

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

NINETY-FOURTH LEGISLATIVE DAY

JUNE 21, 1975



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

John Painter: "All those not entitled to the floor will you please retire to the Gallery. All those not entitled to the floor will you please retire to the Gallery."

Speaker Redmond: "The House will come to order and the Members please be in their seats . . . morning by the Reverend Krueger, the House Chaplain."

Reverend 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. Moses was busy with his flocks, Saul was busy searching for his father's lost beasts. David was busy caring for his father's sheep. Elisha was busy ploughing with twelve yoke of oxen. Nehemiah was busy in the palace of a king. Amos was busy with his sheep. Peter and Andrew were busy with their fishing. James and John were busy with their nets. Matthew was busy collecting taxes. Paul was busy persecuting Christians. God never goes to the lazy or idle when he needs men. When he wants a worker, he does what you do--he calls a worker. When God wants a servant, he calls a busy man. If you think you're busy, watch out! Let us pray--For Holy Influence-- O God, may the world not mold us today, but may we be so strong as to help mold the world through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Messages from the Senate."

Jack 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 concurred with the House in passage of Bills of the following titles to wit. House Bill #111, 122, 132, 170, 174, 178, 373, 494, 703, 760, 804, 870, 874, 926, 936, 948, 949, 950, 975, 980, 987, 992, 994, 1030 1074, 1082, 1084, 1085, 1107, 1126, 1127, 1147, 1148, 1151, 1152, 1153, 1155, 1159, 1162, 1163, 1168, 1171, 1174, 1255, 1269, 1286, 1292, 1322, 1323, 1331, 1332, 1335, 1336, 1341, 1353, 1355, 1357, 1361 and 1363 passed by the Senate June 19, 1975. 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 concurred with the House in passage of Bills of the following titles to wit', House Bills #1364, 1370, 1388, 1391, 1416, 1424, 1427, 1428, 1430, 1431, 1433, 1434, 1445, 1454, 1455, 1456.



JUN 21 1975

2.

1458, 1459, 1460, 1461, 1462, 1475, 1486, 1495, 1499, 1527, 1534, 1543, 1545, 1546, 1551, 1561, 1568, 1599, 1605, 1680, 1686, 1696, 1758, 1761, 1788, 1789, 1808, 1809 and 1810 passed by the Senate June 19, 1975. 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 concurred with the House in the passage of Bills of the following titles to wit', House Bills #1834, 1885, 1888, 1926, 1940, 1961, 1964, 1966, 1978, 2015, 2031, 2050, 2086, 2159, 2181, 2192, 2203, 2230, 2236, 2242, 2249, 2255, 2264, 2270, 2395, 2709, 2763, 2882, 3007 and 3025 passed by the Senate June 19, 1975. 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 concurred with the House in the passage of Bills of the following titles to wit', House Bills #1859, 1878, 1879, 1921, 1922, 1923, 1956, 1965, 2042, 2089, 2097, 2098, 2125, 2132, 2141 and 2147 passed by the Senate June 19, 1975. Kenneth Wright, Secretary. See you in about a week. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in passage of Bill of the following titles to wit', House Bills #2149, 2152, 2200, 2209, 2218, 2221, 2259, 2275, 2283, 2312, 2366, 2376, 2398 and 2401 passed by the Senate June 19, 1975. Kenneth Wright, Secretary."

Speaker Redmond: "Consent Calendar, Third Reading, Third Day."

Jack O'Brien: "Senate Bill 354, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill. Senate Bill 457, a Bill for an act to amend the Illinois Pension Code. Third Reading of the Bill. Senate Bill 630, a Bill for an Act to amend an Act in relation to acquisition control, maintenance, improvement, protection of state parks and nature preserves. Third Reading of the Bill. Senate Bill 717, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill. Senate Bill 791, a Bill for an Act to amend the Chicago Sanitary District Act. Third Reading of the Bill. Senate Bill 799, a Bill for an Act relating to the exchange of real estate between the State of



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Illinois Department of Conservation and Commonwealth Edison. Third Reading of the Bill. Senate Bill 857, a Bill for an Act creating . . . to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill. Senate Bill 1002, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. Senate Bill 1015, a Bill for an Act to amend the Pension Code. Third Reading of the Bill. Senate Bill 1083, a Bill for an Act to amend an Act to regulate and granting academic degrees by certain educational institutions. Third Reading of the Bill. Senate Bill 1092, a Bill for an Act to amend an Act codifying the duties of the Department of Mental Health. Third Reading of the Bill. Senate Bill 1128, a Bill for an Act to amend an Act in regard to limitations. Third Reading of the Bill. Senate Bill 1387, a Bill for an Act to amend a non-profit hospital service plan Act. Third Reading of the Bill. Senate Bill 1447, a Bill for an Act to amend the Medical Service Plan Act. Third Reading of the Bill."

Speaker Redmond: ". . . final action. The question is, shall these Bills pass? Those in favor will vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 99 'aye', 3 'no'. The Bills having received the constitutional majority are, hereby, declared passed. In case you're wondering how we did yesterday from 10:30 til 7 o'clock, there's net difference of two Bills. There are 18 fewer on Third Reading, but there are 16 more on Second Reading. So anybody who had any question about whether we had work this weekend, I . . . that answers it. Senate Bills, Second Reading. Representative Skinner, just what we need."

Skinner: "Is there a reason you're not counting all the time we spent on Consent Calendars which I believe was . . . not Consent but . . . ah . . . Concurrence which I believe is final action and ought to be considered in your . . . ah . . . computerized accounting system?"

Speaker Redmond: "Well, for your information we . . . by the 26th we have to have all of the Bills passed."

Skinner: "Well, I just know what you're suggesting to the Membership, they haven't done anything when they've worked their rear ends off."



Speaker Redmond: "I didn't say that, I just say that . . . ah . . . we've got one Bill that's got 24 Amendments and you figure how that . . . how long that's gonna' take today. Senate Bills, Second Reading. 468, Representative Stone? I know he was here. Representative Stone, 468, Senate, Second."

Jack O'Brien: "Senate Bill 468, a Bill for an Act making certain appropriations and reappropriations to the Board of Trustees to the University of Illinois. Second Reading of the Bill."

Speaker Redmond: "Representative Stone."

Jack O'Brien: "Ah . . . Amendment 1, 4, 5 and 6 were tabled in Committee. Committee Amendment #2 amends Senate Bill 468 on page 1, line 12, and so forth."

Speaker Redmond: "Representative Stone."

Stone: "Amendment #1 . . . ah . . . what . . . we tabled them on the floor?"

Jack O'Brien: "1, 4, 5 and 6 were tabled in Committee."

Stone: "And we adopted 2."

Jack O'Brien: "2 and 3."

Stone: "Yes, all right, Senate Amendment #7 is Representative Grotberg's Amendment."

Speaker Redmond: "You made the Amendment 2, is that correct?"

Stone: "No, Sir, we adopted two Amendments and tabled three and now we're on Representative Grotberg's Amendment which is Amendment #7, and he's on the floor."

Speaker Redmond: "So we're on 7, is that correct?"

Stone: "Yes, Sir."

Speaker Redmond: "Do you oppose or accept the Amendment?"

Stone: "Well, if you'll recognize Representative Grotberg . . ."

Speaker Redmond: "Representative Grotberg."

Stone: "I oppose that . . . I want to listen to him first."

Speaker Redmond: "Why?"

Grotberg: "Well, thank you, Mr. Speaker and Mr. Sponsor. Ah . . . Amendment #7 was the . . . ah . . . substantive note to this fine appropriation that would have restrained some of the expenditures for radio and television purposes in the university. I believe the



Parliamentarian, Mr. Speaker, has ruled that against my Amendment, is that true?"

Speaker Redmond: "I believe that is correct."

Grotberg: "But . . . ah . . . before withdrawing that Amendment, I would only submit to this body that this week the Chancellor of the University of Illinois suggested a state-wide income tax increase of \$28 per campus and pick up the difference of this year's budget. At the same meeting of that Board of Trustess, they voted to apply for the license and future purchase of radio station, WVON, in the City of Chicago and with that little note, I would just like to remind you as I withdraw Amendment #7 that House Resolution 363 is before us. I would like to have it read at the earliest possible moment so that a Committee of the Higher Education Committee and the Appropriations Committee of this House can start taking an intelligent look at this situation. I withdraw Amendment #2."

Speaker Redmond: "Gentleman withdraws Amendment #7. Any objection?"

Hearing none, it's withdrawn. Representative Stone."

Stone: "Amendment #8 is Representative Ryan's Amendment; he may want to be heard on it."

Speaker Redmond: "Representative Ryan."

Ryan: "I may be want to be what?"

Stone: "Heard."

Ryan: "Thank you, Mr. Speaker."

Speaker Redmond: "We don't have time, Representative Grotberg. Representative Ryan."

Ryan: "Amendment #8 . . . ah . . . is a reduction Amendment to Senate Bill 468. A total reduction of \$3,667 . . . ah . . . 667,731. Now, the total General Revenue Fund requested on this budget . . . ah . . . almost \$210,000,000. I recommend the reduction is what I just read to you and I'd be glad to go through it . . . by and by line if you'd . . . want to answer any questions on it. I would move for the adoption of Amendment #8."

Speaker Redmond: "Gentleman moves the adoption of Amendment #8 and I presume Representative Stone has a comment."

Stone: "Yes, Mr. Speaker, this is the Amendment that Mr. Ryan has been



putting on all of the appropriation Bills to reduce them approximately 9 percent. Similar Amendments have been killed, too, in Committee and on the floor of the House. Ah . . . This is apparently the Amendment that the Republicans have been offering to . . . ah . . . provide for Governor Walker's suggested 6 percent increase. This Amendment, however, increase . . . decreases the appropriation by approximately 9 percent, would make . . . would cripple the university. They would not be able to operate. It would leave them considerably less money than they had last year even with all of the expansion they had and I . . . ah . . . ask that we vote 'no' on this Amendment."

Speaker Redmond: "The question is, shall Amendment #8 . . . Representative Ryan."

Unknown: "Same opportunity you give everybody else here."

Speaker Redmond: "You've had it my friend."

Ryan: "To close on the Amendment. First of all to straighten out the Sponsor of the Bill. This is a 7 percent reduction, and it's not similar to any other reduction that I know of because this is the only one we've got like this. Ah . . . It eliminates all new programs excluding health. It reduces salary increases from 9 to 6 percent. It takes out the Willard Airport for a \$150,000 and it reduces the . . . ah . . . commodities by almost a \$1,000,000. So this is a very fiscally sound Amendment and . . . ah . . . should be adopted to this Bill. If you want to get any kind of sanity into the fiscal process here, I would recommend an 'aye' vote on this Amendment."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #8 to Senate Bill 468. All in favor say 'aye', opposed 'no'; the 'nos' have it, the Amendment fails. Any further Amendments?"

Jack O'Brien: "Amendment #9, Stone, amends Senate Bill 468 on page 5, line 16, and so forth."

Speaker Redmond: "Representative Stone."

Representative Stone: "Ladies and Gentlemen, this is an . . . the Amendment that takes the place of Amendment #1 which was tabled. This Amendment deletes \$162,800 from the appropriation and . . . for the University of Illinois and I move its adoption."

Speaker Redmond: "Gentleman's moved the adoption of Amendment #9 to Senate Bill 468. All in favor indicate by saying 'aye', opposed 'no'; the



'ayes' have it, the Amendment is adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 472, Representative Chapman, 472."

Jack O'Brien: "Senate Bill 472, a Bill for an Act making supplemental appropriations to the Illinois Community College Board. Second Reading of the Bill. Four Committee Amendments. Amendment #1 amends Senate Bill 471 on page 1, line 10, and so forth."

Speaker Redmond: "Representative Chapman. Chapperson."

Chapman: "Ah . . . Mr. Speaker, . . . ah . . . you say there are four Committee Amendments?"

Speaker Redmond: "Mr. Clerk. We have the wrong Bill."

Jack O'Brien: "Senate Bill 472, a Bill for an Act making supplemental appropriation to the Illinois Community College Board. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "Amendment #1 amends Senate Bill 472 on page 2 by deleting line 20 and 21 and so forth."

Speaker Redmond: "Who's the Sponsor of that Amendment?"

Chapman: "I am."

Speaker Redmond: "Representative Chapman."

Chapman: "This is the Amendment that Representative Catania has been putting on Bills, and it wasn't . . . ah . . . somehow or other we missed this in Committee and I'd like to offer it on the floor."

Speaker Redmond: "The Lady has moved the adoption of . . . Representative Ryan."

Ryan: "Representative . . . ah . . . will she yield for a question?"

Speaker Redmond: "She will."

Ryan: "Will you speak a little louder, Representative Chapman, what did you say this Amendment does; is this the F.E.P. Amendment?"

Chapman: "Re . . . Representative Ryan, Representative Stone has been lecturing me here so I'm sorry I didn't hear what you said."

Ryan: "I didn't hear what you said, I would like to have you explain the Amendment again, if you would, please."

Chapman: "Okay, it's a very simple Amendment and it's been put on many appropriation Bills. It says no funds appropriated in this Act may



be expended in violation of the rules and regulations of the Illinois Fair Employment Practices Commission or the Federal Equal Employment Opportunities Commission."

Ryan: "This is the Catania Amendment we have . . ."

Chapman: "That's what I said."

Ryan: "All right, okay. Thank you."

Chapman: "Yes."

Speaker Redmond: "The Lady's moved the adoption of Amendment #1 to Senate Bill 472. All in favor indicate by saying 'aye', oppose 'no'; the 'ayes' have it. The Amendments adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Just to keep the Record straight, let's call 37. The Sponsor of 37 here? He doesn't appear to be. 2 . . . Take that out of the Record. 241. Representative Kornowicz. Take that out of the Record. 379, McPartlin or Rayson? Take that out of the Record. 484, Representative Hart? Take that out of the Record. 507, Representative Richmond? Take that out of the Record. 517, Representative Greiman? 517? Take that out of the Record. 50, 551, 552 were moved yesterday and returned at the request of the Sponsor. 598. Representative J. Dunn. 633, Representative Kane? 634, Representative Kane? Take that out of the Record. 652, Representative Shea? Take that out of the Record. Any Amendments on 652? Maybe we can move that one. No, 653, any Amendments? 653, any Amendments? Let's call 653."

Jack O'Brien: "Senate Bill 653, a Bill for an Act making appropriation of the General Assembly Library Study Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "None."

Speaker Redmond: "Third Reading. 691, Representative Mudd?"

Jack O'Brien: "Senate Bill . . ."

Speaker Redmond: "I thought I saw Representative Mudd here earlier. He doesn't appear to be on the floor. Take that out. 720, oh, you want to move that, Representative Daniels? Guess we'd better leave that one



there. Marovitz here? Doesn't appear to be on 935. Good morning, do you want to move 652? General Assembly Library Study Commission, it's on Third, it's on Second."

Jack O'Brien: "It's got an Amendment on it."

Speaker Redmond: ". . . floor Amendment, Representative Shea, what's your pleasure, do you want to move it to Third?"

Shea: "Is Brink . . . is Bob here? Brinkmeier . . ."

Speaker Redmond: "I don't see him, we'll move it to Third if you want to."

Shea: "Well, you're moving. . . ah . . . 652 and 653 are companion Bills, and then if he wants I'll talk to him about the Amendment."

Speaker Redmond: "Third Reading 6 . . . have we read 652?"

Jack O'Brien: "No. Senate Bill 652, a Bill for an Act creating the General Assembly Library Study Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "Amendment 1, Brinkmeier."

Speaker Redmond: "Is the Sponsor of that Amendment here? The Sponsor is not here. Third Reading. We had already moved that one. 6 . . . 957, isn't that the one we had yesterday? Representative Berman, is 957 . . . not come back this way, it's up to you. We may not get it back. Are there . . . have all the Amendments been adopted?"

Berman: "Well, Representative Hart indicated to me yesterday that he wanted it kept on Second; he had some Amendments that he wanted on."

Speaker Redmond: "Well, Third . . . Third Reading."

Berman: "Well, let's move it to Third . . ."

Speaker Redmond: "992. D. L. Houli . . ."

Jack O'Brien: "Senate Bill 992, a Bill for an Act to amend the Capital Development Board Act. Second Reading of the Bill. One Committee Amendment amends Senate Bill 992 on page 1 in each of line 1 and 10 and so forth."

Speaker Redmond: "Dan . . . Is Representative Houlihan."

Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we do not adopt Committee Amendment #1 to Senate Bill 992. By way of explanation I was the Sponsor of this Committee Amendment."



After its adoption in Committee we discovered some technical errors in the drafting of the Amendment and certain sections of the statute have been miscited in that Amendment. If we do not adopt this Amendment, I have another Amendment that we can go with which will correct those errors. I move that at this time we do not adopt Committee Amendment #1."

Speaker Redmond: "Gentleman has moved the adoption of Committee Amendment #1 of the . . . Gentleman has moved to table Amendment #1 to 992. Any objections? #1 is tabled."

Jack O'Brien: "Amendment #2, Dan Houlihan, amends Senate Bill 992 on page 1 and so forth."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 992 is a corrective Amendment which clarifies and delineates . . . ah . . . the relationships between a Capital Development Board and a local authority. It emphasizes that the right of site selection for local . . . ah . . . school districts and for community college districts shall be subject to the minimum engineering standards of the Capital Development Board. It clarifies and specifies that the right of selection of architects and engineers is subject to right of refusal by the Capital Development Board. It eliminates much duplicative language which appeared in the Bill as it came over from the Senate and, in addition, this is at the request of the Capital Development Board, the Amendment . . . ah . . . specifies that . . . ah . . . applicability of local codes . . . ah . . . shall be . . . ah . . . maintained except in the case of a common school project where the standards . . . the state standards otherwise applicable would be more stringent than local standards. Essentially, that is what the Committee . . . er . . . that is what this Amendment does and it is very similar to the Committee Amendment that we just discussed and I move at this time for the adoption of Amendment #2."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Redmond: "Indicates he will."



Schneider: "Dan, this is a Bill that is curious to me. I had one similar to it, so I took an interest in looking at it, and one of the things it seems to do is take the C.D.B. almost out of existence. Now, I know that's no small . . . ah . . . charge, I guess, but the feeling I have is that you've included in the Bill common school districts. Your Amendment also adds the word 'stringent' in determining local . . . ah . . . standards versus, let's say, state standards . . . ah . . . and I wonder if . . . ah . . . what you're doing isn't kind of creating a new kind of havoc . . . would you respond to why the municipalities building code ought to be utilized over state and why you would include in your Amendment common school district projects, which really means what I can read in the Amendment, that you take away the determination for educational priorities . . . ah . . . from the . . . from the Capital Development Board."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Yes, I'll be happy to respond. First of all, let me address myself to the last question that you raised first. As far as taking away from educational priorities we have very clearly specified . . . ah . . . with this Amendment the fact that all we are referring to here are construction priorities where there are going to be two construction projects in the same district, and the local district should have the right to determine which one should be completed first; and it does not effect . . . ah . . . I believe what you had on a similar Bill as I discussed it with Mr. Cary from the Office of the Board of Education. Now, secondly, the provision in this Amendment that would eliminate the requirement of local school districts to comply with applicable . . . applicable building code ordinances is in effect the request of the Capital Development Board, who informed me that they had some problems with the language of the Bill as originally amended, in that it could put them in a position where they could possibly be in conflict with the School Code as far as the Life Safety Code, which is embodied in the School Code. This is the language, then, to put that in that position. What we are attempting to do with this Bill is to emphasize that compliance with applicable local building codes; this means that



at a minimum, you must meet those codes. There is no . . . ah . . . restriction however on the Capital Development Board in exceeding those minimums."

Schneider: "Would you also respond to . . . ah . . . why there should be local selection of architects and engineers?"

Houlihan: "Well, we are talking about our local projects and what we are attempting to retain is the minimum degree, really, of local control. Now, in the Bill as it originally came over, it was not clearly specified that that is subject to a right of refusal in the Capital Development Board; my Amendment does that."

Schneider: "Mr. Speaker, I'm not going to respond to the Amendment. I think it makes the Bill as bad as it is a little bit better. It's on Third Reading, I would probably oppose the legislation because I do think . . . ah . . . C.D.B. is going to have some problems with construction for a lot of reasons. One, is the . . ."

Houlihan: "Well, I object to this, he's not speaking to the Amendment."

Speaker Redmond: "You're correct."

Schneider: "All right, it's a bad Amendment and I would move that we don't adopt it, and if the . . . ah . . . we'll take a Roll Call. I request a Roll Call on the Amendment."

Houlihan: "Well, then in closing, Mr. Speaker, let me emphasize that the previous Speaker has just made an absolutely contradictory statement. He is objecting to an Amendment when he really objects to the Bill and has already stated that the Amendment makes the Bill in a better form as far as he is concerned. Now, he wants to object to the Amendment. I submit to you that in his previous statements now he has made contradictory statements. Now, this is an Amendment which tightens this Bill, an Amendment in which the Capital Development Board, which quite frankly has many problems with the Bill, the Capital Development Board does not object to the Amendment. I move the adoption of this Amendment."

Speaker Redmond: "Question is on the adoption of the Amendment. Those in favor vote 'aye', those opposed vote 'no'. Representative Schneider."

