including primaries, and twice during nonelection years. The reports must contain the total amounts of contributions and expenditures. The names and amounts contributed by anyone who gave \$50 or more, assets and liabilities of the committees, the total spent for radio and television and the nature and recipient of each expenditure of \$50 or more. Each contributor or \$50 or more must be given a written receipt. Contributions of \$50 or more in cash or anonymously given are prohibited under penalty of up to 1 year in prison and a fine of up to a \$1000. The penalty for trying to avoid ...evade the disclosure requirement by stringing or giving a series of contributions, less than \$50 each, is a....involves a penalty of imprisonment of up to 3 years and a fine of up to \$10,000. The penalty applies to both the donor and the recipient. The practice of making or receiving a political contribution in the name of another person is prohibited. Political candidates are responsible for compliance with the Act by any committee raising money or performing political work on their behalf. Committees must designate a treasurer and must register as a political committee within 10 days of its formation. No political committee can operate under the name of a candidate without the candidate's permission. No one may solicit or make a contribution in connection in connection with a promise of private benefit from Legislation or from State regulatory decisions, employment or contracts.



Contributors must sign a con...a receipt disclaiming any promise or expectation of private benefit. The prohibition against State employees soliciting political contributions from other employees or from persons dealt with in an official capacity is included in the Bill. A second major portion deals with contributions by State contractors and persons and firms doing business with the State or regulated by the State must file financial disclosure reports twice yearly detailing political contributions by the entity or its key persons, to any con...candidate or political committee. The disclosure must include contributions from the previous two years, as required by ...ah...an executive order of the Governor, and embodied in this Bill. Disclosure of personal finances is the third major portion of this Bill. All elected State officers, including Legislators or appointees of...ah...any...ah...elected officer. State employees earning \$20,000 a year or more and employees whose decisions have significant economic impact on private persons or businesses, must file a complete economic interest report once every year and at other specified times. A candidate for State office must file a personal economic interest report at the time of filing a petition for nomination to office and once each year while a candidate. The report must include all interests owned or controlled by the person filing, it must contain four key eli...key elements. Net worth, including identification and amounts of all assets and liabilities. The last calendar year's income, including pertinent portions of Federal or State Income Tax Returns and the identity of an amount received from each source. Non-family gifts received in the last calendar year, if the gift is either \$50 or more in value or came from a source doing business with the State or State regulated...and a list of close economic associations such as a law firm or family business



indicating that the entity derives substantial income from State related business. Item four, State Board of Ethics, a three Member Board of Ethics is given power to administer the Campaign Disclosure requirements, personalah...personal financial disclosure reports by public officials and candidates and the registration and spending reports filed by lobbyists. The Board also has broad powers to issue rules to administer the Act, conduct investigations and hearings into violations, issue subpoenas, and refer potential violations to appropriate law enforcement authorities or State agencies for prosecution or dismissal. The Board will study and propose modification of existing laws on conflict of interest and local government ethics. Statements filed with the Board of Ethics are open for public inspection, except personal economic interest statements filed by public members of State Boards and Commissions. The Board of Ethics may issue rules to protect the confidence of reports and files from inspections by credit agencies or others with a commercial interest. The State Board of Ethics would be appropriated under House Bill 11, \$150,000 to administer its expanded responsibilities under House Bill 10. House Bill 12 provides that the Board of Ethics take over from the Secretary of State the registration of Lobbyists and their lobbying expenditures and the Bill, House Bill 12, makes a very important change by requiring disclosure of expenditures for political fund raising events by Lobb.....by Lobbyists. House Bill 13 makes technical changes in the Governmental Ethics Act, to conform it to the new House Bill 10...the Campaign Disclosure Act. There is....there is provided a citizens right of action to enforce certain civil provisions of penalties and the Attorney General is given concurrent jurisdiction over enforcement with States Attorneys. Ah...Mr. Speaker, I'd be glad to try to answer any questions pertaining to this series of Bills."



Speaker Bluthardt: "All right, the Chair recognizes Mr. Palmer."

Palmer: "Representative Berman, in reference to House Bill 10, under the definition of regulated business, as appears on page 3, you have a ...and you spell out.... individual firm, association et cetera, or other business entity regulated or licensed or applying to be regulated or licensed, by certain departments of State government. I don't see in here the Secretary of State....office and I believe that they have some ...ah...control or enforcement over certain aspects of the trucking industry as well as the operation of car businesses...ah....new and used. Am I correct on this? And, I just wonder if this was an inadvertent omission?"

Berman: "Representative Palmer, I agree with you that I do not see the Secretary of State listed under the Section that you refer to. I can only indicate that ...ah...I am not aware whether their omission was intentional or unintentional. And, I would be glad to look into it as to whether their function falls into the same type of regulation as the other agencies that are listed."

Palmer: "Likewise, the Department of Registration and Education has to do with many aspects of the business community and the people in the State and I don't see ...ah ...that they are listed here in any place. I just wondered if that was an inadvertence and if not, why it should not be included?"

Berman: "My response would be the same, Romie."

Palmer: "And, I don't see also, the Department of Revenue, which has to do ...Regulation of ROT and SOT and other ...ah...taxes thatare required ...reports that are required to be submitted in reference to the collection of ...ah..Retailers' Occupational Tax..ah...SOT and some of the occupat....other occupational taxes. Ah...would your response be the same as to that?"



Berman: "I thinkah...that if we talk about the Department of Revenue, then we are including within the purview of that section, every retailer..."

Palmer: "That is correct."

Berman: ".....in the State of Illinois...for example. I am not sure, without reviewing it...whether that was....is the intent of the scope of this definition. Because for the most part I think we are dealing with entities that are much more closely regulatedah...by the other Departments than our general retailers in the use of the ROT....franchise...."

Palmer: "Well, ..."

Berman: "...I'm not debating the question, I'm merely giving you my impression as to the impact of including the Department of Revenue and I will merely indicate further that I will be glad to check that out and try to give you as well as any further questions to which I may not be able to give a definite answer to day...an answer when this Bill is on Second Reading."

Palmer: "All right, now..is there...and I did not see any limitations on expenditure ...ah...per person..."

Berman: "There is none..."

Palmer: "Is there any reason why there is none?"

Berman: "You're talking about campaign contributions?"

Palmer: "That is correct."

Berman: "The concept of this Bill hasah...deals with disclosure, it does not deal with campaign funding, which would include limitation of contributions or limitation of expenditures. I think this is an area that, as other witnesses have testified to, is an important area, I believe some other Legislation that we've had before us in later Bills do address themselves to that question....ah.. this Bill, however, is limited to disclosure."

Palmer: "Well, does this Bill also....this particular Bill... exclude the amount of limitation on the expenditure by the



candidate himself?....And, I think you would agree that this is a pretty important thing, because if a man is very wealthy he can very well afford ...ah...to run for office, to stand the expenditures, thereby, maybe cutting out a person who is well qualified but has little wherewithal to run for office. And, I'm reminded of the comments of Joe Meek on this."

Berman: "I subscribe to those thoughts, again I would say that within the confines of this Bill, you would know who's a rich candidate and who's a poor candidate. But, there is no limitation as to what those respective candidates could spend....and I think that that's really the subject matter of another Bill."

Palmer: "Finally, I would ask you the same question that I asked Representative Collins, that is the question of why rationally it should not apply to ...ah...units of local government as well as the State employees and specifically counties and municipalities. Is there any reason for its omission at that point....in this Bill?"

