

JUN 11 1976

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Doorkeeper: "All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. Members please be in their seats. We'll be led in prayer by the Reverend Krueger, the House Chaplain."

Rev. Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Again, let us pray for the continued recovery of Governor Daniel Walker, Representative John David Jones, and Representative Peter Peters. Let us pray. O Lord, look down from heaven, behold, visit, and relieve Thy servants, Daniel, John, and Peter. Look upon them with the eyes of Thy mercy. Give them comfort and sure confidence in Thee. Defend them in all danger and keep them in perpetual peace and safety through Jesus Christ, Our Lord. Amen. Thomas Arnold who lived from 1795 to 1842 once said, 'The state of public affairs is not inviting and I rejoice that we take in no daily paper'. Let us pray. Almighty God, we come to Thee for guidance and direction this day that our lives may be so ordered, that we may serve Thee and this State of Illinois in accord with the highest ideals and most noble of virtues. May our actions this day and every day be without blemish so that Thy will may be done through Jesus Christ, Our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Introduction and First Reading. Representative Washburn."

Washburn: "Thank you, Mr. Speaker. I'd like the record to show that Representative Jones, Representative Peters, Representative Ron Hoffman continue to be absent due to illness. And Representative Rose is absent due to official business. Thank you."

Speaker Redmond: "Any objection to the record so showing? The Journal will so show. Introduction and First Reading."

Clerk O'Brien: "House Bill 3988, Dyer-Willer. A Bill for an Act to amend the Regional Transportation Authority Act. First Reading of the Bill. House Bill 3989, Maragos. A Bill for an Act making an appropriation to the Department of Veteran's Affairs. First Reading of the Bill."



Speaker Redmond: "House Bills, Third Reading. House Bills, Third Reading. House Bill 2115. Will the Republican Pages make sure that the Republican Members have Calendars. Democratic Pages have made sure that the Democratic Members have Calendars. House Bill 2115. Is the Sponsor here? Evidently not. Take that out of the record. 3322. The Sponsor here? Evidently not. We'll take that out of the record. 3609; Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3961 is now presently in the Committee on Assignments. It has been through the Rules Committee. This Bill deals with adding to the Legislator's expense allowance certain items such as printing that that money can be used for. I have cleared with the leadership on the other side of the aisle and I would now move, Mr. Speaker, that that Bill be taken from the Committee on Assignments and placed on the Calendar in the order of Second Reading, Second Legislative Day. And on that motion, I would ask leave of the House to use the attendance roll call if there's no objection."

Speaker Redmond: "Representative Washburn."

Washburn: "Leave."

Speaker Redmond: "You've heard the Gentleman's motion. Does he have leave to use the attendance roll call on that motion? Hearing no objection, leave is granted. 3969 will appear on the order of Second Reading. 3961, the order of Second Reading. House Bills on Third Reading, 3637, Representative Shea."

Clerk O'Brien: "House Bill 3637. A Bill for an Act to amend the Illinois Education Facilities Authority Act. Third Reading of the Bill."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this adds to the Educational Facility Act the fact that a related activity may be financed through the use of bonds and federal funds. I would move for the passage of the Bill and certainly try to answer any questions anybody has."

Speaker Redmond: "The question is shall this Bill pass. Those in



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favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 95 'aye' and no 'nay'. The Bill having received the Constitutional majority is hereby declared passed. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bills of the following titles and passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1691 and Senate Bill 1970. Passed by the Senate, June 10, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed the Bills of the following titles and passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bills #1795, 1877, 1941, and 1962. Passed by the Senate, June 10, 1976. Kenneth Wright, Secretary."

Speaker Redmond: "Senate Bills, Third Reading. Senate Bills, Third Reading appears Senate Bill 1869."

Clerk O'Brien: "Senate Bill 1869. A Bill for an Act making an appropriation for the furnishing of legislative staff. Third Reading of the Bill."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this is the annual appropriation to the legislative home office allowance and I would answer any questions if anybody has any."

Speaker Redmond: "The question is shall this Bill pass. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? All voted who wished? Clerk will take the record. On this question there's 115 'aye' and no 'nay' and the Bill having received the Constitutional majority is hereby declared passed. Senate Bills, Second Reading. On Senate Bills, Second Reading appears Senate Bill 1619. 1619, Representative J.M. Houlihan."

Clerk O'Brien: "Senate Bill 1619. A Bill for an Act to provide for the ordinary and contingent expense of the Illinois Commerce



Commission. Third Reading of the Bill."

Speaker Redmond: "Representative Houlihan."

J.M. Houlihan: "Mr. Speaker, I believe this Bill's on Second Reading."

Speaker Redmond: "It is Second Reading. Second Reading, Jack. That's what it shows up on the board. Senate Bills, Second Reading. 1619, Representative Houlihan."

J.M. Houlihan: "Mr. Speaker, Representative Ryan has indicated that Representative Totten's not here."

Speaker Redmond: "Representative Ryan."

Ryan: "Well, not only is Mr. Totten not here, but I understand that we have some Members with Amendments to this Bill. Is that correct?"

J.M. Houlihan: "Well, Mr. Ryan, I think those Members ought to be here."

Ryan: "I certainly couldn't agree with you more."

J.M. Houlihan: "Well then, let's go and get 'em over here."

Speaker Redmond: "Mr. Ryan, do you want to call off the names of the Members that aren't here?"

Ryan: "Yes, I'd be happy to. You supply the list. I think it be best to take it out of the record."

Speaker Redmond: "Representative Houlihan, what's your pleasure?"

J.M. Houlihan: "I will follow the recommendations of my Majority Leader and the Speaker."

Ryan: "It might be the best way to get a quorum."

J.M. Houlihan: "Well, we don't need a quorum. All we need to do is beat the Amendments. They're bad Amendments anyhow. I will follow whatever the Speaker and the Majority Leader would like me to do."

Speaker Redmond: "Maybe we'd better take it out of the record."

J.M. Houlihan: "This is the dawning of a new day."

Speaker Redmond: "In the meantime, Representative Ryan, the Speaker appoints you as a Committee of One to go and get the Members and bring 'em here. Representative Ryan."

Ryan: "Mr. Speaker, does the extra pay go along with that that the fellows in leadership get?"



Speaker Redmond: "You get the same as..."

Ryan: "Thank you."

Speaker Redmond: "Maybe you'll get that the next Session. 1636, Representative Kane, are there any Amendments on this?"

Clerk O'Brien: "Senate Bill 1636. A Bill for an Act making an appropriation and reappropriation to the Board of Higher Education. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1637."

Clerk O'Brien: "Senate Bill 1637. A Bill for an Act making an appropriation to the Board of Higher Education. Second Reading of the Bill. Amendments #1 and 2 were tabled in Committee. Committee Amendment #3. Amends Senate Bill 1637 on page 1, line 29 by deleting \$8,000,000 and inserting in lieu thereof \$7,300,000."

Speaker Redmond: "The Sponsor of the Bill here? I guess he's temporarily off the floor. We'll have to take this out of the record. Representative Shea."

Shea: "Mr. Speaker, I move that the House now stand in recess for five minutes so we may get rid of or call the Second Special Session."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Regular Session stand in recess for five minutes. The Second Special Session will come to order. Representative Shea."

Shea: "Mr. Speaker, I move that the Second Special Session, that the roll call of attendance of the Regular Session be used for the roll call for the Second Special Session of this date."

Speaker Redmond: "Any objections? Hearing none, the roll call of the Regular Session will be used as the attendance roll call of the Second Special Session."

Shea: "Mr. Speaker, I guess Mr. Kempiners has some motions and I discussed them with him just a few minutes ago and we are going



to by agreement if there is no objection of the Members of the House, set this Session for five minutes of four on Monday and then try to figure and appropriate time to call his motions. So I would move that the Second Special Session of the 79th General Assembly now be adjourned until 3:55 p.m. next Monday."

Speaker Redmond: "Representative Kempiners, is that satisfactory? You've heard the Gentleman's motion. All in favor of the Second Special Session stand adjourned until 3:55 p.m. on Monday indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Second Special Session stands ajourned till 3:55 on Monday. The Regular Session will now come back to order. House Bills, Second Reading appears House Bill 3313."

Clerk O'Brien: "House Bill 3313. A Bill for an Act to amend an Act to revise the law in relation to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3366."

Clerk O'Brien: "House Bill 3366. A Bill for an Act to amend..."

Speaker Redmond: "Representative Shea."

Shea: "I understand there are some Amendments forthcoming to that Bill."

Speaker Redmond: "Take that out of the record then. 3367."

Clerk O'Brien: "House Bill 3367. A Bill for an Act..."

Speaker Redmond: "Representative Collins on the floor? Evidently not. Take that out of the record. 3919."

Clerk O'Brien: "House Bill 3919. A Bill for an Act to amend an Act relating to Jury Commissions. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3931."

Clerk O'Brien: "House Bill 3931. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3956."

Clerk O'Brien: "House Bill 3956. A Bill for an Act to amend the...
an Act to revise the law in relation to township organizations.
Second Reading of the Bill."

Speaker Redmond: "Any Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor? Representative
Yourell."

Clerk O'Brien: "Amendment #1."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
Amendment #1 merely puts an effective date into the Act which
is necessary if it's going to be workable. I move the adoption
of Amendment #1 to House Bill 3956."

Speaker Redmond: "The Gentleman's motion for the adoption of Amend-
ment #1, all in favor say 'aye', opposed 'no'. The 'ayes' have
it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3966, out of the record at the
request of the Sponsor. Senate Bills, Third Reading. Senate
Bill 1621. Representative Richmond."

Clerk O'Brien: "Senate Bill 1621. A Bill for an Act to provide
for the ordinary and contingent expense of the Illinois Arts
Council. Third Reading of the Bill."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
I don't know whether there's enough people here to talk about
this Bill or not."

Speaker Redmond: "There's a quorum here."

Richmond: "Okay. Well, this is the ordinary expenses for the Il-
linois Arts Council. Senate Bill, as you know and it was passed
with a great, large margin in the Senate and has been before
the Appropriations Committee in the House."

Speaker Redmond: "The hour of 9:20 having arrived and Representative
Walsh having assumed his posture on the House floor, Represen-
tative Walsh."



Walsh: "Well, thank you, Mr. Speaker. It's a shame you couldn't of recognized me when I did arrive. Representative Collins has a great interest in this Bill, Mr. Speaker. I wonder if the Gentleman would consent to taking it out of the record."

Speaker Redmond: "Well, Representative Collins will be given the opportunity to address himself on this."

Walsh: "I don't see him there, Mr. Speaker."

Speaker Redmond: "Well... I think we'll have to... I don't think... Proceed, Representative Richmond."

Richmond: "I understand Mr. Walsh's interest in this. I'm rather disappointed I don't get to hear Representative Collins' eloquent speech that he's been using for 10 years, I understand, on this Bill. And I'm not being sarcastic about that, I really mean it. But I think that we should move ahead with it since it has come up, so I would ask for a favorable roll call."

Speaker Redmond: "The question is shall this Bill pass. Representative Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, as I suggested, Representative Collins has a great interest in this subject and would be very disappointed if the Bill came and went without having an opportunity to address himself to it. Representative Catania has volunteered to give his talk as she recalls it. Is that right, Representative Catania or would you rather that we just did not give this Bill sufficient votes so that it maybe could be put on postponed consideration and called when Representative Collins was here?"

Speaker Redmond: "Do you know where Mr. Collins is?"

Walsh: "I have no idea. I assume he's on the public's business someplace, but I have no idea where."

Speaker Redmond: "You tell me where he is and we'll send the Doorkeeper and see if we can find him. Representative Richmond."

Richmond: "On the vein, if we're going to send out for people to speak against this Bill, I have some people who are very interested in the passage of this Bill and I would ask that



their names be added to the Doorkeepers for coralling."

Speaker Redmond: "We'll take this one out of the record, but we will proceed to House Bills, Third Reading. Representative...

House Bills, Third Reading, House Bill 3652, Representative Stiehl."

Clerk O'Brien: "House Bill 3652. A Bill for an Act to require certain certifications in relation to state vouchers. Third Reading of the Bill."

Speaker Redmond: "Representative Stiehl."

C.M. Stiehl: "Mr. Speaker, could you take this out of the record?"

Speaker Redmond: "No, we can put it on postponed consideration.

You want it on postponed consideration?"

C.M. Stiehl: "Why can't I just have it taken out of the record?"

Speaker Redmond: "Well, we've called it three or four times and we're evidently having it... we're having a problem with... problem over here to have people that are present, vote their switches and I thought that perhaps this would be a good way to..."

C.M. Stiehl: "Well, Mr. Speaker, it's my..."

Speaker Redmond: "Bring the gospel home. You want to preach the gospel to Mr. Walsh?"

C.M. Stiehl: "I'd rather have Mr. Walsh preach the gospel to me."

Speaker Redmond: "Would you like this on postponed consideration, Mr. Walsh? He wants 3652 on postponed consideration."

Walsh: "Of course not, Mr. Speaker."

Speaker Redmond: "Why not?"

Walsh: "Because we haven't begun a roll call on this."

Speaker Redmond: "Okay, all those in favor vote 'aye'... All those in favor vote 'aye'."

Walsh: "The Lady asks to have it taken out of the record, Mr. Speaker."

Speaker Redmond: "Okay, we'll take that one out of the record. 3653."

Clerk O'Brien: "House Bill 3653. A Bill for an Act authorizing the temporary transfers of state employees. Third Reading of the Bill."

Speaker Redmond: "Representative Stiehl."



C.M. Stiehl: "Would you take this one out of the record too, please, Mr. Speaker?"

Speaker Redmond: "The question is shall this Bill pass. Okay, we'll take it out of the record. 3811, Representative Stearney. The question is shall this Bill pass. Representative Stearney, House Bill 3811."

Clerk O'Brien: "House Bill 3811. A Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Redmond: "He wants that out of the record?"

Stearney: "Well, Mr. Speaker, I just ask leave of the House to take this matter back to Second Reading and to leave it there without amending it today."

Speaker Redmond: "The Gentleman has asked for leave to return 3811 to the order of Second Reading. Does he have leave? 3811's returned to the order of Second Reading. 3841. 3841."

Clerk O'Brien: "House Bill 3841. A Bill for an Act to amend the Springfield Metropolitan Exhibition Auditorium Authority Act. Third Reading of the Bill."

Speaker Redmond: "Representative Londrigan."

Londrigan: "Mr. Speaker, this is a Bill I'm handling for Representative Jones. We actually passed this Bill the last time in the form of an Amendment and the Amendment was left off the Bill, so we have to do it over again. All it does is stagger the terms of the elected members of the board from seven years to four, three, three, and I ask you approval."

Speaker Redmond: "The question is shall this Bill pass. All in favor... all those in favor vote 'aye', opposed 'no'. Will all the Democrats please vote 'aye' and the Republicans that aren't here, don't vote. Representative Walsh, do you have any comments? May we vote on this one, Representative Walsh?"

Walsh: "Be my guest, Mr. Speaker."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there's 113 'aye', no 'nay', 114 'aye' and no 'nay'. The Bill having received the Constitutional majority is hereby declared passed. 3901."



Clerk O'Brien: "House Bill 3901. A Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Redmond: "Representative Matijevec. Representative Lauer. Out of the record. 3902."

Clerk O'Brien: "House Bill 3902. A Bill for an Act to amend the Capital Development Board Act. Third Reading of the Bill."

Speaker Redmond: "Representative Berman."

Berman: "Mr. Speaker, I'd ask leave to return 3902 back to the order of Second Reading for the purposes of Amendment."

Speaker Redmond: "Any objection?"

Clerk O'Brien: "Amendment #1, Berman. Amends House Bill 3902 on page 1 by deleting all of lines 13 through 27 and so forth."

Speaker Redmond: "Representative Berman."

Berman: "Well, Mr. Speaker, if you recall, this Bill was in the record a few days ago on Third Reading. Some questions were raised as to language. What we've tried to do is to prepare Amendments and I have filed three Amendments in successive attempts to bring the Bill into shape to meet some of the objections that were raised. Amendment 1, I'd move to table and then I'd move to table Amendment 2. And it's Amendment 3 I wish to address myself to. All three were my Amendments."

Speaker Redmond: "Would you please state that again?"

Berman: "All right, I move to table Amendment #1, Mr. Speaker."

Speaker Redmond: "The Gentleman's moved to table Amendment #1. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is tabled."

Clerk O'Brien: "Amendment 2."

Berman: "Mr. Speaker, this is a second attempt to address some of the problems, but it's been corrected in Amendment 3, so I move to table Amendment #2."

Speaker Redmond: "The Gentleman moves to table Amendment 2. Those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment 2 is tabled."

Clerk O'Brien: "Amendment #3, Berman. Amends House Bill 3902 on page 1 by deleting all of lines 13 through 27 and so forth."

Speaker Redmond: "Representative Berman."



Berman: "Thank you, Mr. Speaker. Amendment 3 addresses itself to this Bill in three aspects. Number one, it expands the language as to the indemnification and defense of claims against employees and agents of the Capital Development Board to include not only cases such as the scaffolding act and other types of negligence, but to include the defense of civil right suits and bidding problems which they are involved in. Secondly, we have qualified the language regarding insurance and it states that insurance can be purchased if available. And thirdly, we have made the effective date or retroactivity of this Bill back to July 10th of '72 because the statute of limitations has not run on some claims that may be brought against employees of the board. I move the adoption of Amendment #3."

Speaker Redmond: "Any questions? The question's on... Representative Leinenweber."

Leinenweber: "Question for the Sponsor."

Speaker Redmond: "Proceed."

Leinenweber: "Art, would this extend to potential claims against present employees which were incurred prior to today's date?"

Berman: "Yes, sir."

Leinenweber: "Is there any estimate or any idea... let me start over again. Currently, are they carrying insurance to protect the members?"

Berman: "No, sir."