Schneider: "Thank you, Mr. Speaker, it's not necessarily contradictory to want



to beat a Bill, but I think it's a bad Bill, so I can be opposed to an Amendment that's going to make it better on Third Reading. I think that should be . . ."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question 93 'aye', 9 'nay'; and the Amendment is adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 993. Representative Beatty, 993?"

Jack O'Brien: "Senate Bill 993, . . ."

Speaker Redmond: "Out of the Record at the request of the Sponsor. 989. Representative Keller here? . . . the Amendment on this . . . ah . . ."

Jack O'Brien: "On this Bill?"

Speaker Redmond: "Yeah."

Jack O'Brien: "There's . . . ah . . . one Committee Amendment offered by Representative Ryan, Committee . . . change in the appropriation."

Speaker Redmond: "Representative Shea. Can you . . . Representative Barnes, can you handle this Bill? 989."

Jack O'Brien: "Senate Bill 989, a Bill for an Act making appropriation to the ordinary and contingent expense of a Legislative Reference Bureau. Second Reading of the Bill. One Committee Amendment amends Senate Bill 989 on page 1, line 10, by deleting '\$513, 800' and inserting in lieu thereof '\$508,800' and so forth."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. This is ordinary and contingent expense for the . . . for the Legislative Reference Bureau. This Amendment merely reduces it by six percent which was worked out in conjunction with the Reference Bureau. I move the adoption of Amendment #1."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #1 to Senate Bill 989. All in favor indicate by saying 'aye', opposed 'no'; the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1018. Representative McPartlin."



Representative Shea, can you handle this Bill? 1018."

Jack O'Brien: "Senate Bill 1018, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. One Committee Amendment amends Senate Bill 1018 on page 3, line 10, by inserting after 'agreed' the following and so forth."

Speaker Redmond: "Representative McPartlin."

McPartlin: "Ah . . . Mr. Speaker and Members of the House, the Amendment is the maximum reimbursement allowable to state funds on federal aid projects. Will be limited to state share of the federal state matching funds ratio of this project; and I would move for the adoption of the Amendment of . . . Committee Amendment."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #1 to Senate Bill 1018. All in favor say 'aye', oppose 'no'; the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1057. Representative Meyers. Will you read 1057."

Jack O'Brien: "Senate Bill 1057, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. One Committee Amendment amends Senate Bill 1057 on page 1, line 1, by inserting in . . . add Section 2-110.2 and so forth."

Speaker Redmond: "Representative Meyers, whose Amendment is this?"

Jack O'Brien: "Ah . . . It doesn't say who offered it. Oh, this has probably been adopted, this has been read on Second before. You got another Amendment on 1057? This was read on Second and held."

Speaker Redmond: "Better take this one out of the Record. 1392, Representative Hart . . . Representative Lundy. Representative Lundy."

Lundy: "Yes, thank you, Mr. Speaker and Members of the House. In those that you just skipped over Senate Bill 1250 and I wondered why you did that?"

Speaker Redmond: "Didn't look like there was enough people for the . . . for the fight for one thing. Right at the moment I'm trying to move some things. There's no particular reason other than I hate to get bogged down on that now, and . . ."

Lundy: "Well, Mr. Speaker, there are to my knowledge quite a number of



Members who are . . . ah . . . staying around over this weekend Session on the . . . ah . . . chance that that Bill may be called and I wondered if we might ask the Sponsor of the Bill if he's on the floor whether he has any intentions in that regard over this weekend."

Speaker Redmond: "Representative Shea. I think maybe we'd better not tell if it'll keep him on the floor . . . haven't been asked to call it today, Representative Lundy, and if you could be sure that that could give us good attendance, I think maybe that's a good posture. Gerry, Representative Shea, do you care to respond to the inquiry."

Shea: "I just thought all Members were here all the time. I didn't think they waited for specific legislation."

Lundy: "I can assure the Majority Leader I'll be here."

Speaker Redmond: "Okay, let's try . . . ah . . . 379. Representative McPartlin, take that out of the Record at the request of the Sponsor. 598, Representative J. Dunn. Representative J. Dunn. 598, Representative J. Dunn. Take that out again. 633, Representative Kane."

Jack O'Brien: "Senate Bill 633, a Bill for an Act making certain appropriations to the Board of Higher Education. Second Reading of the Bill. One Committee Amendment amends Senate Bill 633 as amended on page 1, line 10, by striking '\$843,200' and inserting in lieu thereof '\$798,816', and on page 1, line 24, by striking '\$13,300,000' and inserting in lieu thereof '\$7,200,000'."

Speaker Redmond: "Representative Kane."

Kane: "Ah . . . This is a Committee Amendment #1 . . . ah . . . which strikes these line items and reduces them and I would move for the adoption."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #1 to Senate Bill 633. All in favor indicate by saying . . . Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "In your Amendment do I understand there's a reduction of . . ."



Kane: "Yes, Mr. Schlickman."

Schlickman: ". . . approximately 50 percent for grants that would be made under the Illinois Financial Assistance Act for non-public institutions of higher edu . . . ah . . . learning?"

Kane: "What the Amendment does is . . . ah . . . return the . . . ah . . . amount of grants to the way the Bill was introduced . . . ah . . . in the Senate and . . . ah . . . the amount that is left is a 20 percent increase over last year."

Schlickman: "The way this Bill came to us from the Senate there was a 13.3 million dollar appropriation for non-public colleges and universities, is that correct?"

Kane: "Yes. Which is about 150 percent increase over last year."

Schlickman: "Well, Mr. Speaker, may I address this Amendment? May I address this Amendment, Mr. Speaker?"

Speaker Redmond: "Proceed."

Schlickman: "Mr. Speaker and Members of the House, this Amendment would reduce by about 50 percent the amount that's contained in the Bill for grants to Illinois non-public colleges and universities. It would represent less than 1 percent of the amount that we appropriate for higher education generally in the State of Illinois; and when you consider that approximately 30 percent of the students in higher education in the State of Illinois attend non-public colleges and universities, and if these non-public colleges and universities assist the State of Illinois educationwise, as well as providing a tremendous financial relief to the state, it seems to me that it doesn't come in order to have an Amendment that would reduce by about 50 percent the amount of aid given to non-public colleges and universities; and I don't think it comes to good grace for the Sponsor of this Amendment to suggest that what would be appropriated with the Amendment is in excess of last year, implying that what was appropriated last year in itself was sufficient; and for these reasons, Mr. Speaker and Members of the House, I very much oppose Amendment #1, House Amendment #1 to Senate Bill 633; and would urge a 'no' vote."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, will the Sponsor yield?"



Speaker Redmond: "Indicates he will."

Kane: "Yes."

Grotberg: "Ah . . . Representative Kane, I believe . . . ah . . .

Representative Barnes offered this Amendment . . . House Amendment #1 in Committee, right?"

Kane: "This is a Committee Amendment, right."

Grotberg: "Is he on the floor?"

Speaker Redmond: "Talking to . . ."

Grotberg: "And has he addressed himself to this situation yet this morning?"

Speaker Redmond: "Representative Barnes?"

Grotberg: "Does the Sponsor of the Amendment have any comment on the Amendment? It would be my question and then I would like to address the Amendment."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. The only comment I have on the Amendment at this point is that the Amendment . . . ah . . . as offered in the House was a reduction of . . . of various sources . . . overall reduction of . . . for various lines in the . . . ah . . . Board of Higher Education Budget. Apparently, the item here, there was three items involved. One, was for \$74,000 for a mas . . . ah . . . a master plan, another was for \$90,000 in medical practices Act and apparently the bone of contention in one was for \$6,100,000 in the . . . ah . . . Financial Assistance Act. This request came over to us from . . . ah . . . the Bureau of the Budget, from the Board of Higher Education at 7.2 million dollars for the current fiscal year. In the Senate that was increased to \$13,300,000. The recommendation of the House Appropriation's Committee #2 was to roll that back to the original request of \$7,200,000; and that is the posture of this Amendment at this time. The Amendment was endorsed by the Board of Higher Education. The Amendment was also endorsed by the Sponsor of the legislation and the Amendment was adopted in the Appropriation's Committee #2 as a Committee Amendment."

Grotberg: "Now, Mr. Speaker, if I may address the Amendment, please?"

Speaker Redmond: "Proceed."



Grotberg: "Well, I can understand why this Amendment was endorsed by the Board of Higher Education because their concern for the private colleges of this state is certainly not equal to their concern for their own system, neither is it equal to their concern for the Bureau of the Budget and the Administration of the State of Illinois, and I submit to you, Mr. Speaker, and Ladies and Gentlemen of the House and the Sponsor of this Amendment, that the . . . it's utterly folly to reduce . . . ah . . . the grants in aid to private colleges who consistently educate young people in college for less than the taxpayers of Illinois spend in their public system. There just is no comparison; and further more, Mr. Speaker, and Ladies and Gentlemen of the House, they are still not on target. The recommendation of the Memorial Committee, I believe it was, or some such study of a Committee of a few years ago, what's the name of it, McConnell Committee, is that by now they should be \$22,000,000 annually to try to keep alive the only viable, healthy system we have in the State of Illinois, these would be the huge complex of public education and higher education, and, therefore, I would ask you, Mr. Speaker, to ask the Clerk to find out which side of the Amendment that I've . . . that we're under discussion that I voted upon. As I understand, I made a speech similar to this in Committee and was recorded wrong, . . . ah . . . Mr. Barnes, in that Committee, according to others not me. I would like to check the Roll Call of the Committee vote on this Amendment to see whether or not I voted on the prevailing side."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker, there was no question on the vote taken on this Amendment as it relates to the Committee action. There was some question about a Roll Call that was taken in the Committee which was on another day, which was . . . ah . . . related to the Judicial . . . ah . . . appropriation and that was verified in the Committee. There have been no questions whatsoever raised on . . . on the matter of this Amendment. It was not even close; the vote was no where near close. The vote was supported bi-partisan, on both sides of the aisle. So I think that you're suggestion at this point is simply not timely by far."



Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment should be defeated. I call attention to this Assembly to the Subcommittee Report that we came forth with in January of 1975, which definitely showed the deplorable disregard in the Board of Higher Education for the independent colleges and universities, absolutely deplorable. Let me quote you something, in 19 . . . when Governor Kerner was in office he had appointed a Gentleman by the name of McConnell, who was a very well known educator nation-wide, to make a study of the independent colleges and universities in Illinois and how best the state could be of help. The McConnell Report came forward with the . . . and as the result of the McConnell Report, Governor Ogilvie saw to it that the Illinois Financial Assistance Act for non-public institutions of higher learning come . . . came through in 1971. It resulted from the McConnell . . . the McConnell Commission recommendation for direct grants to non-public institutions. Now, the McConnell Commission recommendation has only been partially implemented. It has been funding the non-public institution in only \$6,000,000 annually for the past four years and yet the Board of Higher Education in '71 thought they should get at least \$13,000,000. In 1971, we didn't even have the inflation we have today. What we keep forgetting about our non-public institutions is the fact that they keep approximately 1/3 of the entire college student body off of the taxpayers money. In other words, the taxpayers are saved that money because of these non-public institutions. Now, another point, Section 1202 of the U.S. Higher Education Amendment of 1972 provides that if any state coordinating body which coordinates post-secondary education, is it should receive federal funding under this Section that coordinating body must be broadly and equitably representative of the general public and private independent schools. Now, the Board of Higher Education makes the master plan for both public and non-public colleges. I submit that the McConnell Commission's Report which recommended it that the amount appropriated . . . to be appropriated for '74-'75 should be about \$22,000,000 has never been satisfied.



All this original Bill as amended and is gonna' provide is \$13,000,000. This Amendment would reduce it to 7.2 million dollars. We have already had 9 non-public colleges close in the State of Illinois. We educate approximately 28.2 of all the students in colleges and universities in the non-public colleges. It's high time . . . it's high time that the Board of Higher Education stop running the Assembly because we're the ones that sets the policy; and I urge a resounding 'no' on this . . . on this Amendment."

Speaker Redmond: "Representative Londrigan."

Londrigan: "Mr. Speaker and Members of the House, I, too, rise to oppose this Amendment. As one previous Speaker said it comes to poor grace on the part of this Membership and the Higher Education Board to say that we cannot afford a few million dollars to non-public education. I wish the Board of Higher Education and all the public universities would stop proposing meremeager money for non-public education. We are concerned about the education of all of our students, and it would seem to me that the public and private sector ought to work together to solve our higher education problems. Consistently, Higher education and the public universities have tried every means possible to deprive non-public education of all of their funds. I say and I hope we will be joined with others in voting down this Amendment and giving our private facilities who are understaffed and have poor quality facilities a chance at our education dollars."

Speaker Redmond: "Representative Dyer."

Dyer: "Mr. Speaker, and Ladies and Gentlemen, there's very little I could add to what these previous Speakers have said. But I, too, oppose this Amendment. It would be penny-wise and down foolish to adopt this Amendment and make this cut in the appropriation to the independent colleges and universities. It has been mentioned . . . ah . . . 1/3 of the students in Illinois go to the independent colleges or universities. If we had to . . . ah . . . build new facilities at . . . ah . . . state supported facilities . . . ah . . . to accomodate all these students, if we let these colleges and universities go down the drain, . . . ah . . . our capital expenditures would



just be monumental. Other states have made that mistake, let's profit by their example. I urge you to vote 'no' on this Amendment."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise to oppose Amendment #1 to Senate Bills 633. The issue has been very well delineated by previous Speakers. What we are discussing on this Amendment is a dispute or a question between public education and private education and regardless of your view as to the propriety of the expenditure of state money for private education, please consider one basic fact, absent private education, the amount of state expenditures required for public education will rise and will rise significantly as pointed out by Representative Dyer. If you are interested in providing a good, viable educational system, a total educational system for our state and at as low a cost as possible, I urge you to vote 'no' on this Amendment."

Speaker Redmond: "Representative Ebbessen."

Ebbessen: "Yes, Mr. Speaker, I move the previous question."

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All those in favor say 'aye', opposed 'no'; the 'ayes' have it. Representative Kane. Representative Kane."

Kane: "Mr. . . ."

Speaker Redmond: "Representative Peters moved yesterday that I do it this way. Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to . . . to point out a number of facts that have . . . ah . . . not been mentioned by some of the . . . ah . . . previous Speakers. Somebody has said that this represents less than one percent of the amount of money going to . . . ah . . . higher education in this state. Well, that would be like saying that the appropriation to Sangamon University is only a small percentage of what's going to . . . to public uni . . . ah . . . public education in this state, and this amount of money that we are talking about is only a small share of the amount of state dollars that's going to private education in this state. In addition to what would be left of the . . . of this



amount of money to . . . that's going to private education in this state, the direct grants to the . . . ah . . . local colleges would be increased by 20 percent this year. The health service grants, their I.S.C. and the total assistance to private education in the budget for this year is almost \$50,000,000 which is an increase . . . an increase, Ladies and Gentlemen, of 17.8 percent over last year. If this Amendment is not adopted, the percentage increase of state money to private colleges and universities will be 32 percent over last year. Now, that compares with only a 10 percent increase of the public universities and only 13 percent to our community colleges. Now, what does this mean? The state aid per full-time Illinois student in private colleges in the state amounts to \$956.50 per pupil, and I'm saying is that this amount of money is sufficient with the amount of money that we're giving to private universities and colleges this year. I might also point out that when this Amendment, the additional 7.2 million dollars was added in the Senate, that the Senate yesterday, as a result of what has happened in the last couple of weeks to the financial situation in this state, changed the formula for distributing state money to private colleges and universities back to where it was last year so that even if there . . . ah . . . Amendment is not adopted and the amount of money appropriated remains at 13.3 million dollars, the money will not be able to be spent; and I would urge the adoption of this Amendment."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #1 to Senate Bill 633. All in favor vote 'aye', opposed vote 'no'. Representative Dunn."

Dunn: "Thank you, Mr. Speaker, I have a hunch what I'm going to say isn't going to do much good, but I'm going to say it anyhow. I've had calls from back home, I have a private college in my district, it's a fine university, but as Representative Kane has pointed out, the private colleges under the proposed Bill . . . ah . . . even with this Amendment being adopted are going to receive a 20 percent increase. They're going to receive 7.2 million dollars compared with \$6,000,000 last year. They're going to receive a total of



\$50,000,000. Now, those of you who are voting red on this Amendment are voting to restore \$6,000,000 to this budget. This is 6 of the \$200,000,000 you've been asked to cut out of the budget by the Governor of this state. These are colleges that are going to survive somehow. This is private education. These colleges are going to make it and when it comes time to vote on the welfare budget I hope you remember what you're doing here. I vote 'aye' on this . . ."

Speaker Redmond: "The Clerk will take the Record. Representative Barnes."

Barnes: "Well, Mr. Speaker and Members of the House, I realize the vote has been taken and it's overwhelming in defeat, but I think I should be allowed to say something since I was . . . my name was brought up so much in this overall debate. Now, I've received a great deal of pressure in the last few days from various sources about this Bill, but let me say one thing here so everyone knows loud and clear what's involved here. As it relates to the funds that we're talking about from 1972 when this Act started, the private education grants went from \$5,300,000 to the 1972 request of \$7.2. Now, from 1970 . . . from 1975 to what we're doing here in this Amendment . . ."

Speaker Redmond: "Proceed, Representative Barnes."

Barnes: ". . . from 1975 to what we're doing in this one Amendment we are increasing the amounts in this Act by more than what it originally was . . . was originally appropriated in the year 1972. The original appropriation was for \$5.3. By this one Amendment we are increasing it \$6.1, \$6.1 by this one Amendment. I can say this to you that in the Appropriations Committee II, we have far consistently stayed within the Revenue as projected by the offices of this state. We will continue to do so. I feel that in the case of this Amendment we were being responsive to our obligations and although the Amendment has lost, I think I must stay within that realm of the responsibility, I vote 'aye'."

Speaker Redmond: "The Clerk will take the Record. On this question there's 19 'ayes', 108 'nays'; the Amendment is lost. Any further



Amendments?"

Jack O'Brien: "Amendment #2, Ryan, amends Senate Bill 633 on page 1, line 10, by deleting and so forth."

Speaker Redmond: "Would you record Representative Barnes as 'aye' on that last Amendment. Who's the Sponsor of Amendment #2? Representative Ryan."

Ryan: "Ah . . . Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment is somewhat similar to the last only it . . . ah . . . requires . . . ah . . . a reduction of more money. It takes a little more money out of the area of grants . . . ah . . . I won't go into . . . ah . . . any detail with this Amendment after the last Roll Call. I would just move for the adoption of the Amendment."

Speaker Redmond: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 633. All in favor indicate by saying 'aye', opposed . . . I can't determine. The Amendment's lost. Any further Amendments?"

Jack O'Brien: "Amendment #3, Kane, amends Senate Bill 633 as amended on page 2, line 2, and so forth."

Speaker Redmond: "Representative Kane."

Kane: "I move to table Amendment #3."

Speaker Redmond: "Gentleman has moved to table Amendment #3. Any objections? Amendment #3 is tabled. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 634."

Jack O'Brien: "Senate Bill 634, a Bill for an Act making appropriations to the Board of Higher Education. Second Reading of the Bill."

Speaker Redmond: "Representative Kane."

Kane: "Ah . . . Mr. Speaker, Ladies and Gent . . . Mr. Speaker, Ladies and Gentlemen of the House . . ."

Jack O'Brien: "No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "Floor, Shockey."

Speaker Redmond: "Are there any Amendments from the floor?"

Jack O'Brien: "Yes, he's getting it. Amendment #1, Kane, amends Senate Bill 634 on page 1 by striking lines 6 and 7 and so forth."



Speaker Redmond: "Representative Barnes, do you want recognition?

Representative Kane."

Kane: "I yield my . . . I yield my time to Mrs. Geo-Karis. Mr. Speaker, Ladies and Gentlemen of the House, what Amendment #1 to Senate Bill 634 is that when Senate Bill 634 was first introduced it appropriated money to . . . ah . . . health grants to our medical schools from the Capital Development Board that was amended in the Senate to have it come from the General Revenue Fund and . . . ah . . . what this Amendment does is to . . . ah . . . change . . . change . . ."

Speaker Redmond: "Representative Choate, do you want recognition?"

Geo-Karis: "Mr. Speaker and Members of the House, I'm delighted with my colleague here, but he doesn't all . . . always have the tact as much as I love him."

Speaker Redmond: "Okay. Representative Kane."

Kane: "What this Amendment does is . . . is it changes the funding for these construction grants to our medical schools from the General Revenue Fund to the Capital Development . . ."

Choate: "I didn't want you to really think that that was my voice that fine this morning, Doug."

Kane: "I would move the adoption of the Amendment."

Speaker Redmond: ". . . Pardon me, where are we . . . were are we on the . . . Representative Kane."

Kane: "I move the adoption of Amendment #1."

Speaker Redmond: "Representative Dyer."

Dyer: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Redmond: "He indicates he will."

Kane: "I'd be happy to."

Dyer: "Yes, this is an innocuous question, not a hostile question; as I understand it you're simply changing the . . . the source of the fund . . . ah . . . back to the Capital Development Board and you're not cutting the amount of the fund."

Kane: "No, this does not change the amount at all."

Dyer: "Fine, thank you."