Berman: "I think only from the point of view that I think that we should start to clean our house first....and...ah...when we address ourselves there, then we can point to other local....govern...other units of local government in a much more responsible way."

Palmer: "All right, thank you."

Speaker Bluthardt: "The Chair recognizes Mr. Collins..."

Collins: "Ah....yes, Representative Berman, ...ah...couple of questions. First of all,....who drafted these Bills?"

Berman: "The Office of the Governor."

Collins: "The reason I asked is that....has been pointed out to me...these Bills all are in violation of our House Rules as to ...ah...that they must be either prepared or ...ah...approved by the Legislative Reference Bureau... and only one of them bears the stamp that it has been approved and that was by the Bureau of the Budget, which



is in accordance with the Rules. But I...but I, I..... the only reason that I would bring this up is...ah...I ...it would appear that the Governor, who showed absolutely no interest in such Legislation during the Regular Session and who offered no input during the Regular Session, now, hastily has assembled some Bills, evidently ...ah...for whatever value they may be....ah...'P-R' wise, and in no way would I like toah..would I mean this to cast any aspersion upon the Sponsor whose interest in such Legislation is well known and who has proposed such Legislationah...often in the past. Ah... however, be that as it may....as it may...I would call your attention to the Bill itself....ah..Article II, Section 201, where the Bill provides...ah....that the Governor shall from time to time designate one Member of the Board as Chairman...ah...ah...w...w...what does this mean, from time to time....that he can change Chairman as ...at will?"

Berman: "First, Representative Collins, I've been advised that the original of the Bills, does have the Reference Bureau stamp on them...."

Collins: "Then you are going to agree with my remarks that the Governor didn't offer anything during the regular Session."

Berman: "No, I don't concur with that, I think that it's our job to Legislate and it's the Governor's job to execute."

Collins: "And, I did say that you and I and many of the others in this chamber have attempted to Legislate and ..ah...we were not aware of any interest expressed by the Governor ...ah...until this Special Session. Let's not quibble....ah....ah....my question was as to the appointment of the Chairman...from time to time...as .. evidently it's the pleasure of the Governor. Is this correct?"

Berman: "Yes."



Collins: "Well, of course he's already established a precedent in going through about 4 Chairmen of the Liquor Commission but ...ah...that's another matter too.... But, I do think that ...this...from time to time language.....Oh! ...ah...I know I could get Representative Matijevich up on that one..ha..ha..ha.... ah...No, I don't think it's a point of order at all, because here....this...this Bill also calls for staggered terms...of the Members,...which obviously is intended in insure the independence of the Members of the Commission...from...domination by one administration or ...ah...ah....as opposed to another...ah...And, yet we have seen an example of this administrations attempt to thwart that intent by again in the Liquor Commission.... matter by ...ah...firing or forcing resignations of not only Chairmen but members of the Commission. So, I...I' would think that this is an area..that should be cleaned up where.....ah..I think the usual Legislative process in Bills such as this would be to say that a Board should establish...er should elect its own Chairman and I think this is the first time I've seen something like this.... and I ...and I would appreciate your comments on it...but I think it is somewhat irregular."

Berman: "I don't think it's unusual or unheard-of in State Legislation where the Governor is given the opportunity of appointing his own Chairman to any of these Executive Commissions."

Collins: "Yes, but....I mean, changing 'em from time to time.. ..ah..I...I...think that is unique language."

Berman: "Well, I think thatas to the uniqueness of the language.....ah...I couldn't comment, but I think that you have....certainly have a situation where if it's an Executive Board, ah....the actions of the Chairman and the actions of the Governor are in relation to that Chairman....are subject to public response...ah...rather



than perhaps....Legislative doctrine...as to the length of term of the Chairman... The term of the Member is dictated and I think that that accomplishes the continuity that we would want."

Collins: "All right. Now, ...a...ah...Section 206-C authorizes the Board toah...conduct investigations.... within thesubject of its jurisdiction. But it prohibits the Board from any investigation into which would conflict with the jurisdiction of the judicialah...Judicial Inquiry Board or the Courts Commission. Now, we have, just last week....over....overrode the veto to establish the State Board of Elections. Obviously this Ethics Commission would overlap, I would think, into the field¹ of the State Board of Elections and I ...I would wonder why ...this Board of Ethics would be given the ...responsibility for the administration of this Act rather than the State Board of Elections.... which will have a continuing responsibility in regard to the statements of many of us. It would be a duplication of filing in many of our....in many cases, I feel..... I...d..."

Berman: "I know this is one major area where, ah...House Bill 1, of which you are one of the principal Sponsors and House Bill 10 differ. But I would submit that ...I think that the obligations and responsibilities of the State Board of Elections....ah...really ...does not relate so much to the conduct of judic. ...ah...of ethical.... inquiry...and I believe that it does properly belong into a body such as the Board of Ethics, that can address itself only to the question of Governmental Ethics. I think that the responsibilities of the State Board of Elections are broad and vast enough that they need not be encumbered with the questions of ethical conduct at the same time."

Collins: "Well, your Bill specifically refers to campaign practices, so...I...I...would suggest that we are in the



same area.. But, even....accepting your argument:....
 Ah...then why adopt this hands-off judiciary....ah...if
 it's good ethics for the Executive and the Legislative
 well then certainly I would assume that the judiciary
 should be included, also. And, I have to plead guilty
 that in our original Bill 1620, last year, we did not
 include the judiciary in...until the Amendment was offered
 from your side of the aisle.....Ah.."

Berman: "I think, if you recall some of the debates that you
 and I sat through on the Lindbergh Commission...on Commit-
 tee on Ethics....."

Collins: "Ah...I wasn't on that Committee..."

Berman: "Well, I know that you attended a number of the ...
 meetings. Some of the arguments in the question of the
 scope of that Legislation and other Ethics Legislation,
 deals with Constitutional problems as to ...ah...the
 conduct of the judiciaryah...vis-a-vis ethics. And,
 I think that ...ah...the main purpose for excluding the
 judiciary from the scope of this Bill was to avoid
 Constitutional problems ah...as well as any other con-
 sideration."

Collins: "It was all right for House Bill 1, but not for this
 Bill."

Berman: "I did not draft House Bill 1."

Collins: "I think you voted for the Amendment...ah...including
 the judiciary into House Bill 1620...as House Bill 1 came
 out....ah....as House Bill 1ah...came out...ah...In
 ah...In Section 206-G....the Board is authorized to render
 advisory opinions...ah...it's my understanding that the
 Illinois Governmental Ethics Act originally gave the
 Secretary of State that power and that the Supreme Court
 struck that....that Section ...ah..and it would seem to
 me that this authority in this Bill probably would be as
 unconstitutional under the same ruling as ...ah...the
 court's ruling in that specific Bill."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Berman: "I would really have to see the ...ah...the language of the Supreme Court Decision as to whether this runs contrary to their...ah....edict....There was...ah..I think."

Collins: "I think the grounds were that where....that the Attorney General is the sole official advisor of executive officers and of all boards, commissioners and departments of State government."

Berman: "Well, I'll be glad to take a look at the decision."

Collins: "Section 302-Brequires pertinent portions of Federal or State Income Tax Returns to be included.....ah. My question is, what do you mean by pertinent portions of the Federal or State Income Tax Returns?"