Leinenweber: "Is there any idea what the potential liability might be to the board if we pass this Bill?"

Berman: "Well, I think there's a liability whether we pass the Bill or not. The purpose of this Bill is to defend... is to have the Attorney General give 'em the authority to step in to defend the employee. All the suits that have been brought so far under the Capital Development Board Bill except one, has been where the board itself as a legal entity was sued. In all of those cases, the Attorney General stepped in in defense. There was one suit that has been brought in which an employee was individually named. The Attorney General said that he had no power



or authority to defend that individual employee. This is a difficult situation because the employee is acting within the scope of his authority and he should be defended if he's a state employee acting within his authority."

Leinenweber: "All right."

Berman: "Now, the reason for this to go back is so that the Attorney General has the powers to defend named individual employees for any of these cases that the statutes may not have not run."

Leinenweber: "So in other words, in any suit, the Capital Development Board would have been responsible as the principle in any event, is just to pick up those cases where for some reason or another perhaps to avoid the Court of Claims, that the individual, that the Capital Development Board was not named as a party defendant."

Berman: "Exactly."

Leinenweber: "Okay, thank you."

Speaker Redmond: "Anything further? Ready for the question. The question's on the Gentleman's motion to adopt Amendment #3. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendments' adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3704."

Clerk O'Brien: "House Bill 3704. A Bill for an Act in relation to exemption from liability of certain persons providing emergency medical care. Third Reading of the Bill."

Speaker Redmond: "Representative Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3704 grants immunity from civil liability to emergency medical technicians when they are serving as volunteers. This Bill is very important to all of downstate Illinois and I would move for its adoption."

Speaker Redmond: "Any questions? The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 110 'aye' and no 'nay'."



This Bill having received the Constitutional majority is hereby declared passed. 3910."

Clerk O'Brien: "House Bill 3910. A Bill for an Act in relation to domestic relations. Third Reading of the Bill."

Speaker Redmond: "Out of the record, the request of the Sponsor. Categories, medical malpractice. 3957."

Clerk O'Brien: "House Bill 3957."

Speaker Redmond: "Representative Cunningham, for what purpose do you rise?"

Cunningham: "Mr. Speaker, before we get into that, could I gently inquire if there's something wrong with my light. It's been on there for fifteen minutes. If I have been disconnected, why, let me know. It raises questions as to the competency or impartiality of the Chair. What I wanted to ask about was whether or not a precedent's being established in Senate Bill 1621 when the Chair knuckled under to an unreasonable request to be taken out of the record. If a precedent is established, I'm willing to abide by it, but it applies to everyone. But I want to publicly state that Collins doesn't speak for me, present or absent. And I think the Chair needs to return to the traditional impartiality that has characterized his activity up to this date. It's unfortunate that late in the season we develop these characteristics of some being more equal than others. The question, Mr. Chairman, Mr. Speaker, is, is that a precedent that we continue these cases at the whim of all who ask?"

Speaker Redmond: "Representative Cunningham, the problem is that if a matter would have to be put on consideration postponed, the Sponsor then only has one more attempt and it was a threat, veiled to be sure, but one of the powerful Members of the minority party was going to encourage his Members not to vote. And in that event, it would have been impossible to have had 89 affirmative votes. I guess the answer is, yes, I did knuckle under."

Cunningham: "What about the electrician? Why is my thing off automatically just the moment I stop talking? It doesn't seem to



apply to anyone else in the House."

Speaker Redmond: "I have nothing to do with that. You'll have to discuss that with the electrician."

Cunningham: "And the light, has it been repaired?"

Speaker Redmond: "It's repaired now."

Cunningham: "Thank you."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, despite of a very worthy Sponsor, I see that peculiarly, questionable Bill #3816's back on Third Reading today. I thought the darn Bill was passed the other night over some of our protests."

Speaker Redmond: "The printer became fatigued last night and was unable to reset that. The point of fact is that should appear, it did pass out of here and it should not appear on. There are a couple of other mistakes in the Calendar."

Geo-Karis: "Well, I could appreciate about the printer on this Bill, but he must have been staggered by these overwhelming amounts."

Speaker Redmond: "Now that the Republican Pages have distributed the Calendars, on House Bills, Second Reading, First Legislative Day appears House Bill 3835. That properly belongs on House Bills, Third Reading. 3816 which shows on House Bills, Third Reading in fact passed yesterday and should not appear on the Calendar. And under the order of motions appears House Bill 3853. That is also in error. So you'll remove that from your Calendar."

(con't on next page)



Speaker Redmond: "Now we'll go to House Bills, Third Reading.

3957. Representative Washington."

Clerk O'Brien: "House Bill 3957. A Bill for an Act in relation to the regulation of medical practices. Third Reading of the Bill."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker, Members of the House, this, 3957 and 3958 and 3959, are in a sense companion Bills, Mr. Speaker. And I ask leave of the House to consolidate these three Bills for purposes of discussion."

Speaker Redmond: "Any objections? Leave granted."

Washington: "Mr. Speaker, yesterday on Second Reading, we had some rather lengthy discussion on each of these Bills. Well, just let me give you a very quickly and briefly, a little bit of background. These Bills represent the work product of the Judiciary I Subcommittee on medical malpractice which has been working for the past year. In their work in this field, they have relied quite heavily upon the Reparations Commission which we set up last year chaired by Director Wilcox. They've relied upon information and input from the various legal associations, medical societies, hospital associations and insurance people. We've struggled with a problem which is being struggled with country-wide by many states. Honestly, I don't frankly think that any state has come up with a final and complete and total solution and those states which have taken innovative action, they don't have a track record long enough for us to really say that where work product is sufficient to resolve this critical problem."

Speaker Redmond: "Representative Ebbesen, for what purpose do you rise?"

Ebbesen: "Yes, Mr. Speaker, this is one of the most important considerations of this General Assembly. Could we have a little bit more quiet."

Speaker Redmond: "The Gentleman is correct. Please come to order."

Washington: "Thank you, Mr. Speaker and Mr. Ebbesen. But arriving at our Bills or our final Bills, Members of the House, we've had



a good deal of cooperation from many people, not the least of them being the Speaker of the House who has given his cooperation and tried to push us along to get this job completed. We've approached this problem in three essential areas. One... it is a bit loud still, Mr. Speaker."

Speaker Redmond: "Please come to order. If we don't come to order, we're going to ask the Doorkeepers to remove everyone on the floor who is not entitled to the floor. Members please cooperate and give the Gentleman order. This is very serious subject matter."

Washington: "We've approached this problem in three broad categories, so to speak, with three goals in mind. First of all, we wanted to give protection to the various health providers in the state with the focus upon the medical profession and doctors. And also, to better supervise the health providers in a hope that we could increase or improve not only the quality of care, but lower the cost of medical health care in the state. Secondly, we hope to monitor the various cases and claims that are being filed by setting up a statistical banking insurance department and also to give the Insurance Department a bit more leeway in terms of overseeing, monitoring and hopefully, directing the quality or the level of rate. And thirdly, we felt that we should in a sense adjust the tort system in this state to the point where it would remove the frivolous suits, remove the embarrassment and some abuses which have taken place in that field and at the same time, give adequate and strong and consistent protection to those who have been injured through medical negligence on someone's part. And ultimately, we hope that the package would address itself to the question of quality care, health care in this state and also the cost of care. With that in mind, we have three Bills. Now 3957 is a so-called omnibus Bill and it does several things. First of all, it provides for confidentiality in peer group review situations at hospitals and large medical complexes so that the people who are reviewing the activities of doctors will have confidence that what they say in terms of arriving at judgement decisions based upon the kind of delivery



given, they would not be harassed. In addition to that, we have supplied or provided for immunity for those people in terms of their discussion of various standards of health provision being given by the people under their supervision. Thirdly, we provided for the mandatory reporting of all malpractice claims to the Department of Insurance and giving the Insurance Department the authority to overview... review, look at, and in a sense, modify and adjust and give some direction in terms of medical malpractice rates in the State of Illinois. We've added to the standards... we've added to the standards for license revocation by providing that one of the standards for revocation or suspension would be malpractice resulting in a serious injury or death. We have removed in this Bill what we call the addendum clause from personal injury complaints. The reason being that many people are embarrassed by the high amount of the addendum clause and in many cases, the judgement nowhere reaches that figure. It would take away no rights of the individual grieved person because that's a question of proof in the final analysis, but hopefully it would something to giving the doctors some relief from constant press harassment. We have amended Section 41 of the Civil Practice Act to provide to make it easier to recover damages, costs and costs of attorney fees from those who file what is found by the court to be frivolous law suits. We have adjusted the so-called collateral rule in the state, not completely abolishing it, but providing that a certain amount of benefits must be considered in an offset against a judgement received by a petitioner against a negligent, malpractice doctor. That, in essence, comprises the substance of House Bill 3957, Mr. Speaker. Now, House Bill 3958 sets up a rather innovative arbitration system in which the parties to a malpractice situation can bind themselves to an agreement and we've also provided that agreement would be binding upon the insurance carrier within the state. House Bill 3959, I will let Mr. Holewinski explain that. Mr. Holewinski."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker, Chairman Washington, Ladies and



Gentlemen of the House, House Bill 3959, we, in effect, discussed yesterday when we considered Amendment #1 to House Bill 3959 because that is the Bill right now. What 3959 does is try and make the regulating and licensing mechanism more effective by transferring these functions out of the Department of Registration and Education and putting them into the Department of Public Health in a separate division. The original proposal of the Subcommittee had been to create a new department. The Amendment was suggested and adopted as an alternative to that."

Speaker Redmond: "Representative Washington."

Washington: "That, in substance, Mr. Speaker, is the three-Bill plan.

We think it's a rather innovative plan. We think it's a good one. As I indicated in my opening remarks, practically every state in the Union and certainly all the major industrial states are grappling with the problem of excessive rates and the threat to the availability of fine health care for their citizens. None has come up with what appears to be, at this point, approvably, workable plan. But I think Illinois, if we adopt this... these provisions, I think we will be in the forefront of those states who are searching for an answer to the questions of higher medical malpractice insurance rates and also money to provide better service to their people and I'm ready for questions, Mr. Speaker."

Speaker Redmond: "Representative Brinkmeier."

Brinkmeier: "Mr. Speaker, first of all, a point of inquiry."

Speaker Redmond: "State your point."

Brinkmeier: "I understand we're considering these together, but we are taking separate Roll Calls, am I correct?"

Speaker Redmond: "Well, the Gentleman asked to leave to have them all considered as a package. There were no objections as I recall. Mr. Cunningham."

Cunningham: "Mr. Speaker, having inadvertently voted on the prevailing side, I would move that we reconsider and have a separate vote on 3959."

Speaker Redmond: "We'll have separate Roll Calls."

Cunningham: "You'll recall it came out of Committee... it didn't come



out of Committee on its own steam."

Speaker Redmond: "Representative Brinkmeier."

Brinkmeier: "Yes, then... if I may, a question of Representative Holewinski, please. I'm sorry, there was too much noise and I didn't hear your explanation of 59...3959. Very briefly, would you tell me once more what this is going to do?"

Speaker Redmond: "Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker. Representative Brinkmeier, 3959 will now take the regulating, licensing function over health professionals out of the Department of Registration and Education and place it in a separate division in the Department of Public Health. The Bill will not... the Act will not do this immediately. It provides for a two year transition. During that interim, there is provision for an Interim Advisory Committee to supervise the smooth transition to make recommendations to the General Assembly as to further statutory changes to effectuate an efficient regulating and quality of care monitoring system. It really seeks to give the Department of Public Health which now has licensing and review powers over facilities, that same power over personnel."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, Members of the House, I'm in complete agreement with the Committee's work on 3557 and 58. I think they've done an extremely good job. However, 3959 does cause the transfer of powers apparently over two year period. It seems to me that this transfer of power may not indeed be a good move. And it isn't a question of studying whether the move should be made. As I understand it, it is a question that the transfer shall be made. It's just a matter of what function. And so it seems to me that we ought to defeat 3959 and have the study decide whether or not we should make the transfer, not how it should be done. So, I would recommend defeat of the third in this series, 3959."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I fully concur with the prior speaker on this, 3959. On 3959, what we will be doing in a sense, is taking about 7 professions..."



Speaker Redmond: "Representative Matijevich, for what purpose do you rise?"

Matijevich: "Mr. Speaker, I think we made a mistake by considering them in a package because we're going to be hearing about this Bill and I think we ought to do 'em one at a time in the discussion and the vote."

Speaker Redmond: "The question now is 3957."

Geo-Karis: "May I speak on 39... may I... will the Sponsor yield to a question."

Speaker Redmond: "We'll call them back one at a time."

Geo-Karis: "3957."

Speaker Redmond: "Proceed."

Geo-Karis: "Will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Geo-Karis: "Harold, on 3957, can you tell me was the unconstitutional provision cured by this Bill that was cited by the Supreme Court?"

Washington: "Specifically in what Section... are you talking about rating making?"

Geo-Karis: "One was the paneling."

Washington: "The paneling, as such, is not encompassed in this Act at all. We haven't dealt with that."

Geo-Karis: "You don't have a review procedure of the panel."

Washington: "No, we don't have that at all. What we have done in 3958 is put up an arbitration procedure."

Geo-Karis: "Fine, now what about the limits? Of course, you couldn't cure the limits either because according to the Supreme Court, you can't limit, right?"

Washington: "That was the assessment of the Judiciary Committee, Sub. and full Committee that we could not grapple with that. Throughout this entire package, we obviously relied upon the Wright decision, Supreme Court case."

Geo-Karis: "Mr. Speaker, I'd like to speak on House Bill 3957."

Speaker Redmond: "Proceed."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, let's not kid ourselves. We have to do something. Our last Bill failed in the Supreme Court and I think this is a good Bill."



And although we can only speak on one Bill at a time, I'd like to speak for House Bill 3957 because we're getting way out of line with our malpractice insurance. It's a point where doctors are finding it more feasible to go into other states and I, for one, think it's high time we do something to help the competent members of the medical profession. We do it for Workmen's Comp. and Unemployment Comp. We have... Workmen's Comp. through the arbitration procedures and I certainly wholeheartedly support 3957, commend the Committee for all the hard work it's done on it."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, will the Sponsor yield?"

Speaker Redmond: "He will."

Ebbesen: "Do these... does this Bill along with these others, do they represent what you and the medical society have worked out and has their complete endorsement?"

Washington: "We welcomed and did receive the sup... the suggestions and input from the medical association and hospital association and the various trial lawyers association. Some people, namely the press, have unfortunately dubbed this Bill or this series of Bills as an agreement or a compromise between these various instances. That is not correct. Embodied in this Bill are some of the things that all the professions wanted, but we have added to them in our wisdom. We placed these in the Subcommittee. They refined it. They honed it. And in their wisdom, certain things which were wanted by various interest groups simply could not be had legally and constitutionally. They also decided that the so-called compromise didn't go far enough and the Subcommittee added to it. It was refined in the full Committee and so the net result is that this Bill is not a compromise of anybody but the Members of this House who serve on those Committees."

Ebbesen: "Well then, the answer to my question is... relative to the medical society answer is 'no', is that correct?"

Washington: "The answer is 'yes' and 'no' because many of the things that the medical society wanted are in this package. Some of the things they wanted are not in this package. But in my humble



opinion, some of the things they wanted could just not be constitutionally given. And the Committee felt that way, but every suggestion was weighed thoroughly. Nothing was discarded capriciously and we put into this Bill every viable suggestion which was constitutional and I was... which we thought would bear upon the ultimate question of stabilizing rates in this state and giving better health protection to our people."

Ebbesen: "Well, Representative Washington, again, is... to the best of your knowledge, then the medical society on this Bill is not taking any position, is that your understanding?"

Washington: "No, I was indicating that the medical society approves of what's in here. They may have wanted more, but in essence, they're no different from any other group. There are other interests to be concerned with. I can't say the medical society categorically supports everything in here, but they have given their sanction to many of the things that are embodied in this Bill."

Ebbesen: "Well, Mr. Speaker, in addressing myself to the Bill, I'd just like to say this. I disagree with what Representative Geo-Karis had to say that we've got to do something and I'm not a great believer in doing something even if it's wrong. I don't know whether I'm going to support the legislation or not. I'm still in a quandry and mixed emotions about it, but perhaps if we had something that went to the Senate and the Governor's desk in time, it would probably in the Sessions ahead of us, give us an opportunity with something on the books to start amending it into an improvement. But with that in mind, I'll make my decision in the next few moments."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, will the Gentleman yield?"

Speaker Redmond: "He will."

Getty: "Representative Washington, during the so-called negotiations and the ad hoc Committee and so forth, seems to me that there was three groups that were involved: the medical society, the hospital association, and the bar associations or trial lawyers association. Could you tell me as regards, 3957 and for that



matter, the other two Bills, what the position of those three segments are concerning the various Bills."

Washington: "As to 3957, there was agreement on everything except the statute of limitation. The medical people wanted to lower the statute of limitations to a flat two years. The legal people didn't. There was no substantial agreement. Your Subcommittee as you recall, more or less compromised the issue by lowering the statute of limitations from four, from five to four years. And they did that, as you may recall, based upon the fact that the statistics indicated that too many cases were filed and processed after four years, but before... after... five years, pardon me. After five years, yes, to justify lowering it anymore. But other than that, there was agreement on the entire package of 3957 and that's part in answer to Mr. Ebbesen's question."

Getty: "All right, as the Bill stands here now, do all three associations endorse it?"

Washington: "I would say 'yes'."

Getty: "All right, as to 3958 and 59, is this position the same?"

Washington: "That's true as to 3958. As to 3959, I can't say that."

Getty: "Thank you."

Speaker Redmond: "Representative Neff."

Neff: "Thank you, Mr. Speaker. Could I direct a question to the Sponsor?"

Speaker Redmond: "Proceed."