Speaker Redmond: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 634. All in favor indicate by saying 'aye', oppose



'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "Amendment #2, Peters, amends Senate Bill 634 on page 1, line 5, and so forth."

Speaker Redmond: "Representative Peters. Representative Ryan will handle it."

Ryan: "Ah . . . Thank you, Mr. Speaker, what's . . . what's the Amendment #2?"

Jack O'Brien: "Amendment #2 . . . ah . . . by deleting '\$9,919,294' and inserting in lieu thereof '\$4,500,000'."

Ryan: "Yes, this is a reduction of \$5,419,294. This is a reduction to capital grants to community hospitals that participate with the University of Illinois Medical School and the Southern Illinois Univeristy. This takes us back to the 1975 level, and I would move for the adoption of Amendment #2."

Speaker Redmond: "Representative Kane."

Kane: "Mr. . . . Mr. Speaker, Ladies and Gentlemen of the House, I would strenuously oppose this Amendment. If this Amendment is adopted it will cripple the medical school programs . . . ah . . . that we have presently going in Chicago, Rockford, Peoria and . . . ah . . . Springfield. These regional medical . . . ah . . . centers, the teaching centers that we have . . . ah . . . are . . . have been studied under programs set up by this Legislature that are intended to increase the number of physicians to be graduated in this state by 1980 by a total of 350; and this is something that we've been interested in for a long time, and if this Amendment is adopted . . . ah . . . that program is going to be seriously impaired. The capital grants for clinical space in the medical schools have been made by this Legislature since 1972, the total amount of the grant program is \$20,000,000, \$9,000,000 of that has already been allocated, \$10,000,000 in fiscal 1976 and \$1,000,000 in fiscal 1977 will complete the capital grant program for our medical schools around the state. Had we been building teaching hospitals instead of using existing hospitals for teaching, it would have cost the state a total of \$150,000,000 instead of the total \$20,000,000 that we have. If



this Amendment is adopted, the . . . ah . . . medical . . . the medical students that are now on the pipeline will be interrupted. The residency programs have already been approved and if we have any further delay, it will drastically effect enrollments in the medical schools in Peoria, Rockford, Chicago and in Springfield. In addition to that, 1.4 million dollars of this request is the state match for federal funds of 5.4 million dollars and if this cut is adopted, if this Amendment is adopted, that 5.4 million dollars in federal funds will be lost. That money is allocated to Illinois. It's allocated under a federal program that has already been terminated so that if we adopt this Amendment we will irrevocably lose that money and will have no opportunity at all . . . ah . . . to get that money in the future. What this means to the S.I.U. School of Medicine, it will hold enrollment level to about 66 students in the first year class for three or four years as compared to the planned level of 96 in 1977 and it will delay the expansion of the Family Practice Residency Program in Springfield, and it will probably cause a review of accreditation status of our medical education program. For the Illinois University in Chicago, it will reduce the entering class enrollments below currently planned levels . . . ah . . . by approximately 20 to 30 percent; and I would oppose the adoption of this Amendment."

Speaker Redmond: "Representative Ryan to close."

Ryan: "Thank you, Mr. Speaker, I'd like to point out that the federal funds that Representative Kane alluded to go directly to the hospitals, they don't come to the State of Illinois. So these matching funds . . . ah . . . the federal funds go direct. This is matching funds that the state is putting up to the hospitals. This is another fiscally sound measure that should be adopted and I would move for the adoption of Amendment #2."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #2 of Senate Bill 634. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question 16 'aye', 93 'nay' and the Amendment's lost. Any further Amendments?"



Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. House Bill . . . er . . . Senate Bill 379, has a fiscal note been furnished on that?"

Chockey: "No, not yet."

Jack O'Brien: "Not yet."

Speaker Redmond: "Representative McPartlin, a fiscal note been furnished?"

McPartlin: "Ah . . . Yes, the fiscal has been filed on 379 and that was the objection to it by Representative Schlickman and I have talked to him on it."

Speaker Redmond: "Why don't you file it again up here, now. Fiscal note now filed?"

Jack O'Brien: "Fiscal note is now filed."

Speaker Redmond: "Any further Amendments on that?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 484. Representative Hart. Take it out of the Record? Representative Hart, 484."

Jack O'Brien: "Senate Bill 484, a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Mines and Minerals. Second Reading of the Bill. Two Committee Amendments."

Speaker Redmond: "Representative Hart."

Hart: "I thought you'd never ask. Ah . . . The . . . ah . . . Representative Boyle has got an Amendment on this and I don't see him on the floor so I . . . ah . . . I guess I'll hold it for him."

Speaker Redmond: "Okay. How about 507? Representative Richmond, are you ready on that one?"

Jack O'Brien: "Senate Bill 507, a Bill for an Act to provide for the ordinary and contingent expense of Southern Illinois University. Second Reading of the Bill. Two Committee Amendments. Ah . . . Was Committee Amendment #1 tabled in Committee?"

Richmond: "Yes."

Jack O'Brien: "Amendment #2 amends Senate Bill 507 on page 5 by deleting line 17 and inserting in lieu thereof the following, Section 12, and so forth."

Speaker Redmond: "Who's . . ."

Richmond: "Mr. Speaker, Ladies and Gentleman of the House, . . ."



Speaker Redmond: "... Representative Richmond."

Richmond: "... this Amendment is the ... ah ... one that has been called the Catania Amendment and there ... we have no objections to it."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #2 to Senate Bill 507. All in favor indicate by saying 'aye', oppose 'no'; the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Jack O'Brien: "Amendment #3, Ryan, amends Senate Bill 70 ... 507 on page 1, line 11, by deleting '\$67,035,600' and inserting in lieu thereof '\$64,019,220' and so forth."

Speaker Redmond: "Representative Ryan."

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

This is another recommended reduction, total 7.7 percent, it's \$6,870,780 ... ah ... among some of the things that it does, it reduces personal services and fringe benefits, contractual services, equipment, telecommunications, electric data processing and ... ah ... per ... permanent improvements; and I would move for the adoption of Amendment #3."

Speaker Redmond: "Representative Richmond."

Richmond: "Mr. Speaker, Ladies and Gentlemen of the House, I ... oppose this Amendment on the grounds that ... ah ... this is not the place or time to cut ... ah ... the educational budget in ... in compiling the budget request, the officials at S.I.U. did comply with the Board of Higher Education's request to pare their budget requests down ... and they did this by nearly 2 percent, and I am told that this ... at this point this type of Amendment that is offered by Representative Ryan would be just intolerable to the ... ah ... circumstances of both the campuses, so I do ... ah ... I do ask that I be supported in opposition to this Amendment."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Thank ... thank you, Mr. Speaker, this Amendment was offered in Committee and turned down and now shows up again as a Ryan Amendment, and I join with Representative Richmond in opposing the Amendment and urge its defeat."



Speaker Redmond: "Representative Ryan to close."

Ryan: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House, this is another one of these places that we can . . . ah . . . live up to our constitutional mandate and . . . ah . . . and reduce the spending out of the General Revenue Fund. As an example, there's \$315,000 for permanent improvements in here. This is a new appropriation, it can be postponed and that's true with several of these items in this . . . in this Amendment, as in all of the past Amendments that I've offered. This is another fiscally sound, responsible position and I would vote for the adoption of #3."

Speaker Redmond: "Representative Choate."

Choate: "Ah . . . A question of the Sponsor . . . if . . . ah . . . I'm not too late."

Speaker Redmond: "Proceed."

Choate: "Representative Ryan was . . . ah . . . a similar Amendment of this nature adopted as far the University of Illinois' budget is concerned?"

Ryan: "Representative Choate, I wasn't listening, I'm sorry."

Choate: "Was a . . . was an Amendment of this nature adopted to the University of Illinois' budget?"

Ryan: "Was an Amendment of this nature . . . no, we . . . we didn't have an Amendment of this nature, it lost, it was defeated by the Democrat side this morning, I believe."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if I might then, I would like to point out to the Membership that this Amendment, I feel, I join with Representative Richmond as would be fiscally irresponsible. I hate to . . . ah . . . take this attitude in deference to my good friend, George Ryan, however, I do know that S.I.U. has pared their budget to the bare minimum. I would suggest that we treat these institutions of higher education similarly. I would suggest that this Amendment be defeated."

Speaker Redmond: "The Gentleman's moved the adoption of Amendment #3 to Senate Bill 507. All in favor indicate by saying 'aye', oppose 'no'; the 'nos' have it, the Amendment is lost. Any further Amendments?"



Speaker Redmond: "Third Reading. Representative Marovitz, I saw him come on the floor: 935."

Jack O'Brien: "Senate Bill 935, a Bill for an Act relating to remedies upon default of certain sales agreements. Second Reading of the Bill. Three Committee Amendments."

Speaker Redmond: "Representative Marovitz."

Jack O'Brien: "Amendment #1 amends Senate Bill 935 on page 2, line 3, and so forth."

Marovitz: "Mr. Speaker, can you take this out of the Record for a moment while I get the file together? I want to get the three Amendments together in case we have any questions on them."

Speaker Redmond: "Take it out temporarily. 691, Representative Mudd."

Jack O'Brien: "Senate Bill 691, a Bill for an Act to amend the Water Well and Pump Installation Contractors Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "Amendment #1 . . ."

Speaker Redmond: "Who's the Sponsor?"

Jack O'Brien: ". . . getting the Amendment. Amendment #1, Friedrich, amends Senate Bill 691 on page 4, line 2 and 3, by deleting the Environmental Protection Act."

Speaker Redmond: "Representative Friedrich."

Friedrich: "This merely removes the Environmental Protection Agency. It's one of those that makes the rules for well diggers and . . . ah . . . pump installers . . . ah . . . the . . . ah . . . Sponsor has no objection as far as I know."

Speaker Redmond: "Representative Schneider."

Schneider: "Ah . . . Dwight, can you tell me why you're removing the E.P.A. at a time when the water quality standards are being challenged seriously?"

Friedrich: "Well, we have a Department of Health which is responsible for . . . ah . . . water supplies now and . . . ah . . . these . . . most of these people . . . ah . . . have . . . ah . . . a very modest staffs and so on and I . . . I think they're amply protected now just by being regulated by the Department of Public Health."



You know there presently . . . this . . . what this Bill does in the beginning is change them over from Registration and Education to Department of Public Health and the Department of Health is responsible for water supplies in the various cities. I don't why they can't be for wells."

Schneider: "Well, I don't see why we on the other hand . . . ah . . . the agency does a considerable amount of work in the water area, we increased the budget in fact in that division over the last two years in order to test water supplies. Now, it would seem to me a very small and non-burdensome requirement that they would be just simply familiar with the standards and . . . ah . . . programs of the E.P.A. relating to water and I don't think we ought to certify people that don't have a working knowledge of this. I mean certainly the Public Health which work in conjunction with the E.P.A. is . . . ah . . . worthwhile and trusty group to deal with water, but they don't deal with it in terms of . . . ah . . . the capacity in the intensity that these people are going to be dealing with it and I would suggest it's a very simple requirement and I would hope that the Amendment would not be adopted."

Friedrich: "Well, just in closing let me say if we . . . we trust the . . . our city water supplies all over the state to the Department of Public Health, I think we can get along without the E.P.A. too for a guy to install a pump in a water well."

Schneider: "I would like a Roll Call, Mr. Speaker."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Speaker, . . . ah . . . and Members of the House, when Representative Friedrich asked me . . . ah . . . this . . . this was an agreed Bill between the Health Department and the Licensing Department to regulate the installation of these pumps, and I have no objections to Representative Friedrich's Amendment. I think that . . . ah . . . in each locality or community they have certain requirements as far as permits, and that for this work to be done and . . . ah . . . he's outlined that the Health Department . . . ah . . . does have certain restrictions that they place on it. But I'm not . . . ah . . . I'm not opposed to the Amendment, I'm not for the Amendments, I'm



going to leave that to Mr. Friedrich to argue."

Speaker Redmond: "Representative Mann."

Mann: "Mr. Speaker, . . . ah . . . would the Gentleman yield to a question?"

Friedrich: "Yeah."

Mann: "Mr. . . . Mr. Friedrich, . . . ah . . . are . . . are you seeking to do anything here . . . ah . . . that would effect . . . ah . . . water quality . . . ah . . . by your Amendment?"

Friedrich: "None, whatsoever. The . . . let me go back. This . . . presently water well drillers and pump installers are regulated by the Department of Registration and Education and I think this Bill rightfully put them under the Department of Public Health which now controls city water supplies, goes in and makes the test and so on as you well know if you're familiar with that, and this . . . this was a double dose. It not only put them under Public Health, it said that they had to be subject to all the regulations of E.P.A. Well, certainly with regard to drainage and . . . things like that or . . . ah . . . where there's pollution involved . . . ah . . . they are already subject to that, but this . . . ah . . . as I say these people in general are . . . are not big corporations, they're people who drill and install pumps, they're going to be subject to the Department of Public Health under this Bill. That's what this Bill does, and this just merely takes out Environmental Protection Agency as one of the agencies they have to be burdened down with to get a job done."

Mann: "Well, Mr. Speaker, may I be heard . . . ah . . . on the Amendment?"

Speaker Redmond: "Procced."

Mann: "Well, Mr. Speaker, . . . ah . . . no one has been more critical . . . ah . . . of the E.P.A. than I. I really think that in the area of water quality, they're dragging their feet, they haven't come under the Federal Water Permit Act to monitor and control pollution. But on the other hand, in view of the recent trend in the declining quality of water . . . ah . . . in our lakes and streams, I just wonder if we ought to do anything here that might



. . . ah . . . in any way interfere with the monitoring of people who deal with our water and I'm sure that this Amendment is offered in the very best of . . . ah . . . intentions. But I still would question doing anything that might interfere . . . ah . . . with the monitor . . . monitoring of people who deal with our water supply and the quality of our water; and, therefore, I would . . . ah . . . tend to oppose this Amendment."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Well, Mr. Speaker and Members of the House, I'm rising to oppose this Amendment. I call upon the Membership to take a close look at what would be done here by this Amendment. The law as it presently exists provides that the Board shall license these well installers according to the rules and regulations of the Department of Public Health. Now, the Bill as it came to us substituted the Environmental Protection Agency for the Department of Public Health. Now, this . . . this Amendment strikes the Environmental Protection Agency without bringing back the Department of Public Health so that if this Amendment is adopted we won't have either E.P.A. or the Public Health Department involved; and, therefore, I would suggest strongly that this Amendment be defeated so that there will be control . . . ah . . . of our water resources."

Speaker Redmond: "Representative Friedrich to close."

Friedrich: "What he's saying he just didn't read far enough down the Bill, the Department of Public Health is in there. In fact, this transfers them from Registration and Education to Public Health, and if he'd read the rest of the Bill, he'd find it; and . . . and again I want to say we have whole cities whose water supply is . . . is controlled, the quality is controlled by the Department of Public Health; and I think if they're capable of doing that for the city of the size of Centralia, they can surely control one little well out here that a guy is going to dig for his own use."

Speaker Redmond: "The question is, shall Amendment #1 to Senate Bill 691 be adopted? Those in favor vote 'aye', those opposed vote 'no'. Representative Schneider, explain your vote."

Schneider: "Thank you, Mr. Speaker and Members of the House . . . ah . . ."



JUN 21 1975

35.

cap.
Representative Schlickman is absolutely right. It . . . it does not restore public health, it does delete Environmental Protection Agency and leaves only the Pump Installation Code and adds the Illinois Water Well Construction Code, and none of those, it would seem to me, deal with water control or water safety. Now, all this Bill would require to do in its original and amended form now without this Amendment would be that they be familiar with the standards of the E.P.A. and the P.C.P.; and I suggest that that's not a very burdensome requirement, and I think it's for our health and for our concern we ought to oppose the Amendment in order to be sure that our water is being properly dealt with and monitored. So I solicit a 'no' vote."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Well, Mr. Speaker . . . ah . . . I rise in support of this Amendment. I would make it an assumption that the preponderance of this House don't know a whole lot about well digging and well water . . . ah . . . because of the urban situation that most of them live in. But this is the most difficult business in the world to try to stay on top of the regulations and anything that E.P.A. regulates, regulates you out of business; and there are quite a few honorable people doing a great job of well digging. So I would certainly do anything possible to . . . to get the hook of the E.P.A. out of this business because water is . . . they test and they have to meet all the county requirements and there's plenty of ways and laboratories available for every well and every county has its zoning restrictions and well gard . . . restrictions regarding this and testing. They don't need the E.P.A. So I . . . I ought to do it."

Speaker Redmond: "All voted who wish? Representative Borchers."

Borchers: "I want to get this straight in my mind. The . . . the Amendment . . . ah . . . gives the power to the E.P.A., is that correct, Mr. Sponsor? The Amendment takes it away?"

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker . . . ah . . . as I stated before, I have no strong feelings about that, that's why I'd like to explain my vote



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

of 'present'. But I think that every Member of the House should realize that when we have two or three or four departments involved in the regulation and standards of an operation like the installation of well pumps and that, by the time a guy goes down and gets a permit and tries to put in a well for somebody, it's gonna' take him about six months to get a clearance. Now, by . . . by the transfer of the authority from the Department of Registration over to . . . ah . . . Public Health, they're going to have a lot of regulations in the Health Department as to how these . . . these standards are going to be met. So I would just . . . ah . . . caution you . . . not to put too strong of requirements on this."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 73 'ayes', 48 'no'; the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."



Speaker Redmond: "Third Reading. 517. Representative Greiman, 517."

Jack O'Brien: "Senate Bill 517, a bill for an act making appropriations to the Board of Governors for state colleges and universities.

Second Reading of the bill. Two committee amendments. Amendment Number 1 was tabled in committee; Amendment Number 2 amends Senate Bill 517 on page 10 by deleting line 22 and so forth."

Speaker Redmond: "Representative Greiman."

Greiman: "Wait, who was the sponsor of . . . ah . . . I don't have the amendments in front of me. Ah . . . Who was the sponsor of . . . ah . . . Amendment 2?"

Jack O'Brien: "Representative Catania."

Greiman: "Oh, that's the Catania . . . ah . . . standard amendment and, certainly, acceptable."

Speaker Redmond: "Gentleman moves the adoption of Amendment Number 2 to House . . . Senate Bill 517. All in favor indicate by saying 'aye', oppose 'no'; the amendment's adopted. Any further amendments?"

Jack O'Brien: "Amendment Number 3, Ryan, amends Senate Bill 517 on page 1, line 12, by deleting, '9,336,900', and inserting in lieu, thereof, '8,798,620', and so forth."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you . . . ah . . . Mr. Speaker, this is another reduction recommendation, \$6,737,485. Ah . . . I would move for the adoption of Amendment Number 3."

Speaker Redmond: "Representative Greiman."

Greiman: "Well, this amendment, as . . . ah . . . other amendments that we've seen this morning, tends to take a . . . ah . . . a stiletto to the . . . this budget without any kind of response to the priorities of the schools. Ah . . . There are, as you know, five major universities in this budget. There are . . . is a computer center, as well as the Board of Governors, itself. This was . . . this increase is substantially . . . ah . . . more than . . . ah . . . was suggested by any staff people on any side. The universities before they came in, . . . ah . . . turned this back to the bone and did everything they could to reduce their budgets; and to do this without recognizing their priorities, would, I think, be . . . ah . . . an emasculation



JUN 21 1975

38.

of the whole appropriation system . . . ah . . . and I suggest that we do to this what we did to the other amendments that have been offered this morning along the same line and that is to defeat them."

Speaker Redmond: "Representative Ryan to close."

Ryan: "Well, thank you, Mr. Speaker, this is another amendment that addresses the priorities that we're concerned with. This knocks out . . . ah . . . four percent. If this bill goes out of here this way, there's a ten percent salary increase in here, there's new programs, there's more people. Ah . . . This is another sound . . . fiscally sound, responsible amendment and, certainly, should be adopted; and I would move for the adoption of Amendment Number 3."

Speaker Redmond: "Gentleman has moved the adoption of Amendment Number 3 to Senate Bill 517. All in favor indicate by saying 'aye', oppose 'no'; the 'nos' have it. The amendment's lost. Any further amendments?"

Jack O'Brien: "No further amendments."

Speaker Redmond: "Third Reading. 598."



Jack O'Brien: "Senate Bill 598, John Dunn, a Bill for an Act to amend the Illinois . . ."

Speaker Redmond: "Out of the Record at the request of the Sponsor.

Representative Marovitz, are you ready?"

Jack O'Brien: "935."

Speaker Redmond: "935."

Jack O'Brien: "Senate Bill 1935, a Bill for an Act relating to remedies upon default of certain sales agreements. Second Reading of the Bill. Three Committee Amendments. Amendment #1 amends Senate Bill 935 on page 2, line 3, and so forth. Representative Marovitz."

Speaker Redmond: "Representative Marovitz."

Marovitz: "Mr. Speaker and Members of the House, Amendment #1 adds the word . . . adds after the word 'value', the words 'at the time surrender or possession' so that we know when we are determining fair market value. We just specify when we are determining it and the time is determined . . . at the time of surrender or repossession I would ask for adoption of Committee Amendment #1. I would ask for adoption of Committee Amendment #1, Mr. Speaker."

Bradley: "Gentleman moves the adoption of Committee Amendment #1 to Senate Bill 935. All those in favor will signify by saying 'aye', opposed by saying 'no'; the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Jack O'Brien: "Amendment #2, amends Senate Bill 935 on page 1 by deleting lines 10, 11, 12 and so forth. Representative Bradley in the Chair."