Berman: "I think that would be in the purview of what the Ethics Board can determine by its Rules and Regulations and I think that in certain ...ah..circumstances ...ah.. ah...there may be portions ofah...beyond ...for example, page 1, of your Tax Returns...that may be relevant....depending upon the type of business that you as a Legislator may also be involved in...in your private ah...ah....business undertaking. Ah...I think that the ah...term pertinent is subject to the explanation and.... and ..ah...pronouncement of the Ethics Board."

Collins: "I...I....think this is a rather major point, the work pertinent certainly begs for definition. And, I think ...while keeping in the same line, we're talking about disclosure of assets, et cetera...that fall under the control of the individuals. ..And, I believe, this Bill puts puts the burden on the individual to appeal to the Board as to what assets of his family may or may not be under his control. Now, I know, in the Lindbergh Bill they considered putting in the assets of spouse, children, et cetera....but, were deterred because of the decision of the City of Carmel by the Sea, versus, Young, which held such a provision unconstitutional...and I believe that you....in this Bill...probably put that right back in here."



Berman: "No. I think that, again it's a question of the word control and I think that's key."

Collins: "Well, I think Representative Hyde, I think came up with a pretty substantial control in the original Legislation. Now...and...but again, you ...this Bill would require any disclosure under someones definition of control and it would...and it would be incumbent upon me to appeal to the Board as to whether I control some assets within my family or not."

Berman: "I think that this is part of why the Board has given the authority to ...ah...give advisory opinions that if you have a trust ...ah..that...ah...is for the benefit of your children...you can explain to the Board the extent of your control or lack of control of that trust and they can tell you as to whether it should or should not be disclosed."

Collins: Well, then, actually what we're doing by the Bill is giving the Board wide latitude in definition. Ah...ah... in Section 302-D, Ah...there is reference made to substantial interest and again I think we need a definition. What is substantial? In keeping with your last answer, I would say that you.....the Board would make this determination as to what would be substantial?"

Berman: "Yes."

Collins: "All right. Section 302-C....Ah..which requires disclosure of gifts....er...ah...\$50 or more from non-familyah...sources. Do we define.....I...I don't believe you define family in the Bill...ah...such as...ah. uncles, cousins, inlaws...ah...ah...how far do we go on the definition of family?"

Berman: "I think that might be a relevant point as to a definition of what family is and...ah...will be glad to take a look at it."

Collins: "And, in Sections 305-A, Ah...the requirements that candidates file their statements immediately prior to



their filing of petitions. Again..ah..ah..what do we mean by immediately?"

Berman: "Where are you reading, Phil?"

Collins: "305-A."

Berman: "I believe that's in the same context as to our present requirement that when we file our petitions we file our ...ah...statements of economic disclosure."

Collins: "Well, we've expanded upon that....ah...to give a little more leeway to candidates who may...erroneously ah....fail to file and they ...ah...I think perhaps something should be considered....along those lines...Ah... I think that's it ...ah..with one ...I..I..was asked a number of questions about whether House Bill 1 would require disclosure by political organizations, etcetera.... and...ah...would this Bill require ...say the Cook County Democratic Organization and the Ward Organizations within it to file statements of organization...and to disclose their contributions and expenditures? "

Berman: "Well, I'd refer you to the definition of Political Committee...and ...m....it says...that a political committee means any organization....including a campaign committee and including ...but not limited to....party committees established by law...which receives contributions.... makes expenditures....or exists to support or oppose any candidate slate or ticket of candidates, State elected officer, political party or issue. Or, assumes the debt of another political committee. I think that's a very broad definition and I think that most of the established political organizations with which I'm familiar ...ah...would fall within the confines of that..."

Collins: "Well, then, the answer is 'yes'....Thank you."

Berman: "Thank you. I know the House is getting reckless.... .ah...er... restless....we're going to go for probably 6;30 or 7:00 o'clock if necessary, so if you...just be patient...A lot of the noise I've noticed is coming from



non-Members of this House. Now the Rules of this House provide that when the House chamber is being used for a Committee hearing or meeting that only Members of the House and witnesses who will testify at that meeting are allowed on the floor. If the racket is going to continue I am going to ask the Sergeant-of-Arms to have those who are not Members removed from the House floor. So please conduct yourself accordingly. Mr. Leinenweber. Mr. Duff."

Duff: "Well, Mr. Speaker, I would like to point out that the noise isn't coming from the House Members because there are only 49 of us here and incidentally, only 14 of those are Democrats but they are very interested in your Bill, Representative Berman. I am concerned about the penalty factors here. Last spring when I voted for reluctantly, for House Bill 1 I made the comment that it was a serious detriment to non-incumbents or the unwary or the enthusiastic populist who might just think in a democracy he has the right to run for office, maybe to get elected because the people like him. And I would point out that you have put some pretty stiff penalties in here and I would like to inquire, let's take for example Section 510, no excuse me, 504, unlawful knowingly with intent to evade Section 503 is that, I am having trouble reading my copy. All right, it is unlawful knowingly with intent to avoid 503 for any person to make multiple contributions under \$50. That's a felony. That's a class 4 felony. Now, this could be done by the most unwary of citizens who could be tried on a felony charge although I am not sure how you would figure that they would prove intent to evade Section 503 which in its own words says it's unlawful to any Committee or person acting on its behalf to receive a contribution. I can see how they fit hand in glove but on the one hand you have got a class 4 felony for the person that makes the contribution and on the other hand you have got a



let's see, it's a misdemeanor, it's a misdemeanor for 503. You have got in other words a whole set of complicated interrelated penalties in here. Can you give us some rationale for the..."

Berman: "The penalties involved in most of the prohibitions are class A misdemeanors which would be a misdemeanor with a penalty of up to a year in jail and a fine not to exceed \$1000. Now, the language of 504 is distinctly different than the other categories which you have referred to and we are talking about here a person who will be tried and where it can be proven that with intent to evade Section 503 he has made multiple contributions, I think that is termed stringing and here we are talking about a person who has with intent to evade the prohibitions of 503, has given \$49 five times over, 50 times over, 100 times over just to avoid disclosure and that would be subject to a class 4 penalty, felony penalty and that's a minimum of one year, maximum of three years and a fine of up to \$10,000."

Duff: "All right, you would send him to the penitentiary for that? On page three, I draw your attention to the Section between lines 9 and 16 on political Committees..."

Speaker Bluthardt: "May I interrupt you a minute? If you are not filming back there would you mind turning off those lights. It's pretty rough up here. O.K., Brian, go ahead."

Duff: "There were some questions asked earlier of the representative of the U.A.W. relative to political contributions and although he was asked rather closely how he felt, I really don't think he gave us an answer. Would you be willing to amend this Bill to be sure that it covers contributions from political committees or political union activities?"

Berman: "I think it does not."

Duff: "Well, you said that earlier and that's why I draw your attention to those lines which you referred to as



saying that it did cover it. These lines say which receives contributions, makes expenditures or exists to support or oppose any candidate etc. Now, wouldn't you clearly read that as meaning that the principle purpose of the existence of the committee was to do those things? I am saying specifically that a union does not exist just to make political contributions. It exists primarily for the mutual benefit of its members and their relationships to their employers. Wouldn't you agree with that?"

Berman: "Well, I think that that applies to whether you are talking about businesses or unions. But I think that what you find in practice, and this is what this definition gets to..."