Neff: "Harold, now I haven't talked to the medical association, but I've had several letters that strongly... from doctors in my district that are strongly opposed to this legislation and... say this didn't come from medical profession, so I wonder if the medical profession is... you feel they are endorsing it. I'll take your word on that and... but... these are people that belong to the association."

Washington: "As I indicated before, they support that and they had two reservations. One of which we cured. They felt that the statute of limitations should be a flat two years. We didn't think so and we felt that in doing so, we have created an injustice



to many, many aggrieved and injured parties who were injured due to the negligence of the... alleged negligence of their medical provider. So we cut it from two, from five to four. They disagreed with the package because they felt and this is 1958 Bill, they felt that arbitration or the decision of the arbitrator should be binding upon the insurance carrier. We amended our Bill in the Committee and added for binding provisions upon the carrier. So based upon that, I have to assume that they endorse this package."

Neff: "Thank you, Mr. Speaker. In addressing the Bill, I... as I see it now, I probably have to oppose it. Now I've had several letters and maybe some of you folks have, too, from doctors. This is not from the association, but from doctors, some of the doctors that was down here a couple of weeks ago and they said this legislation does nothing for 'em and they hope that I will oppose it. And I'm sure that some of you folks have had letters from your doctors also. Maybe they haven't had the same agreement. So, therefore, as much as I want to, I think that this is something that needs correcting to do it and do nothing for the malpractice suits. I think that's kind of foolish and so I... as of now, I will oppose it."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the opportunity of following Representative Neff because I think my comments will go to the dilemma he finds himself in. As a Member of Judiciary I and also as a person very keenly interested in the malpractice dilemma, I tried to follow very closely the process that was going on in Committee on this particular issue. Although I was not on the Subcommittee, I can assure the Members of the House that the Subcommittee on malpractice has probably worked as hard if not harder than any other Subcommittee that's been operating in this Session of the Legislature. What we tried to do was play Solomon and that is to divide the baby and you can't do that. It's physically impossible. There was no way we could make both sides completely happy. So that I hope Representative Neff



understands and the other Members who may have received letters from physicians in their own area, that this is not a Bill that's 100% oriented to the doctors. On the other hand, it's not a Bill that's 100% oriented to the trial lawyers either. It is a compromise Bill trying to accomplish some end which will have an affect upon lowering the insurance rates. Now no one knows whether we'll have an absolute answer here in lowering insurance rates. This is a difficult thing because we cannot legislate what a private insurance company's going to do with regards to insurance rates. But what we have tried to do is follow some procedures which are recommended by both the doctors and the lawyers to come up with a workable and manageable plan. Now also I would point out to Representatives such as Representative Neff, we do have other Bills that are pending which will no doubt be coming out. And those Bills strangely enough, probably will not be of the type of going to doctors or the lawyers to ask their opinions. We, the Legislators, will try to come up with Bills patterned after such as Representative Daniels Bill patterned after the Florida Bill. I have an Amendment patterned after the Wisconsin system and we will attempt those, too. But I think we have an absolute obligation at this point in time to try every avenue available to us to have a law passed that will do some good somehow for the physicians in this state this year. Now the fact that we do not please all of the physicians all of the time should not be a reason for voting against this Bill. I think we should all vote for it. It does have a good chance of having some meaningful affect upon insurance rates. And we cannot postpone this merely because one or two doctors have their nose out of joint. I would point out to you even as an attorney myself, I've been rather down upon the trial attorneys because they've been just as self-centered as the doctors have been. They have failed to recognize that we have to reduce fees and other things along these lines if we're going to have meaningful legislation. So I would urge everyone to vote for this. I think it's got a good chance of having a good effect upon



reducing premiums and again, I think we should all commend our Subcommittee in that Judiciary and especially Harold Washington because they've done a fantastic job on this."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I, too, rise to support House Bill 3957 and I, too, received numerous letters from medical people from the 42nd District and reading their letters, I have found that they had... the Bills as they had come out of Committee had been thus represented to them. In the three areas that Representative Washington indicated, they were told that we did nothing about the collateral source rule which as Representative Washington pointed out, 50% of all funds received by a patient from a collateral source may be deducted from the final judgement entered against the physician. They claim that we did not make the arbitration binding upon insurance companies. Well, this was true as it came out of the Subcommittee. Nevertheless, an Amendment was put on making it binding upon the insurance companies. And they claim we did nothing at all about the statute of limitations. Well, we did two very important things in the statute of limitations. We reduced the 5 year undiscovered injury to four years and we threw out the 10 years for insubstance statute of limitations. So, these are two very important areas. The Bill goes far beyond that as was argued yesterday, pointed out that we'd provided procedural discovery procedures in order to permit the learning of who actually is at fault or if there is any fault prior to the necessity of filing suit. This Bill goes a long way procedurally to resolving the malpractice crisis. I think it's a good approach and I, too, would praise the Subcommittee which worked so long and hard on this matter. So, I would... although the Illinois Medical Society as been pointed out, isn't absolutely, 100% satisfied that the package goes far enough, it's my opinion that it goes about as far as we can constitutionally and I would urge an 'aye' vote."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, would the Sponsor yield?"



Speaker Redmond: "He will."

Schuneman: "Harold, I'm a little confused on some of the points in this Bill. For example, at it relates to the statute of limitations... and what limited experience I've had in this field, I thought the statute of limitations for tort liabilities generally was 2 years."

Washington: "We revised the statute of limitations last year and made it 2 to 5. In other words, one had to file 2 years after discovery of the injury, but not more than 5 years after. In this Bill, we've lowered the maximum to 4 years. So you must..."

Schuneman: "Are you saying then that the Legislature just a year ago extended the statute of limitations for medical malpractice?"

Washington: "No, they lowered it. Two years ago, they lowered it because it was two years from the time of discovery, no matter what the time. We lowered it to 5 at the behest of the medical profession. We are proposing in 3957 to lower it one more year. And frankly, that's a bit perilous because the assumption is that people will come in and file their cases within the 4 year period, but statistics show that there are about 8% of the cases which are filed within the 4th and 5th year, between the 4th and 5th year."

Schuneman: "Mr. Speaker, may I speak to the Bill?"

Speaker Redmond: "Proceed."

Schuneman: "Mr. Speaker, Ladies and Gentlemen of the House, I'm really confused about this Bill. I remember last year when we were considering medical malpractice. I received many, many letters from doctors in my district. I knew what the medical position was and frankly, this year I've not received a single letter from a single doctor in my district indicating the position on these Bills. I'm wondering what the position of the medical society is and the doctors in general and I've been waiting for someone to support this Bill who is not a lawyer. And if there is anyone in this House who is supporting the Bill, who is not a lawyer, I'd very much like to hear from them."

Speaker Redmond: "Representative Meyers."



Meyer: "If Representative Schuneman would look up at Mr. Hudson in the gallery, I'm sure he'll give him the signal."

Speaker Redmond: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to support House Bill 3957 and for all of you that are concerned with your stethoscope rating, I assure you that if you vote in favor of House Bill 3957, you'll get one stethoscope and if you vote in favor of the two following Bills, you'll get two more stethoscopes. So, you'll have a three stethoscope rating to report home to your district. Now, Mr. Speaker and Ladies and Gentlemen of the House, by no means is House Bill 3957 the answer of the cure-all to our medical malpractice, but I could tell you seriously that it does go in the right direction and it is a concerted effort by all people involved in order to assist the medical community and, yes, assist our constituents, you and me, in aiding the problems of the medical malpractice crisis. I urge you to support this Bill and I urge you to cast your green vote for it and I remind you that malpractice is, in fact, everyone's problem for malpractice rates and insurance premiums are paid by the consumer and we've heard testimony of the rates in Chicago structures and downstate in the hospitals and that doctors pay on their malpractice premium that you pay, that the patient pays and this is another Bill, another step in an effort to resolve the crisis and I urge your 'aye' vote."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, let me first of all say I am a lawyer and I belong to the Illinois and Chicago Bar Association and let me make it perfectly clear on the record that I have represented the Illinois State Medical Society in helping 'em put together a captive insurance carrier; but I think that the problem of medical malpractice transcends either profession and I will make the statement I made to a Committee and probably on the floor of this House over a year ago. The lawyers in this state are permitted to practice. They have no absolute right and the doctors in this state are permitted to practice their profession and have no absolute right and what I am concerned



about are that the people in this state have adequate health care at reasonable rates. And let me tell you how this subject affects us in the General Assembly. Not so long ago, a local newspaper carried an article where the cost of health care, the cost of health care rose some 20% in the last year. Look at what the increased costs on our health care insurance is. The rates for the policies we buy for our families went up 11%. Now let me tell you that every year we're called upon in the Department of Public Aid's budget to appropriate some \$900,000,000 for the cost of health care to people in this state that can't buy it themselves. If that cost goes up 20%, that means we, in the General Assembly, will have to appropriate an additional \$180,000,000 of public funds to pay for the additional cost of health care. And I think that this Bill will start addressing itself to that problem. This isn't a lawyer's Bill. This isn't a doctors Bill. But this is a legislative initiative to address itself to what I think is one of the most pressing problems we, in this General Assembly, face. I will tell you that we attempted to get the learned professions together some three weeks ago. We had people from the medical profession and the hospital association meet with people from the legal profession and spend some three days with Representative Washington trying to hammer out some compromises in this area. And this Bill is a compromise on both of the professions, but it is a legislative initiative. It is what the Members of this House think will answer and address the problems for the people of the State of Illinois and I would urge its support and adoption."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, one thing that had been bothering me about this Bill was that children would have to... children and incompetents would have to have suits filed on behalf of themselves within four years after the treatment and I have been informed that that deadline does not apply to children and incompetents and I wonder if the Sponsor of the Bill could confirm that."

Washington: "Minors and incompetents are not affected by the change in this Bill, Mr. Skinner."



Skinner: "Thank you very much."

Speaker Redmond: "Representative Matijevich. Pardon me."

Skinner: "Excuse me, sir. I would make one observation since Solomon has been mentioned that I don't believe the solution was to split the baby. I think the solution was to give the baby to one or the other or kill the baby rather than... kill the baby to give it to one of them. At any rate, the... perhaps we could find a Solomon-like solution by giving the people a choice of whether to do away with all the lawyers or do away with all the doctors. That's just a thought."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I was somewhat troubled as a Member of the Insurance Committee when I heard that the package of Eills relating to malpractice may do very minimal with regard to malpractice premiums. But I also heard it said that if nothing was done, they would yet skyrocket further. I realize that this is a very difficult triangle when you try to get doctors and lawyers and insurance people together. They really never have been in love with each other, but when you have a problem where they really conflict, you'll never get them together and then I realized that it isn't just a triangle, that there is a fourth member involved. That the government is involved, too. We've got to do something. We've got to do all that we can and we know that we can't do it all in one full sweep and solve all the problems, but if we don't do anything, I've heard it an insurance company that the premium costs will increase. So, I realize that this is a compromise and I know how hard that the Judiciary Committee has worked to develop this compromise. And I know that unless we do something further and governments got to do it, too; we've got to make sure that the doctors try to work to make sure that some of the malpractice claims will be reduced so that we have continuing education, so that we have better qualified doctors. We've got to do that, too. That's going to come along the pike, too. But I want to add one thing further. Ladies and Gentlemen of the House, I've been here for 10 years. In 10 years, I've yet to miss one Session, one day's

work of the General Assembly. To me, that's the most important thing that I feel as a representative of the people, that I'm here every day, that I represent my people. And I note with interest that a Member of the House that made specific charges, specific allegations to this issue is not here representing his people. If that issue was so important to him, if that allegation was so important, I just wonder..."

Speaker Redmond: "Representative Walsh, for what purpose do you rise?"

Walsh: "Well, the Gentleman's out of order altogether. If he has some criticism of a Member of this House, he ought to make that criticism when the Member is here."

Speaker Redmond: "Bring your remarks to a close."

Matijevid: "I'll make it when he comes here and I'll never know when he comes because he's..."

Speaker Redmond: "The point of order is well taken."

Matijevid: "...because he's practicing law more than he is representing his people."

Speaker Redmond: "The point of order is well taken, Mr. Matijevid."

Matijevid: "But I... all I want to do by closing is saying that I think this is a good package of Bills and I'm here to vote for it representing my people, very happy to do so."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, this matter's been adequately debated. I move the previous question."

Speaker Redmond: "The Gentleman's moved the previous question. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Washington, to close."

Washington: "Mr. Speaker, Members of the House, I can't improve upon the remarks of Mr. Griesheimer or Mr. Leinenweber and Mr. Shea. I think they covered the matter very adequately. First of all, this is a product of the Judiciary Committee. It's not the product of any one vested interest in the group, in the state and I think if we get sidetracked into talking or talking against or for our best professional group, I think we're going to do a disservice to our responsibility and that is to struggle as other states are doing and other legislative bodies are doing to try to



find a formula which I reiterate would do two things, try to bring some sanity into the premium line, but ultimately and more important, to guarantee that our people have adequate medical health services within the state. And I think, in a sense, we've done that in this Bill. We've studied all the 50 states and we see none, none which will have surpassed this state if this package passes. No state at this point has what we consider to be an adequate track record of sufficient longevity for us to say that's the route to follow. But what we have done is to take bits and pieces with some degree of innovation, such as represented by Mr. Beaupre yesterday, and place it into this Bill. We hope and we think it will help to stabilize malpractice insurance premiums. We hope and we think it will help to bring better supervision to... for health providers in this state and I think in passing this Bill we will have done... will have lived up to our responsibility and I urge an 'aye' vote."

Speaker Redmond: "The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Representative Duff.
Representative Duff."

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I suppose it could be said that I have all kinds of conflicts of interests and I'm not really sure of that. I've mentioned to this House before that I am a trial lawyer, that I spent 13 years in the insurance industry in professional liability and that everybody in my family except me, I guess, for three generations, bunches of them have been doctors. I just want to say because I am confident that this piece of legislation will be subject to litigation in the courts and there will be attempts to make determinations on constitutionality on certain portions of it that the record will undoubtedly be looked at in terms of what we say here today and I think that it... I would remiss not to say that while I am going to vote for this Bill and while I think it is a legitimate effort to solve the problems and I am impressed by the efforts of the Judiciary Committee and Subcommittee. Nevertheless, I didn't hear, perhaps it was said, but I didn't hear in debate what I anticipated would be an attack on the portions



of the Bill which refers to collateral source problems in terms of economic loss. To those of you who are not familiar with it, the Bill does say that 50% of collateral sources of recovery can be taken off of the recovery up to 50% of the judgement that might come out. Now this applies in this Bill only to medical malpractice and that is, in my opinion, special legislation and I believe that unless it is made to apply to court law in general which would be impossible I think politically, then it will be thrown out just like the special limitation on \$500,000 was last year. Having said that, I am in no different posture than I was last year when I said that that was unconstitutional, but voted for the Bill anyway 'cause I am sure that the court will not throw this Bill out in its entirety and it is a legitimate and good effort for this body to try to do something. I'll vote 'aye'."

Speaker Redmond: "Representative Berman."

Berman: "Well, Mr. Speaker, I would just like to express a word of caution. When I see a Roll Call on a Bill of this importance with 138 to nothing, I'm just going to say and I hope you won't say I told you so, but I think this is a relatively good Bill because lawyers aren't always happy, all happy with it. The doctors aren't all happy with it and the insurance companies aren't all happy with it. But I don't think you're going to see either this Bill come out of the Senate or if comes back here, I don't think you're going to be able to recognize it. I hope that all of the 140 people that think it's a good Bill with your green votes today will remember those votes within the next couple weeks. I'm pleased to vote 'aye'."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, the unanimity of the vote indicates how innocuous this Bill is. The sepulchral toned optimism of one powerful leader who spoke in its behalf about the reduction of the cost insurance is just unfounded. We need to be careful lest the Legislators be guilty of the same unwarranted optimism that's gotten the medial profession in its present condition. That is promising more, raising



expectations than can be realized. And as Legislators, we mustn't tell the public or even imply or let anyone else tell 'em that this Bill will cause the rates to come down. What needs to be done that makes reality come or make that needs become a reality, is for the next Session of the Legislature to call the insurance companies in for a day reckoning about the charges that are made. I'm voting 'aye', but I have no allusions as to.... solution to a public problem."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there's 141 'aye' and 1 'no' and the Bill having received the Constitutional majority is hereby declared passed. 3958."

Clerk O'Brien: "House Bill 3958. A Bill for an Act in relation to arbitration in health care malpractice cases. Third Reading of the Bill."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker, Members of the House, this Bill is a supplement to the one we just passed. This Bill is supported by the medical profession. This Bill is supported by the legal profession. It... what it does is simply provide that the parties in the malpractice situation can bind themselves to the decision of an arbitrator. Due process if provided for, adequate signing of the agreement is provided for, adequate provisions for revocation under certain circumstances is provided for, it will do obviously certain things. One, it will unclutter the courts. And as you well know, the main reason the courts are cluttered is because of personal injury matters. Two, it will obviously lower the cost of plaintiff and defendant, no question about it. Three, I think in so doing, it would bear directly upon the premium costs and hopefully would if not lower that, would stabilize that. I reiterate, it's supported by the legal and medical professions and I urge your support of 3958."

Speaker Redmond: "The question is shall this Bill pass. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question, there's 133 'aye' and 1 'no' and the



Bill having received the Constitutional majority is hereby declared passed. 3559."