Bradley: "The Gentleman from Cook, Mr. Marovitz, on Amendment #2."

Marovitz: "Thank you very much, Mr. Speaker. Amendment #2 merely adds the Supreme Court definition of fair market value; and I would ask for adoption of Committee Amendment #2."

Bradley: "The Gentleman moves the adoption of Committee Amendment #2 to Senate Bill 935. All those in favor will signify by saying 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Jack O'Brien: "Amendment #3, amends Senate Bill 935 on page 2 by de-



leting line 2 and inserting in lieu thereof the following and so forth."

Bradley: "The Gentleman from Cook, Mr. Marovitz, Marovitz on Amendment 3."

Marovitz: "Thank you, Mr. Speaker, Amendment #3 merely specifies that in case of a repossession the . . . ah . . . cost included in that repossession transport court costs . . . ah . . . if there is gonna^{ing} to be a deficiency judgment, court costs and attorney's fees will be included in that deficiency judgment . . . ah . . . this is . . . ah . . . this goes along with the existing Section 95041A of the uniform Commercial Code, and I would ask for adoption of Committee Amendment #3."

Bradley: "The Gentleman moves the adoption of Committee . . . ah . . . of Amendment #3 to Senate Bill 935. All those in favor will signify by saying 'aye', oppose 'no'; the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "Thank you very much. Third Reading. Senate Bills, Third Reading. On the Calendar appears Senate Bill 14, Marovitz. Take it out of the Record. Senate Bills, Third Reading, out of the . . . Senate Bill 16 out of the Record. What . . . the Gentleman . . . for what purpose does the Gentleman from Cook, Mr. Hoffman, arise, R. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Just a question of the Chair. Is it going to be our policy that every time we go to Senate Bills, Third Reading, we will start numerically from the bottom?"

Bradley: "The Speaker that just left the Chair had indicated to me that he had checked with Mr. Washburn and we would start at Senate Bill 14 . . ."

Hoffman: "Well, one more point, Mr. Speaker . . ."

Bradley: ". . . I think we went through the whole Calendar last night . . . ah . . . on Senate Bills, Third Reading. Now, I could stand to be corrected, but . . ."

Hoffman: "What we are doing, Mr. Speaker, according to the Speaker of the House that we had, in two . . . ah . . . repeated days going through Bills that had no negative votes. But then we continually



revert back to a numerical number way below and there are some Bills that . . . ah . . . we would like to have moved on the Calendar; and we would like to have from the Chair reading as to at what point we're going to pick up where we left off possibly the night before."

Bradley: "Would you point out to us where we left off the night before, Sir?"

Hoffman: "For the last two night, we have been, as the Speaker has indicated to me, going through only Senate Bills that had no negative votes."

Bradley: "I know, Sir; I know, Sir; but where did we leave off when we were going just down the list, do you recall?"

Hoffman: "In the 600 series . . . 21, I believe the Gentleman is correct."

Bradley: "Proceed. If you wish we'll start at 621, we've only got a few Bills between . . . and three or four of them are out of the Record already, Mr. Hoffman. I'd like to go down the list and . . . ah . . . pick those up, but if you persist we'll start at 621."

Hoffman: "I'm not persisting. I think for the Members' edification though we would like to know exactly what the format is and what to anticipate, that's all."

Bradley: "Well, I think . . . I think today we're going with the . . . ah . . . righ down the list without skipping around and let 'em go up or down, Sir."

Hoffman: "Then tomorrow we will pick up where we ended?"

Bradley: "I'm not going to speak for tomorrow until the Speaker gets . . . I don't understand your point. If you want to start at 621 we indicated we will and we'll go through the Bills and not skip around, go right down the line."

Hoffman: "No, what I'm saying, Mr. Speaker, is the fact that today if we start at any point numerically low on this and we finish in a 500 or 600 series, the Members would like to know if we're going to start at that point tomorrow?"

Bradley: "Yes, Sir, we . . . that's what we will do. Let's continue here with . . . ah . . . Senate Bill 32. Is Mr. LaFluer on the floor? Take it out of the Record. The Gentleman from Cook, Mr. Schlickman."



Schlickman: "A parliamentary inquiry, Mr. Speaker."

Bradley: "State your point, Sir."

Schlickman: "The rules . . . the rules do provide that when you go from one order of business to the other and then return to the original order of business we are to pick up in that order of business where we left off. Now, it seems to me that the rules clearly provide that we should start at Senate Bill 621 and go from there."

Bradley: "Well, Mr. Schlickman, the Chair pointed out we went through . . . all through the whole Senate Bills, Third Reading, Calendar last night. So I don't see . . . your point is not well taken."

Schlickman: "Well, the rule clearly provides that we go back to where we left off in that order of business yesterday."

Bradley: "Well, for the . . . for expediency, Senate Bill 621."

Fredric Selcke: "Senate Bill 621, . . ."

Bradley: "Is Mr. Luft on the floor?"

Fredric Selcke: "Not here." Madigan."

Bradley: "The Gentleman from Cook, Mr. Madigan. for what purpose do you arise, Sir?"

Madigan: "Mr. Speaker, the answer to the question which has been put previously. I was in the Chair yesterday and the policy of the Chair yesterday was to call those Bills which received no negative votes or 1 negative vote in both House and Senate Committees. They were circled on the Calendar. We went through all of those Bills twice and then we asked if there were any Sponsors of Bills on Senate Bills, Third Reading, and wished to take the Bills back to the order of Second Reading. So that, Mr. Speaker, if we wish to go back where we left off yesterday, it would be at the end of the Bills which are on the order of Senate Bills, Third Reading, and to begin properly again you would begin at the Bill of the lowest number, Mr. Speaker."

Bradley: "Your point is well taken, Sir. Senate Bill 296. Mr. Kornowicz.

Take it out of the Record. Senate Bill 345. Mr. Taylor on the floor? Out of the Record. Senate Bill 362, Mr. Fennessey."

Fredric Selcke: "Senate Bill 362, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Bradley: "The Gentleman from LaSalle, Mr. Fennessey."



Fennessey: "Mr. Speaker and Members of the House, Senate Bill 362 involves the Department of Agriculture to establish trust funds for the handling of funds in connection with promoting Illinois agricultural activities. It also permits the Director . . . ah . . . set up a fund for the bonds where they receive bonds for businesses that go bankrupt, grain elevators and warehouses. There was one Amendment, Amendment #1, . . . ah . . . adopted here in the House increasing the salaries for the . . . ah . . . superintendent of livestock and poultry which I tabled yesterday, so the Bill is in its original form. There was an Amendment added in the Senate. It was just a technical Amendment correcting some languages. So I move for the . . . ask for a favorable Roll Call."

Bradley: "The ques . . . further . . . any discussion? If not, the question is, shall Senate Bill 362 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 144 'ayes', no 'nos', none voting 'present'; and Senate Bill 362 having received the constitutional majority is, hereby, declared passed. Senate Bill 410."

Fredric Selcke: "Senate Bill 410, a Bill for an Act prohibiting the recruiting and hiring of persons who customarily and repeatedly offer themselves as replacement for striking employees and so forth. Third Reading of the bill.

Bradley: "The Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . Fred Selcke just stated exactly what this Bill is. This is a professional strikebreakers Bill which . . . ah . . . is very similar to Guy Stubblefield's Bill that passed out of here easily, passed the House Labor and Commerce Committee . . . ah . . . a couple of weeks ago, 14 to nothing, and I'd ask for a favorable vote."

Bradley: "Discussion? The Gentleman from Cook, Mr. Palmer."

Palmer: "What's the number of the Bill?"

Bradley: "410, Sir."

McClain: "410."



Palmer: "On the Board you have something else."

Bradley: "That's 410 now, Sir. The question is, shall Senate Bill 410 . . . the Gentleman from Winnebago, Mr. Simms."

Simms: "Well, Mr. Speaker . . . ah . . . I rise . . . ah . . . on this Bill. It's my underst . . . we've already enacted one Bill dealing with this similar topic . . . ah . . . that was sponsored by Representative Stubblefield and . . . ah . . . in the Senate by Senator Hickey and . . . ah . . . this Bill now has been sent to the Governor. The terms of . . . ah . . . and definitions used in this Act are really so vague that . . . ah . . . there's a question whether or not that this is in conflict with the N.L.R.B. This Bill is not as clearly drafted, nor does it . . . ah . . . solve some of the problems that . . . ah . . . the other legislation has; and I feel at this time, with one Bill on the Governor's desk already, that it's not in the best interests of the Assembly to keep sending similar legislation down to him that does . . . ah . . . perhaps maybe the same thing and for these reasons I think that Senate Bill 410 should not pass. In addition . . . ah . . . Management and Labor did agree on the other legislation that that Bill passed the House and Senate and is . . . ah . . . now down to the Governor and . . . ah . . . I think that was one of the few Bills that Management and Labor did come to agreement on. They did not agree on this Bill. There's strong opposition from Management to this legislation because of some of the ambiguous language of this particular . . . ah . . . Bill. So for these reasons . . . ah . . . I think that the House should be wise in defeating Senate Bill 410."

Bradley: "The Gentleman from Cook, Mr. Palmer."

Palmer: "I have a point of inquiry, I think the constitution of both the United States and the State of Illinois gives the right to enter into a contractual relationship, and I should like to ask the House Sponsor of this Bill the constitutional basis for this kind of legislation."

Bradley: "The Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Representative Palmer, . . . ah . . . I . . . think I know what you're getting at . . . ah . . . I haven't really



directed myself to the issue of constitutionality of contractual services, although, I think as a matter of public policy what we're trying to do with this legislation is to prohibit . . . ah . . . professional strikebreakers and not . . . ah . . . and not to forbid them to contractually serve . . . ah . . . employers and employee/employer relationship in a normal course of business. I think we're dealing with public policy more than . . . ah . . . we're dealing with what you're directing your question to."

Palmer: "Public policy is set forth in the basic constitutions of this country as well as this state. Now, I should again like to pose a question to you . . . ah . . . what is the constitutional basis to prohibit this type of contractual relationship which is the basis . . . one of the great basis of the freedom of this country."

McClain: "I think what you're doing, Representative Palmer . . . ah . . . by permitting professional strikebreakers is that you are inhibiting the contractual relationship between employer/employee and preventing them from being . . . ah . . . in compliance with the Constitution of the . . . of what you're directing your question to."

Palmer: "Well, you don't answer my question. Now, you're a law school graduate and have been admitted to the Bar and I should . . . if you can point your finger at some point of the Constitution of this country, of this state, which would allow the basis of this kind of legislation, maybe there is something. I don't know . . . I'm asking for your knowledge on it."

McClain: "Ah . . . Representative Palmer, I haven't been admitted to the Bar yet, but I wish I was and they tell me that I know more law now than I'll ever know. However, . . . ah . . . I couldn't answer myself . . . that question . . . I'm directing a specific section of the Constitution to the question you're directing."

Palmer: "Thank you."

Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I have a question of the Sponsor if he would yield to one."

Bradley: "Mr. McClain for a question. He indicates he'll yield."

Leinenweber: "Does this Bill deal with the problem of the hiring of the professional picket?"



McClain: "No, Representative Leinenweber, if you'll look at the Digest, it's . . . ah . . . perfectly clear, to quote of friend of Ben Polk's. It prohibits the recruiting and hiring . . . ah . . . persons who are customarily and repeatedly offer themselves a replacement for striking employees."

Leinenweber: "Well, isn't this all part and partial to the same problem. Wouldn't it be better to deal with the whole problem rather than piece meal."

McClain: "If I thought we could pass it, we would."

Leinenweber: "Thank you."

Bradley: "The Gentleman wish to close. The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, I would like to speak just for a second to the . . . ah . . . issue raised by Representative Palmer. Ah . . . As most of the lawyers in this Chamber know there is . . . ah . . . has been in the field of torts . . . ah . . . a body of law arising which deals with the interference of the right to contract. Ah . . . That has become indeed a part of our tort law in this country. What this Bill addresses itself to really is to deal with that very problem. The right of one to interfere with contractual of two other parties. Ah . . . Now, Representative Palmer, of course, knows as a constitutional lawyer . . . ah . . . that the courts in entertaining constitutional questions are constantly faced with the situation . . . ah . . . where two conflicting rights, many of which may be . . . both of which may very well be legitimate . . . ah . . . conflict; and the courts under those circumstances have to make a decision in regard to which is constitutional and which has the priority. We've seen that happen in many, many Supreme Court decisions . . . ah . . . and what I'm suggesting is that I don't think there's any clear cut question . . . ah . . . that the court is going to bear down on one side of the question or the other. Ah . . . So the question of constitutionality certainly is one that is open, but . . . ah . . . I don't know that I'd be very critical of those who . . . ah . . . are in favor of this Bill on the basis that it's patently unconstitu-



tional. I don't think it is in view of the increasing body of law which deals in the tort field with the interference with the right to contract."

Bradley: "The Gentleman from Adams, Mr. McClain, to close."

McClain: "I just ask for a favorable vote."

Bradley: "The question is, shall Senate Bill 1410 pass? All those in favor signify by voting 'aye', those opposed by voting 'no'. Mr. . . . the Gentleman from Lake, Mr. Deuster, to explain his vote."

Deuster: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I was gonna' ask the Sponsor if he'd yield for a question. As I read the synopsis, I'm not quite clear whether this would effect school teachers who go on strike, and I guess my question is, if this Bill would prohibit . . . ah . . . someone from . . . ah . . . replacing a striking school teacher? I'm not sure this is in the public interest. It's . . . the synopsis I know there are some . . . ah . . . strikebreaking activities that are . . . ah . . . really questionable but . . . ah . . . it may be that there may be a time when someone has gone on strike and it is desirable to replace the service of that employee, and so I'm sort of rhetorically asking a question of the Sponsor and he might answer it in explaining his vote."

Bradley: "Have all voted who wish? The Clerk will take the Record.

On this question there are 100 'ayes', 21 'nos', 6 voting 'present'.

This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 417, Mr. Beaupre."

Fredric Selcke: "Senate Bill 417, a Bill for an Act to amend the Mental Health Code. Third Reading of the Bill."

Bradley: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, Senate Bill 417 amends the Mental Health Code, requires that the Department of Mental Health to give notice to the patient or a responsible relative of any patient at least 15 days before the transfer of any such patient from one state hospital to another. The Bill in addition has been . . . ah . . . amended by Representative Borchers . . . ah . . . to include private health care facilities in which



a patient under the jurisdiction of the Department of Mental Health . . . ah . . . is located so that any transfers between such private . . . ah . . . facilities . . . ah . . . providing mental health services to . . . ah . . . a patient under the jurisdiction under the Department . . . ah . . . from one to another is also covered. Ah . . . The provision under this Bill excludes situations which arise as a result of emergency cases . . . ah . . . it provides that responsible relatives who . . . ah . . . object to the transfer of the patient may have a hearing . . . ah . . . and . . . ah . . . that the Department will abide by the results of the hearing as to whether or not the patient should be moved. I cite to you as examples of the kinds of problems that we have incurred in the state . . . ah . . . situations wherein often relatives and parents of children who are in a department facility have . . . ah . . . all of a sudden found that their . . . ah . . . relative or child is moved from one part of the state to another upon going to visit the institution without their being aware thereof. Ah . . . I think this is good legislation . . . ah . . . it's . . . it's really only human . . . ah . . . courtesy and kindness that dictates that the department do this. Apparently, they have failed to do this; apparently, they have failed to do so in the past under a number of . . . ah . . . situations and I would ask for your favorable support."

Bradley: "The Gentleman from Rock Island, Mr. Polk."

Polk: "Will the Sponsor yield to a couple of questions?"

Bradley: "He indicates he will."

Polk: "Jack, has this Bill been amended at all, the Digest doesn't indicate?"

McClain: "Ah . . . The Bill has four Amendments on it. Ah . . . The Amendment #4 was tabled. Amendment #1 . . . ah . . . replaced . . . ah . . . a portion of the Mental Health Code. which inadvertently was stricken when the Bill was drafted. Amendment #2 . . . ah . . . provided for exclusion . . . ah . . . of this notice provision in cases of informal or voluntary admission, the case where the patient . . . ah . . . admits himself . . . ah . . . or for one reason or another has gone into a mental health facility at his own volition and under



those circumstances, we don't want to prohibit him from leaving until there's a 15 day notice given to his relatives. Ah . . . Amendment # . . . the third Amendment adopted . . . ah . . . excuse me, I'll go back to Amendment #3, Amendment #4 was the same as Amendment #1, it was tabled. Amendment #5 was Representative Borchers' Amendment which dealt with the private health care facilities . . . ah . . . transfer between private health care facilities . . . ah . . . which are used under contract to . . . to provide the mental health services."

Polk: "Well, now do any of these Amendments take care of the problem that I've discussed with you? If a person voluntarily goes to a state institution and indicates that they wish to . . . to become a patient and . . . ah . . . the state then decides to transfer them from one . . . one institution to the other. If he does not wish his family or anyone to know that he's . . . he is a patient . . . ah . . . has that been covered so that they will not be advised, because it is conceivable that they wouldn't know that he's in an institution?"

McClain: "That is not specifically and expressly covered in the Act, but I would point out to you that there are provisions . . . ah . . . for that in that the Act . . . ah . . . the proposed Act says that 'notice may be given to the patient or a responsible relative', and I'm . . . that . . . ah . . . gives the department leeway, I think, where the patient has requested that relatives . . . ah . . . not be notified . . . ah . . . to exclude . . . ah . . . that notification."

Polk: "Well, if a person then came to the . . . was a . . . was a patient and . . . ah . . . indicated when he turns . . . when they put themselves in, that he did not want their relatives to be notified, then would that Amendment . . . ah . . . would that cover it then?"

McClain: "Well, I believe so. The department . . ."

Polk: "Thank you."

McClain: "Okay."

Bradley: "The Gentleman from Cook, Mr. Katz."

Katz: "Yes, yes, would the Gentleman yield?"

McClain: "Yes."

Bradley: "He indicates he will."



Katz: "Ah . . . In the event that, in accordance with the Bill, the Department notifies the patient and then . . . or the family, and a hearing has been held, I note from the Digest here that it says that the transfer may be implemented only in accordance with the results with such hearing. Now, if the Department decides that on the basis of the hearing the patient should be transferred, does that end it at that point?"

McClain: "Well, since we're talking about it . . . an administrative hearing, Representative Katz, I would presume . . . ah . . . that one could seek administrative review under the Administrative Review Act in the courts. However, there are no statutory provisions that would provide for any further hearings or appeal from that hearing. It would seem to me . . . ah . . . that that ought to be covered and that it ought to be clear that you can't litigate in a court this kind of question. It seems to me that you could open up a Pandora's Box by litigating the question of whether or not a patient's best interest would be served by moving to this place or that place and I believe that a Bill of this kind is deficient if it does not anticipate the problem that would be involved if law suits could be filed every time a patient is moved from one facility to another. Ah . . . I believe that . . . ah . . . it is a deficiency in the Bill that could produce a great deal of havoc in administering a large department, and I think that it ought to be brought back to Second Reading and made perfectly clear that that cannot be the case, otherwise you could really . . . ah . . . tie up the Department in a lot of litigation."

Bradley: "The Gentleman . . ."

Beaupre: "Well, . . . ah . . . in answer . . ."

Bradley: ". . . Mr. Beaupre . . . do you have . . . I don't think he was asking a question. If you wish to close, you can. The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, will the Sponsor yield for a question?"

Bradley: "He indicates he will."

Dunn: "Is there . . . ah . . . a provision in the Bill for . . . ah . . ."



waiver of the . . . ah . . . I notice that the Bill provides in the event the relatives wish to do so, can a notice be waived?"

Beaupre: "I don't believe there's any provision in the Bill that notice can be waived, but of course the relatives could very well ignore the notice."

Dunn: "Well, what . . . what I'm getting at is there may be some instances where . . . ah . . . I notice you have an emergency provision, but there may be some instances where . . . ah . . . 15 days is . . . ah . . . is a nuisance to relatives who . . . ah . . . who don't need the protection that you . . . ah . . . are providing . . . ah . . . with this Act, and so I would hope that that problem could be taken care of; and I have one other question . . . ah . . . and that is, does this apply only to transfers from one . . . ah . . . hospital or one facility to another and . . . and not . . . ah . . . to release of a patient from . . . ah . . . a facility to the outside world?"

Beaupre: "My understanding of the Bill is that it provides for both release and transfers and that's one of the reasons why we took . . . ah . . . put Amendment #2 on which dealt with voluntary . . . ah . . . and informal admission."

Dunn: "But with regard to . . . ah . . . patients leaving . . . ah . . . facilities in . . . perhaps I wasn't listening closely enough, but can this Act be used to keep someone in a facility . . . ah . . . for 15 days against his will?"

Beaupre: "Well, I suppose you could construe the measure . . . ah . . . that way in that . . . ah . . . if a relative . . . ah . . . believes that it was not in the interest of the patient to be released . . . ah . . . and they were given notice . . . ah . . . they would . . . ah . . . be able to have a hearing . . . ah . . . within 15 days in regard to that dismissal. Ah . . . However, the administrative proceedings would result in a finding which would determine what was in the best interest of the patient; if the patient had no need for care, I'd think we'd have to presume that the administrative hearing would so find and that that hearing would be final under . . . ah . . . the Act."