Duff: "Have you ever heard those words used as words of art in drafting a Bill? Mr. Speaker, we can't hear each other. Now, the question then is in terms of clarity of expression in a statute do you not agree that to say that an organization which exists to support or oppose, which exists to slate or ticket candidates, etc., means that that would be its primary purpose."

Berman: "I think it would be that if not, it's not an inconsequential purpose, let's put it that way."

Duff: "Would you agree that needs to be clarified?"

Berman: "I think it could be refined, yes."

Duff: "And then in clarifying it you could be absolutely sure that it applies to unions as they said you wanted it to."

Berman: "Well, I think it should include, as Mr. Gilpin indicated. I think its purpose of consent is to include political action committees of unions as well as political action committees of businesses. These entities that are established for making political contributions."

Duff: "Then you would concur to an Amendment to make that clear."

Berman: "Yes, but I certainly reserve the right to see the



Amendment."

Duff: "I thought you might. Further, Representative Berman, in that same area, it says an organization which exists to support an issue, now, would you believe that that would apply to newspapers or television editorials who are supporting issues?"

Berman: "I think that in the refinement of the phraseology that you referred to in your previous question, we certainly would want to avoid the interpretation that this would restrict the freedom of the press because I think that we would be stepping on a dangerous area if we did that. I think we would be defeating our main purpose."

Duff: "Well, then you would agree that it would probably also apply to things like the Chicago Crime Commission, the League of Women Voters and the Chamber of Commerce?"

Berman: "I don't put them in the same category as the press."

Duff: "They support issues."

Berman: "And I think that we have to take a look as to whether we want to include, for example, if certain issues are so closely involved with candidates that their support of issues involves the support of candidates, I think they should be included. If it's strictly issues, I would be inclined to think that they need not be included."

Duff: "Well, then you say that the Planned Parenthood and the Right to Life Committee should be covered under this Bill."

Berman: "An evaluation of their functions, if it involves the candidacies of candidates for public office, yes perhaps they should be included."

Duff: "Well, I wanted to get to that evaluation preference because in the Bill it says that the Board that you want to create would have the power to draw rules to interpret this Act. Now, we had a little bit of trouble



with the EPA and the Pollution Control Board and some other agencies where they have not even so clearly had the power to interpret and draw rules. Don't you think that this opens Pandora's Box to make it possible for this Board which is appointed by the Governor to draw any rules it chooses?"

Berman: "No, I think that they are guided by the same guidelines that have been set down in many court cases as to what the proper and what is an improper delegation of legislative authority and I think that they would fall within the limitations of that edict."

Speaker Bluthardt: "Mr. Duff, would you bring your questions to a close. You have been up twice on the same series of Bills and I think we have given you a lot of leeway so try and bring them to a close shortly."

Duff: "I will do that, Mr. Speaker. I am a little distressed by the fact that we are not getting an opportunity, not through any fault of the Chair, of course, to treat of these Bills in a thorough way since I do happen to agree with Representative Collins' suggestion that these Bills weren't drafted clearly by the Reference Bureau and they are full of ambiguities and holes and uncertainties. But I do just have a couple more questions. On page 6, lines 17 through 19, the Board may conduct hearings as it deems appropriate to consider the enforcement of this Act and the need for improvements in law. Representative Berman, don't you think that's sort of a delegation of our own responsibilities to a Board that's selected by the Governor?"

Berman: "I think the addition of the words pertinent to this Act would be proper at that point."

Duff: "All right, Mr. Chairman, I am not going to ask any more questions but I hope some other people do because this Bill is full of holes."

Speaker Bluthardt: "Thank you very much. Mr. Matijevich."

Matijevich: "Mr. Chairman, I will try to phrase this question



so I am within the Rules. Don't you think it is really improper and really unethical that the last two speakers made a big issue out of the fact that these Bills have not gone through the Reference Bureau and the Governor has chose not to use that Legislative process yet I never did hear anybody mention the fact when Governor Ogilvie introduced the State income tax Bill that they not only didn't go through the Reference Bureau but he used an outside legal drafting law firm and used thousands and thousands of State taxpayers dollars. Now don't you think..."

Speaker Bluthardt: "I think that might be out of order, John. Beating a dead horse, you know, it is long past. Mr. Dunn R. Dunn."

Dunn: "Art, I understood you to say that the officeholders and candidates would be required to file their net worth and their pertinent parts of their income tax statement with the State Ethics Board and I think you further said that this information then would be available to any member of the public except with some exceptions I think you mentioned, credit business interests. Would you propose any form of protection for the particular candidate or representative from people requesting this information. For example, would there be any protection form that would prohibit the press, for example, just taking a section some Sunday and printing the net worth and income statements of every State Legislator, for example."

Berman: "That type of prohibition is not in this Bill and I don't think, I think it is left out purposely. When we talk about public disclosure, it has to be phrased in terms of what is realistic. I think that many of the public in my Legislative district may be interested in my finances, my campaign financing and I think it is a practical impossibility for them to come down and start looking through the annals of the State Board of



Ethics. But if my local newspaper publisher sends a reporter down and comes back with that information, that's how my constituents are going to know about it and I certainly wouldn't want to incorporate in this Bill a prohibition, a prohibition to the press of publishing what we are filing and what we are calling public."

Dunn: "Do you honestly think there would not be abuses to this unwarranted, unnecessary, just sensationalism type of publication of what is essentially a very personal and private matter for anyone?"

Berman: "I don't think that the things that are apt to be disclosed here are very sensational. An income statement, a net worth statement, my campaign financing, mine is far from sensational. I think it is factual and I think it is of interest to the general public."

Dunn: "And you don't think that this publishing the source of your income so any income derived from doing business with the State and that sort of thing would not do the job that you are trying to do?"

Berman: "I think that what would be sensational is if I had a source of income that amounted to a conflict of interest and that should be publicized."

Dunn: "I am not referring to that, but don't you think that's adequate to publish your sources of income as opposed to your net worth and your income?"

Berman: "Well, the question was asked by Representative, I think, Leinenweber..."

Dunn: "But not of you."

Berman: "No, I know, I will respond in a different way than the previous witness. I think one of the purposes of requiring net worth disclosure is to determine the change in net worth of a public office holder from year to year and I think that is relevant and particularly relevant in terms of the impression that the public has that a poor boy from home runs for public office and over a period of a few years becomes a rich man. I



think that public disclosure of net worth is necessary to dispel that false impression by the public."

Speaker Bluthardt: "Mr. Hudson."

Hudson: "Representative Berman, I have three questions and I will try to go through them very quickly. Number one, in the definitions here I notice that a promise to make an expenditure is considered to be an expenditure and I think this is one page 2, line 10, if I am not mistaken. Now, does this mean that a Committee has to report promises or what happens if a promise is broken or if the promise is kept, does it have to be reported again?"

Berman: "I am sorry, I just can't hear you."

Hudson: "Art, I am talking about definitions here and under the definitions it says that a promise to make an expenditure is considered to be an expenditure or at least that's the meaning that it has to me. Does that mean then that a campaign committee has to report a promise? A promise to make an expenditure is considered to be an expenditure."

Berman: "Yes, for purposes of this I think what they are trying to get to is the fact that someone comes up and says the day after the election, we will take care of any unpaid media bills, billboard expenses, etc., that part of which must be disclosed."

Hudson: "This would be the day after the election. It would not be a prior promise."

Berman: "No, I say if the promise was made during the campaign that they will do something for you after the election, that would have to be disclosed."