Clerk O'Brien: "House Bill 3959. A Bill for an Act to create the Department of Health Professions to transfer to that Department certain functions of the Department of Registration and Education. Third Reading of the Bill."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3959 is... I would caution you not to pay attention to the Digest in that it is not accurate. It refers to establishing an entirely new department and that is not, and I underscore, not the intent of the Bill as it now exists. In the last two Bills, I think we've gone a considerable way towards addressing the legal relationship between the parties or among the parties in malpractice litigation. House Bill 3959 attempts to address the quality of care question and that is a question I think that I've said several times is implicit in this whole crisis. What the Bill does is establishes or transfers rather, certain functions that are now performed by the Department of Registration and Education with regard to medical licensing to the Department of Public Health in a new division. This was an alternative to the proposal of starting an entirely new department for medical licensing. The Bill proceeds in a very cautious way in that it does say in its amended form that the transfer does not take place for two years. In the interim, it provides for an Interim Advisory Committee made up of Legislators and public members to guide the transfer of that power, make legislative recommendations to the General Assembly with regard to other changes in our licensing mechanism. Right now, the Department of Public Health does have the power and ability and responsibility for reviewing and licensing institutions. This extends that power to personnel. I'd be happy to answer any additional questions, would ask for your support on this Bill."

Speaker Redmond: "Any questions? Representative Geo-Karis."

Geo-Karis: "Will the Sponsor yield to a few questions?"



Speaker Redmond: "He will."

Geo-Karis: "Mr. Sponsor, what you're doing in effect under this Bill are you not, is taking about 7 professions out of the Department of Education and Registration and putting them in Public Health, is that right?"

Holewinski: "That's correct. I think there's more like 8 or 9."

Geo-Karis: "And there's about how many, about 35 or better that are being licensed, is that right?"

Holewinski: "That is correct."

Geo-Karis: "Now, you say in your Bill that you will be creating a new Department of Health Professions..."

Holewinski: "No, that's incorrect. It creates a new division in the Department of Public Health. I started out by explaining that this is an alternative to the original proposal. The original proposal started out by suggesting setting up a new department. This is not... this just transfers that power to Public Health. It's already providing the same functions."

Geo-Karis: "Well, can you tell me about how money that would involve to transfer the 8 professions out of the Department of Education and Registration to the this new department that your Bill addresses itself to?"

Holewinski: "The F.Y. '77 request by R. and E. for these functions is just over a million dollars. That really is not a true... I don't think you should be guided by that figure because we're not talking about this being transferred for a period of two years. So, the economic impact on this next year in terms of the transfer of those dollars from R. and E. to Public Health is really... is not what's going to happen. The figure you're going to be looking at is that figure two years down the road."

Geo-Karis: "All right, Mr. Speaker, I'd like to address myself to the Bill."

Speaker Redmond: "Proceed."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I am rising to speak against this Bill. What this Bill will do, in effect, is take about 8 professions out of the Department of Education and Registration which is all set to do the licensing



investigation and transfer them to a division in the Department of Public Health. Well, Mr. Speaker and Ladies and Gentlemen of the House, this will involve at least a million dollars. We wouldn't have to spend that much money if we left both professions right in the Department of Education and Registration as they are now. And I really think in this period of economy which we're trying to practice in view of the fluctuating and uncertain finances of the State of Illinois, I'd feel that this type of a Bill would be unnecessary and, therefore, I urge you to vote against it."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Will the Sponsor yield? Representative Holewinski, is Director Stackler in favor of the Bill?"

Holewinski: "No, I think predictably Director Stackler is in opposition to the Bill."

Cunningham: "Is Director Lashof in favor of the Bill?"

Holewinski: "Director Lashof has advised me that conceptionally, she agrees with the intent of the Bill."

Cunningham: "Didn't she oppose the Bill before Committee and say that they weren't set up to handle it at the present time? How do you reconcile that posture with your answer?"

Holewinski: "No, Director Lashof testified in Committee that the time frame which we provided for in the Bill was not long enough to make the transition. That was the basis upon which we adopted Amendment #2, stretching that period to two years."

Cunningham: "May I speak just for a moment, Mr. Speaker?"

Speaker Redmond: "Proceed."

Cunningham: "There seems to be credibility gap here. Our information is that Dr. Lashof is opposed to the Bill. It's irrefutable that she appeared before the Committee and said that they weren't set up to handle it. Even at that time, it was set for implementation on the first of July of '77. So, the ingenious Sponsor said, fine, we'll extend it another year till the first of July, '78. There's no enthusiasm, no request by the Department of Public Health to assume this responsibility. I can't see anybody that's in favor of the Bill, thinks it's a good idea except the



Sponsor. All day long, you won't have a better Bill, more worthy Bill for voting 'no' than this. The reason for not doing it are that you'll, one, cost an additional expense to the State of Illinois for the regulation of these health care facilities and the professions which are presently being adequately regulated by the administration... by the Department of Registration and Education. There's another factor that enters into it and that is if you shift it over to the Department of Public Health which is required by law to be headed by a medical doctor, you have dentists and other similar professions who are being regulated by one of not a foreign, a foreign profession, but somewhat different. There becomes questions involved here as to possible rivalry. It's better to have 'em regulated by an untainted civilian or preferably as in this instance, by a lawyer as presently heads the Department of Registration and Education. I urge that this is the Bill that should be defeated."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House, I have great admiration for Representative Holewinski because I have supported his measure on many, many instances, but on this one, I have to take exception. First of all, this piece of legislation is not in reality a part of the malpractice legislative package. It need not be and should not be. We are now questioning whether or not the Department of Registration and Education has the knowledge and the skill to test certain professions, some 7 or 8. And there has never been a charge to my knowledge that in the licensing, in the examination and testing of these professions that Registration and Education did not do a thorough and comprehensive job. There have been no possible charges that they have not lived up to their responsibilities. And secondly, there is no known fact, there has been no proof that if the transfer of powers was made to the Department of Public Health that they are anyway able or capable of doing the powers that we'd now would be assigned to them. They don't have the expertise, they've never done it before, and so there's a question of whether or not they could even do the job that is now being



done by Registration and Education. And thirdly, this is a transfer of powers over a two year period. It would seem to me that to answer the first two questions, we should have a study to determine whether Education did not do the job properly or not, could not. And secondly, is that if Regis... Department of Public Health would do a better job. So in lieu of no survey, no study, I would suggest that this Bill be defeated so that those questions could be answered in the next year."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker, Members of the House, first in answer to a previous speaker, Dr. Lashof made it abundantly clear, very clear that she supported the concept, but she said one year was not enough time. Mr. Holewinski had cured her only objection by extending this Bill, its effective date in terms of the transfer to two years. Secondly, the Reparations Commission which we formed and which put out its report, I think, several days ago underwrote, supported, and recommended this procedure. And thirdly, and here I want to quote from Dr. Robert Wilcox, our Director of the Department of Insurance. He made this statement, 'There are increased medical malpractice cases because malpractice is increasing'. I repeat, there are increased medical malpractice cases because malpractice is increasing. People are falling out of beds unnecessarily, the wrong legs are being cut off, foreign objects are being sewn up in people by a certain, miniscule obviously, number of doctors, wrong injections are given to patients, wrong prescriptions are given to patients, malpractice is increasing. Now it appears to me that the state has an ultimate responsibility to do the best it can to make certain that they do all they can to lower the instances of malpractice. We need a supervisory agency that will control the whole thing, not just the doctors, but the whole spectrum of medical health providers. And that's what Bill, this Bill attempts to do. It attempts to bring the whole thing within the purview of one agency. And what better agency would that be than the Public Health Department, our state



agency. I think it's a good Bill. I think it goes in the direction of doing what ultimately must be done. It's a two-stage Bill. It sets up an Advisory Commission to work on the details and plans and to refine this concept and a two-year period that will be the transfer. That doesn't mean that people will be thrown out willy-nilly. It says, transfer. Transfer personnel from R. and E. to the Department of Public Health. I think it's a good concept. I think we should deal with it. I think we should pass it. And in response to Representative Schraeder, I think it bears directly upon the responsibility of this state to provide better health delivery services for its people. I support House Bill 3959."

Speaker Redmond: "Representative Skinner."

Skinner: "I wonder if the Sponsor would yield for a question?"

Speaker Redmond: "He will."

Skinner: "What makes you think that any profession is capable of making the ultimate regulatory decision about itself as the medical profession would have if your Bill passed?"

Holewinski: "I don't... Representative Skinner, I don't think there is any guarantee that any one of the professions can effectively police itself. That's why we have provided in this legislation for an Advisory, Interim Advisory Committee made up of Legislators so that recommendations can be made to change the structure of medical licensing in Illinois. I might at this time in answering your question, allude to a question or a point that was raised by my good friend, Representative Schraeder. And that is, I don't have any problem with the Department of Registration and Education in terms of their performance in the last couple of years. But even the Director of that department has suggested that licensing be purely registration. That may be a good idea with regards to a number of the professions, but I don't think it's a good idea in terms of medical licensing. I think that that function is more properly placed in Public Health."

Skinner: "I would make two more points. Number one, the next Governor, at least one of the next Governors, gubernatorial candidates has strongly suggested that he wishes to drastically reorganize state



government and I would wonder what comments you might have on passage on passage... of the effect the passage of this Bill would have a future Governor's reorganization attempt."

Holewinski: "Representative Skinner, the period of the operation of the Interim Advisory Committee is such that not only will the next Governor have an opportunity for input into the reorganization, but probably the candidate for Governor following him."

Skinner: "My final point is to sort of a reaction to Representative Schraeder's assertion that there... R. and E. has virtually been blameless. I would suggest R. and E. has in... historically in this state been one of the more corrupt departments and that it is for that reason that I introduced along with Representative Kempiners, House Bill 2115 last Session to abolish the department and to take its various parts and to put them into an area where someone might have some expertise about what was being licensed. For instance, maybe putting horseshoeing in the Department of Agriculture. Since then, I have really had a lot of thoughts going through my head on licensing and I must admit I haven't yet reached a conclusion of how we ought to do it. I do know, however, that if we are going to license people, we have to make absolutely sure that when the state says this guy is good enough to do something, that he really is. So maybe in addition to the prescreening process that goes into licensing, we ought to very seriously approach in the next General Assembly the getting rid of incompetence parts of the licensing function. I would note by analogy that the Judicial Inquiry Board is doing a much better job of getting rid of incompetent judges than was its predecessor agency which I don't think even existed. Thank you."

Speaker Redmond: "Representative Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, for the past 8 years, it's been good fortune to have appeared on the state-wide comprehensive health planning advisory council. As most of you know, this council's comprised of both consumers and providers for health planning in the entire state. And having sat on many,



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many hearings, listened to a very great deal of debate and discussion of health problems in the State of Illinois, I think I'm quite safe in saying that the members of this council would almost wholeheartedly endorse this concept. I see there's only one thing wrong here. We should of done this years and years ago. That's the only thing with this particular piece of legislation, that it's come many years too late. And if we want to help provide better health care in the State of Illinois, I certainly would urge support of this proposal."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Mr. Speaker, I move the previous question."

Speaker Redmond: "Representative Dunn."

Ralph Dunn: "Thank you, sir. Did you... I just wanted to ask a question on an Amendment."

Speaker Redmond: "One question. He'll hold your motion."

Ralph Dunn: "Sponsor yield for a question?"

Speaker Redmond: "He will."

Ralph Dunn: "What will this cost the State of Illinois?"

Speaker Redmond: "Representative Holewinski."

Holewinski: "Thank you, Mr. Speaker. Representative Dunn, eventually once the transfer is made, it shouldn't cost any more in Public Health than it would of cost us in R. and E. It is not... we're not creating a new branch. We are transferring functions from one department to another."

Ralph Dunn: "May I make one statement, sir?"

Speaker Redmond: "Proceed."

Ralph Dunn: "I would like to call the attention of the Membership that perhaps we're not bettering ourselves by transferring these functions. I would like to suggest that perhaps we're not divorcing and getting completely separate so we'll have a fair evaluation of physicians and doctors by putting this under the Department of Public Health. Traditionally in the State of Illinois, the Department of Public Health Director, I think, is always a doctor. So here you're moving the licensing of physicians under the direction of a physician. Traditionally, the Department of Registration and Education is headed by a lay person and I



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think that this is probably where it should stay so that we, the people of Illinois, would have something to say about the licensing rather than perhaps the medical profession licensing themselves. Now I would suggest a 'no' vote on this. Thank you."

Speaker Redmond: "Representative Ebbesen moved the previous question. The question is shall the main question be put. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Holewinski, to close."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Under the National Health Planning and Resources Development Act of 1974, the State Department of Public Health is the health planning agency for the state. In that capacity, it's going to have to get involved in manpower planning and the issues of health provider distribution, training, education, and competency review. What this Bill is, is an effort to give them the ability to do just that. An ability to have a total review of the provision of health services in the State of Illinois. If you're interested in problems that we've had with the Medicaid and Medicare programs, then you ought to be for this Bill because it implements one more step in the process of centralizing the quality of care review that's required and necessary in this state. I think that we've had an adequate discussion of this legislation. It does not cost us that million dollars that Representative Geo-Karis had alluded to because that is the cost of regulating that function. It is a transfer of those funds, but not for two years. I would appreciate an affirmative vote on House Bill 3959."

Speaker Redmond: "The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Shea, to explain his vote."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think this is one of the keys to the medical malpractice crisis within this state. We sat or some of us sat and talked to Director Wilcox about why we're at the place we are with regard to malpractice.



And one of the problems is and let's face it, there is medical malpractice or there wouldn't be lawsuits. And one of the problems is that the professions do not... do not regulate themselves in all instances. I probably represent a district that has more doctors within it than maybe any district in the state. And as I talked to each individual physician, he tells me, yes, there are bad doctors and we ought to get rid of 'em. But when you put 'em as a group, people say, why should they regulate themselves. But let me tell you, if you get this all within one, one place where you can represent and regulate the health care providers, you can have such things as Harold Washington talked about where you can at least look into the problem and hopefully solve it. But when you hear stories about medicines being given to the wrong person in hospitals, when you hear about some of the stories that go on, I'm sure these professions want to regulate themselves and I think by putting them in a single agency under the Department of Public Health, it will do much to do that. And Director Wilcox when he talked to us, said he thought this is one of the ways of holding the line on insurance rates and maybe bringing them down. I would urge my colleagues to look at this legislation and to support it."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, you could control the medical practice in the Department of Agriculture if you had the right people running it and you can't control the Department of Health if you don't. It's not a problem of the law. The law is there. We just need some right people running it."

Speaker Redmond: "Representative Porter."

Porter: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm absolutely amazed at the people voting 'no' and particularly, I think, at the people voting 'present' on this Bill. It seems to me there's nothing that they have to worry about. If they don't vote for this Bill, the regulation of doctors is going to remain within the Department of Registration



and Education. Now this Bill started out as forming an entirely new department of government, a code department of government to handle just this function. I took great exception that in the Committee because I think that the expenditure of public funds for that purpose would not be wise at all to have an entirely new department, to pay the Executive Director \$44,000 a year, but I certainly do think that we don't want to leave this regulation within R. and E. and that this Bill makes excellent good sense by creating a new agency under the Department of Public Health. I'm not aware of any opposition to the Bill really. Certain people have expressed on the floor certain reservations, but what's the alternative? Consider what it is and I'm sure that you will vote 'aye'."

Speaker Redmond: "D.L. Houlihan."

D.L. Houlihan: "Thank you, Mr. Speaker and Ladies and Gentlemen.

To explain my vote in support of House Bill 3959, I'd like to emphasize the two aspects of the Bill. First, the single regulatory agency for all health care providers and the necessity of that, I think, is obvious so that we do not have fragmented regulation and that we can have effective regulation. And secondly, the Advisory Committee is the only concept we have here to deal on an in-depth basis with the problems of patient safety. If we are to come to address ourselves to the root problems of malpractice, we must devise programs that will insure the safety of patients in hospitals. One of the most startling statistics which was referred to by Representative Washington was to the effect that 50% of all malpractice cases consist of people who fall out of beds in hospitals. It is absolutely essential that we address ourselves to the concept of patient safety in addressing the entire problem of malpractice. I urge your support of this Bill. It is a compromise measure. I submit it is a very reasonable measure and deserves your support."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill and for a very simple reason. If you're



going to talk about the most... if you're going to discuss what is the most profession which is licensed in this state, there is no question, no question that that would be the doctors, nurses and health care providers. Now if you're going to have any kind of licensing and review of the licenses, you're going to have to insert a degree of professionalism into the board or the department which is going to do the review. That professionalism is in the Department of Public Health. Now when you're in the Department of Registration and Education, you have a department that is going to be reviewing the licenses of everything from barbers tree surgeons and horseshoers. And to keep doctors, nurses, and health care providers in the most important area of licensing in the Department of Registration and Education which is his licensing questions from soup to nuts, I think, defies the imagination and it defies common sense. So this Bill at least if it does nothing else, will insert a modicum of professionalism in the review of these licensing. And for that reason and for that reason alone, the Members of this House should support it."

Speaker Redmond: "Representative Marovitz."

Marovitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

There's been a lot of talk here about fiscal implications. I think in the long run, this Bill will save the state and many people a lot of money because of quality of regulations that this Bill will provide for. It will save money in the insurance industry. It'll save money in insurance premiums. It'll save the state money in reimbursements to hospitals for health care because of the integrated setting provided for through this Bill. Today, the Department of Public Health regulates health facilities, patient care, hospitals, nursing homes. We just want to give them a continuation of this kind of regulation that they're accustomed to, that they're used to. If one looks at the record of the Department of Registration and Education over the years, they haven't been able to do the job in this area. We're trying to transfer this to a department that has been able to do the job. They will be able to do the job. They will be able to



provide the proper type of regulation that will save all of us in the state over the long term, substantial amounts of money. I'd like to see some more green votes on this. It's an excellent Bill."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill. I think Representative Friedrich hit the nail right on the head. If you had a Director or head of the department, even the Department of Agriculture could administer this program if you have competent people. So the issue is you're treating not the basic problem but some of the symptoms of the problem. And instead, it depends on who is going to administer the program in each department. If you had a Governor that had made decent appointments to some of these departments, maybe you wouldn't have the problems that you have. So it goes back to the appointment of administration of who's going to head a department and I think if the Department of Registration and Education had additional funds perhaps to police some of the agencies a little bit better, we wouldn't have the problems. And for these reasons, I'm voting 'no'. Even though it looks like it's going to pass, at the proper time, Mr. Speaker, I would like to be recognized for the purposes of verification of the Roll Call."