Dunn: "I . . . my question is a little bit . . . takes a little



different slant . . . ah . . . it appears to me from reading the synopsis that . . . ah . . ."

Bradley: "For what purpose does the Gentleman from Moul . . . from Moultrie, Mr. Stone, arise?"

Stone: "A point of order, Mr. Speaker, I believe this has definitely been a colloquy for about 15 minutes. I think it's improper."

Bradley: "The . . . your point is well taken. The Gentleman from Kankakee, Mr. . . ."

Dunn: "Mr. Beaupre . . ."

Bradley: ". . . are you concluded, Mr. Dunn?"

Dunn: "No, I am not, I have questions about this . . . ah . . . about this Bill and . . . ah . . . I think the . . . the question is important."

Bradley: "Well, then . . . we . . . the Chair has been very patient and has ruled on a number of occasions that . . . ah . . . the dialogue that you and Mr. Beaupre are in right now or . . . is out of order. So if you'd like to . . . ah . . . bring your remarks to a close and talk to the Bill, if not I would suggest you turn around and sit and talk to Mr. Beaupre about the Bill."

Dunn: "All right, I'll . . . I'll talk to Mr. Beaupre about the Bill, I want to make certain that we don't . . . ah . . . take advantage of anybody's fundamental rights and freedoms in the . . . in the interest of good government here; and I'm going to make certain that that's the case."

Bradley: "Well, certainly you're entitled to do that. The . . . Gentleman from Beaupre . . . from Kankakee, Mr. Beaupre, wish to close?"

Beaupre: "Yes, Mr. Speaker, . . . ah . . . this Bill really addresses itself to . . . ah . . . the probelm of . . . of transfers within Department of Mental Health facilities wherein the . . . ah . . . relatives and parents have been denied the right to participate in that decision or to even know that the transfers were taking place. Unfortunately, that sort of situation has arisen all . . . too many times . . . ah . . . within the Department of Mental Health Institution. As far as . . . ah . . . limiting anyone's constitutional rights, . . . ah . . . the . . . the hearing provisions contained herein, it seems to me, provide for an adequate hearing and a proper legal deter-



mination as to whether or not . . . ah . . . the patient should be either moved or dismissed or . . . or let out from a . . . ah . . . a Department of Mental Health facility. In regard to the question raised by Representative Katz, I would merely point out to you that the legislation provides no more restrictive laws than now exist in that . . . at least under this Bill there would be an administrative hearing . . . ah . . . if anyone seeks regress from the courts, they may do so now and . . . but . . . ah . . . we are . . . imposing no more strict limitations . . . ah . . . on the administrative review process or providing anymore additional remedies to prolong the administrative review process that now exist under the law. I think it's a good Bill, it's a humanitarian Bill, it's the kind of thing that we ought to be doing and . . . ah . . . apparently the Department isn't, and I would hope that this Legislature would show its will and mandate to the Department of Mental Health that these humanitarian . . . ah . . . aspects of their care services be carried out."

Bradley: "The question is, shall Senate Bill 417 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Macon, Mr. Dunn, to explain his vote. Schlickman 'aye'. The Gentleman from . . . Mr. . . ."

Unknown: "Forget it . . . forget it."

Bradley: "On this question there are 137 'ayes', 2 'nos'. This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 433."

Fredric Selcke: "Senate Bill 433, . . ."

Bradley: "Mr. Lechowicz."

Fredric Selcke: ". . . a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Revenue. Third Reading of the Bill."

Bradley: "Mr. . . . the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is the annual appropriation for the Department of Revenue. It calls for approximately expenditure of \$313,2 . . . 200,000. I'd be more than happy to answer any questions if there are any on Senate Bill



433."

Bradley: "Discussion? If none, the question is, shall Senate Bill 433 pass? All those in favor will signify . . . the Gentleman from Cook, Mr. Gaines."

Gaines: "Does this have the Governor's cut on it?"

Bradley: "Are you asking a question, Sir?"

Gaines: "Yes, . . ."

Bradley: "Would you ask if he would . . . ah . . . yield?"

Gaines: "Would . . . would the Sponsor yield?"

Lechowicz: "Yes, I will."

Gaines: "Does this have the Governor's cut on it?"

Lechowicz: "It does not."

Gaines: "Well, I want to know why is it all these Bills that are coming in through here without the Governor's cut and then when other Bills come through you want to put it on? Now, when these . . . ah . . . people's Bill such as the mental . . ."

Lechowicz: "Oh, I'm sorry, . . . wait a minute are you talking . . ."

Gaines: ". . . No, that's all right."

Lechowicz: ". . . about the 6 percent?"

Gaines: "Yes, 6 percent."

Lechowicz: "Yeah, that was adopted by Amendment #4, it does."

Gaines: "It does, okay, thank you."

Bradley: "The question is, shall Senate Bill 433 pass? All those in favor will signify by voting 'aye', . . . pardon me, the Gentleman from Marion, Mr. Friedrich."

Friedrich: "There has been considerable discussion about this Department. It was the intent of the Constitutional Convention that this Department be . . . Department be abolished. Its reason for existence has long passed, and I'm going to vote for it this time, but I will have a Bill in the next Session to abolish the Department of Finance."

Bradley: "The Gentleman from Cook, Mr. Lechowicz, wish to close?"

Lechowicz: "Well, I just want to point the . . . the Department of Revenue . . . the annual appropriation . . . it had four Amendments adopted to it. It reflects the cut of approximately 6 percent. I see no . . . no objection to this Bill, it's in complete order, the Department



of Revenue, I pointed that out; and I request an 'aye' vote."

Bradley: "The question is, shall Senate Bill 433 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Geo-Karis 'aye'. On . . . the Clerk will take the Record. On this question there are 149 'ayes', 5 'nos', none voting 'present'. This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 443."

Fredric Selcke: "Senate Bill 443, an Act making appropriation for the Board of Trustess State Universities Retirement System. Third Reading of the Bill."

Bradley: "The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . this appropriation . . . ah . . . covers the . . . ah . . . State Employees Retirement System. The legislation was approved by the Illinois Pension Laws Commission. It is similar to the legislation which was approved for the State Teachers Retirement System in 1974 and it is diminishing; and I'd appreciate your support of this Bill."

Bradley: "Discussion? If none, the question is, shall Senate Bill 443 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Paul Stone push the green light for me, will you? Have all voted who wish? The Clerk will take the Record. On this question there are 152 'ayes', no 'nos', none voting 'present'. This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 449."

Fredric Selcke: "Senate Bill 449, Kelly, out of the Record."

Bradley: "Take it out of the Record. Mr. Capparelli on Senate Bill 452. Out of the Record. 461, Senate Bill 461, Mr. Sevcik on the floor? Take it out of the Record. Senate Bill 463, Mr. Tipsword. Read the Bill."

Fredric Selcle: "Senate Bill 463, a Bill for an Act to amend an Act concerning elections. Third Reading of the Bill."

Bradley: "The . . . the Gentleman from Christian, Mr. Tipsword."



Tipword: "Mr. Speaker, Ladies and Gentlemen, this Bill would provide for the filling of vacancies in the 17 Commission Counties in the state and in the 84 downstate counties that a Township Government elect County Board Members and for the election for all of the elective county officials of the state. It would provide that in the . . . ah . . . for County Commissioners, they would be selected . . . ah . . . by the Board from . . . from among the persons who are the same political party as the party who vacated the office . . . ah . . . the same is true in the County Board. In the County Board elections they would select the state cent . . . or I mean, the County Central Committee, if the Board is elected for the county at large or the District Committee if the . . . ah . . . board members elected from a district shall select a person of the same . . . ah . . . political party. They shall serve until the next General Election at which time the office would be up for election. The same is true of county officials, the elected county officials would be selected by the County Central Committee of the party . . . ah . . . who . . . ah . . . of the person who occupied the office last and who vacated the office by resignation or death . . . ah . . . In addition, it provides that if the officeholder is an independent that then that selection shall be made by the County Board and . . . ah . . . shall be in . . . ah . . . selected from the county at large. Ah . . . I would . . . move for the passage of Senate Bill 463. We have amended this so that now it . . . it takes care of all of the various parts of the various statutes, the Election Code, the Counties Act and all the various special statutes in re . . . in regard to these offices so that they're all put together in . . . in one place and we find one means of filling those vacancies."

Bradley: "The Gentleman from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. Mr. Speaker, I wonder if the Sponsor would yield for one question?"

Bradley: "Indicates he will."

Dunn: "Ah . . . Representative Tipword, did you say this also applies to the 17 Commission Counties or did you . . . I didn't understand that."

Tipword: "This does apply to the 17 Commission Counties. It also, it



. . . it . . . it takes the Commissioners, the County Board Members and the County Elective officer and provides for the filling of vacancies.

Yes, Sir."

Dunn: "Fine, thank you, thank you, . . . ah . . . and Mr. Speaker, may I speak to the Bill. I certainly . . ."

Bradley: "Yes, Sir."

Dunn: ". . . certainly urge the adoption of this. I think it's a good Bill, and I urge its passage. Thank you."

Bradley: "Further discussion? The Gentleman from Christain wish to close?"

Tipsword: "Ah . . . Yes, I . . . I move that this Bill be favorably accepted by the Members of the General Assembly. I think maybe I should say that . . . ah . . . of the county offices, this does not cover the office of Circuit Clerk upon which there is some controversy at the present time."

Bradley: "The question is, shall Senate Bill 463 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Knox, Mr. McGrew, to explain his vote."

McGrew: "Thank you very much, Mr. Speaker, I'd like to explain my 'no' vote. I . . . it's my distinct feeling and . . . and I know that the counties can take care of this problem themselves, and in fact we in Knox County had a rather peculiar situation where a Republican moved out of the district, vacated the office, and we ended up having a Democrat and that made only the fourth Democrat on the board. So I suggest that . . . ah . . . my appropriate motion be 'no'."

Bradley: "Have all voted who wish? The Clerk will take the Record. The Gentleman from Knox, Mr. McMaster."

McMaster: "Well, Mr. Speaker . . ."

Braldey: "To explain his vote."

McMaster: ". . . and Ladies and Gentlemen of the House, to explain my vote and to explain something to Representative McGrew. He mentioned the case where a Republican moved and a Democrat was that Republican's replacement. I would like to point out to him that later on . . . ah . . . actually in June this year, this month, a Democrat moved and he was replaced on the County Board by a Republican. So . . . ah . . ."



"the exchange has been fair."

Bradley: "On this question there are 143 'ayes', 5 'nos'; this Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 506."

Fredric Selcke: "Senate Bill 506, got it, Chockey, a Bill for an Act to amend the Inheritance Tax Act. Third Reading of the Bill."

Bradley: "The Gentleman from Sangamon, Mr. Londrigan."

Londrigan: "Mr. Speaker, this is another Bill to amend the exemptions on the inheritance tax. The exemption on spouse is now 20,000. Under this Bill it goes to 75,000, on children it goes from 20 to 25,000, tax savings of 15 to 20,000,000. We've already passed two Bills out of the House. This is the Senate version, and I ask for your approval."

Bradley: "The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Mr. . . . Mr. Speaker, Ladies and Gentlemen of the House, perhaps this is an act of futility to rise to oppose this Bill. We've talked about fiscal responsibility, we've all been competing with one another in order to express our horror at the upcoming fiscal crunch, the possibility that we may have to raise taxes for the citizenry at large. The question of who is going to be the first one to respond to the fiscal crisis by putting his name to a Bill that would increase some taxes; and we look at that 6 percent and we all know in our hearts that that 6 percent or 10 or whatever is necessary to bring fiscal balance to the state and to comply with our constitutional mandate, that it's not just a question of how much we spend or how much we reduce expenditures, but what we do to cut away at the state's present revenues. This Bill presents the converse of irresponsibly increasing expenditures. I think it's times that we looked at ourselves, looked at our obligations and voted 'no', like we know we should."

Bradley: "The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker . . . Mr. Speaker and Members of the House, in my opinion a vote 'yes' on this Bill would be unconscionable. First of all, the fiscal note shows a loss to the General Revenue Fund of this state of between \$15 and \$20,000,000. Secondly, Mr. Speaker and Members of the House, our Illinois Inheritance Tax is a very, very



modest, moderate tax in comparison with other state inheritance taxes and in particularly in comparison with the Federal Estate Tax. We got a good one. It does not burden the state, and this Bill would drain the General Revenue Fund of between \$15 to \$20,000,000; and I urge a resounding 'no' vote."

Bradley: "The Gentleman from . . . ah . . . Sangamon, Mr. Londrigan, wish to close?"

Londrigan: "Yes, Mr. Speaker, I would again remind the House that we have passed two Bills out; this is the Senate version, I think we should give the Governor this choice. We have all seen the good reasons why we passed the other Bills out. This exemption has not been raised for 70 years. It's a modest form of tax relief in an area that's vitally needed, even more than a tax relief is the tax . . . is the cost saving that it will give to the deceased heirs. They will not have to hire a lawyer to file tax returns. They will not have to give \$50 or more to a real estate appraiser to give a real estate appraiser. It will cost the state considerably, and this will be our cost saving through the heirs. For all of the reasons given before I ask your approval of this Bill."

Bradley: "It's not the intent of the Chair to cut anybody off so, Mr. Borchers, did you have a question of the Sponsor? Do you want to explain your vote or . . ."

Borchers: "I . . . I'll explain . . ."

Bradley: "Okay, and the question is, shall Senate Bill 506 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Macon, Mr. Borchers, to explain his vote."

Borchers: "I'm voting 'yes' on this for one reason. As I recollect it was 1909, 1909 that the last changes of any substance was made in the Inheritance Tax, and this . . . this amount is taken on the inheritance tax is based . . . is based as I recollect on that date. Well, with the change of the valuation of money and the purchasing power of the dollar, it's only just that some woman, widow, a surviving spouse, would be able to be compensated for the terrific loss of the purchasing power of the dollar and this is not unreasonable. In fact, it's most reasonable and we should vote 'aye'."



Bradley: "The Gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Mr. Speaker, we already put on Governor's desk a raise of the exemption from \$25,000 to \$50,000 . . . ah . . . I agree with many of the Speakers. This is much too much and it's irresponsible. They already had the choice for \$50,000, which doubles the present exemption, there's no reason to triple it."

Bradley: "The . . . Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 113 'ayes', 25 'nos', 4 voting 'present'. This Bill having received a constitutional majority is, hereby, declared passed. 621 is the one . . . out of the Record by request of the Sponsor, Mr. Luft. Representative Luft, do you want 621 out of the Record?"

Luft: "Yes, out of the Record."

Bradley: "Okay. Senate Bill 641, Mr. McClain."

Fredric Selcke: "Senate Bill 641, a Bill for an Act to amend the Illinois Clinical Laboratory Act. Third Reading of the Bill."

Bradley: "The Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House . . . ah . . . Senate Bill 641 amends the Illinois Clinical Laboratory Act. The Digest is perfectly accurate. Senate Amendment #1 which was placed on the Bill was done because there's a little confusion with a cancer . . . cancer clinical laboratory up in Bill Marovitz's Legislative District and, therefore, Senate Amendment #1 is now an agreed Amendment . . . ah . . . Agreed Bill and I'd urge your favorable vote."

Bradley: "Discussion? If none, the question is, shall Senate Bill 641 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Lake, Mr. Matijevich, to explain his vote."

Matijevich: "Well, I'm voting 'aye', but I was going to ask Representative McClain what is the . . . the immu . . . immunohemato . . . tological procedure?"

Bradley: "Would you ex . . . would you pronounce that again, Sir?"

Matijevich: "Immunohematological procedure, what is that, Mike?"

Bradley: "Do you wish to respond, Sir, Mr. . . ."

McClain: "No."



Bradley: "He doesn't want to respond. Have all voted who wish? Have all voted who wish? The . . . the Clerk will take the Record. On this question there are 135 'ayes', no 'nos', none voting 'present'. This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 646."

Fredric Selcke: "Senate Bill 647 . . ."

Bradley: "Mrs. Chapman wishes to be recorded as 'aye' on that last Bill, is that correct?"

Fredric Selcke: ". . . 6, a Bill . . . a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Bradley: "The Gentleman from Cook, Mr. Giglio."

Giglio: "Mr. . . . Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 646 increases the fee for the licenses of the official testing station from \$40 to \$150, it was \$350, they amended it to \$150. It also increases the renewal fee from \$10 to \$30 and provides for the certification of mechanics. These are the people that . . . ah . . . work on the trucks . . . ah . . . and the stations where the trucks have to go in to get their . . . ah . . . decals every six months."

Bradley: "The Gentleman from Cook, Mr. Porter."

Porter: "Mr. Speaker, a point of order. Aren't we supposed to go to . . . ah . . . a special order of business at 11 o'clock on Senate Bill 1024?"

Bradley: "The Sponsor of that motion has asked us to hold it for a length of time."

Porter: "How long?"

Bradley: "That has not been indicated to me yet, Sir."

Porter: "Thank you."

Bradley: "On 646, is there any discussion? The Gentleman from Will, Mr. Kempiners."

Kempiners: "Ah . . . Mr. Speaker, I had a question to ask but I see that the Minority . . . Assistant Minority Leader also has . . ."

Bradley: "The Gentleman from Cook, Mr. . . . Mr. . . ."

Kempiners: "Well, he . . . he's waiting on . . ."

Bradley: "Well, Mr. Kempiners, do you . . ."



JUN 21 1975

62.

Kempiners: "So . . . ah . . . if the Gentleman would yield, I'd like to ask him a question regarding the certification of the mechanics and also some justification for a . . . an increase of . . . ah . . . I don't know 300 percent in the fees involved. Ah . . . Would the Gentleman yield?"

Bradley: "He indicates he'll yield. Go ahead, you want to answer the question?"

Giglio: "What do you want to ask me?"

Kempiners: "Okay, let's go into the certification first, what . . . ah . . . what provisions are made for the certification of mechanics?"

Giglio: "Ah . . . D.O.T., the Department of Transportation has a . . . ah . . . somewhat of an examination for the mechanics, they have somewhat of a school and they have to comply to the regulations of D.O.T. in order to inspect the trucks."

Kempiners: "Has there been any problems that have arisen with regards to . . . ah . . . to poor mechanics involving themselves in the inspection of these trucks?"

Giglio: "No, we've asked that in Committee; and to my knowledge and D.O.T. testified there were . . . ah . . . not. However, D.O.T. wants to make sure that the people that are inspecting these trucks to be put on the road do know what they're doing."

Kempiners: "Okay, Mr. Speaker, could I address myself to this Bill?"

Bradley: "You certainly may, Sir."

Kempiners: "We have seen in at least the Human Resources Committee, and I take it now that this Bill is, before us and other committees an attempt by the administration to impose taxes upon the citizens of this state, only they . . . they don't want to call them taxes. All they want to do is increase fees for licensure which, in all reality, is passed on to the consumer, and I just want to make it clear that in my opinion this is exactly what's happening in this case, and we have been fortunate, in other cases . . . ah . . . from Bills that have gone through Human Resources, to defeat them."

Bradley: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield for a question?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Bradley: "He indicates he will."

Mahar: "Ah . . . Frank, you stated that the . . . ah . . . renewal fees was increased from 10 to 30, Amendments #4 shows it being lowered from 30 to 15, which is correct?"

Giglio: "The 15."

Mahar: "Okay, thank you."

Bradley: "The Gentleman from Perry, Mr. Dunn. He's not there, Mr. Walsh. Further discussion? If not, the Gentleman wish to close?"

Giglio: "Ah . . . Yes, we . . . the Department felt that the amount of the administration costs to implement this program up to now has . . . ah . . . has not been able to . . . ah . . . balance out, and this is the increase of the . . . of the fee. What it . . . what it has been taking to put this program across; this was the justification of . . . of the increase, and, therefore, I would ask for your favorable support."

Bradley: "The question is, shall Senate Bill 646 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Mr. Walsh, to explain his vote."

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, the question I was going to ask was the question that Representative Kempiners asked regarding the certification of mechanics. We don't certify mechanics now, we . . . there's no test for mechanics. They're not required to be licensed. This is simply a tax increase. This is a charge made on the profession of being a mechanic or the trade of being a mechanic, without any test as to a requirement for passing any kind of knowledge requirement with respect to the repair of automobiles or trucks; there's just simply no excuse for it. This is a rip off, Mr. Speaker. It's a tax increase with no justification whatever. If there were an examination there might be some argument for it. There isn't any examination. All the mechanic has to do is work for the testing station and there's a \$10 charge to the state. Now, here we are increasing taxes, let everyone know that. There's no justification for it. I would urge everyone to vote 'no'."

Bradley: "The Gentleman from Perry, Mr. Dunn, to explain his vote."

Dunn: "Thank you, Mr. Speaker, and I want to apologize for being away from



my desk a little while ago. I was trying to alert to some of my friends to the fact that this is a bad Bill and I certainly urge its defeat. It's a tax increase and passed on to the truckers, on to the customer."

Bradley: "The Gentleman from Winnebago, Mr. Giorgi, to explain his vote.