Hudson: "Thank you. Phil Collins asked about the Chairman of the Ethics Board, Art, and I have this question. He was talking about the Chairman but I would have a question as to the members themselves. Now they have six year terms. How are they discharged? Does the Governor have the, does the Governor have the right in



this case, under this Bill, to discharge these Members at his will?"

Berman: "I think that they are appointed for six years...ah...ah...at the end of their term, there is no prohibition from reappointment and there is also...ah...a provision in the last ...ah...there....that they will hold office...ah...until their successor is appointed and qualified."

Hudson: "Well, in other words they're in for six years?.... There's no provision....I guess the Bill is mood on the subject, but the Governor then can't simply fire any of the Members that he has appointed?"

Berman: "Not within the terms ofah...this provision.... The reason I answer it that way is because I....there may be otherah...general laws...ah....relating to performance...ah....or dismissal from a position if there are other types of conflict. For example if there was a conviction of a felony by one of the Members, that may give rise to his dismissal, but not under the terms of this, but it may be under the terms of some other ...ah...ah...law that relates to....ah...executive appointment."

Hudson: "Now, one final question. Art, this is my third one.. and that is this...Wherein, has the Illinois Governmentalah...Government Ethics Act...as we know it now, failed so dismally that the Governor, in this Bill, has seen fit to ignore so many of its provisions? Now, one I would site would be the replacement of the reporting of a simple entity, that we might have, a financial entity as apposed to net worth or something else. In other words, is it possible that we're drafting new law here before the one that we enacted a year or two or two and a half or whatever it was, years ago, has had a chance to be tried and tested. In other words are we actually facing a situation wherewhere men in public office are culpable or are found culpable because they don't show, for example, their net worth. As opposed to....and this question, Bob



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Dunne mentioned it and....ah..others have alluded to this. I think my basic question is....is...Where is the compelling need? We have a law on the Books, has it been proven yet to be a dismal failure? Before we begin to think in terms of fresh ink.One law piled on another before the one succeeding it has had a chance to prove itself."

Berman: "Well, Representative Hudson, let me answer in this way. First, I think the compelling need for this Legislation has been testified to by all of the public witnesses that have come down. People who have been involved in political activities in, in civic affairs, they have testified as to their impression and their conception of need for this type of meaningful and full disclosure. Now, I don't think that by the recommendation of this type of Legislation, that we are saying that the existing law has proven faulty. I think on the contrary, the actions by people outside, for the most part, outside of the realm of the purview of the existing law, has given rise to the mandate for this type of Bill. And, you've heard references to Watergate, you've heard references to convictions of office holders from Cook County, from the State of Illinois, from small counties in our State. I think that the difference between the present ethics law and House Bill 10 is in the scope of its requirements for disclosure. House Bill 10 is very broad and we're saying that in order to reestablish a feeling of confidence between the general public and their elected officials, we must go beyond what the present law is, that we must give full disclosure, regardless of how limiting that is upon our own rights of privacy, and there is a conflict. But, I think that when we run for public office, today, that we must give up our prerogatives of privacy and submit ourselves to full and...ah...complete disclosure....in an attempt, it may not succeed but in an attempt to



reestablish a feeling of confidence between the public and their elected State officials. That's the sole purpose of this Bill. It does not say that any of us here are guilty of any of the wrongdoings that we are trying to prohibit, but I think it'squestion of image, a question of attempt to reestablish credibility and confidence."

Speaker Bluthardt: "Mr. Maragos."

Maragos: "Representative Berman, would you please explain theah.....what you mean....on Section 301, by the term, 'Key Officers', after you describe....elective officers and candidates?"

Berman: "I refer you, Sam, to page two, lines 24 through 32, under definitions."

Maragos: "But, the question is, it is only.....all right, now does this include, now, that's what I wanted to go.... satisfied.....where there is advisory commission, whether it be Legislative or Executive Commissions, or a combination of both, does that include that these people themselves will also have to declare all of their net worth when they are not being paid?"

Berman: "No, if they are nonpaid members of public boards, they must disclose but their disclosure is not public."

Maragos: "And, for what purpose is the disclosure to be made? To whom, to the Board itself?"

Berman: "To the Board of Ethics."

Maragos: "Once their disclosure is made, for what purpose..... would they be disclosed to the public....at....what.... under what conditions would they be...if ever...disclosed to the public?.....The reason I bring this, it's not a factitious question on my part as you may or may not know on the....on the....being on the Atomic Energy Commission, I know many other Commissions face the same problem, just received a letter from the Attorney General stating that these people who are advisory and have no policy



making decisions and have nothing to do with appropriations did not have to follow the mandate of the Executive Order of the Governor. And, I'm wondering if by this particular Act, you are bringing 'em back into the fold because if you are we may have difficulty recruiting proper talents to help us on these advisory commissions from time to time."

Berman: "I'm looking for the Section, Sam.....ah....that deals with deals with the...ah....disclosure, public disclosure by the Board, and if you'll give me a little time....."

Maragos: "All right.Ah.....I.....Ah.... I.....
.....I won't take the time of the Committee and the House at this time, maybe you could give it to me privately in a day or two.....The third question I want to ask.... That's no problem. The ..ah...third question I want to ask you is....I referred to the fact that many of the Boards and Commissions have been recently....and the Membership thereof...May I have some order, Mr. Chairman, please.....?"

Speaker Bluthardt: "May you have some order?.....You've got more order than any has had all day. Go ahead, Sam."

Maragos: "All right, ..."

Speaker Bluthardt: "This is your second time up."

Berman: "May I interrupt you?"

Speaker Bluthardt: "Yes."

Berman: "Let me refer you to page 7, Section 207. It says that all documents required to be filed with the Board under this Act, shall be open to reasonable public inspection....except that the statements of economic interests of persons appointed from the public to serve on boards and commissions, other than boards and commissions created by the Constitution, shall not be disclosed. The Board furthermore shall provide by rule... for the time, place and manner of inspection and shall



protect against inspection except for commercial or other mode of unrelated to the purposes of this Act."

Maragos: "That's Section ...ah...?"

Berman: "207"

Maragos: "207...well, I'll maybe have an Amendment on that regard because I want it clarified further.....But, isn't it true that during the Spring Session the Governor himself did take a very active interest in the question of Ethics by trying to do it by Executive Mandate rather than a covering of the Legislature. And, since the courts have thwarted that action, is why he brought this particular package of Legislation. Is that correct?"

Berman: "You're right. And, I'm glad you made that particular point."

Maragos: "And, is it a fact that the earlier remarks made by spots of other Bills in this package,....ah...were not correct when they said that the Governor did not express his feelings in this area to the Legislature in the Spring Session?"

Berman: "Now, this won't be the first time that we've heard campaign oratory on the floor of the House."

Maragos: "Thank you very much."

Speaker Bluthardt: "The Chair recognizes Roscoe Cunningham."

Cunningham: "Art, I would ask you, would you be, would you be as shocked....ah.."

Berman: "I'm sorry..."

Cunningham: "Would you be as shocked as I if this unconstitutional police state Bill were enacted into law? Would you give me an answer to that question?"

Berman: "It depends upon how shocked you would be, ah..Roscoe."

Cunningham: "Well, let's..."

Berman: "Would this be the first time you were shocked on the floor?"

Cunningham: "Let's pursue this objectively just for a moment."



Do you not recognize that there is some suspicion that those who vote for this Bill are masochistic and or playing to the grandstands? What is your reaction to that thought?"