Speaker Redmond: "Representative Caldwell."

Caldwell: "Very briefly, Mr. Speaker. I rise in support of this Bill and I would suggest that any of us who audited the long number of hearings between the lawyers, the physicians and the insurance people and heard the Members of the Judicial Committee and subsequently of the Subcommittee, these people were intelligent. They had differences and they worked long and hard and arrived at what, to me as a layman, seems to be the basis for the first real malpractice law that's going to function in this country. There's no question about it that we're meeting our responsibilities in dealing with this and whether the doctors like it or the lawyers like it or the insurance people like it, is not important. Someone mentioned previously in the debate that



government has a responsibility and I think that that's what we are doing. I'm happy to see the two previous Bills pass, but I think that this Bill is absolutely necessary and I think that it's directed to the right department and we may as well go the whole hog and do it right. I would predict that once this, these three Bills are passed and enacted into law, that we will have established a precedent for the rest of the states to follow. I would hope that all of us would... a lot of those yellow lights up there would change to green and let's pass this Bill."

Speaker Redmond: "Representative Gaines."

Gaines: "I rise to, Mr. Speaker, to address myself to this Bill.

It concerns me when the department which is currently under investigation by the Federal Equal Employment Opportunities Commission is going to be given more authority. They're presently being investigated because they have one of the lowest incidences of hiring of blacks of any department in the State of Illinois. And in addition, I've been in consultation with the Black Nurses Association and they feel it would be a travesty on justice to put them under the mercy of this department which is known for its bigotry. So therefore, I'm voting 'no'."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, in all the debate, there are a few things, I think, that we have overlooked. I speak as a Commissioner on the Medical Malpractice Reparations Commission and I can tell you that what one of the problems that the Commission discovered in its lengthy hearings and gathering of evidence is that fact that indeed, the medical profession has come to the point where they are very, very interested in peer review. Where hospitals are very, very interested in trying to solve their own problems. When you face \$30,000 a year premium charges for medical malpractice insurance, you begin to realize that there are some things wrong in your profession. And basically, that's what's happened to the medical profession. It's also true of the hospitals who are being



sued two and three times as often as they were as little as five or six years ago. But let me point out to you what this will bring about. One of the things that we had difficulty with throughout the hearings and throughout the proceedings of the Commission is getting a handle on statistics, getting a handle on the times of incidences that are taking place in this state. One of the things that the profession and the hospitals are very serious about and attempting to accomplish is setting up proper administrative procedure for the gathering of facts and the gathering of information in regard to incidents that arise which bring about malpractice suits. It takes a particular kind of expertise in government to aid in the establishment of these kinds of peer review procedures. Some of the hospitals have done a very good job on their own, but they're pioneers in the field. If you'd go throughout the country, you'd find that very few health care providers have been able to set up the kind of peer review and the kind of monitoring that needs to take place. This proposal which will put the regulation of health care providers in the Department of Public Health where we have professionals who can deal with, who can make suggestions, who can give advice and counsel on setting up the kind of peer review committees that must take place in this state if we're to cut down the incidents of malpractice, is what's going to be the savior to the problem. There is indeed malpractice. Insurance premiums aren't going down. The truth of the matter is that we have to solve the problem within the profession and this will give us the opportunity to do it by having an arm of government which has the kind of expertise to help the professions police themselves. I urge your support of this."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to oppose this Bill and suggest to you that it is not in the slightest related to medical malpractice. The question of incompetent doctors, I submit, is really the base for medical... of the problem of medical malpractice and that unfortunately,



can't be taken care of by the licensing agency. Once a doctor is licensed and performs even perfunctorily in that capacity or anyone else is licensed, it is almost impossible to get rid of him. It is impossible, too, to get rid of him from a medical society or from any other group of doctors because he can plead discrimination and if anyone who pleads discrimination has unfortunately, got a very good case. Now I submit to you, Mr. Speaker, that in the area of licensing, the important thing is visibility. Doctor licensing would not have visibility if concealed in the Department of Public Health. The only place to license is in one agency and in that agency, to license every trade and profession that is licensed. If you do not do that, then it makes sense to license every category under a special licensing group such as real estate, horseshoers, etc. and have a department for them. It so fragmented that no one knows where to look. Mr. Speaker, one of the problems, I submit, in the licensing of doctors and I wish that Representative Katz were here today because he has addressed himself probably more than any other Member here to the problems in licensing. Representative Katz has advocated for many years that laymen be put on licensing boards. If this were the case, if laymen were permitted some input on licensing boards including the licensing of doctors and nurses, then I submit to you that we would have more fair and better standards. Mr. Speaker, I urge the defeat of this Bill and suggest to you that it has no business at all in this package of Bills. We're not looking here to the question of medical malpractice at all. We're looking to a question that the state doctors through the medical society would like to have accomplished very incidentally."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it sort of scares me sometimes to agree with this, but what we shouldn't vote 'aye' on this Bill and they've mentioned really two good reasons. One, tightening the club; and two, a duplication of monies are spent on regulation. But I'd like to mention a third point for those of you that have chiropractors in



your Legislative Districts. This division will have the right to license and regulate chiropractors. However, they have no right to be on the... in the division in an administrative function. They are void of any kind of authority within that division. And I would suggest the way that they are constantly at each other throats, that medical physicians and the chiropractors, that that causes severe problems. So I would urge you to vote 'present'."

Speaker Redmond: "Have all voted who wished? Representative Holewinski. Representative Davis."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I don't know whether I can add anything that would be considered professional to this or not. I perhaps could go back to some of the old time ways of doing things. I remember way back yonder when at the turn of the century, you went to the barber to pull your tooth. And I can remember distinctly the old country doctor who used to come in his buggy and travel five or six miles and try to be an expert in all things. A little knowledge is a dangerous thing, but that's all we had was a little knowledge. You can't be everything to all men, but you can be something to some men. And I don't understand these lawyers. I'm certain they would not abolish the Bar Association. They would not abolish it because of its professionalism. When you... if you were brought in on the charge, you want somebody who is a professional who knows something about that charge and know whether or not your rights have been violated. I don't understand, I think the most professional vocation in the world is medicine and doctors and I don't understand why we wouldn't want to be... wouldn't want them to regulate their own profession."

Speaker Redmond: "Have all voted who wished? Representative Holewinski."

Holewinski: "Well, Mr. Speaker, I don't understand why we have such a large number of present votes on the board. It appears to me that we're getting a little minor down in the power struggle between two state departments. That's not the intent of the legislation at all. This legislation does addrag... address



the malpractice crisis and I really disagree with one of the Representatives from the other side who suggested it doesn't. What we're talking about is quality of care and if we're interested in quality of care, we'll provide the mechanism for guaranteeing that and I would urge those 'present' votes to reconsider their position and take a step in the direction of providing that care for the citizens of this state."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. Representative Holewinski."

Holewinski: "Mr. Speaker, can I have a poll of the absentees?"

Speaker Redmond: "The Gentleman has requested a poll of the absentees. Poll the absentees."

Clerk Selcke: "Bluthardt, Boyle, Capuzi, Carroll, Collins, Epton, Ewing, Garmisa, Hart, Hirschfeld, Gene Hoffman, Ron Hoffman, Emil Jones, Dave Jones, Katz, Lundy, Mann, Peters, Rayson, Rose, Sangmeister, Schlickman, Wall, Willer."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Mr. Speaker, I'd like to put this on postponed consideration."

Speaker Redmond: "The Gentleman has asked for leave to put it on postponed consideration. It'll be on postponed consideration. 3917."

Clerk Selcke: "House Bill 3917. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is final action on the Agreed Amendment to the Public Aid Code that will require proof of delivery of service by all public aid recipients and that proof shall be described by the department in the Legislative Advisory Committee of Public Aid. It's been debated quite thoroughly. I don't want to take much time of the House. I would respond to questions and I'd urge passage of this Bill."

Speaker Redmond: "Any questions? The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Representative Madison. Pardon me. Have all voted who wished? The



Clerk will take the record. On this question there's 135 'aye', 3 'no' and the Bill having received the Constitutional majority is hereby declared passed. 3954. Representative Getty."

Clerk Selcke: "House Bill 3954. An Act in relation to period of supervision for criminal offenders. Third Reading of the Bill."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3954 is a response to the Supreme Court decision in People vs. Breene which invited the General Assembly specifically to address itself to the problem of the imposition of supervision. The Bill was substantially discussed in the Amendment stage two years ago, I'm sorry, two days ago and I would like to further review it by explaining just exactly what this Bill does. Supervision is a conditional and revocable release with conditions attached. Under the terms of this proposed act, it would be with the consent of the State's Attorney, the defendant, and imposed, of course, by the courts. The Bill provides that after a... either a finding of guilty or a stipulation to the fact, the court may suspend the proceedings and grant supervision for a period not to exceed two years and attach thereto appropriate conditions. I would like to express the appreciation of the Subcommittee which worked on this Bill to all of those Legislators who sponsored legislation in this area. There were five of you who did submit Bill, all of whom helped in the final Bill that has come out. I would move for your favorable passage of this Bill."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, as a Member of the Judiciary Executive Subcommittee which originally began this work which was later transferred to Representative Getty and the Corrections Subcommittee. I followed these efforts with great care. I followed them in terms of a need of the people of Illinois to exclude felonies from consideration for supervision. I followed them with the need of law enforcement and its problems and I followed them with the need of prosecuted... prosecutorial offices of this state. It is my considered opinion



that in light of the Breene case this is the best, repeat, the best conceivable supervision Bill the State of Illinois could produce and I would commend it to all of you."

Speaker Redmond: "Anything further? Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I could say this very briefly, congratulations, Representative Getty, you've done an outstanding job and I urge your 'aye' vote."

Speaker Redmond: "The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there's 123 'aye' and 1 'no' and the Bill having received the Constitutional majority is hereby declared passed. 3955."

Clerk Selcke: "House Bill 3955. An Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3955 is a Bill that adds a Section to the Environmental Protection Act and what it does it says simply that nothing in the Act is a limit on the power of any unit of local government to pass or enforce any ordinance provided that no unit of local government is here granted power in this Section over any other unit of local government or school district, whether within or without the boundaries of such other unit of local government or school district to the extent that any of such powers are exercised by the Environmental Protection Agency or the Pollution Control Board and the unit of local government, such power shall be exercised concurrently. Now what this does is simply say that it does not delineate the authority of the Environmental Protection Agency. What it does is say that if those of you who believe in county government and those of you who believe in municipal control over their own destiny, those units of government and any other unit of government can pass an ordinance requiring certain provisions relative to the placement of a sanitary landfill.



Now those, those provisions cannot be more stringent than those exercised presently by the Environmental Protection Agency and if there is, for example, a sense of unreasonableness in the ordinance passed or the denial of a sanitary landfill by the unit of local government, then that, of course, can be adjudicated in court on the grounds of unreasonableness. And I would suggest to you that this does not, does not in any way delineate the authority of the E.P.A. What it does now is require that counties and any other unit of local government can, can do something about their own destiny relative to the placement of sanitary landfills. I'd hate... I'd be delighted to answer any questions you might have."

Speaker Redmond: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Would the Sponsor yield for a few questions?"

Speaker Redmond: "He indicates he will."

Meyer: "Representative Yourell, would this permit library districts to enact local control ordinances regulating, let's say, utilities, refineries, foundries?"

Yourell: "Well, if they are under the Environmental Protection Agency Act, then I would say 'yes', but I don't think they are. This adds a Section to the Environmental Protection Act."

Meyer: "Well, Ladies and Gentlemen, if I may speak to the merits of this Bill."

Speaker Redmond: "Proceed."

Meyer: "As many of you know, Representative Yourell has a concern over landfills in his district, but this is dropping an atom bomb on ant because it expands the E.P.A.... pardon me, it expands local government's jurisdiction and would permit library districts, hospital districts, sanitary districts to enact local control ordinances regulating any other industry which is presently under the regulation of the E.P.A. Even to the extent of septic tanks in septic storage systems now are required to get E.P.A. permits. This would permit, again, library districts to legislative in this field and as again I might point out this is dropping an atom bomb on an ant and



I believe this is worse legislation than any other that has previously been in this area."

Speaker Redmond: "Representative Mahar."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation. This is another attempt to solve a very serious problem as created by the Supreme Court decision 4 to 3 last February. While there are differences in languages, I think what we're trying to do here is to get local government back in the picture. Just as we yesterday, it just seems to me that if we're going to operate as we think we are in the State of Illinois, local government ought to have something to say in regard to how landfills are permitted and how land is used in their municipalities and their counties. This is an attempt to solve that problem and I'd urge your consideration for this Bill."

Speaker Redmond: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, it is not a pleasant thing to oppose this Bill because of the Sponsor. I respect his views and respect the reasons why he is sponsoring such a Bill, but it is no different than the Bill we had last night which was put on postponed consideration in respect that the Environmental Protection Agency does hold fair hearings. Cities, villages, and county people, individuals, anyone can appear at those hearings and oppose landfills being built in a particular area. They look at the environmental situation created not only from the standpoint of the condition of the soil and that sort of thing, but they also should look at it from the standpoint of what neighborhood they're putting it in or is it an eyesore and that sort of thing. That's their responsibility. I think it should remain their responsibility. We should not create a whole bunch of E.P.A.s all over the state with every local government having a say-so whether to deny the permits or not, especially after they have complied with the Environmental Protection Agency of the State of Illinois and I'm therefore, going to vote 'no'."

Speaker Redmond: "Representative Geo-Karis,"



Geo-Karis; "Mr, Speaker and Ladies and Gentlemen of the House, these Bills are an outgrowth of a Supreme Court decision of 4 to 3 which gave the E.P.A. unlimited authority to go into any local area no matter what the zoning was and just go ahead and give a permit for a landfill operation even if it wasn't right. Now this is wrong. When you have 3 dissenting judges on a Supreme Court decision to say, you can't do it and this very decision goes far. It even permits the landfill operation in a home rule area whether the home rule area likes it or not and whether its zoning is contrary. I say, Ladies and Gentlemen of this House, this should be supported and so should the Mahar Bill. They are both good Bills. All they're trying to do is clarify the position of the local governments and the E.P.A. for a healthy, environmental area and attitude. Not something that is restrictive. I am certainly in favor of this Bill, but I think we should support this Bill and the Mahar Bill which... and the Mahar Bill and this Bill do not restrict the sanitary district's control, but it will help it and I urge your favorable consideration on both,"

Speaker Redmond; "Representative Leinenweber,"

Leinenweber; "I have a question for the Sponsor,"

Speaker Redmond; "Proceed,"

Leinenweber; "Representative Yourell, up till the Carlson case, the E.P.A. made it a practice to issue permits subject to obtaining local zoning. If we passed your Bill, would... what would the state of the law be in relation to what the E.P.A. thought it was up till the Carlson decision?"

Yourell; "Well as you know, Harry, the E.P.A. was very frustrated with that court decision because as you indicated, they thought that local zoning was part of the provisions of the Act and had to be complied with. What this Bill does is say that if an individual wanted to put a sanitary landfill within any unit of local government within or without that unit, that a permit has to be required from that unit. This does not take away any authority from the E.P.A. This requires another additional permit subject to zoning,"



Leinenweber; "In other words, the law if we passed your Bill, would be the same as the E,P,A, thought it was up till the Carlson decision."

Yourell; "That's correct,"

Leinenweber; "Well, Mr, Speaker, I spoke on the Mahar Bill last night favorable and I certainly will support this Bill because all it does is return the law to the state that the E,P,A, itself and presumably all of us in the Legislature thought it was up until the Supreme Court in the divided, 4 to 3 opinion held that by some reading of language in the E,P,A, Act that we had, in fact; pre-empted local government from locating of land-use facilities. I certainly urge the support of House Bill 3955,"

Speaker Redmond; "Representative Palmer."

Palmer; "If the Sponsor will yield for a question or two, I'm not quite clear whether the language that you have used here in this Amendment which is now apparently the Bill, Could the Metropolitan Sanitary District go to Kankakee County without the permission of the Kankakee County government unit and by agreement with a land owner, dump sledge or sludge in an area there?"

Yourell; "What this language says... still has control and merely says that one unit of local government cannot exercise power over another unit of local government. And so, in specific answer to your question that the county would have to agree to it."

Palmer; "The County of Kankakee then would have to agree with the Metropolitan Sanitary District."

Yourell; "No, if they passed an ordinance. This is permissive legislation. If the county passed an ordinance, then, of course, the reasonableness or the unreasonableness of that ordinance would apply."

Palmer; "Well, I'm looking at the language, the bare language of the Amendment here and ask you these questions as to whether or not and I'd like a precise answer on the thing because that's going to determine how I'm going to vote, if M.S.D, can go down



to Kankakee County and without the permission of the county fathers, so to speak, enter into a contract with some land owner to dump sludge, M.S.D. sludge down there?"

Yourell: "My impression of the language is 'no'."

Palmer: "All right, thank you."

Speaker Redmond: "Anything further? Representative Yourell, Representative Brinkmeier, er... VonBoeckman,"

VonBoeckman: "Well, Mr. Speaker and Ladies and Gentlemen of the House, as you recall, last night I objected to the Mahar Bill simply because we sent Representative Mahar's Bill out with Amendment #1 which was spelled out that the county's had to have a hearing before any landfill was... issue was given. Now I think this is the best avenue that we could go, but Mr. Mahar put Amendment #2 that really destroyed that and it actually destroyed the whole Bill. And this is a similar Bill. I am for local government all the way, but we have to be practical about some of the things that the E.P.A. does. I realize there's anti-E.P.A. votes going to come up on the board, but we have to be realistic about it as where would the Chicago sludge go if they were not able to negotiate with downstate counties? Now I personally feel that this is the way to go, is to vote 'no' on these and leave the authority with the E.P.A. because if we're going to deal in a hundred and one thousand little E.P.A.'s, I think we're making an injustice to the whole system. I vote 'no'."