Have all voted who wish. The Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "Well, generally on licensing matters I would agree with the Assistant Minority Leader and Representative Kempiners, but Representative Giglio is not proposing to institute a new licensing procedure. If we're against licensing what we ought to do is ap . . . is just wipe out the program that the Department of Transportation has. What he's trying to do it seems to me is impose a very conservative principle and that is the principle that those who receive the benefits should pay the cost. It's called the user fee concept and if I am to be accused by my fellow Republicans of agreeing with the administration . . . ah . . . in favor of such a concept, so be it."

Bradley: "The Gentleman from Sangamon, Mr. Londrigan, to explain his vote."

Londrigan: "I don't understand all the conversation about this. Certainly this isn't any increase in tax in any nature whatsoever. It went through our Motor Vehicles Commis . . . Committee, and I certainly agree with Representative Skinner, the Minority Spokesman, thereon, that all they're attempting to do here is to have these stations who are inspected pay their fair share of the cost of inspection. In fact, this raise in fee does not even cover the cost of inspection. Now, if we don't have them pay the cost of inspection then the rest of the people are going to pay this cost because the facilities are there and the cost is there. We're asking them who benefit to pay the cost. If they don't pay the cost, all the rest of us are, and that will be a tax increase. So I . . . I think you're misjudging what we're doing here and I would suggest an appropriate vote as 'aye'."

Bradley: "The Gentleman from Cook, Mr. Giglio, to explain his vote."

Giglio: "Yes, Mr. Speaker, . . . ah . . . I take issue with the Minority Leader on the other side. It seems like the Minority Spokesman and



the Committee's in favor and he . . . ah . . . understood this very well in Committee. What we're trying to do here is just to balance out what it takes to put this program across and get some return for . . . ah . . . what they do; and everybody and anybody that has the facilities or wants to go in the truck testing business can do so, we're not depriving anyone not to go in it. What we want to do is just increase it enough so that it balances out for the administration costs and what have you; and as far as licensing, we're not licensing anybody; we want to make sure that those people that inspect the trucks that are supposed to be safe for the roads and the school buses and every other vehicle that goes through that line is . . . ah . . . in working shape so . . . so they'll be able to run on the roads the way they're supposed to; and I don't see no great scream for an increase in tax here. There is no great increase here. We have a program; we make sure that it pays for itself, that's all we're asking for; and, therefore, I would ask those that are voting red to take another look and somebody else that wants to help me, come on start talking and it will keep going up, we may get 89 votes here."

Bradley: "Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Lundy, to explain his vote."

Lundy: "Yes, thank you, Mr. Speaker, I think the consideration that hasn't been mentioned this morning is that when . . . ah . . . a mechanics business or a garage is designated as an official testing station that results in a gr . . . in a great increase in business for that . . . ah . . . businessman and . . . and . . . ah . . . probably brings in to him far more . . . ah . . . business than he would get without being so designated and he . . . he makes more than enough to offset the increase in cost that we would be imposing here, and I think . . . ah . . . the alternative to not increasing the fees is to take . . . is to take the money out of the General Revenue Fund, and I don't think anybody wants to do that. All we're asking is that the program be allowed to pay for itself and I would ask for an 'aye' vote."

Bradley: "Have all voted who wish? Have all voted who wish? The Gentleman from Will, Mr. Kempiners, to explain his vote."

Kempiners: "Thank you, Mr. Speaker, I could rise on a point of personal



privilege seeing my name was used in debate. But I just want to make one thing clear. The ques . . . one of the questions I asked the Sponsor was has there been any abuse or any problems with these mechanics and the answer was 'no'. So that raises in my mind the question, why does the state want to get involved in the certification of mechanics? My God, pretty soon we're going to certifying the . . . little 6 and 7 year old kids that have lemonade stands. I think this is one area that we don't have to enter right now. Maybe if there was reason we could do it, but then we are passing a tax on to people, because let's face it, this is going right to the consumer and we all know it."

Bradley: "The Gentleman from Cook, Mr. Garmisa, to explain his vote."

Garmisa: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, what we're talking about here is an increase of renewal fees from \$10 to \$15. All of us that have been caught in this inflationary period, I think this \$10 fee was established years ago. We're talking about a very small increase in the cost of a renewal fee, we're not talking about a giant increase in taxes that would hurt everybody here. We're talking about something that is an infinitesimal amount and when you consider the inflationary period that has occurred from the time that this fee was first established to the present time, you're not talking about anything earthsplitting, you're talking about something that's a very small increase and I think that every one of those red lights should be switched to green on this vote."

Bradley: "The Gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "Well, again, Mr. Speaker and Members of this House, I want to talk about fiscal responsibility and the cost of the operation of doing business in the State of Illinois and the cost to the ultimate, the taxpayer. You may say that this is only a cost of doing business, but what happens when the cost of doing business goes up? It's automatically reverts to the fact the taxpayer has to pay the increase. Now, this Bill was heard in Motor Vehicles and no where in that testimony was it justified or even indicated that this was an increase due to cost of administrating the Act. No where was that testimony there. In fact, if you've looked at your Digest, the



original Bill calls for an increase up to \$350,000. So they knew they couldn't pass that so they reduced it, and I think that was a psychology move only, so that they could get an increase and not even justify it. As far as licensing of these people that do the testing, that's another tax on the man doing business and of the ultimate consumer. If you want to tax the consumer, let's do it, but let's don't try to force it on to the . . . businessman so he has to force it on to the taxpayer. So let's do it directly so we can . . . our constituents can say, look you taxed me. This is a bad Bill and it ought to be defeated."

Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this questin there are 88 'ayes, 68 'nos', 6 voting 'present'; the Gentleman from Cook, Mr. Giglio."

Giglio: "Mr. Speaker, I poll the absentees."

Bradley: "Poll the absentees; the Gentleman from Cook, Mr. Walsh."

Walsh: "Well, why doesn't he take it out of . . . Postponed Consideration, Mr. Speaker, because we're going to ask for a verification if he gets one more, so let's forget it."

Bradley: "The Gentleman has asked for a poll of the absentees . . . the Gentleman from Rock Island, Mr. Darrow."

Darrow: "Mr. Speaker, How am I recorded?"

Bradley: "How is he recorded?"

Fredric Selcke: "The Gentleman is recorded as being 'present'."

Darrow: "Please record me as 'yes'."

Bradley: "Record him as 'aye'. The Gentleman from Hardin, Mr. Winchester, for what purpose do you arise, Sir?"

Winchester: "How am I recorded, Mr. Speaker?"

Bradley: "How is he recorded?"

Fredric Selcke: "Gentleman is recorded as being absent."

Winchester: "Vote me 'no' please."

Bradley: "Vote him 'no'. Call the absentees."

Fredric Selcke: "Arnell. Bluthardt. Epton. Fleck. Hirschfeld. Gene Hoffman. Emil Jones. Dave Jones. Keller. LaFluer. Leverenz. Mulcahey. Rayson. Williams."

Bradley: "On this question . . . the Gentleman from Cook, Mr. Walsh."

Walsh: "Well, we request a verification, Mr. Speaker."



Bradley: "Do we . . . how many votes do we have now?"

Fredric Selcke: "We've got 89."

Bradley: "Gentleman request^Δ verification. Verify the affirmative Roll.
The Gentleman from Cook, Mr. Giglio."

Giglio: "Mr. Speaker, I won't waste the time of the House, pull it out of
the Record."

Bradley: "I think you'll have to put it on Postponed Consideration, Sir."

Giglio: "Postponed."

Bradley: "Pardon, Postponed Consideration?"

Giglio: "Postponed."

Bradley: "Put it on Postponed, does he have leave? Postponed Consideration.
Senate Bill 647."

Fredric Selcke: "Senate Bill 647, a Bill for an Act to amend the Election
Code. Third Reading of the Bill."

Bradley: "The Gentleman from Cook, Mr. Laurino. Take it out of the Record."

Fredric Selcke: "Out of the Record."

Bradley: "649 out of the Record. 658, Mr. Beaupre. Read the Bill a third
time, Sir, 658."

Fredric Selcke: "6 . . . Senate Bill 658, an Act making appropriation to
the Board of Trustees Judges Retirement System. Third Reading of the
Bill."

Bradley: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House,
. . . ah . . . Senate Bill 658 is the annual appropriation to the
Judges Retirement System in the amount of \$4,888,000."

Bradley: "Pardon me, Mr. . . . pardon me, for what purpose do you arise,
Mr. Ryan?"

Ryan: "Well, Mr. Speaker, this is the Bill that we had some controversy on
yesterday and . . . ah . . ."

Beaupre: "No, no, no."

Ryan: ". . . and I would . . . would request the Sponsor to take this
back to the order of Second Reading for purposes of an Amendment."

Beaupre: "Well, . . . ah . . . I think you're mistaken, Representative Ryan,
the Bill that we had controversy on yesterday was the Liquor Control
Commission Budget. This is the Judges Retirement System."



Ryan: "No, no, this was the one that Representative Downs tabled the Committee Amendment on, I believe."

Beaupre: "I don't think so."

Bradley: "Does the Gentleman wish to take it back to Second Reading?"

Beaupre: "No."

Bradley: "Proceed, Sir."

Beaupre: "Ah . . . As I indicated, Mr. Speaker, and Ladies and Gentlemen of the House, this is the annual appropriation to the Judges Retirement System. Ah . . . It has been amended with the 6 percent Amendment in accord with the wishes of those on the other side of the aisle. Ah . . . It . . . ah . . . the total amount appropriated is \$4,888,000; and I would ask for your favorable support."

Bradley: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Ah . . . Mr. Speaker, . . . ah . . . I don't deny the Sponsor's right to keep the Bill where he wants to, but I want you to know that the Speaker told me, and I think Representative Washburn was with me, that he would take this Bill . . . ah . . . he would have this Bill brought back to Second so that . . . ah . . . 6 percent Amendment could be offered. Now, . . . ah . . . I think the 6 percent Amendment is on there. All right, I'm simply telling you that, I don't know where the Speaker is now, but he . . . he assured us that this Bill would be brought back to Second so that we could offer the Amendment, that's all I want to tell you."

Bradley: "It indicates on the Bill that Amendment #1 has not been adopted, Mr. Beaupre."

Beaupre: "Mr. Speaker, . . . ah . . . it was my understanding that the Amendment was on. If it is not on, I'm very willing to allow it to go on . . . ah . . . I do wish, however, that if there's some objection to a Bill . . . ah . . . and . . . a . . ."

Bradley: "The Gentleman from Cook, Mr. Barnes, for what purpose do you arise, Sir?"

Barnes: "Thank you very much, Mr. Speaker, the Amendment that is of concern was offered in Committee, it was adopted in Committee, then it was offered on the House floor and it was defeated here. So the Bill is . . . the Bill . . . well, I retrack, the Amendment was of-



ferred in Committee, adopted there, retracking my statements, and it was withdrawn on the House floor by the Sponsor of the Amendment. Now, the Bill was proceeded to Third Reading in an orderly fashion after the Sponsor of the Amendment tabled it on the House floor. That's the posture of the Bill then."

Bradley: "Okay, the Gentleman from Cook, Mr. Telscer."

Telcser: "Mr. Speaker, Rep . . . what Representative Barnes is telling you is true, but it's not the entire situation. As I understand it, Representative Downs and Representative Ryan in Committee both had the same Amendment. Representative Ryan agreed with Representative Downs to withdraw his Amendment because . . . ah . . . Downs' would be adopted. Downs' Amendment was adopted in Committee, then when it came up to the floor for whatever reasons he chose he didn't offer the Amendment. Now, that wasn't fair to Representative Ryan who withdrew his Amendment because of Mr. Downs. The Speaker promised that we would have a chance to have this Amendment offered, let it go up or down."

Bradley: "Mr. . . . Mr. . . . the Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "On a point of personal privilege, Mr. Speaker."

Bradley: "What's . . . state your point, Sir."

Beaupre: "On a point of personal privilege, Mr. Speaker, I . . . ah . . . apologize to the other side of the aisle. I was mistaken when I said the Amendment was adopted. My . . . ah . . . recollection was incorrect and . . . ah . . . I apologize for that. However, . . . ah . . . this was on Second Reading and there was an attempt to put the Amendment on. I will concede the point and am willing to take the Bill back to Second Reading."

Bradley: "The Gentleman asks leave to take the Bill back to Second Reading, any objections? No objections being heard, the Bill be returned to Second Reading. Mr. Downs on a point of personal privilege."

Downs: "Thank you, Mr. Speaker, I'm glad the Sponsor is moving it back to Second Reading, and I . . . since my name has been used in connection with this Amendment, and I think there are misunderstandings about it, I want to make sure this Record is absolutely clear, while there were no specific agreements between me and Mr. Ryan as to him withdrawing



his Amendment and my offering mine, that was obviously a logical step and I simply did not offer the Amendment on the floor, and it was not my intention to prevent anyone else from offering an Amendment; and I agree that it was unfair to move the Bill to Third Reading without Mr. Ryan or anyone else having that opportunity to do so and I was never at any time part of any effort to try and see that that didn't happen. I just want that to be clear. The Amendment was neither offered on the floor, nor was it adopted."

Bradley: "The Bill is now on Second Reading. Mr. Ryan offers Amendment #. . ."

Fredric Selcke: "Amendment #2, Ryan, amends Senate Bill 658 page 1 . . ."

Bradley: "The Gentleman from Kankakee, Mr. Ryan, on Amendment #2."

Ryan: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House, in spite of the confusion that's been called here, I think we're now taking the fair and proper steps."

Bradley: "We always try to oblige with that side of the aisle."

Ryan: "I notice that . . . I notice that, Mr. Speaker, . . . ah . . . and I commend you for that action. Ah . . . This is strictly a 6 percent Amendment on a . . . on a retirement pension fund, and it takes out \$312,000 and it can't hurt this fund a bit; and I would move for the adoption."

Bradley: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 658. All those in favor will say 'aye', opposed will say 'no'. We're unable to determine. All those in favor of Amendment #3 will vote 'aye', opposed will vote 'no'. The Gentleman from Knox, Mr. McGrew, to explain his vote."

McGrew: "Thank you very much, Mr. Speaker, actually I arose to question the Sponsor of this Amendment so I'll do it in my . . ."

Bradley: "We didn't . . . we didn't intend to cut off debate, proceed, Sir."

McGrew: "I simply wanted to ask, excuse me, we've had a lot of discussion concerning full funding this Session and I was wondering if the Sponsor of the Amendment would mind giving us what percent of the 'full funding' this would be for this retirement system and how it compares with others most especially the Teachers Retirement System?"

Ryan: "Is that question directed to me as the Sponsor of the Amendment or



to Beaupre as Sponsor of the Bill?"

McGrew: "To the Sponsor of the Amendment."

Ryan: "Well, I think Representative Beaupre would be better off to tell you how . . . about the funding. I know that this is the . . . probably one of the best funded . . . ah . . . Amendments that we have."

Bradley: "The Gentleman from Kankakee wish to respond."

Beaupre: "The figures that I have, Representative McGrew, are that the downstate Teachers Retirement Fund is funded at a 37 percent level. The Judges Retirement Fund is funded at a 31 percent level, 6 points under the downstate teachers."

Bradley: "The Gentleman . . . are you through, Mr. McGrew? The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, I . . . I have a question on the Amendment as well as the appropriation."

Bradley: "Proceed, Sir."

Terzich: "According to my records that the total pay outs under the Judges Retirement System only amounted to \$2,000,000 and how they could justify a \$5,000,000 appropriation. I understand that this appropriation is twice the amount of money that was appropriated last year."

Bradley: "Sir, I think . . . let's . . . let's . . . let's . . . ah . . . talk to the Amendment and not the . . . ah . . . Bill. We'll go . . . We'll go to the Bill on Third Reading, but I think . . . we're on the Amendment now. Did you have a question on the Amendment?"

Terzich: "Well, . . . ah . . . the Amendment speaks for itself, but shouldn't the . . . ah . . . shouldn't it be amended more than 6 percent?"

Bradley: "You wish to respond to . . . Mr. Ryan."

Ryan: "Well, . . . ah . . . certainly, Mr. Terzich, we'd be happy to offer Amendments . . . ah . . . for more than 6 percent. We've . . . we've had a terrible time here getting you people to go along with any Amendments. This is in keeping with . . . ah . . . with the practices . . ."

Bradley: "Point of order, Mr. Leinenweber . . . ah . . . on a point of order. State your point, Sir."

Leinenweber: "Mr. . . . Mr. Speaker, Mr. Speaker, we are discussing a specific Amendment. I don't think . . . ah . . . if the Gentleman had



wanted to propose an Amendment cutting it further, then that would be relevant, but certainly it is not relevant . . ."

Bradley: "Your point is well taken. The Gentleman from Cook, Mr. Peters, on the Amendment."

Peters: "Mr. Speaker, I . . . I support the Amendment and just in answer to one of the questions here, my recollection from the . . . ah . . . analysis we had in the Appropriation Committee is that the Teachers Pension Fund is something like 14 percent not 37 as indicated."

Bradley: "The Gentleman from . . . do you wish to close, Mr. Ryan? Pardon me, Mr. Ebbessen, on the Amendment."

Ebbessen: "Ah . . . Yes, Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to clear up some things here. The information that we have, the judges are down around 30 percent, the downstate teachers 31, Chicago teachers 31, university systems 45 percent, the General Assembly 61 percent, and we start talking about this Amendment, I'd like to say one thing, I'm reading a book right here from the reports from the Division on the Department of Insurance on pensions. In the last two years, the underfunding of all these pension systems has increased in a little over \$5,000,000,000 to \$5,750,000,000 and as I indicated . . . ah . . . previously with some legislation, I think what we should be doing is stop increased benefits and start putting this money in, the additional money that goes to these increased benefits should be going to fund these systems and make . . . ah . . . a lot people who are very nervous a lot less nervous."

Bradley: "The Gentleman from Cook, Mr. Lechowicz, on a . . . on the Amendment."

Lechowicz; "Well, Mr. Speaker, and Ladies and Gentlemen of the House, the reason I am voting 'no' on this proposed 6 percent cut in this budget is based upon, and I would hope that the Membership would listen, and Representative Terzich would listen as well as is he pointed out the fact that there was an increase in this budget . . . well, let me just give you a breakdown exactly what's contained in this budget; their estimated employee contribution based upon 633 participants, in fiscal '76 there's \$2,733,600, the administrative costs following the combining of the General Assembly and the Judges Retirement System into a single admin-



istrative unit is \$90,000; minimum pay out in 1976 is based upon 116 retirees for a total cost of \$143,925 a month, 142 widows at \$61,096 a month. So that gives you a total of 258 annuitants at approximately \$205,021 per month figure projected over the year, that equals the additional \$2,460,252, the totals then equal to \$5,283,852. Therefore, considering the anticipated total expenses for fiscal '76 and a systems '76 request of \$5,216,000, it appears that the system will just about break even, Ladies and Gentlemen, break even. That's why I strongly recommend a 'no' vote on this proposed Amendment. Thank you, Mr. Speaker."

Bradley: "The Gentleman from Macon, Mr. Dunn, to explain his vote. The Gentleman from Kankakee, Mr. Beaupre, to explain . . . on the Amendment."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, I would merely like to point out to the Members that it would be appropriate, I think, if we were talking about taking a 6 percent across the board cut on the administrative costs of administering the fund. That's not what this Amendment does. This Amendment goes to the . . . entire appropriation, to funding, and the actuaries tell us that we're going to have to have this amount of money in order to pay out and in order to correctly fund this system. The actuarians tell us that we ought to have approximately 67 percent in each one of these funds for them to be actuarially sound. This fund is at 31 percent. Actually, we legally have no right to underfund any of these systems, there is a law that says that . . . and passed by this General Assembly that says we must appropriate these amounts. Now, as you know, the teachers . . . ah . . . several years ago took a case up to the Supreme Court and because we were taking such a . . . huge amount of money, that would have devastated the budget in one year, the court was very practical and said well you can't legally force this General Assembly to appropriate anything. I submit that if we were taking this fund up to the Supreme Court that they might do otherwise . . . ah . . . in view if . . . if we didn't have the other precedent of the other case. I think it's improper not to fully fund the portion at least that deals with the retirement funds itself, and I would ask for



a red light up there."

Bradley: "Have all voted who wished? Mr. Washburn to explain . . . er . . . Mr. Ryan, you wish to explain your vote, Sir? You wish to vote 'yes', Sir? Would you like to vote for your Amendment? Oh, he's on, I'm sorry, the light's not too bright. On this question there are 83 'ayes', take the Record, Mr. Clerk, 83 'ayes', 59 'nos'. This Amendment having failed to receive the mo . . . ah . . . this Amendment having received the majority is hereby . . . declared adopted. Third Reading. Senate Bill 661."

Fredric Selcke: "Senate . . . Senate Bill 661, a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Business and Economic Development. Third Reading of the Bill."

Bradley: "The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, and Ladies and Gentlemen of the House, Senate Bill 661 is the . . . ah . . . appropriation for the ordinary and contingent expenses of the Department of Business and Economic Development . . . ah . . . this was heard in Appropriations I. There have been several cuts effected to Senate Bill 661. These were worked out and accepted by the Department of Business and Economic Development. I believe the cuts that have been taken in this exceed the figure of 6 percent in the General Revenue area, and I would move for the passage of Senate Bill 661 providing for the ordinary and contingent expenses of that department."