Berman: "Roscoe, I have the greatest admiration for you."

Cunningham: "Mutual."

Berman: "And, I'd be glad to answer any objective question that you have of the Legislation."

Cunningham: "Well, I wanted to know, I noticed in tonights paper somebody named Sigretti got got a prison term and every time we pick up the paper....ah....Am I out of order or are you out of order; Chairman?"

Speaker Bluthardt: "Ha...Ha....I'm starting to get that way, Roscoe, but you've been that way a long time. But I think in this instance you're in order....In very fine order, so proceed."

Cunningham: "I noticed in tonights paper that somebody by the name Sigretti got a prison term and last week we were all saddened by a tragic throwing of the book at one of our own colleagues and we....unjustifiably perhaps....and we recognize and we see everyday examples of people who are being prosecuted and the conclusion is inescapable... these prosecutions and these people being sent to jail must have salutary effect to discourage others from violating the law. Wouldn't you agree with that conclusion?"

Berman: "I think that ...that is one of the purposes of criminal prosecution."

Cunningham: "And, if that be true, might not this be an instance of....of not locking the barn door after...the horses have escaped but locking it after the horse has already been caught. Maybe we have an obligation to wait and see for a while if the traditional system..ah...of enforcing the laws on books will not suffice to bring good government. When we ...as..Members of this



Legislature fall in behind the human cry of all those who want to lynch the Legislature, we in effect confirm their suspicion. Would you agree with that conclusion?"

Berman: "No...."

Cunningham: "Well, in your many years that you've served here in the General Assembly, how would you rate the general standing of the Members of the General Assembly for ethics, honesty, integrity, with that of their constituents?"

Berman: "Also,...ah...the problem is, that I would rate them on the same level as all of the people that are not in the Legislature, good ones and bad ones and for the most part I think that, if you're asking my opinion, the general moral character of the people that serve in public office is probably of a higher level, than the general public. However, I don't think the general public shares my opinion and that's one of the purposes of these Bills."

Cunningham: "But, do we have to insult the integrity of all of our Members to appease the general public in this regard? Would it not logically be necessary to pursue this type of Legislation to greater limits than are indicated here. For example if a doctor, if you can hear me....if a doctor is treating patients that are being paid for by Public Aid, wouldn'tdon't we have a duty to require that doctor to make a disclosure of how much money he's worth, how many years he's practiced and hower...his life savings. Isn't that just as logical as singling ourselves out for this type of abuse just to abuse?"

Berman: "No."

Cunningham: "How do you make the distinction? How do you make the distinction? Public money is involved."

Berman: "Easily...easily, the doctor does not submit himself to a public trust in running for a public office. We do."

Cunningham: "Is there any law on the books now that forbids



you to make a full disclosure , if that be your desire?"

Berman: "No."

Cunningham: "Have you ever availed yourself of it?"

Berman: "No."

Cunningham: "Thank you for your answers."

Speaker Bluthardt: "There is one witness, I think he is still around, Maurice Scott. Is Maurie around? On House Bill 13. I didn't think we'd get to you. Maurice Scott, Taxpayers Federation of Illinois."

Maurice Scott: "Mr. Chairman, Members of the Committee, you are a glutton for punishment, it's been over four hours now and I shall be brief. I guess it's necessary that we make some improvements in the Ethics Legislation, both as it deals with Legislators and with the Lobbyists, but I'm going to say something and I think I can say it, because I have been one of the greatest defenders of the Legislator. In my 27 years, I have met some of the finest people and some of the finest minds that you would want to deal with. But, let me tell you what I think that you can do to restore and to improve the public confidence in the Legislature. And I can say this because you have made great improvements in the operation of this House this year. Rules established by the Speaker and the Leaders of the Majority and Minority Party, but first when you come into your Regular Session, it would improve theconfidence of the public if you would organize quickly, get down to work and really work, have a deadline that means something for the introduction of that budget. A deadline for the introduction of Bills and stick to it. And, then on the major issues that take a lot of work, be statesmen, resolve those issues and wind up your work so you can go home in the middle of June. Two weeks early.

Members: "Yeah.....Yeah.."

Maurice Scott: "And then for Goodness sakes stay there...."

Members: "Yeah.....Yeah..."



Maurice Scott: "It is difficult, and I say this, and I know you'll bear with me, it is very difficult to explain to the people why you are down here for six Sessions, I think it's six Sessions, a Regular and five Special ones. It'll keep you here at least 'til Thanksgiving and early Christmas, when it's a little bit questionable whether you should be here at all, and then we at the Constitutional Convention, we're a terrible failurein this annual Sessions deal. Without spelling some limitations for you, but when you come in next year, in the even number year, you by rule if you'd stick to it, could come in and convene in January, go home until the Primary is over, then come back for a sixty day Session on budgetary matters only. This would insure the confidence of the people. When you were elected to this Legislature, God Willing, that means that you live, you are only insured a two year term. It behoves you to keep things going back with your livelihood at home. With such improvements as these I think it would insure capable people like you, running for this office, this Legislature, and then being interested in staying there. Now, quickly to the matter at hand. I got it all....i got extremely tired....in 1969 hearing that we had no lobbying law, and we didn't, all did was register and had our picture taken and pay the five dollar fee and you got a book on your desk. So, I drafted a Bill to have ready, Senator Arrington heard.... for it....sent for a copy, he introduced it in '69 and you with a few Amendments passed this Bill. Now, Representative Berman is making a few other Amendments to it for as the reporting will be done, if you pass it, to the Ethics Board, and he is putting back a provision that I had in my draft originally that we as lobbyists would report, the tickets we buy for your banquets, for your lobbying days and to promote your candidacy. Now, I know, I'm not naive, that you probably will not like



that, but I think we should have to report it. And, if you go a step further and require a reporting of your assets and your liabilities to a board or to an agency, I think that we as lobbyists should have to do that too. I'm against the reporting that we are going to be bandied up and down the road. I don't think it's anyone's business how much my salary is, but if you come up after bit I'll tell you what it is. I don't think it's anybody's business whether I have a checking account of two hundred dollars in the First National Bank, but if you ask me I'll look it up and give you the correct amount. I don't think it's my business easily....where I can bandy yours up and down....but if you have to report yours and I report mine to an independent board or to an agency where we would have to go and exert a little effort to be snoopy and look it up, I think that's fine. So, with that Amendment.....to....that I would propose, to this Bill, if you pass it as to yourself, I think it makes a good lobbying Act. It has a tough penalty One person turned me down for job last spring because of that penalty.....he said that I don't want to work for any organization where I might go to the penitentiary. I said, rest assured, you won't go to the penitentiary....we just don't operate that way. But I didn't hire that person. But, whatever....let me close...whatever you pass as a requirement, as to lobbyists, we at the Taxpayers Federation...will abide by it....If we can't, we'll get out of the lobbying business. Thank you."

Speaker Bluthardt: "Are there questions of the witness?"

Thank you, Mr. Scott."

Berman: "Mr. Speaker, I see there is no other questions at this time but I want to express my appreciation to the Chair and to all of you for your kind attention during this long and detailed explanation of these Bills. Thank



you."

Maurice Scott: "Thank you."

Speaker Bluthardt: "We've gone through....ah....one through thirteen....and we have....ah....eight left....and with ah.....someone about to question a quorum and now will recognize Mr. Bill Walsh."