Speaker Redmond: "Representative Yourell, to close."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen, I..."

Speaker Redmond: "Pardon me, Representative Skinner."

Skinner: "I have been terribly ambiguous prior to hearing the last speaker and if the Gentleman would like to know where the Metropolitan Sanitary District may put its sewage and sludge, I would suggest they took... take a look at the corps of engineers south end of Lake Michigan study which has just been finished about two years ago. The specific counties where they wanted to take it across county lines without any limitations and deposited therein were Kankakee, Grundy, McHenry, Will and perhaps



some of the other Gentlemen from those counties can remember if any neighboring counties were involved. The Sponsor of this Bill has not answered a categorical 'no' to Representative Palmer's question which was, can the sanitary districts do X, Y, Z? And I would suggest that his answer and I think I can quote it directly. My impression is 'no', unquote, is insufficient guidance to a Supreme Court that it's used to finding loopholes to getting out of its responsibility."

Speaker Redmond: "Representative Yourell, to close."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the intent of this legislation is not as I've indicated before to delineate the authority of the E.P.A. All this Bill simply does is provide another method by which the voice of units of local government, including cities, villages and towns and counties can make their wishes known relative to this very important subject matter. Now this Bill and other Bills relating to the same subject have been presented in Committee, have been amended, have been refined, have been sophisticated, have been the product of much testimony and the product of much witness scrutiny. The Illinois Municipal League at first was opposed to the concept of the Bill. They now are in full and complete support of House Bill 3955. The Urban County Council is also in complete support of House Bill 3955 and I can show you that at least 100 municipalities in the northern part of the State of Illinois are also in agreement with the provisions of House Bill 3955 and I ask for a favorable vote."

Speaker Shea: "The question is shall House Bill 3955 pass. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Kelly, to explain his vote."

Kelly: "Thank you, Mr. Speaker and Members of the House. I firmly support Representative Yourell's Bill, just as I did fully support Representative Mahar's Bill last night. In our district, the 9th District which is represented by Representative Mahar, Representative Rayson and myself, we have had two of these sanitary landfill sites forced on us and it has caused a great deal



of problems and difficulties because people in our district were not aware and it was not brought to the attention as it should of been. Now one of these particular areas in the district that they are providing the site is adjacent to the Ridge High School which is in the Village of Richmond Park and it's perfectly adjacent to the high school property. The other is in a development area where there's some very expensive five developed homes and it certainly is causing a great deal of problems in our district. This may be a problem of myself and the people in our district and of Representative Yourell's, but Ladies and Gentleman, this may be your problem tomorrow. I would like to see the E.P.A. get back to where it belongs in providing a wholesome environment for the people in the State of Illinois and return government to somewhat tacit local authority and do not, at least, deny the local zoning ordinances and other areas which this Bill would protect. I ask for your support of Representative Yourell's Bill and let's give it an opportunity to pass to the Senate."

Speaker Shea: "Have all voted who wished? The Gentleman from Bureau, Mr. Mautino, to explain his vote."

Mautino: "Thank you, Mr. Speaker and Members of the House. There's been a lot of words made mention and ideas about local government in retrospect to allowing landfills to come in to a county. What is also important in this legislation is the local people who will be deciding on those that will stay open. The E.P.A. now has been closing many landfill sites throughout the State of Illinois, but I think a larger problem is the closing down of those existing sites rather than implementation of others. For those of you that are downstate and has had landfills closed in your community because of water, surface water running over these areas and now find yourself in a position where there's nowhere to bury your garbage and refuge in a small fish. You had better think twice. I would hope that there would be more green lights on that board, especially those people who have landfills closed in their area. It's giving the local control back to your county."



Speaker Shea: "Have all voted who wished? The Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "No, sir. I'm not up to explain my vote. I'm up to ask for a verification if Representative Hanahan's vote really stays on there like that."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. The Gentleman from Cook, Mr. Yourell."

Yourell: "Postponed consideration."

Speaker Shea: "Put the Bill on the order of postponed consideration. Mr. Yourell."

Yourell: "Yes, would you poll the absentees, sir?"

Speaker Shea: "All right, poll the absentees. Washington 'aye'."

Clerk Selcke: "Capuzi, Carroll, Ebbesen, Epton, Ewing, Garmisa, Greiman, Grotberg, Hart, Hirschfeld, Gene Hoffman, Ron Hoffman, Jaffe, Emil Jones, Dave Jones, Katz, Klosak, Lundy, Madison, Mann, McClain, McCourt, Peters, Randolph, Rayson, Rose, Schlickman, Schneider, Schoeberlein, Stone, Wall, Willer, and Williams."

Speaker Shea: "Report Representative Stone as 'aye'. Representative McClain."

McClain: "I thank you, sir. Would you vote me 'aye', please?"

Speaker Shea: "Report Representative McClain as 'aye'. Representative Hanahan, do you seek recognition?"

Hanahan: "Yes, change me from 'aye' to 'no', please."

Speaker Shea: "Change Hanahan from 'aye' to 'no'. And report Emil Jones as 'aye'. I take it now, Mr. Skinner, you've removed your objection?"

Skinner: "Well, Mr. Speaker, I certainly want to make sure my colleague doesn't make a fatal mistake and certainly he remembers the 300 people that were at that high school that will abide this now."

Speaker Shea: "On this question..."

Skinner: "I do not wish to continue with the verification."

Speaker Shea: "On this question there are 89 'ayes' and 24 'nays'. House Bill 3955 having received the Constitutional majority is



hereby... who seeks recognition? ...is hereby declared passed.

Mr. VonBoeckman, I'm sorry, did you seek recognition, sir?"

VonBoeckman: "Leave it go, Mr. Chairman. I think I'll, we'll kill it in the Senate."

Speaker Shea: "On the order of motions. Committee Reports."

Clerk Selcke: "Committee Report. Representative Madigan, Chairman of the Committee on Rules, reported the following Committee Resolution for introduction to the House. Resolution 902, action taken Thursday, June 10, 1976."

Speaker Shea: "All right, on the order of motions appears House Bill 927. Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. There's a motion to bring from the table House Bill 927 and I'd like briefly to explain the reason for the motion. 927 was tabled under House rules because it was in Committee in excess of the 45 day rule and I had inadvertently thought that when the Bill... the Bill was brought up... our motion was filed to have the Bill declared an emergency. It was done so by the Rules Committee on May 18. At the time it was declared an emergency, there was not enough time remaining of the... under the 45 day rule to have posted the Bill for hearing in Judiciary Committee. Therefore, it was tabled pursuant to House Rule 24(d). I had filed my petition in Rules so that if it'd been heard at an earlier time, that it could have been properly posted and heard by Judiciary Committee. Because of the fact that, of the glut of Bills in Rules Committee, I was not able to have it heard until May 18. Consequently, there was not time to post and the Bill was tabled. This Bill provides for a correction of an error in the Uniform Code of Corrections which inadvertently removed the power of a judge in a very serious multiple felony case to sentence an individual with consecutive sentences as opposed to concurrent. And this Bill corrects that and does provide in the event of multiple felonies, that a judge has the option to require a defendant to serve each sentence consecutively. That is, to completely serve the first sentence and then be required to serve a second sentence. Now this loophole in the



law applies only to very serious Class I felonies and I think it's, was best if we brought home when it was pointed out some time ago on the floor of this House that a certain individual who nine years ago committed multiple murders in the City of Chicago is now eligible for parole. It was not the intention of the court to sentence that individual consecutively that he should be eligible for parole at this early a date. And I think that this Bill does provide for a viable alternative to the death penalty for those of you who do not conscientiously believe in the imposition of the death penalty. This would permit a judge to sentence an individual effectively for the rest of his life in the event that he did commit multiple murders such as an individual did. And again, it was tabled and I believe the justification for bringing this Bill from the table is the fact that by the time I was able to overcome the glut of Bills in the Rules Committee to have the Bill declared an emergency which the Rules Committee did, in fact, do, there was insufficient time to post. This is a good Bill. I think it ought to be voted on. It was introduced last Session. It was voted out of Judiciary II Committee at that time with a due pass recommendation. It reached the order of Third Reading in the House, but through the final onslaught of Bills, we were unable to reach it, so it was placed on interim study. It's a good Bill. I would like to have a chance to again present it in Judiciary Committee, to have... with the hope that it could be voted out for floor action. Therefore, I would request that I be the 107 votes to move House Bill 927 from the table."

Speaker Shea: "The question is on the Gentleman's motion to take House Bill 927 from the table and place in the Committee of Judiciary II. There's no objection from the acting Chairman of Judiciary II to that motion. Do we have leave of the House to use the attendance Roll Call on the motion? Is there objection? All right, there's objection. All those in favor of the Gentleman's motion, vote 'aye', those opposed will vote 'nay'. It takes 107 votes. Have all voted who wished? Have



all voted who wished? Take the record. On this question there are 121 'ayes' and 6 'nays' and the Gentleman's motion prevails. It's the intention of the Chair to go through the motions on the Calendar and then to adjourn this Session unless there is some Bill on the Calendar that must be heard for some reason today. So, there are two pages of motions. I'm sure some of them can be tabled or killed by the Members, but we are trying to clean off the Calendar. For which purpose does the Gentleman from Lawrence arise?"

Cunningham: "Well, for the frustrated purpose of explaining my vote. I wanted to be disassociated from those liberals who voted 'no' as I did. I am in favor of the death penalty."

Speaker Shea: "We passed that point."

Cunningham: "Well, just a moment. I'm still on here. This..."

Speaker Shea: "We're past that point of business, Mr. Cunningham."

Cunningham: "Your tolerance is typical."

Speaker Shea: "On the order of motions, appears Mr. Lundy's motion on House Bill 2435. He's not here. Take it off the Calendar. On the order of House... same motion by Mr. Houlihan. Do you wish to persist in your motion, Mr. Houlihan, or do you withdraw it?"

Houlihan: "Well, Mr. Speaker, to clean up the Calendar, I'd be happy to persist in the motion."

Speaker Shea: "The Gentleman from Cook, Mr. Kozubowski."

Kozubowski: "Speaker, I would ask that you restore the motion on House Bill 2435 by Representative Lundy to the Calendar."

Speaker Shea: "All right, then we'll put that one back on. What do you want to do with yours, Mr. Houlihan?"

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill has remained on the order of concurrence since the last Session. This Bill as all of you will recall, was the Bill which would provide for a primary lockout which was soundly defeated last Session. I see no reason why this Bill should remain on the order of concurrence. The only purpose would be to have a Bill amending the Election Code which could be used at the last moment to bypass the proper legislative procedure."



And I at this point, would like to proceed with my motion."

Speaker Shea: "Mr. Houlihan, do you want me to pass this while you and Mr. Kozubowski talk about it?"

Houlihan: "No, I'd like to proceed. I'm afraid if I pass it, then everybody will leave."

Speaker Shea: "All right. Mr. Houlihan has made the motion to table House Bill 2435 and on that question, the Chair will recognize Mr. Kozubowski, who is the Sponsor of that Bill."

Kozubowski: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Earlier in the Session, there was some question raised by Representative Telcser as to the status of House Bill 2435. The Speaker was making a determination and we are still waiting for that determination. I would ask the Gentleman not to persist in this motion."

Speaker Shea: "Mr. Houlihan."

Houlihan: "Mr. Speaker, I conferred with the permanent Speaker and he indicated that the Parliamentarian had ruled that these motions on concurrence were alive and were pending and were legitimately before the legislative body. My concern is that this Bill which is on concurrence is the same Bill which was soundly defeated which would allow a of party preregistration which would, I think, effectively preclude participation in primary elections. And I would like to persist in my motion."

Speaker Shea: "Mr. Kozubowski."

Kozubowski: "Mr. Speaker, if you recall and the Membership will recall, the Clerk was going to make a check to the transcripts of the Spring Session. He was going to check to see exactly what was the status of this Bill in debate and to date, I have not received a determination from the Speaker of the House. I would ask that the Gentleman not persist in his motion until we have that determination from the Speaker."

Speaker Shea: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker and Members of the House, I'm rather surprised at this motion of Representative Houlihan because as I view the motion, it attempts to deprive Representative Kozubowski and the House Membership from an opportunity to discuss, debate,



and consider the merits of legislation. The motion to table says that this matter shall not be considered by the House and in light of my experiences with Representative Houlihan and his openmindedness, I'm rather surprised at his persistence."

Speaker Shea: "Mr. Madigan. Mr. Fleck, for which purpose do you arise?"

Fleck: "Well, Mr. Speaker, once again I'd like to draw the body's attention to the fact that Mr. Ronald Griesheimer, that the note he received is not from that amorous blond that he's pursuing in the Speaker's gallery, but he, too, has been stung."

Speaker Shea: "Mr. Houlihan, are you taking it out of the record now?"

Houlihan: "Mr. Speaker, I don't see any reason to take it out of the record. Representative Madigan clearly pointed out that we want to discuss this Bill. We have discussed it on concurrence. We soundly defeated the Bill and why does it remain for some 4, 5, or 6 months on the Calendar? I thought the purpose of moving to motions was to clean up the Calendar."

Speaker Shea: "That's what I'm attempting to do. All right, the Gentleman persists in his motion. Mr. Kozubowski."

Kozubowski: "Mr. Speaker, may I inquire how many votes this motion will take to pass?"

Speaker Shea: "It appears it takes a majority of those voting on the question."

Kozubowski: "It's my understanding, Mr. Speaker, it would take 107 votes."

Speaker Shea: "I will check with the Parliamentarian. For what purpose do you arise, Mr. Lechowicz?"

Lechowicz: "Maybe it should take 177."

Speaker Shea: "Mr. Kane, for what purpose do you arise?"

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is a motion, I think, that is very similar to the one that Representative Lundy has had on the Calendar for a number of months. Last week, Representative Kozubowski and Representative Lundy talked... Representative Lundy is not going to be in the House this week for an unavoidable absence. And at that time,



there was an agreement between Representative Kozubowski and Representative Lundy that neither Representative Kozubowski would call his Bill during this week and Representative Lundy would leave that motion on the Calendar. And I think that since this is Representative Lundy's motion or it has been Representative Lundy's motion, that if he could just sort of drop this whole Bill until Representative Lundy comes back, I think that that might be preferable."

Speaker Shea: "Mr. Houlihan, for what purpose do you arise?"

Houlihan: "I'd like to point out to Representative Kane that this is my motion."

Speaker Shea: "There are two motions..."

Houlihan: "If there is some discussion, an agreement between Representative Lundy and Representative Kozubowski that I'm not aware of, I'd like to know what that is and if it's agreeable, I will take my motion out of the..."

Speaker Shea: "Well, all right. We'll take it out of the record while you discuss it and we'll come back to it if necessary. On the order of motions appears House Bill 3054. And on that, Mr. VonBoeckman."

VonBoeckman: "Mr. Speaker, Ladies and Gentlemen of the House, as you all know, this is a Bill to appropriate \$29,000,000 for a 5% cost of living for certain state employees in the Executive Branch of government. I urge an 'aye' vote on this charging Committee."

Speaker Shea: "Might I inquire from the... Mr. Lechowicz, Chairman of Appropriations, has this Bill been heard, sir?"

Lechowicz: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is an old Bill."

Speaker Shea: "Has it been heard?"

Lechowicz: "Yes, it was."

Speaker Shea: "All right, go ahead. Proceed, sir. Mr. Lechowicz, do you want to talk on the legislation?"

Lechowicz: "Well, Mr. Speaker, as the Sponsor know, that Bill was assigned into a Subcommittee. The Subcommittee has not met because of the work load of the whole Committee. It was pointed



out in the Appropriations Committee, what this Bill would provide is a cost of living increase for all state employees. Unfortunately, the revenue of this state cannot absorb the cost of this Bill and it's for that reason it was assigned into a Subcommittee to... possibly that the revenue picture would improve and the Bill could come out at a later date. This has not happened. And for this reason, I would hope that this Bill would not be... the motion would be defeated."

Speaker Shea: "The Gentleman from Tazewell, Mr. VonBoeckman, to close."

VonBoeckman: "According to the financial report we have in excess of \$117,000,000 in the surplus for the fiscal year and this Bill calls for.... \$117,000,000 and this Bill calls for only \$29,000,000. I personally, think the people that work for the State of Illinois are entitled to an increase in wages. Therefore, I urge the discharge of the Committee."

Speaker Shea: "The question takes 89 votes. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 36 'ayes', and 23 'nays', and the Gentleman's motion is lost. On the order of motions appears the motion with regard to House Bill 3224. And on that motion, Mr. Griesheimer."

Griesheimer: "Mr. Speaker, I will withdraw that motion at this time. That had to do with the license plate Bill which was so adequately handled by Representative Craig yesterday evening."

Speaker Shea: "The Gentleman withdraws that motion. Mr. Kosinski, on House Bill 382... er... 3285."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3285 was posted for Judiciary II hearing yesterday. Unfortunately, the Committee could not muster a quorum and the Bill is in danger of death tonight. I, therefore, ask pursuant to Rule 24(d) to suspend the necessary requirement and provide a 15 day extension on that Bill."

Speaker Shea: "The Gentleman from Cook, the Chairman of or the Acting Chairman of Judiciary, moves that the 15 day rule, or



Rule 24(d) be extended 15 days on House Bill 3285. Is there objections? Mr. Walsh."

Walsh: "Did the Gentlemen talk with the Minority Leader and the Minority Spokesman on the Committee?"

Speaker Shea: "It's my understanding he did, sir."

Walsh: "And did they say it was all right?"

Speaker Shea: "Turn Mr. Kosinski on."

Kosinski: "Mr. Walsh, if you remember the other day, we... because this Bill was inadvertently left out of posting, we permitted it to be posted in Judiciary for Thursday. This is the same Bill. Then Thursday, we could not muster a quorum. Remember when you walked in?"