Bradley: "Discussion? If none, the question is, shall Senate Bill 661 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 138 'ayes', 1 'no', 4 voting 'present'. This . . . Barnes 'aye', Gene Barnes. This Bill having received the constitutional majority is, hereby, declared passed. Senate Bill 663."

Fredric Selcke: "Senate Bill . . ."

Bradley: ". . . pardon me, Jimmy Houlihan, Dan, for what purpose do you arise, Sir?"

Houlihan: "Mr. Speaker, yesterday after some discussion and . . . ah . . . some controversy, there was a leave given for a motion to go to a



special order of business at 11 o'clock. Now, my problem is it's now 12 o'clock; we haven't started with that special order of business. I see that Representative Shea is now on the floor. My question is, were we gonna' . . . when are we gonna' go with it? If we're giving leave to go to a special order of business, people may have made special arrangements to be in attendance for that particular important piece of business and may not be able to be here later. I'm very concerned that we follow the directives of the House of Representatives. We gave leave yesterday and now . . . ah . . . we seem to be ignoring that leave, and I think that's improper."

Bradley: "Well, . . . ah . . . Mr. Shea is not the one who made the motion. I think it was Mr. McPartlin and . . . ah . . . the Chair assumes that everybody will be here all the time, Mr. Houlihan, while the . . . while we're in Session. . . ."

Houlihan: "Well, Mr. . . . ah . . . Mr. Chair, that . . ."

Bradley: ". . . and the Gentleman has asked that we detain for a short period of time and we've decided to go along with that request, Sir."

Houlihan: ". . . Ah . . . Mr. Chair, that's . . . ah . . . Mr. Speaker and . . ."

Bradley: "The Gentleman from Cook, the Majority Leader, Mr. Shea."

Shea: "Well, Mr. Speaker, they're still printing Amendments, but anytime the Chair wants to go to that order of business, I'm sure that we're ready."

Houlihan: "Ah . . . Mr. Speaker, what I'm asking is just some courtesy; the problem we got into last Session was that many of the Members were not informed about the procedure and the order of business of the House. Many Members took offense at that. I think rightly so. If there's a valid reason for postponing this order of business, all that needs be done is to inform us."

Bradley: "I think you're out of order, Sir, the Chair has already addressed itself to that problem. We're . . . we are proceeding with the business that we were on . . . ah . . . we are trying to do a courtesy to a Member as we have done many times and we would do it for you so you're out of . . . we're going to rule you out of order, Sir, and we're gonna' go to the business very shortly. Mr. Houlihan, on a point



of order."

Fredric Selcke: "Senate Bill 6 . . ."

Houlihan: "Well, I just wanted to explain something, Mr. Speaker, and I can appreciate the concern of the Members of the House as far as . . . ah . . . proceeding with the . . . with the business of the House as far as a matter which was set for a time certain. One of the reasons for the delay has been the fact that the proponents and the opponents of the Bill that we are going to hear, Senate Bill 1024, have been attempting to work out their basic differences in an effort that we can expedite the hearing and that we can inconvenience the Members as little as possible. Now, it is not the Majority Leader's fault for the delay."

Bradley: "Well, we certainly appreciate that. Senate Bill 663."

Fredric Selcke: "Senate Bill 663, an Act to provide for the ordinary and contingent expenses of Comptroller. Third Reading of the Bill."

Bradley: "The Gentleman from Grundy, Mr. Washburn, for what purpose does the Gentleman from Cook, Mr. Houlihan, arise?"

Houlihan: "Mr. Speaker, a point of personal privilege."

Bradley: "State your point, Sir."

Houlihan: "Representative Houlihan, I did not want to indicate that it was the fault of any particular Member. I understand and I can appreciate and I really am grate . . . am grateful to the both sides of the issue trying to work this out and discuss it responsibly. All I was asking for was some common courtesy to be notified for the Members so that we could be aware of what might be happening. That's all I was asking for, I was not trying to suggest that the Majority Leader or the Sponsor of the Bill was out of place, that they were doing something devious or that the opponents were doing something devious. I just wanted some information."

Bradley: "It's nearing 11 o'clock and we'll call it very shortly. 663. The Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 663 appropriates \$9,447,055 for the ordinary and contingent expenses of the State Comptroller for fiscal year 1976. Now, through the Amendment process in Committee this Bill was reduced by some



\$457,530 and further more the original lump sum proposal for the Electronic Data Processing Division was broken down into 10 line items. I want to thank both the Republican and Democrat Members of the Appropriation Committee, who he praised, on Comptroller Lindberg for the detailed form in which you . . . his Bill was presented; and I would ask for a favorable vote."

Bradley: "The Gentleman from Madison, Mr. Byers."

Byers: "Will the Sponsor yield for a question?"

Bradley: "He indicates that he will, Sir."

Byers: "Has this been reduced for 6 percent?"

Washburn: "4 . . . 4.6, \$457,530 in Committee."

Byers: "Is that 6 percent?"

Washburn: "4.6."

Byers: "4.6, thank you, Sir."

Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Well, Mr. Speaker and Members of the House, I . . . I was gonna' ask the same question but I . . . I'll have to rephrase it I presume. Why didn't you go to 6 percent? That's what you've done on all the other Bills in the administration."

Washburn: "No, that isn't quite true, Representative Schraeder."

Bradley: "The Gentleman wish to close?"

Washburn: "I would ask for a favorable vote."

Bradley: "No, we have . . . ah . . . Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much, Mr. Speaker, why I would like to . . . it seems to me that we are contradicting the actions that we're taking here in the House. My question to him, since there was an Amendment was just offered to reduce the Judicial Retirement by 6 percent, what is the reason why we cannot take this Bill back to Second and act in accordance? I think that if we were being consistent here in being responsible, fiscally responsible in our efforts, I think what we should do then is act consistent in what we are attempting to do here. It seems to me that the Sponsor on this side of the aisle just did so by taking a Bill back to Second to insure that it was reduced proportionately by 6 percent, and my question is whether or not the Sponsor would be willing to hold this Bill and move it back to Second



so that we can insure that . . . ah . . . the same actions would be taken on this proposal as has been proposed by the Leaders on the other side of the aisle on other proposals that has come before us. I think that would be consistent with what I understand the firm position is of the Minority Party in this Chamber."

Bradley: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, let's . . . let's make this clear and clear now so we don't have to go through it on every Bill for every Amendment. The Republican position has been and will continue to be to make selective cuts in appropriation Bills where we think that that . . . that that Bill can handle a cut. Earlier this Session, Representative Barnes, or today . . . earlier today we had Amendments in for as high as 9 percent; we've had 'em now down as low as 4 percent. We're not for a complete meat ax approach of a straight 6 percent in everybody's budget, and certainly we've made an attempt to meet our responsibilities here by reducing all of these budgets in view of the financial situation of the State of Illinois; and so we're not being inconsistent at all. It's you folks on that side of the aisle that are inconsistent, and I would move for the passage of this Bill. Thank you."

Bradley: "The Gentleman from Cook, Mr. Gaines."

Gaines: "Ah . . . Yes, I'm one of the persons that Mr. Barnes is probably referring to is that . . . ah . . . I feel that the other constitutional offices have a right to make their recommendation of cutting just like the Governor did, and I just want to make sure that they . . . that the Governor's Bills are cut as much as he said they should be cut. But the other constitutional offices have not called for this meat ax approach so that . . . that does not apply."

Bradley: "The Gentleman from Peoria, Mr. Mudd."

Mudd: "Mr. Speaker and Members of the House, . . . ah . . . I know that . . . ah . . . the other day Mr. Maragos had a Bill that was sent to Third Reading without Amendment in regards to the Governor's message or any other types of cuts that this . . . ah . . . Legislature wanted to make after the Bills were produced, and . . . ah . . . I'm sure that . . . ah . . . Representative Washington . . . Washburn, the



Minority Leader, is aware of the Amendment that was passed out by myself two days ago or yesterday and we would hope that he would yield and take his Bill back to Second Reading for the purpose of an Amendment, and I would respectfully request . . ."

Bradley: "Further discussion? May . . . the Gentleman from Cook, Mr. Totten."

Totten: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House, let me just point out to the Members of the General Assembly who are now asking that this Bill be brought back for an Amendment that this budget has been reduced almost by 5 percent. The . . . this is a brand new office of government which is still being staffed by mandate . . . ah . . . that has been given to us. The Appropriations Committee carefully looked over this budget and reduced it over some objections of the Comptroller by al . . . by 4.6 percent, which is pretty close to that 6 percent figure; and the inconsistencies that are being brought up by Members of the other side of the aisle on this budget have not been something that I think that they can be proud of. This . . . the Comptroller and the Appropriations I Committee have done a good job with this budget and I think it's in line with what the Governor has requested and I ask for your favorable support on it."

Bradley: "The Gentleman from Cook, Mr. Peters."

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

Bradley: "The Gentleman moves the previous question. The question is, shall the main question be put? All those in favor will signify by saying 'aye', oppose say 'no'. The Gentleman from Cook, Mr. Maragos. The mo . . . the Gentleman's motion fails."

Maragos: "Mr. Speaker, the reason why I'm arising I have tried to keep as quite as possible so we could move the House work as expeditiously as possible, but this hypocrisy on the part of the other side of the aisle astounds me because of the fact . . . because of the fact that it is apparent that when it comes to the constitutional officers that are involved and have Democratic Departments we always want to come down and cut them down 6 or 7 percent to comply with the so called request of an official. However, when it comes to the Republican officeholders there seems to be different approach and a different



standard and a different situation; and I'd like to state to Mr. Ryan especially and the others . . ."

Bradley: "The Gentleman from Will, . . . pardon me . . . pardon me, Mr.

Maragos, Mr. Leinenweber, on a point of order. State your point, Sir."

Leinenweber: "He's not speaking to the Bill that's before the House, he's speaking about something else and as . . ."

Maragos: "It is . . . it's to the Amendment, it's to the Amendment . . ."

Leinenweber: ". . . I ask that he confine his remarks to the Bill."

Maragos: ". . . Mr. Speaker."

Bradley: "Your point . . . your point is well taken. We're on the Bill, Sir, would you proceed . . ."

Maragos: ". . . well, the point is that we're on the request of Mr. Mudd that the . . . that the Sponsor of the Bill moves it to Second Reading for an Amendment. That's . . . debating about."

Bradley: "The . . . the Gentleman does not wish to do that, Sir, so we're on the Bill."

Maragos: "Well, on a point of order, that's what I'm bringing out at this, and I think they're incorrect and that's why I think, Mr. Speaker and Members of the House, that if we're going to play this game we should do it . . . what's good for the goose is good for the gander and I think we should be judged therefore that the other side of the aisle is not sincere in their efforts."

Bradley: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I . . . ah . . . wasn't on Appropriations Committee this year, but I wonder if Representative Ryan will enumerate for me . . . ah . . . the Republican politicians in exile that are on Lindberg's budget."

Ryan: "Well, Representative Giorgi, as usual I'm amazed at the fellow on the Democrat Leadership, this is not my Bill, Representative Giorgi, this happens to be Representative Washburn's Bill and I would suggest that you direct your questions to him."

Giorgi: "I'd rather not embarrass the Leader, I'd rather embarrass one of the Spokesman on the Appropriations Committee. I would ask that you enumerate . . . ah . . . who the politicians in exile are on the Republican Comptroller Lindberg's budget."



Ryan: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this is another attempt to make folly of the financial situation in the State of Illinois, and if that's your . . . if that's your intent, Representative Giorgi, so be it. We're very serious about trying to cut this budget and I would suggest that you vote for the Bill as is."

Giorgi: "I know . . . I notice you use a blunted ax."

Bradley: "The Gent . . . The Gentleman from Cook, Mr. Collins."

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

I heard my colleague, Mr. Maragos, refer to hypocrisy and I must agree it does abound; I just don't whether there's more hypocrisy evident on the second floor with the Governor, who would suggest these ridiculous across the board cuts or on the other side of the aisle who don't want to make any cuts at all, and so it comes to our Republican office. Now, let's put the cards on the table; this is ridiculous. This Bill was scrutinized in the Appropriations Committee and substantial cuts were made. But just because it is a Republican office everyone's on their feet. The same people on their feet who the other day rose to defend the policy of making no cuts and spending more money. So let's . . . thank you, Gentlemen; I'm glad to hear you're listening to me, but it is . . . it is utterly ridiculous as has been proven time and again in this Session to think that the Governor who calls for these idiotic cuts across the board can be sustained, just as ridiculous as . . . as it is to follow the policy suggested by the Democrats on the other side of the aisle . . ."

Bradley: "Mr. Collins, just a minute please, we have a point of order."

Collins: "Who?"

Bradley: "The Gentleman from Winnebago, Mr. Giorgi, on a point of order.

State your point, Sir."

Giorgi: "Yes, Sir, Mr. Collins is speaking about the person on the second floor and I understand Lindberg's on the second floor also."

Collins: "I had notified the Governor as the Gentleman on the second floor that I'm speaking about."

Bradley: "Mr. Collins, Mr. Collins, proceed would you please, Sir."

Collins: "Well, thank you very much . . . ah . . . Mr. Speaker, . . ."

Bradley: "And conclude please, Sir."



Collins: "Ah . . . How many more minutes do I have . . ."

Bradley: "Two."

Collins: ". . . no, so I would say that the . . . this request to take this Bill back for further scrutiny is unnecessary and . . . ah . . . untimely. This is a . . . a one budget that has been closely scrutinized which has . . . dumped the actions of the Appropriations Committee and . . . and now has the money that the . . . while the Comptroller thought he should have more, is willing to live with, and I would suggest that we give this . . . this Bill . . . ah . . . our support and a resounding vote of approval."

Bradley: "The Gentleman from Cook, Mr. Caldwell, and I would like to say this from the Chair that all day yesterday I had people approaching me to find out if we were going to be here Saturday and Sunday, and I think this is a good reason why we're . . . going to be here Saturday and Sunday for the dialogue that's been going on for the last hour. Proceed, Mr. Caldwell."

Caldwell: "Well, yeah, Mr. Speaker, I'm wondering if the Sponsor of the Bill would . . . ah . . . yield to a question?"

Bradley: "Mr. Washburn indicates that he will."

Caldwell: "Ah . . . I'm not on the Appropriation Committee, either one of them, and . . . ah . . . for my information would he be good enough to tell me . . . ah . . . how many jobs are involved in this budget . . . ah . . . that weren't involved in the last one?"

Washburn: "About 90, I'm advised, Representative Caldwell."

Caldwell: "90, 90 additional jobs in . . . and we're talking about a cut-back . . ."

Washburn: "But let's remember that the . . . ah . . . Gover . . . or the . . . ah . . . Comptroller has mandated . . . ah . . . by constitution for additional duties and he hasn't yet reached his peak in . . . ah . . . all of his obligations."

Caldwell: "I've got the information I wanted. Thank you."

Bradley: "Mr. Washburn, do you wish to close, Sir?"

Washburn: "Yes, . . . ah . . . thank you, Mr. Speaker, first let me point out that . . . ah . . . Mr. Mudd's . . . ah . . . proposed Amendment is not consistent with the 6 percent either because it would reduce



this budget by 7.2 percent, and I think we should also be reminded that the Secretary of State's budget went out of here in excess of what it was before; the State Treasurer's budget has gone through, the Attorney General's budget has gone through and the Lieutenant Governor's budget has gone through this House with a much lower than a 4 percent decrease as contained in the Comptroller's budget; and I would ask for your favorable support."

Bradley: "The question is, shall Senate Bill 663 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Mr. Kosinski, to explain his vote."

"Ah . . . Mr. Chairman, and Ladies and Gentlemen, I did hear the other side of the aisle indicate that their pruning of the budget was in response to the Governor's needs. But I question that on the basis that the . . . this Bill came out of Appropriation's Committee on the 9th and the Governor didn't make his request 'til the 11th."

Bradley: "Have all voted who wish? The Gentleman from Lawrence, Mr. Cunningham, to explain his vote."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, the thought occurs that it'd be only proper that I explain my vote, my 'present' vote, in view of the superior sponsorship of this Bill. I'm anxious that you and he understand that's it's no reflection on our esteemed Minority Leader. You remember I placed his name an nomination back in January; it was the smartest thing that I've done this whole Session; he has done . . . he . . . he has justified the confidence in spades that we expressed in him, a finer Leader that ever was; and while I'm on that subject I want to say the same things about Speaker Redmond. He has been spattered by the ignorant, and it's time for all of us, for all of us to realize that Speaker Redmond . . ."

Bradley: "The Gentleman from . . . The Gentleman from Moultrie . . ."

Cunningham: ". . . wait a minute . . ."

Bradley: ". . . the Gentleman from Moultrie, Mr. Stone, on a point of order, Sir, we'll be back to you. Mr. Stone, state your point, Sir."

Stone: "Mr. Speaker, we're on the order of business explanation of votes. The Gentleman has not in any way explained his vote and I believe he's out of order."



Bradley: "Your point is well taken, Sir, do you want to explain your vote, Sir?"

Cunningham: "I certainly do and I appreciate Representative Stone even if none of the rest of you do. Now, about . . . about the Comptroller, he's doing a good job and of course he's doing a far superior job than any Democrat could ever do, but we expect . . . we expect . . ."

Bradley: "Would you conclude your remarks, Sir?"

Cunningham: ". . . I'm coming that way . . . we expect the Republicans to set an example for all the world to see and he needs to be just a little parsimonious in his expenditure of the taxpayers funds."

Bradley: "The Gentleman from . . ."

Cunningham: "For that reason, I must conflict my . . ."

Bradley: ". . . the Gentleman from Moultrie . . . the Gentleman from Moultrie on a point of order . . . state your point, Sir."

Stone: "Mr. Speaker, the Gentleman is out of order."

Bradley: "Your point is well taken. The Gentleman from Peoria, Mr. Mudd, it appears to the Chair there are 148 'ayes', and no 'nos'; and if we want to be here all night and all day tomorrow and tomorrow night that's fine with the Chair, but don't be coming running up to the Leadership and saying, are we gonna' be here tomorrow? Do you . . ."

Mudd: "Mr. Speaker . . ."

Bradley: ". . . do you want to explain your vote, Sir?"

Mudd: "Yes, Sir, in explanation of my vote and to . . . ah . . . show the cooperation of the Democratic and Republican side in the Session, my vote up there is green for no other reason than . . . ah . . . to ask the distinguished Minority Leader to consider my Amendment. I have no reasons for any political . . . ah . . . vendetta on either side and I notice that in my respect for him if he feels that . . . ah . . . this budget to his satisfaction is one that has been considered in part to the absolute necessity level, I vote green and would suggest that we close debate on the issue."

Breadley: "I suggest that we take your suggestion, Sir. Mr. Peters, do you wish to explain your vote? On this question there are 154 'ayes', no 'nos', 3 voting 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. On the Calendar



on the order . . . pardon me, Committee Reports."

Jack O'Brien: "Mr. Lechowicz from the Committee on Appropriations I to which House Bill 1947 was referred. Reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Boyle from the Committee on Appropriation's II to which House Bill 835 was referred. Reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Boyle from the Committee on Appropriations II to which Senate Bill 347, 348, 556 and 1496 were referred. Reported the same back with Amendments thereto with the recommendation the Amendments be adopted and the Bill as amended do pass."

Bradley: "On the Calendar on the order of special order of business appears Senate Bill 1024 on Second Reading, the Clerk will read it a second time."

Jack O'Brien: "Senate Bill 1024, a Bill for an Act to revise the law in relation to medical practice. Second Reading of the Bill."

Bradley: "Committee Amendments."

Jack O'Brien: "Two Committee Amendments. Amendment #1 amends Senate Bill 1024 by deleting everything after the enacting clause and inserting in lieu thereof the following, Section 1, and so forth."

Bradley: "The Majority Leader, the Gentleman from Cook, Mr. Shea, on Committee Amendment #1."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment #1 puts Senate Bill 1024, which is medical malpractice, in basically the shape that 2769 was when it was on Third Reading in this House. It does not contain the \$500,000 limitation which we will find as an Amendment later to attempt to put that back in. The Bill basically, I think, is a compromise position between the opponents and proponents of the plan, which essentially boils down to the doctors and the lawyers, between the Medical Society and the trial lawyers. I think that it basically provides what we here in the General Assembly are seeking to do, and that is to reduce the impact of medical malpractice litigation on the providing of health care services to the people of the State of Illinois; and I would move for the adoption of Committee



Amendment #1."

Bradley: "The Gentleman moves for the adoption of Committee Amendment #1 to Senate Bill 1024. All those in favor will say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Further Amendments."

Jack O'Brien: "Amendment #2 amends Senate Bill 1024 as amended on page 7 by deleting the word 'unanimous' on line 22."

Bradley: "The Gentleman from Cook, the Majority Leader, Mr. Shea."

Shea: "I believe that's Mr. Fleck's Amendment and after he talks about it, I'd be . . . ah . . . or is that by Mr. . . . ah . . ."

Bradley: "Mr. Fleck, is that your Amendment, Sir?"

Shea: "No, that's the Committee Amendment, I don't know who offered it . . . in the Committee . . ."

Jack O'Brien: ". . . Daniels, Representative Daniels."

Bradley: "Representative Daniels on the floor? The Gentleman from Dupage, Mr. Daniels, on Amendment #2."

Daniels: "I would yield to Representative Fleck."