Walsh: "Mr. Speaker, I move that the Committee of the Whole arise."

Speaker Bluthardt: "Mr. Walsh moves that the Committee as a Whole rise....and....ah...is there a second to that motion. In a motion to rise, I don't think that's proper to question a Point of Order...is there a second to that motion? Mr. Matijevich seconds that motion. For what purpose does the Gentleman from Cook, Mr. Duff wish to be recognized?"

Duff: "Excuse me, Mr. Chair....it's Mr. Chairman, not Mr. Speaker, of the Committee as a Whole, we arise and not having finished these Bills, without further explanation of the motion, then we have to go to the House and...and as a committee completed it's work, there are two motions to arise and to arise and report, or to arise for the purposes of adjournment."

Speaker Bluthardt: "I believe that the motion is to arise and that we may again recess until a....time certain in the future. Now, Mr. Walsh, what was the purpose of your motion?"

Walsh: "Well, we were going into the Regular First Special Session, if this motion prevails. At that time, that First Special Session would adjourn to a time certain and we would in that time say that the Committee would meet tomorrow at 9:45 or 10 o'clock.....10 o'clock...and it would be our intention then to convene a Committee as a Whole to continue hearing these Bills."

Speaker Bluthardt: "That this Committee would rise in the way of a recess 'til 9:45 tomorrow morning....10 o'clock



tomorrow morning. All right, that's the motion? The Second is by Mr. Matijevich. Before calling for a vote on that, Mr. Collins, you have an announcement to make? All right, all in favor of the motion to rise, indicate by saying 'aye', contrary and this Committee as a whole does rise. First Special Session. Announcements. The Chair recognizes William Walsh."

Walsh: "Again, the Human Resources Subcommittee that has been diddling for two weeks will diddle for one more. The meeting is cancelled. Thank you."

Speaker Bluthardt: "Just be careful where you diddle. Mr. William Walsh."

Walsh: "Now, Mr. Speaker, I think you heard that we will, tomorrow at 10 o'clock, convene for a Committee of the Whole to continue hearing these Bills in the First Special Session. We will convene the regular session tomorrow morning at 9:30 o'clock and now, Mr. Speaker, I move that the First Special Session, that the First Special Session adjourn until 10:00a.m. tomorrow morning."

Speaker Bluthardt: "The Gentleman has moved that the First Special Session adjourn until..."

Walsh: "Let's make that 9:45."

Speaker Bluthardt: "Adjourn until 9:45 tomorrow morning. Mr. Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, a brief announcement. The Executive Committee meets at 9:00a.m. tomorrow to consider two Resolutions before us. I would like to point out to all Members of the Executive Committee that we have to be in here at 9:30 so I would like to urge all Members of the Executive Committee to be there promptly at 9:00 tomorrow so we can dispose of the business before us. That's in our usual meeting room, Room D-1 in the State Office Building, 9:00a.m."

Speaker Bluthardt: "The Chair recognizes the Gentleman from Cook, Mr. Duff."



Duff: "Well, Mr. Speaker, the same thing would pertain to Judiciary II which is posted to meet tomorrow morning at 9 o'clock. We have already notified witnesses that they will be kept to two minutes so that if everybody will get there we will get out in time to get here for our session. If they will get there on time at 9:00a.m., 212."

Speaker Bluthardt: "Thank you. Now on the question, all in favor of the motion to adjourn until tomorrow at 9:45 indicate by saying 'aye'. Contrary, the 'ayes' have it."



HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

NINETY-NINTH LEGISLATIVE DAY

NOVEMBER 5, 1973

12:20 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

FIRST SPECIAL SESSION - NINTH DAY

NOVEMBER 5, 1973

12:35 O'CLOCK P.M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
1.			Roll Call for Attendance
2.			Prayer
		<u>Speaker W. Robert Blair</u>	
3.		Clerk Selcke	Roll Call
4.			
5.			
6.			
7.			
8.			
9.			
10.		Speaker Blair	
		Walsh, W.	Representative Day ill...
		Speaker Blair	
		Kennedy	Point of information
		Speaker Blair	Unlock door
		Shea	B. B. Wolfe and Farley ill.
		Speaker Blair	
11.		Clerk Selcke	Messages from Senate
12.			
13.			
14.		Speaker Blair	Agreed Resolutions
		Clerk Selcke	
		Speaker Blair	
		Walsh, W.	Reads Agreed Resolutions
		Speaker Blair	Adopted
15.		Clerk Selcke	Death Resolutions House Resolution 584
		Speaker Blair	
		Walsh, W.	Moves adoption
		Speaker Blair	Death Resolutions adopted.
		Walsh, W.	Moves Regular Session adjourn
		Speaker Blair	Regular Session adjourns



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
16.		Clerk Selcke	Messages from Senate Adopts HJR #3
		Speaker Blair	
		Clerk Selcke	House Bills 1,2,3,4,5,6, 7,8,9,10,11,12,13,14,15, 16,17,18,19,20 and 21 for Committee of the Whole...
		Walsh, W. D.	Consider Bills just read
		Speaker Blair	Geo-Karis seconds motion Committee of the Whole will come to order...
17.		Bluthardt	Call to order...come for- ward and sign
18.		COMMITTEE OF THE WHOLE	
		BLUTHARDT IN CHAIR	
		Speaker Bluthardt	Plan to go from 1 thru 21 numerically...
19.		Blair, W. Robert)	Cosponsor Bills 1 and 2..
20.)	offer as package...
21.		Collins, Bill)	Discussion..Explanation
		Speaker Bluthardt	Recognition
22.		Collins	Discussion..Explanation of Bill...
		Speaker Bluthardt	Further questions?
		Palmer	Question
23.		Collins	Answers question...
		Speaker Bluthardt	Recognition
		Terzich	Discussion
24.		Collins	Discussion
		Speaker Bluthardt	Recognition
25.		Totten	Discussion
		Collins	Discussion
26		Bradley	Addresses Collins (Sponsor)



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Collins))	Discussion
		Bradley)	
		Speaker Bluthardt	Recognizes Cunningham
27.		Cunningham	Re. Amendment...
		Collins	Discussion..Am. to HB-1
28		Cunningham	Debate
		Speaker Bluthardt	Rec. Duff.
29.		Duff))	Debate back and forth
		Collins)	
		Speaker Bluthardt	Asks for quiet
30.		Duff))	Continues discussion
		Collins)	
31.		Collins	Asks if Re. Collins on floor...
		Speaker Bluthardt	Rules on time allowed
		Collins	Accepts ruling
32.		Matijevich	Address question to Collins
33.		Collins	Responds to Matijevich
34.		Matijevich))	Debate
		Collins)	
		Speaker Bluthardt	Recog. Leinenweber
		Leinenweber	Address question to Sponsor
35.		Collins	Responds
		Leinenweber))	Discussion (back and forth)
		Collins)	
		Speaker Bluthardt	Comments on number of Bills
		Shea	Introduces former Member John Downs...