Walsh: "Yes, I do remember that. Okay, fine. Thank you."

Speaker Shea: "Does the Gentlemen have leave? Hearing no objections, the attendance Roll Call will be Journalized and the Gentleman's motion is adopted. Miss Younge on... is Miss Younge on the floor? Miss Younge, in your motion, do you want to call that now?"

Younge: "Yes."

Speaker Shea: "All right, Miss Younge, on House Bills 3533 and 3534. Her motion is that a fiscal note is not necessary. You may object. Let her explain it. I'm sure we're not going to use the attendance Roll Call, Mr. Walsh. Turn Miss Younge on, please. Proceed, ma'am."

Younge: "Mr. Speaker and Members of the House, in reference to 3533, I have filed a fiscal note. In reference to 3534, a fiscal note is not applicable because this is an appropriation Bill and the amount is in the Bill and I move that they go to Third Reading for those reasons. I have complied in 3533 and it's not applicable in 3534."

Speaker Shea: "Well, have you filed a fiscal note in 3533?"

Younge: "I have, Mr. Speaker."

Speaker Shea: "Well then, there's no necessity... your motion, as I read it up here, is that the House determine that a fiscal note is not necessary with respect to House Bills 3533, but you have filed a fiscal note on that Bill?"



Younge: "Yes, I have."

Speaker Shea: "Well, then there's no need for this motion, is that correct?"

Younge: "I withdraw it."

Speaker Shea: "All right, what about on 3534?"

Younge: "On 3534, that is an appropriation Bill. The amount of the appropriation is in the Bill and, therefore, a fiscal note is inapplicable."

Speaker Shea: "All right, on those two Bills... For what purpose does the Gentlemen from Cook, arise, Mr. Walsh."

Walsh: "Mr. Speaker, I just had an opportunity to examine the Lady's fiscal note and I submit to you that it is no adequate under the..."

Speaker Shea: "Mr. Walsh, we're not on that at this point. We're on her..."

Walsh: "We're on a House Bill motion dealing with House Bill 3533."

Speaker Shea: "Mr. Walsh, the Lady has made a statement that one is an appropriation Bill and that the other one, she has filed a fiscal note on. I am then, going to ask her to withdraw her motion cause it would not be necessary and we could that up, the adequacy of it on at the time we were on House Bills, Second Reading and..."

Walsh: "That'll be fine, sir. Thank you."

Speaker Shea: "All right, so will you withdraw that motion, Miss Younge, and we can discuss that problem when we get to House Bills, Second Reading?"

Younge: "Yes, Mr. Speaker."

Speaker Shea: "All right, the Lady takes her motion off the Calendar. On House Bill 3533 and 3534, is Mr. LaFleur on the floor? I thought this was heard yesterday. Is this a new motion? Leave this one on the Calendar then. Mr. Bradley, on House Bill 3582."

Bradley: "Well, thank you, Mr. Speaker. And Mr. Speaker and Ladies and Gentlemen of the House, I would like to explain to you just what happened with 3582 when we went to the Motor Vehicles Committee on the first occasion and we've had two hearings on the



Bill. The first hearing, some questions arose that we wanted to submit some Amendments and get some expertise. The Bill deals with the problem the Secretary of State has regarding bad checks that he receives from people who are applying for their license plates. And sometimes, this amount gets rather large and he has a real problem and the penalty, in my opinion and the opinion of the Secretary of State, is not severe enough and lends itself to truckers applying for or not only truckers, other people applying for their license and submitting a check that bounces. And the penalty for that bounce is the same whether it's a \$30 check or it's \$1,500 or a \$5,000 check for a trucker who is applying for a number of plates. The second point, Mr. Speaker, the Gentleman on the other side of the aisle, Mr. Daniels and Mr. Skinner, came in with an Amendment that was quite extensive and we did have time to really go into that Amendment. Now, Mr. Daniels has agreed that he would support this motion to discharge Committee so that we can bring the Bill to the floor of the House and I now move that we discharge the Committee on Motor Vehicles so that House Bill 3582 can move to House Bills, Second Reading. And I so move, Mr. Speaker."

Speaker Shea: "The Gentleman from McClain, Mr. Bradley, has moved to take House Bill 3852 from the Committee on Motor Vehicles and place it... 3582, and place on the Calendar on the order of House Bills, Second Reading. Is there objection? Hearing none, the Gentleman's motion will be adopted with the attendance Roll Call. On the order of motions appears House Bill 3608. Is Mr. Stubblefield on the floor? Take it out of the record. On the order of motions, is Mr. Walsh's motion on House Bill 3640, do you want to call that today? Take that out of the record. Is Mr. Rayson on the floor on 3650? All right. Mr. Huff, is Mr. Huff here on 3769? Take that out of the record. 3788, Mr. Mulcahey. Mr. Mulcahey has a motion on House Bill 3788."

Mulcahey: "Yes, Mr. Speaker, Members of the House, pursuant to Rule 66(a), I would move to discharge the Committee on Rules



for further consideration of House Bill 3788 and refer it to the Committee on Assignment of Bills."

Speaker Shea: "Is that Bill still in Rules, sir?"

Mulcahey: "Yes, it is."

Speaker Shea: "Would you tell the House what it does."

Mulcahey: "This particular Bill provides some preparation period for elementary and secondary teachers."

Speaker Shea: "The Gentleman asks leave if he can take House Bill 3788 from the Committee on Rules and place in on the Committee on Assignments. Is there objection? Hearing none, the Gentleman's motion is adopted with the attendance Roll Call. On the order of motions appears House Bill 3794, Miss Geo-Karis, do you want to proceed with that motion? You want to take it off the Calendar? You don't want to call that today. Miss Dyer, on 3832. Miss Dyer's motion is to take the Bill from the table, recommit to the Committee on Cities and Villages, and place it on the Interim Study Calendar. And I assume you cleared this with both sides of the aisle and with the Chairman of the Committee of Cities and Villages."

Dyer: "Correct."

Speaker Shea: "The Lady's motion is to take from the table, recommit to Cities and Villages, and place on the Interim Study Calendar. Is there objections? Hearing none, her motion will be adopted with the attendance Roll Call."

Dyer: "Thank you."

Speaker Shea: "Mr. Marovitz, on 385...3835."

Marovitz: "Thank you, Mr. Speaker, Members of the House. We called this Bill on Second Reading yesterday and put an Amendment on it. There was a request for a fiscal note. The fiscal note has been filed and there are no fiscal implications to House Bill 3835 and I would like the Bill moved to Third Reading. On the motion, Mr. Speaker, I am moving to suspend Rule 37(c) and extend the time for hearing this Bill until a week from today, Friday, June 18. I would ask for leave of the House."

Speaker Shea: "Well, the Bill's on Second Reading today, is that correct?"



Marovitz: "Well, the Bill was held..."

Speaker Shea: "The Bill is on Third Reading today, is that correct?"

Marovitz: "Well, the Bill was... we added an Amendment yesterday and there was a request for a fiscal note which has been filed."

Speaker Shea: "All right, there's a printer's error on the Calendar and the Speaker recorded this Bill as being on Third Reading."

Marovitz: "Okay, fine. I would now move to suspend the appropriate House Rule, 37(c) and extend the time for hearing this Bill until a week from today, Friday, June 18."

Speaker Shea: "Ms. Catania, for what purpose do you arise?"

Catania: "Parliamentary inquiry, Mr. Speaker. This is on Second Reading, is that correct?"

Speaker Shea: "Third Reading."

Marovitz: "There's a mistake in the Calendar, Susan."

Catania: "...Second Reading."

Speaker Shea: "The Speaker announced as I understand it, that there was an error by the printer and that House Bill 3831 is on the order of Third Reading."

Catania: "Is the Sponsor planning to take it back to Second Reading?"

Marovitz: "No, we added the Amendment yesterday. There's no reason to take it back to Second. It was on Second yesterday and the Amendment was added by the House."

Catania: "I have an Amendment that's filed that you know about that we discussed and you..."

Marovitz: "Susan, it's a different Bill."

Catania: "This isn't that Bill?"

Marovitz: "No."

Catania: "Sorry about that, thank you."

Marovitz: "That's quite all right."

Speaker Shea: "The Gentleman has moved to extend that portion of Rule 37(c) that applies to this Bill through and including June 18. Is there objection? Hearing none, the Gentleman's motion is adopted and the attendance Roll Call will be used



for the adoption of the Amendment. All right, now I'm informed by the Clerk's Office that Amendment #1 was adopted and that the Bill was held on Second. So that on Monday, it will appear on the Calendar in the order of House Bills, Second Reading with Amendment #1 being adopted. Yes, Mr. Marovitz."

Marovitz: "Mr. Speaker, Amendment 1 having been adopted and the fiscal note having been filed, couldn't the Bill be moved to Third Reading today and appear on the Calendar on Second Reading as of next week?"

Speaker Shea: "I certainly could if we got to House Bills, Second Reading today, but I doubt if we're going to get there. So it will appear on that order of the Calendar on Monday. On motions appears House Bill 3902 and on that, Mr. Berman. The Gentleman wishes to withdraw his motion on House Bill 3902. Mr. Huff, I'll get back to your motion. Now, Mr. Ryan, for which purpose do you arise?"

Ryan: "Parliamentary inquiry, Mr. Speaker. What happened to 3853?"

Speaker Shea: "3853, as I understand it between the misprint in the Calendar and the information from the Clerk's Office and the motion we just passed..."

Ryan: "...thought that was 3835."

Speaker Shea: "3835 is what we just did. 3853 is not on the Calendar. That's a printer's error."

Ryan: "Thank you."

Speaker Shea: "It's a transposition, as my friend, the Clerk, just informs me."

Ryan: "Thank you."

Speaker Shea: "All right, now on House Bill 3946, Mr. Kane. Are we ready to go with that one?"

Kane: "Mr. Speaker Ladies and Gentlemen of the House, this motion has been cleared by both sides of the aisle. It ran into the same problems Representative Bradley's Bill did in Motor Vehicles Committee the other day and I would move the adoption of this motion."



Speaker Shea: "The Gentleman... Mr. Skinner, do you seek recognition on this motion?"

Skinner: "I'm just curious as to why the Motor Vehicles Committee couldn't have another meeting on this?"

Kane: "We have a time problem, Representative Skinner. It's almost the middle of June now."

Skinner: "Your time is mine."

Kane: "So there's six and a half day posting notices and so forth and..."

Speaker Shea: "All right, the Gentleman's motion is to take House Bill 3946 from the Committee on Motor Vehicles and place on the Calendar, the order of Second Reading. Is there objection? Is there objection? Hearing none, the Gentleman's motion is adopted and the attendance Roll Call will be used for that motion. No on 3947, Mr. Kane, the same reasons?"

Kane: "Same reasons, same motion, same vote."

Speaker Shea: "The first two we can give you, the second and the third, I'm not so sure of. The Gentleman has moved to take House Bill 3947 from the Committee on Motor Vehicles and place on the Calendar on the order of Second Reading, First Legislative Day. Is there objection? Mr. Skinner, you object?"

Skinner: "Mr. Speaker, this is a fairly important Bill and it seems to me that it deserves more than the cursory consideration it will get on the Second and Third Readings. I would object."

Speaker Shea: "All right, the Gentleman objects. Mr. Kane, do you want to tell the House what the Bill does before we take a Roll Call vote."

Kane: "Mr. Speaker and Members... Ladies and Gentlemen of the House, what this Bill does is that there's about 10 changes in the Motor Vehicle Code that have been requested by the Secretary of State and most of them are clean-up. Some of them are nonsubstantive. Most of them would save money and allow the Secretary of State's Office to be conducted in a more efficient manner and I would move the adoption of this motion to discharge Committee."

Speaker Shea: "All right, do you want to speak to that, Mr. Skinner?
Proceed."

Skinner: "Let me tell you some of the nonsubstantive things in
this Bill. At the present time, the court conducts driving
improvement clinics just to give to the Secretary of State's
Office. That, in itself, ought to be discussed by somebody,
it seems to me. It seems to take the social security number
off the driver's license and it seems to me that is a valuable
cross-checking mechanism of all purpose reasons. Let's see..."

Speaker Shea: "Now, Mr. Kane, are you answering his question or
to close?"

Skinner: "I have no question that I'm asking of Mr. Kane."

Speaker Shea: "Turn Mr. Kane on."

Skinner: "The second change allowing..."

Kane: "Mr. Speaker..."

Skinner: "...reckless driving charge..."

Speaker Shea: "Will you hold on for one minute, Mr. Skinner.
Mr. Kane."

Kane: "Mr. Speaker, I'd raise the point that we'll be discussing
all of these things on Third Reading and that he should con-
fine himself now, I think, to the motion to discharge Com-
mittee."

Speaker Shea: "Turn Mr. Skinner back on."

Skinner: "Well, may I just point out that there's nothing that is
of an emergency nature in this Bill. As the Representative
has said, it is strictly a housekeeping Bill. I think there
are more substantive things in it that deserves the rather
detailed, fine-comb attention that the Motor Vehicles Committee
traditionally gives to Bills. And for that reason, it seems
to me there is no reason we can't hold a hearing next week
on it."

Speaker Shea: "The Gentleman from Cook, Mr. Walsh."

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House,
I think to discharge or to... discharge the Committee in this
instance would be absolutely wrong and I agree with the Minority
Spokesman, who apparently had not been consulted on this matter



before the Gentleman made the motion. We're not here to bail out the Members of the Committee and to make it possible for them to miss their meetings. I think there ought to be some discipline, perhaps on both sides of the House to getting Members of Committees to Committee meetings. So, I join with Representative Skinner in opposing the Gentleman's motion."

Speaker Shea: "Mr. Schraeder."

Schraeder: "Mr. Speaker, I have to agree that these Bills did have a chance to be heard in Committee. Apparently, due to conflicts between Committee Members, they were not able to be there. There was no input on these Bills whether they were good or bad and I think the Committee should have that prerogative of hearing the Bills and making the recommendation. I think this is a credit to the Committee, should be given because they could not be there at the prescribed time. These may be excellent Bills, but I think the Committee should be able to discuss 'em, look at the consequences, and then vote out due pass if they're good Bills. I recommend the motion be defeated."

Speaker Shea: "Mr. Kane, to close."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I believe that the Secretary of State's Office has talked with Members of the Minority side about this and there had been agreement and I would renew my motion."

Speaker Shea: "You say there has been agreement, Mr. Kane?"

Kane: "I was informed that there had been. Evidently..."

Speaker Shea: "Well, why don't we take it out of the record while you go over and discuss it and then we'll get back to it? Take it out of the record. On the order of House Bills, motions, appears a motion with regards to House Bill 3982. And on that, turn Mr. Palmer on."

Palmer: "Thank you, Mr. Speaker. I wonder if I can amend that motion to indicate that I want to move to discharge the Committee of Rules and the Committee on Assignments and have it placed in the Judiciary I Committee, if I could do that on its faith?"



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Speaker Shea: "There's been objections to that."

Palmer: "Well, all right. I then, I'd move to discharge the Committee on Rules to... from consideration of House Bill 3982 in order to have it heard by the Committee on Assignments. And would..."

Speaker Shea: "Would you tell us what the Bill's about, sir?"

Palmer: "The Bill... on May 28, the federal district panel in Chicago struck down the Illinois Obscenity Law and currently, we are without a law. The appeal from that case and I understand it's going to be appealed..."

Speaker Shea: "Have you cleared this with both sides of the aisle?"

Palmer: "Yes, I talked to Mr. Kosinski about it."

Speaker Shea: "Okay. Mr. Lechowicz looks with great aghast at that. I might remind..."

Palmer: "Well, Mr. Lechowicz..."

Speaker Shea: "The Chairman of Judiciary... he's got a smile on his face."

Palmer: "Okay."

Speaker Shea: "The Gentleman's motion is to take 3952..."

Palmer: "82."

Speaker Shea: "3982 from the Committee on Rules and place it on the Committee in Assignments. Is there objection? Hearing none... Is there objection? Do you object, Mr. Greiman? All right, the Gentleman makes his motion to take 3982 from the Committee on Rules and place it in the Committee on Assignments. And on that question, Mr. Barnes at Mr. Washington's light."

E.M. Barnes: "Yes, Mr. Speaker, would the Gentleman yield to a question?"

Speaker Shea: "He indicates he will, sir."

E.M. Barnes: "Representative Palmer, what's the emergency nature of this? I think I understand what happened, but what's the emergency, why we can't wait until next Session to introduce a Bill and have it go through the orderly process?"

Palmer: "My understanding's that we have the R without an obscenity law in the State of Illinois."



E.M. Barnes: "Totally?"

Palmer: "I believe so. That isn't so far as the state law is concerned, but I think that would be the net effect of Eagle Book Case which was decided on May 28. Now, Mr. Speaker, I..."

Speaker Shea: "Mr. Greiman or Mr. Palmer... Mr. Greiman, do you remove your objection? Okay, I have a problem because without unanimous consent, it appears that what we're attempting to do is waive the joint rules. And I don't think it can be done, so Mr. Palmer, would you take this out of the record for a minute."

Palmer: "All right."

Speaker Shea: "And come up and talk to the Parliamentarian. All right, House Joint Resolution 100, Ms. Geo-Karis. Is she here? Take it out of the record. House Joint Resolution 101, Mr. Griesheimer."

Griesheimer: "Mr. Speaker, I'm asking leave of the House pursuant to the appropriation rule to bypass Committee and advance House Joint Resolution to Second Reading, First Legislative Day. The purpose for this Resolution is to indicate the legislative desire and intent..."

Speaker Shea: "Have you discussed this with Mr. Matijevich?"

Griesheimer: "Yes, Mr. Matijevich and I have had extensive consultations."

Speaker Shea: "There has been, I assume, that... I know you talked to the Majority Leadership on it and I don't know of any objection to hearing it now. So I... the Gentleman's motion is ask unanimous consent to suspend Rule 41 for the immediate consideration of the Resolution. Is there objections? Hearing none, the attendance Roll Call will be used for the adoption of the Gentleman's motion to hear the Resolution now. Now on the Resolution, turn Mr. Griesheimer on."

Griesheimer: "Thank you, Mr. Speaker. The purpose of this Resolution is for the House to recommend to the Department of Transportation that a permit be issued to the Waukegan Harbor and Port Authority for the purpose of expanding the present



facilities. A similar permit was issued once before and the funding and planning did not develop as we anticipated through the corps of engineers. The Port of Waukegan is now in a position to start the initial steps in the expansion of their port facility and we are asking the House to, therefore, advise the Department of Transportation to allow the expansion and the issuance of this permit. I..."

Speaker Shea: "The... is there discussion? All in favor of the Gentleman's motion will say 'aye', those opposed 'no'. In the opinion of the... Mr. Matijevich... in the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Mr. Matijevich."

Matijevich: "Mr. Speaker, now I wonder if Representative Geo-Karis would table her Resolution to clean up my Committee. It's identical and if she tabled her's now, we'd clean up some of my Committee work."

Speaker Shea: "Ms. Geo-Karis."

Geo-Karis: "The only reason I'm not tabling at this time, John, is I just leave it on the record because in the event that this... his doesn't pass the Senate, mine will still be alive."

Matijevich: "Oh, boy. Thank you."

Speaker Shea: "House Resolution 151, Mr. Mann. All right, now on House Resolutions... take that out of the record. House Resolution 642, Mr. Huff. Can we just have you table that Resolution now or do you want to go with it?"

Huff: "No, sir. All I want to do is just very simply say I want it to hold it over in deference to the distinguished Representative Jack Hill for Monday. In other words, in effect, take it out of the record."

Speaker Shea: "642."

Huff: "Thank you."

Speaker Shea: "All right, now, Mr. Huff, you had House Bill 3769. Mr. Huff, you had House Bill 3769 that I passed. Do you have a motion with regards to that?"

Huff: "Yes, Mr. Speaker, my motion was to discharge the Rules



Committee and have that Bill placed on the Calendar on Second Reading on the First Legislative Day."

Speaker Shea: "Have you discussed this with both sides of the aisle, sir?"

Huff: "Yes, I have, but I was trying to explain that I, in deference to Mr. Hill, I wanted to hold that over until Monday."

Speaker Shea: "All right, we'll hold that till Monday."

Huff: "Thank you."

Speaker Shea: "House Resolution 875, Mr. Skinner. Do you want to move to suspend the appropriate hearing of that now? Turn Mr. Skinner on please."

Skinner: "Mr. Speaker, I'm informed that it has, in fact, been assigned to the Elections Committee and I don't think it's worth wasting the Committee's time on it. All it does is urge the Senate to pass Representative Choate's consolidation of elections Bill. And I would certainly like to move whatever appropriate motion is need at this point."

Speaker Shea: "Well, it appears Mr. Laurino, the Chairman of the Committee on Elections isn't here right now. Would you mind holding it?"

Skinner: "Sure, no problem."

Speaker Shea: "All right, now on... Senate Bill 6... Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, I just talked with Representative Matijevich and in the event something happens to House Joint Resolution 101, he says I can always introduce a new one. So at this time, I'd like to have leave to table House Joint Resolution 100."

Speaker Shea: "The Lady asks leave to table House Joint Resolution 100. Is there objection? Hearing none, the motion... the Lady's motion will be allowed. Now on House, Senate Bill 1627, Mr. Lechowicz, the Chairman of the Committee on Appropriations."

Lechowicz: "Thank you, Mr. Speaker. Senate Bill 1620 is a fiscal request for the Department of Registration and Education. We had the Bill posted for Committee this Wednesday. We started hearing on the Bill, postponed till Thursday because the Director of the Department could not attend Thursday. So, we'd



like to suspend the appropriate rule, the posting rule, Rule 18 to have the Bill posted for this coming Tuesday on June the 15th. It's been cleared on both sides of the aisle."

Speaker Shea: "Is there objection? Hearing none, the Gentleman's motion is adopted and the attendance Roll Call will be used. On the order of motions, the Gentleman from the Committee on Cities and Villages, Mr. Taylor, has a motion with regard to Senate Bill 1564, Senate Bill 1565, Senate Bill 1681. The Gentleman's motion is that the appropriate posting rule be waived and that the Bills be heard in Committee on, those Bills be posted for hearing in Cities and Villages on Tuesday. Is there objection? Hearing none, the Gentleman's motion will be adopted and the attendance Roll Call be used for that motion. Now on the order of motions appears Senate Bill 1872 and Mr. Berman moves that the House waive that portion of the posting rule that that Bill may be heard in the Committee on Elementary and Secondary Education on June 15. Is there objection? Hearing none, the Gentleman's motion is adopted and the attendance Roll Call will be used for the motion. Now on the order of Senate Bills, 1965, there's a motion by Mr. Garmisa and Mr. Neff to take Senate Bill 1965 from the order of First Reading to Second Reading without reference to a Committee. Is there objection? Hearing none, the Gentleman's motion will... Mr. Neff."

Neff: "Mr. Speaker, there is a misprint on the Calendar. That's 1976."

Speaker Shea: "That's House Bill 19... Senate Bill 1976. That's the one that deals with Amtrak that you and Mr. Garmisa discussed?"

Neff: "Yes, we discussed."

Speaker Shea: "All right, the Gentleman's motion to take Senate Bill 1976, there being a printer's error on the Calendar, and take to the order of Second Reading, First Legislative Day. Is there objection? Hearing none, the Gentleman's... Mr. Choate, do you object?"

Choate: "No, but I have a question to ask. Was it in Committee?"



Speaker Shea: "This is an identical Bill to a Bill that we have on the Calendar on Third Reading. Would you direct your question to Mr. Neff and I'm sure he'll answer it, sir?"

Choate: "Is the identical Bill a House Bill?"

Neff: "House Bill. It's on Third Reading now. That's House Bill 3972, Clyde. And you sat in this important meeting we had yesterday afternoon when we were discussing it with Mr. Shea, the reason..."

Choate: "I didn't sit in on the meeting. I was in the room. No, what I was asking, Clarence, this is a Senate Bill identical to the House Bill except for the..."

Neff: "Yes, Clyde, it's absolutely the same Bill..."

Choate: "And the House Bill had a Committee hearing?"

Neff: "Yes, just this week."

Speaker Shea: "There being no objection, the Gentleman's motion will be allowed and Senate Bill 1976 will be placed on the Calendar on the order of Second Reading. Now, back to Mr. Leverenz with regards to the motion of he and Mr. Huff on House Resolution 642. The motion is to withdraw that motion from the Calendar. Is that correct, sir?"

Leverenz: "That is correct."

Speaker Shea: "All right, the Gentlemen wish to take that motion off the Calendar. Now are there any further motions at this time? The Gentleman from Cook, let's see... we start with Mr. Kane. I understand Mr. Kane has worked out his problems now on 3947. Is that correct, sir?"

Kane: "No, we really haven't worked out our problems, but I would just renew my motion to..."

Speaker Shea: "All right, the Gentleman renew his motion with regards to House Bill 3947. It will take 89 votes. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Mr. Skinner, do you wish to explain your vote?"

Skinner: "Yes, sir. I'm voting 'no' for two reasons. Number one, this requires a dropping of the social security number from the driver's license and I'm not at all sure this should be done



without rather extended Committee discussion so that we can get the opinions of people like retail merchants and others who have credit information they may crosscheck with driver's licenses. The second thing is the transference of the supervision of driver's schools from the Judicial Branch to the Executive Branch and I would be interested in knowing what the Judicial Branch's reaction is to this."

Speaker Shea: "All right, have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 48 'ayes' and 31 'nays' and the Gentleman's motion fails. Now, Mr. Kosinski, for which purpose do you arise?"

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I move to waive the provisions of Rule 18(b) in order to permit Judiciary II to hear a Committee Bill, subject-obscenity in line with the Supreme Court recent rulings to be heard on June 17."

Speaker Shea: "Is there objection? Hearing none... Mr. Duff, do you object?"

Duff: "Mr. Speaker, is that the Bill with all the dirty words in it?"

Speaker Shea: "Is there objection? Hearing none, he wants to post that same subject matter, Mr. Greiman. No objection to the posting of the subject matter. All right, is there... there being no objections, the Gentleman's motion will be allowed for the hearing of that subject matter-obscenity in Judiciary II next week and the motion is adopted and the attendance Roll Call will be used on the motion. Now are there further motions? Mr. Dunn, for which purpose do you arise?"

J.F. Dunn: "Thank you, Mr. Speaker. I arise first of all to ask for unanimous consent to suspend the Calendar requirement of Rule 31(b) so that I might present a motion to suspend the requirements of 31(b) to advance House Bill 3980 to Second Reading without reference to Committee."

Speaker Shea: "What does the Bill do, sir?"

J.F. Dunn: "The Bill is a Committee Bill of the House Transportation



Committee which authorizes the Illinois Commerce Commission to conduct a study of the federal regulations relating to transportation of hazardous materials over railways."

Speaker Shea: "And you cleared this with both sides of the aisle?"

J.F. Dunn: "This is... the entire procedure has been cleared with both sides of the aisle."

Speaker Shea: "The Gentleman's motion is to take House Bill 3980 and place it on the order of the Calendar on Second Reading. Is there objection? Hearing none, the Gentleman's motion will be adopted. The Bill will be placed on the House Calendar in the order of Second Reading and the attendance Roll Call will be used to Journalize the adoption of the Gentleman's motion. Are there further motions? Resolutions."

Clerk Selcke: "House Resolution 902, Committee on Rules."

Speaker Shea: "That will be placed on the Speaker's Table. Are there further Resolutions? Agreed Resolutions."

Clerk Selcke: "House Joint Resolution 102, Carroll et al. House Resolution 892, Washburn-Beaupre et al. House Resolution 899, Redmond and entire Democratic Leadership. House Resolution 900, Lechowicz et al. House Resolution 901, Macdonald-Chapman."

Speaker Shea: "Mr. Giorgi, the Assistant Majority Leader.

Mr. Washburn, the Minority Leader, for what purpose do you arise, sir?"

Washburn: "I'd like to have the Clerk read Resolution 892."

Speaker Shea: "Read Resolution 892, Mr. Clerk."

Clerk Selcke: "House Resolution 892. Whereas, our friend and colleague, George H. Ryan, and his charming wife, Lura Lynn, celebrate their Twentieth Wedding Anniversary June 10, 1975; and Whereas, George Homer Ryan and Lura Lynn Lowe were united in marriage at the First Methodist Church in Kankakee on June 10, 1956 and have resided in Kankakee throughout the 20 years of their marriage; and Whereas, Lura Lynn is a housewife, devoting her time to the care of the Ryan's six children - Nancy, 18, a Sophomore at Illinois State University at Normal; Lynda, 15, a Sophomore at Eastridge High School; triplets JoAnne, Julie and



Jeanette, 13, students at King Upper Grade School; and George, Jr., 12, also attending King Upper Grade School; and Whereas, George is a partner in the Ryan Pharmacies, having graduated from Ferris State University in Michigan with a degree in Pharmacy; and Whereas, George served our country for 2 years in the United States Army, spending 13 months of that period in Korea, and has served as Chairman of the Kankakee County Board, and continues that commitment to public service as a Member of this House, now in his second term; therefore, be it Resolved, by the House of Representatives of the 79th General Assembly of the State of Illinois, that we congratulate George and Lura Lynn Ryan on their Twentieth Wedding Anniversary and rejoice in their happiness, that we wish them many years of continuing happiness together, and that a copy of this preamble and Resolution be presented to Representative and Mrs. George H. Ryan."

Speaker Shea: "The Gentleman from Grundy, the Minority Leader."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Our friend and colleague, Homer Ryan and his charming wife, Lura Lynn, did celebrate their Twentieth Wedding Anniversary yesterday and I know I speak not only for the Sponsor of this Resolution, but for every Member of this body when I offer our congratulations and best wishes for many years of continuing happiness together and I move for the adoption of this Resolution."

Speaker Shea: "The Gentleman moves for the adoption of the Resolution. All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the House unanimously adopts the Resolution. Now, Ms. Macdonald, on House Resolution 901 and she requests that the Clerk read the Resolution."

Clerk Selcke: "House Resolution 901. Whereas, on this day in 1976, one of our colleagues is celebrating a momentous occasion; and, Whereas this champion of conservatism did 21 years ago this day take a step which liberally affected his future happiness and his ability to keep as tight a control on his own wallet as he attempts to keep on the State Treasury; and, Whereas, despite



the risks involved, he has since been rewarded many times over in happiness and contentment because, for once in his life, he was willing to take a chance and try something new; and, Whereas, the witnesses at Our Lady of Mount Carmel Church in Ridgewood, New Jersey, so many years ago could have had no idea that they were witnessing the joining together of not only an ideal family couple but also a terrific political team; and, Whereas, in recent months, our colleague's lovely bride whose marriage we are celebrating with him has sacrificed her own time to campaign for a Presidential candidate with whose name our colleague is inextricably linked, and insists her work comes from true dedication and not just because it is without doubt the only way she would be able to see her husband during this 1976 election year; and, Whereas, our colleague is fortunate to have a wife who remembers also that he is running for re-election himself, since he has had little time to devote to that cause; and, Whereas, our couple have been blessed with three wonderful children, Diana, Robert, and Kathleen, who one day will represent nine votes; and, Whereas, our colleague's wife not only campaigns for him and his candidate but also keeps the Schaumburg Township Republican Organization going while her committeeman-husband is in Springfield and puts up with the life of a State Representative's spouse in her activity as a leader of the Downtrodden Organization of Long-suffering Legislative Spouses, known as DOLLS; now, therefore, be it Resolved by the House of Representatives of the 79th General Assembly of the State of Illinois, that we do express heartiest congratulations to our colleague, the Gentleman from Cook, Representative Donald L. Totten, and his lovely, long-suffering bride, Joyce Anderson Totten, upon the happy occasion of their 21st wedding anniversary; and, be it further Resolved, that in deference to Representative Totten and his Joyce, we do pledge ourselves to do our best to adjourn early today and not pass any more appropriation Bills on the Totten's anniversary; and, be it further Resolved, that a suitable copy of this preamble and Resolution be forwarded to Representative and Mrs. Totten."



Speaker Shea: "The Lady from Cook, Ms. Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know that I speak for the entire 3rd District and certainly for the Republicans on this side of the aisle in wishing an almost perfect Legislator and his perfect wife, a very happy anniversary."

Speaker Shea: "Who speaks for his wife? The Lady from Cook, Ms. Macdonald has moved for the adoption of the Resolution. All those in favor will say 'aye', those opposed 'nay' and the House unanimously adopts the the Lady's Resolution. Now back to the Gentleman from Winnebago, Mr. Giorgi, on the rest of the Agreed Resolutions."

Giorgi: "Mr. Speaker, before I go into the Agreed Resolutions, the Democratic side of the aisle would like to speak for those two for Totten and Ryan. The Church has a long process for canonization and if there are two women that are in the first steps of canonization, it's those two girls that live with Totten and Ryan. Mr. Speaker, House Resolution 899 is a more serious note. It wished well to Governor Walker who's recuperating from an operation and I move for its adoption. And House Resolution 900 by Lechowicz commends Father Laskowski on his 18 years of service as pastor of Saint Stanislaus Church and I don't know, George, would you read the..."

Clerk Selcke: "House Joint Resolution 102."

Giorgi: "Allows a later reporting date for the Commission on, what Commission is it, Frank?"

Clerk Selcke: "It's the Legislative Committee to determine cost computation formula or recommend cost related reimbursement plans for facilities providing sheltered care, et cetera."

Giorgi: "Okay, that's to give them till December 31 to bring in their report. I move for the adoption of the Agreed Resolutions."

Speaker Shea: "The Gentleman from Cook, er.. from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, I think the Governor would like to know that we wish him well by a bare, simple majority."



Speaker Shea: "The Gentleman has moved for the adoption of the Agreed Resolutions. All in favor will say 'aye', those opposed 'nay'... In the opinion of the Chair, the 'ayes' have it and the Resolutions are adopted. All right, on the order of House Bills, Second Reading. Mr. Williams, do you want to move that, your appropriation Bill today? All right, it appears that the Calendar is now cleared up unless somebody has some urgent business. Messages from the Senate."

Clerk Selcke: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following title and the passage of which I'm instructed to ask concurrence of the House. Senate Bill 1603, Senate Bill 1625, Senate Bill 1936, passed the Senate June 11, 1976. Kenneth Wright, Secretary."

Speaker Shea: "Read the Bills a First time."

Clerk Selcke: "Senate Bill 1603. A Bill for an Act to provide for the ordinary and contingent expense, Department of Personnel. First Reading of the Bill. Senate Bill 1625. A Bill for an Act making an appropriation to the ordinary and contingent expense of the Department of Corrections. First Reading of the Bill. Senate Bill 1936. A Bill for an Act making an appropriation, reappropriation to the Capital Development Board, et cetera. First Reading of the Bill."

Speaker Shea: "All right, now I've been asked to make an announcement for the Members of the General Assembly that are candidates for public office that Monday is the deadline for the filing of the 60 day report with the Board of Elections. Monday is the deadline. Now the Gentleman from Cook, Mr. Madigan."

Madigan: "I move that we recess until 5 o'clock and at that time, adjourn until 4 o'clock, Monday afternoon."

Speaker Shea: "You've heard the Gentleman's motion and the purpose of the recess is so that the Clerk may read messages from the Senate. Well, they tell me the message is here, Mr. Madigan. So if you'll withdraw that, we might read the message and then... is that everything? Why don't we just adjourn it? The Gentleman from Cook, Mr. Madigan, moves that the House do



now stand adjourned until 4 o'clock, Monday afternoon. All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the motion is adopted."