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Downs	Address Committee
36.		Speaker Bluthardt	Recognizes Shea
37.		Shea)	Discussion (back and forth)
38.)	
		Collins)	
39.			
40.		Speaker Bluthardt	Recognizes Giorgi
41.			
42.		Giorgi)	Discussion
)	
		Gollins)	
43.		Speaker Bluthardt	Recognizes
		Dee)	Discussion
)	
		Collins)	
		Speaker Bluthardt	Recognizes Schlickman
44.		Schlickman)	Discussion
)	
		Collins)	
		Speaker Bluthardt	Recognizes Matijevich
45.		Matijevich	Asks Rules
		Speaker Bluthardt	Responds concerning Rules
46.		Matijevich)	Discussion of Rules
)	
		Speaker Bluthardt)	
		Shea	Discuss Rules
		Speaker Bluthardt)	Debate Rules
)	
47.		Shea)	
48.			
49.		Schlickman	Question
50.		Collins	Reply to.....?
51.			
52.		Geo-Karis)	Question
)	
53.		Collins)	Reply
54.			
55.		Speaker Bluthardt	
56., 57., 58.,			
59., 60., 61.,		Joe Meek of IRMA	Testify



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
62., 63., 64., 65., 66.,		Joe Meek (Cont.)	
		Speaker Bluthardt	Recognizes Wolf
		Wolf, J. J.)	Question
		Meek)	
67.		Speaker Bluthardt	
		Meek	
68.		Speaker Bluthardt	Introduction
69.		Otwell	V-P, League of Women Voters
70.		Speaker Bluthardt	HB-8
71.		Houlihan, Jim	HB-3
72.		Speaker Bluthardt	HB-5
73.		Kosinski	
74.			
75.		Speaker Bluthardt	Calls witness...is absent Recog. Sponsor...
76.		Juckett	HB-6..Explains Bill
77.		Palmer)	Questions Sponsor
)	
78.		Juckett)	Responds
		Collins	Questions Sponsor
		Juckett	Responds
		Collins)	Discussion
)	
79.		Juckett)	
80.			
81.		Catania	Questions Sponsor
		Juckett)	Discussion
)	
82.		Catania)	
		Speaker Bluthardt	Recognizes Totten
83.		Totten	Ask that HB-7 not be called
		Bluthardt	HB-7 not called; HB-8 already called; HB-9... Recognizes Berman..



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Berman	Explains HB-9
		Speaker Bluthardt	Recognizes Palmer
84.		Palmer	Questions Sponsor
		Berman)	Discussion
)	
		Palmer)	
85.		Speaker Bluthardt	Chair cannot comment
		Palmer)	Discussion of HB-9
)	
86.		Berman)	
		Leinenweber)	Discussion
)	
		Berman)	
87.		Speaker Bluthardt	Recognizes Maragos
88.		Maragos	Addresses question to Berman
		Berman	Replies
		Maragos)	Discussion
)	
89.		Berman)	
		Speaker Bluthardt	Recognizes Duff
90.		Duff	Question to Sponsor
91.		Berman	Replies
		Duff)	Discussion
)	
		Berman)	
		Speaker Bluthardt	Recognizes Hudson
		Hudson	States question previously answered
		Speaker Bluthardt	Ask for more questions on HB-9
92.		Berman	HB-10-----Calls Sponsor
93.			Explains Bill (HB-10)
94.		Speaker Bluthardt	Calls Witness
95.			
96.		Dewitt Gilpin	U.A.W.; Testifies Re. HB-10
97.			



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Bluthardt	Recognizes Juckett
		Juckett	Comments on Gilpin's testimony
		Gilpin	Replies
		Maragos	Questions Gilpin
		Gilpin	Replies
98.		Maragos	Discussion
		Gilpin	
		Speaker Bluthardt	Recognizes Totten
		Totten	Questions the Witness
		Gilpin	Replies
99.		Totten)	Discussion
)	
100.		Gilpin)	
		Berman	Address Rep. Totten
101.		Gilpin	Comments on remarks
		Totten	Questions Gilpin
		Gilpin	Replies
102.		Totten)	Discussion
)	
		Gilpin)	
		Speaker Bluthardt	Recognizes Geo-Karis
		Geo-Karis	Point of order...
		Speaker Bluthardt	
		Geo-Karis	
		Speaker Bluthardt	Point not well taken
			Recognizes Duff
		Duff	
103.		Speaker Bluthardt	Recognizes Witness... Mr. Brunner



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
104		Brunner	Ex. Dir., Better Gov. Assoc.
105			Comments
106		Speaker Bluthardt	Recognizes Rep.
		Leinenweber	Questions witness
107		Brunner	Replies
108		Leinenweber)	Discussion
)	
109		Brunner)	
)	
110		Speaker Bluthardt	Recognizes Shea
		Shea	Comments on remarks made by witness
111		Brunner)	
)	
		Shea)	Debate
)	
112		Speaker Bluthardt	Recognizes Duff
		Duff	Questions witness
113		Brunner)	
)	Discussion
114		Duff)	
)	
		Speaker Bluthardt	Recognizes Deuster
115		Duester)	Questions witness
)	
116		Brunner)	
)	
		Speaker Bluthardt	Recognizes Matijevich
		Matijevich	Questions witness
		Brunner	Replies
117		Speaker Bluthardt	Recognizes Geo-Karis
		Geo-Karis)	Discussion
)	
118		Brunner)	
)	
		Speaker Bluthardt	Recognizes Berman
119		Berman	Explains in detail HB-10;
120			HB-12; HB-13
121			
122		Speaker Bluthardt	Recognizes Palmer



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
123		Palmer	Questions Sponsor
124		Berman)) Palmer)	Discussion
		Speaker Bluthardt	Recognizes Collins
125		Collins	Questions Sponsor
		Berman	Replies
126		Collins)	Discussion
127, 128		Berman)	
129		Speaker Bluthardt	Asks for patience
130			Calls Leinenweber then Duff
131			
132		Duff	Questions Sponsor
133		Berman	Replies
134			
135		Duff))	Discussion
136		Berman)) Duff)) Berman)	Replies Discussion back and forth
		Speaker Bluthardt	Please bring remarks to close
		Duff	Questions of Sponsor
		Berman	Replies
		Speaker Bluthardt	Recognizes Rep. Matijeovich
137		Matijeovich	Questions
138		Berman	Replies
139		Speaker Bluthardt	Recog. ep. Hudson
		Hudson	Question of Sponsor
		Berman	Reply
140		Hudson	Discussion
141		Berman	Discussion
142		Speaker Bluthardt	Recognizes Rep. Maragos...



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Maragos	Question of the Sponsor
143		Berman)) Maragos)	Discussion
		Speaker Bluthardt	Recognizes Rep. Cunningham
		Cunningham	Question of the Sponsor
144		Berman	Reply
		Cunningham)	Discussion
145)	
146		Berman)	
		Speaker Bluthardt	Taxpayers Federation
147			Recog. Witness Maurice Scott.
148			
149		Maurice Scott	Testify
		Berman	Thanks the witness
150		Speaker Bluthardt	
		Walsh	Move Comm.as a Whold rise..
151		Speaker Bluthardt	
		Matijeovich	Seconds motion
		Speaker Bluthardt	Discussion
		Walsh)	
		Speaker Bluthardt)	Discussion...Announcements?
			Motion First Special Session adjourn
			Recognizes Collins
		Collins	Announcement
		Speaker Bluthardt	Recognizes Rep. Duff...
152		Duff	
		Speaker Bluthardt	



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

99TH LEGISLATIVE DAY
November 5, 1973

12:20 P.M. - Regular Session - Blair

12:35 P.M. - Adjourn

12:35 P.M. - 1ST SPECIAL SESSION - 9TH DAY

12:39 P.M. - Committee of the Whole
Rep. Bluthardt