Bradley: "Well, we're back to Representative Fleck now."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, Committee Amendment #2 is an Amendment that provides that there must be a finding of . . . we . . . we delete the word 'unanimous' and there's a finding of two or three of the people on the panel that's sufficient for a finding . . . ah . . . it's a good Amendment. It doesn't permit one party or . . . or . . . to the cause of action which was brought before the panel to be an obstruction. I think it's a good Amendment, and I . . . the Judiciary Committee found it was a good Amendment, and I move that the House adopt Committee Amendment #2 to Senate Bill 1024."

Bradley: "The Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I rise in opposition to the Amendment. I think that the purpose of the Malpractice Medical Review Panel is to insure that we stop litigation, that it will help rescreen these cases before they get to trial and to try to find a reasonable determination in disposition of 'em. I'm in favor of the unanimous panel and I think anything less than unanimous would only add to the litigation and I'm opposed to the Amendment."



Bradley: "The question . . . on the question, the Gentleman from Cook, Mr. Schlickman."

Schlickman: "Well, Mr. Speaker and Members of the House, in response to the opposition of the Majority Leader, I would call to the attention of this House that Committee Amendment #2 was offered in Committee as an Agreed Amendment and the previous Speaker expressed no opposition to the Amendment at that time. I respectfully suggest that this House follow the action of the Committee which was unanimous and it was on the basis of this Amendment being offered as agreed to and not opposed in Committee; and I think it comes in poor taste for the Sponsor of this Bill to stand up and oppose this Amendment at this time when he expressed, certainly by implication or by his silence in Committee, that he agreed to it; and I urge an 'aye' vote."

Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Mr. Speaker, I'm not sure, perhaps, that everybody on the floor knows exactly what this Amendment does. This Amendment provides that where a party accepts the decisions, but it is appealed by a losing party, that in that event that the Medical Society shall assist them in obtaining expert testimony. Now, this is . . . this is when the claimant has been successful. Now in many instances, the only reason that an appeal would . . . being taken . . . ah . . . by the insurance company is because of the size of the award and there may very well be disagreement among the three parties as to the size of the award, but absolutely no disagreement whatsoever as to the liability of the doctor or the hospital or the medical provider to the patient. Consequently, it is . . . it is certainly a right that the patient ought to be protected and assisted in obtaining expert testimony to assist him on his case, in the event that he is successful at the panel. This only . . . only provides when the . . . when the patient has been successful before the panel. So I agree that we should vote 'aye' on this."

Bradley: "Mr. Fleck, do you wish to close? All right, the question is, shall . . . on the adoption of Amendment #2 to Senate Bill 1024. All those in favor will say 'aye', opposed 'no'. Roll Call. All those in favor of the Amendment will vote 'aye', those opposed will vote 'no'."



The Gentleman from Cook, Mr. Fleck, to explain his vote."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think to stand on the floor and oppose this Amendment, which Representative Schlickman so adequately pointed out was agreed to in the Judiciary Committee, no objections were raised by the Sponsors of the Bill at that time, and they were present at the Committee hearing, makes a sham of the Committee process, makes a sham of words that people make in Committees as to how the Sponsors want to handle their Bill and I think that the devil himself is in the motion to oppose this Amendment."

Bradley: "The Clerk . . . the Clerk will take the Record. On this question there are 36 'ayes', 94 'nos', and 2 voting 'present'. This Amendment having failed to receive a majority is, hereby, declared lost. Further Amendments."

Jack O'Brien: "Amendment #3, Hart, amends Senate Bill 1024 on page 2 by inserting after line 12 the following and so forth."

Bradley: "The Gentleman from Franklin, Mr. Hart."

Hart: "Ah . . . In view of the adoption of the Committee Amendment, this Amendment would not be in order and I'll have to table it and have another redrafted to fit the amended bill. So, at this time I would move to table this . . ."

Bradley: "You move to table Amendm . . . ah . . . to table Amendment #3 and so move, it's tabled. Further Amendments?"



Jack O'Brien: "Amendment Number 4, Jaffe, amends Senate Bill 1024 as amended by inserting after Section 3 the following and so forth."

Speaker Bradley: "The gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker and members of the House, . . . ah . . . Amendment Number 4 . . . ah . . . states as follows: 'No insurance company issuing medical malpractice insurance within this state shall, between the effective date of this amendatory act of 1975 and January 1st, 1977, charge any rates with any medical malpractice insurance, which is higher than the rate in effect on December 31st, 1974. No insurance company shall cancel or refuse to renew any policy of medical malpractice insurance for any reason between the effective date of this amendatory act of 1974 and January 1st, 1977'. Let me say to you that when the insurance companies were subpoenaed in they told us that even if this bill is passed out, the rates will be increased. Further, they said it will do nothing for rates, whatsoever. Ah . . . I asked specifically if they were . . . would favor a situation, wherein, the state would regulate rates so that they would be sure of a fair return, which I think is only fair; and they said absolutely not, they were against state regulating rates, even if they would be insured of a fair return. Since nothing that we will do will curb rate increases, I believe that the Legislature has the duty to step in and make sure that there are no increases until such time as the true facts are uncovered. Also, we find that these companies consistently drop people for no reasons, whatsoever, and they cannot find any insurance carrier, because there are just a few carriers in this particular state. I . . . I would strongly urge the adoption of Amendment Number 4."

Speaker Bradley: "The Chair would like to remind our guests in the Gallery that it is prohibited in the House, at certain times, to take pictures; and we're in that stage right now. So we would appreciate it if you didn't take any pictures. The gentleman from Cook, Mr. Washington, on the amendment."

Washington: "Mr. Speaker and members of the House, I rise in support of this amendment; and I speak as Chairman of Judiciary I, hopefully, for all the members, although not necessarily so, but if not, . . . ah



certainly for a substantial majority. Ah . . . But I would, briefly, like to give a bit of background in reference to this whole problem. Almost three months ago when we realized in Judiciary I that this was going to be a very serious ongoing problem in this state and throughout the country, we formed a permanent subcommittee on the medical malpractice chaired by Mr. Rayson and the members of the committee were Mr. Houlihan, Mr. Getty, . . . ah . . . Mr. Daniels and Mr. Porter; and they worked for approximately three months on this entire problem getting input from consumer groups, from the medical profession, from the hospital associations and from the legal professions. But there was a tremendous gap in our information bank from the insurance company; and that gap is still present, notwithstanding our efforts. We brought the bill to the committee, we voted one out; I think it was 2769, and it would have been in the shape that the bill before you was, before you took off Amendment Number 2. It was the considered judgment of the committee at that time that based on the input we had, nothing else we . . . could we vote out responsibly. But the members of the committee felt that we should go further; and it was the unanimous opinion of the committee two weeks ago that we subpoena; not by way of acrimony or vindictiveness, but by way of expediency and efficiency so that we could get as much information to this House as quickly as possible; we subpoenaed then the records of the major medical malpractice insurance underwriters of the State of Illinois only to find out the information we could. We got the instant support of the Speaker and also the Department of Insurance. We went through their records as briefly as we could in the time we had this past Thursday. All the records weren't there. We have asked for additional records and they won't be in until June or July 14th. After that time, assuming that we can go through that mountain of information, to look at the whole rate structure of these medical malpractice un . . . insurance writers, to determine what their premium rates are based upon, to determine what the projected rates for the future will be, to discuss with these people the question of a freeze or roll back, until we can go through this mountain of information with the assistance of the Insurance Department, I say categorically, that the com-



JUN 21 1975

92.

mittee . . . Judiciary Committee Number I is in no position to recommend anything other than what was in this bill when it came to the floor. Now, I would hope, seriously hope, ladies and gentlemen, I hope you would listen to this; if this debate, in which a lot of people in this state and country are concerned about, if this debate which the medical profession in this state is concerned about, if this debate degenerates into an anti-legal profession debate or anti-medical . . . medical profession debate, then I say to you, categorically, you are doing a disservice to the people you're supposed to be representing. There are all interest groups focused upon this issue, many of those interests are vested, many of them are narrow, many of them are selfish, but in all those interests coming together and fighting pro and con, it is conceivable that out of that we come up with something useful for the people, but to point the finger at anybody, be the insurance, or medical, or hospital or legal and try to use them as a scapegoat to pass something out of here which you have not analyzed, if you don't analyze it, is a sorry way to respond to a real serious critical problem, which is heightening over the country into threatening strikes, and strikes in this state might well mean the cutback in health services to our people. So I urge you, one, don't do that; I urge you, two, if you don't know what you're voting on in this bill, its no in . . . shame to be in that position, because the Judiciary Committee, most of them will tell you very quickly they're not certain. If you don't know, don't vote for a rate . . . see it . . . pardon me, . . . ah . . . recovery ceiling, don't do it, because you might well be playing into the hands of vested interests unknown. You might well be playing the old 'whiffenpoof' game and delivering your doctors and your . . . ah . . . public people or your citizens . . . ah . . . to vested interests. I'm not going to point the finger; I'm simply saying there's ignorance abounding in this whole issue; we don't have the answers; if there's anyone on this floor who has the answers, I, for one, would appreciate it if they'd stand up and say I have the answers and then categorically give us the answers as they have been delineated by myself and others who will speak. I will go one step further, since we don't know what the



answers are and since its going to take us time to find these answers, there is one responsible step that we can take right today; and that is vote for this amendment, because it will freeze the rate, at least until the time that we can get in deeper to this subject. It will hold this whole matter in limbo, it will tell the insurance companies that they've got to come and co-operate, not only in Illinois, but in the 49 states, to help us find an answer to this problem; and I think it will be, in my humble opinion, a reasonable approach to a very serious problem. But as you go through these amendments, particularly, the amendment that proposed Amendment 17, I urge you to think hard before voting for or against these amendments. This is a critical, vital issue; and if we do nothing else in this session but come out with a responsible, although tentatively, step-taking bill, I think we will have done a tremendous job. But rest assured that nothing we do today is going to resolve this posi . . . ah . . . situation, because we simply at this time don't have adequate information."

Speaker Bradley: "The gentleman from Will, Mr. Leinenweber, but the Chair would like to say to the members that we certainly have no intention of restricting debate, but would you please confine your remarks to the amendment that we're on."

Leinenweber: "I certainly will, and I would certainly agree with 95 percent of what the previous . . . ah . . . speaker said that we don't know what the problem is, we don't know whether this is a proper solution, but I can tell you one thing we do know, I think everyone of us ought to know and that is that price fixing has never and tha . . . will not and has . . . never will work. This is a price-fixing amendment. If you want to really foul up the problem, adopt price fixing in this area. So I would urge a 'no' vote on this amendment."

Speaker Bradley: "The gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, and ladies and gentleman of the House, I rise to suggest that this amendment . . . ah . . . really is a doctor's amendment. The doctors are interested in two things, they want a limit on the malpractice suit that are being filed against them, and they want reasonable insurance premium rates. This second thing, the limit on the malpractice suit is a very difficult problem. The previous



speaker has suggested that we do not have the answer; its going to take a lot of time to get the answer to that problem. This amendment would freeze those rates and give the doctors immediate relief while we study the second problem. If we proceed to pass a bill which is subject to a constitutional challenge, a bill that winds up in court, I suggest that the doctors are going to find themselves exactly in the same position they were at the start of the session with malpractice suits continuing to be filed against them, no limitations on them and no assurance, whatsoever, that their premium rates are not going to go sky high. I suggest that we adopt this . . . this amendment, wait 'til the results come into the Judiciary Committee and proceed to a final, clear-cut determination and solution to this problem that will resolve the problem for the benefit of all. If we act hasty here, I think we will do damage to everyone, and especially including the doctors, who are suffering so much at . . . at this time. I urge an 'aye' vote on this amendment."

Speaker Bradley: "The lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and ladies and gentlemen of the House, I move the previous question."

Speaker Bradley: "The lady moves the previous question. The question is, shall the main question be put? All those in favor say 'aye', oppose 'no'; the 'ayes' have it. The . . . the gentleman to close, Mr. Jaffe."

Jaffe: "Mr. Speaker, I think that this question has been adequately debated and I would ask for an 'aye' vote."

Speaker Bradley: "The question is, shall Amendment Number . . . the gentleman from Cook, Mr. Duff, state your point, sir."

Duff: "Mr. Speaker, I've had my light on, not to debate, but to ask this question. This bill, Senate Bill 1024, amends Chapter 110, for God's sakes, let me at least finish my statement on it, this amends Number 110 and it . . . tries to regulate the Director of Insurance, which is under an entirely separate act; and I question the germaneness of the amendment."

Speaker Bradley: "Let's see the bill and the amendment. Where's . . . where's the bill? Is this the bill? The gentleman from Cook, Mr.



Jaffe."

Jaffe: "Mr. Speaker, I would just like to inform you that when the House Bill was up we had a similar amendment; and that was ruled germane, Mr. Speaker."

Speaker Bradley: "In the opinion of the Chair, we're, of course, addressing ourselves to Amendment Number 1, now, that this the bill and Amendment Number 4 . . . in the opinion of the Chair, it is germane. Although it is a different act it . . . the amendment is germane to the subject of the leg . . . of the bill we are addressing ourselves to, sir, as . . . as reflected in the title. Mr. Duff."

Duff: "Mr. Speaker, we're amending the Civil Practice Act, are we not, which is the codification of Supreme Court rules to a very large extent; and this is not within the scope of the Civil Practice Act?"

Speaker Bradley: "Yeah, the bill amends more than act; the gentleman from Cook, Mr. Lundy, on a point of order."

Lundy: "Thank you, Mr. Speaker and members of the House, you have made your ruling, the gentleman is not free to debate it; if he cares to appeal the ruling of the Chair, that is in order, but further debate is not."

Speaker Bradley: "Point is well taken, the gentleman offers Amendment Number 4 to Senate Bill 1024. All those in favor of the amendment will vote 'aye', and those oppose will vote 'no'. I'm . . . I'm sorry, the gentleman from Cook, Mr. Shea, on the . . . to explain his vote."

Shea: "Well, Mr. Speaker, I want to explain my 'no' vote. First of all, I want to commend chairman Washington in the Judiciary Committee for their hearings with the insurance company. I think they're doing an excellent job, I think they're looking into part of the problem; and, hopefully, by Fall that committee will have a report for this House. In the meantime, I would hope that we could get this bill out of here in such shape that it will take care of what may be not a crisis today, but, apparently, could become one; and, again, I want to commend them; and I hope that they continue their hearings over the Summer so that when we come back in Fall, we'll have some more of the answers to this problem."

Speaker Bradley: "The gentleman from Bureau, Mr. Mautino, to explain his vote."



Mautino: "Mr. Speaker, and ladies and gentlemen of the House, in explaining my vote, I would also like to answer the question of Representative Leinenweber. I'm going to vote 'yes' on this question, because Friday I was contacted by Sister Mary Leo of Saint Margaret's Hospital, a two hundred-bed facility in Bureau County, informing me that her malpractice insurance was increased from \$9,400 to 92,000; and it seems to me that is reason enough to support the position of Mr. Jaffe in putting a lid on this until we see exactly where we're going. Otherwise, it's going to be a windfall situation. I vote 'aye'."

Speaker Bradley: "The gentleman from Whiteside, Mr. Schuneman, to explain his vote."

Schuneman: "Thank you, Mr. Chairman, ladies and gentlemen of the House, I have to take issue with my colleague from the 37th District. Ah . . . I sympathize completely with hospitals that are being faced with tremendous premium increases, with doctors who are being faced by tremendous premium increases, but I submit to you that the offering of an amendment of this kind indicates a lack of understanding of the problem, which has brought us to our present position. Those of you who heard testimony about this matter, I'm sure realize that there are very, very few insurance companies, very few companies who are writing malpractice insurance in the State of Illinois; and I know the Director of Insurance's testimony in that committee that one of those companies, the Argonaut Insurance Company, who is one of the principal writers of this insurance in this state, is in very serious financial trouble. Now, I submit to you that if we adopt amendments of this kind that we very well might freeze insurance premiums, but we also might very well force some of those companies into bankruptcy and . . . and . . . ah . . . liquidation in which case the doctors in hospitals will have insurance policies but they aren't going to be worth anything; and I think that . . . ah . . . the amendment is . . . ah . . . ill-timed and should be defeated. Thank you."

Speaker Bradley: "The gentleman from Cook, Mr. Fleck, to explain his vote."

Fleck: "Well, Mr. Speaker, and ladies and gentlemen of the House, this problem has three elements to it. First element is the underwriters for malpractice insurance. The second element are the doctors in the



hospitals; and the third element are the patients represented by their attorney. Now, we've been reading in the press, we've been reading in magazines and periodicals, we've been watching our televisions about the tremendous malpractice crisis that we have in this country, and which are approaching pro . . . crisis proportions in Illinois. Throughout the deliberations of the malpractice legislation in this state, the only people who bother to show up were the attorneys who represent the patient, the hospitals and the doctors. Throughout this whole ordeal, insurance companies, with chameleon-like effect, have been shaded into the background, merge with the colors, and let the doctors fight their battles for them."

Speaker Bradley: "Sir, would you confine your remarks to the amendment, please?"

Fleck: "I will. The only way that the insurance companies, I think, will pay attention to their rate schedule is with this type of amendment. The only time they came in to offer any questions in regard to their charges and their profits was when they were subpoenaed in. They have lobbyists running all over this Capitol Building, but they never saw fit to have representatives appear before the committees where these bills were being heard earlier. They had to be subpoenaed in. As for the Argonaut Insurance Company, they claim they lost \$88,000,000 in the State of New York, but they certainly found enough money in their coffers to pay over ten and a half million dollars in dividends to their parent company. Now, if that company is going broke, I suggest that something is wrong if they're paying profits of that glorious amount to their parent; and this amendment, I think, is needed for the insurance companies so that they know that they can't get away with hiding in a background and they got to come forward and justify their rate."

Speaker Bradley: "Were the insurance companies mentioned in the amendment? The gentleman from Lawrence, Mr. Cunningham, you wish to explain your vote?"

Cunningham: "Mr. Speaker, and ladies and gentlemen of the House, this is a radical approach to a drastic problem. It does no good to say that we sympathize with the plight of the small hospitals all over the



state, when we can't do anything about it. I doubt there is . . . there are any of you who haven't had the same experience in your district as Representative Mautino has said where the insurance rates on little hospitals have gone up tenfold. Its time to recognize that this crisis must be dealt with. It's not an inconsistency to vote for this, and also vote for the cap and also vote for the time limitation. Its a two-pronged approach to a problem where the peoples need must be met. We simply can't go on with the present situation. You're forcing hospitals to close or else to run the risk of a ruinous liability. The alternative to this, surely, the alternative must be for complete immunity for small hospitals, and that isn't very palatable either. I urge, this very good idea, deserves more green light than its getting. If it doesn't work, we can look at it in the future. Vote green now, give us a chance, give us hope."

Speaker Bradley: "The gentleman from Cook, Mr. Downs, to explain his vote."

Downs: "Thank you, Mr. Speaker, and ladies and gentlemen of the House, just briefly . . . ah . . . I think that Representative Washington was right in saying, 'let's not call names and act without sufficient information'; I certainly think there has clearly been a public relations campaign; and I don't believe the doctors generated it, because that's antithetical to their standards and concepts of their professions. I know the trial lawyers wouldn't be behind such a thing, because certainly the higher the premiums which this amendment is concerned with, I suppose, the greater the profits and the more amiable the companies might be to settle cases generously; but I'd like to call and remind all of your attention to the fact that we have all been contacted by, not the companies and not the other interested groups, but the doctors, and they're complaining about the rates that they are paying, and they are telling us . . . ah . . . what a terrible unfair portion this bears to their income. Now, I think, and I'd like to summarize, that if the doctors subjected to the P.R. campaign of other interests in this matter are not going to question those rates and are not going to do something about it, then I will; and I will support those doctors who are concerned by voting 'aye' on this amendment; and set a limit on those rates until we can get



sufficient and reliable information from who I believe who are the real parties and interests. Thank you."

Speaker Redmond: "Representative Londrigan."

Londrigan: "Mr. Speaker, and ladies and gentlemen of the House, I suggest this may be your last chance to do something about the problem. It is certainly your best chance. The bill, as it is now, is not going to do anything for the doctor or the patient; it is not going to solve the problem, and we're just kidding the patient and the public if we suggest that it is. A malpractice limit that was on a 500,000, or a board is not going to solve the problem. This is the best approach we've had yet to freeze the rate. That will help. So I suggest that those of us who want to really do something for the doctors and the public support this bill and vote 'aye'."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 71 'aye', 87 'no'; the amendment fails. Any further amendments?"

Jack O'Brien: "Amendment Number 5, Jaffe, amends Senate Bill 1024 as amended by inserting after Section 3 the following and so forth."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Ah . . . Amendment Number 5 says as follows: 'That any insurance company which is writing medical malpractice insurance in this state on the effective date of this amendatory act of 197 . . . 75 and which, subsequently, discontinues the writing of such insurance in this day is prohibited from writing any other insurance in this state for a period of three years after the date of discontinuance'. We have heard a lot about medical and hospital strikes. I believe that insurance companies do, in fact, have a public responsibility; yet, we find that very few insurance companies do write this type of insurance and we know that they are making money. If we are not going to set the rates for them, at least we can make sure that medical malpractice insurance is available and I would urge the adoption of . . . of Amendment Number 5."

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker, ladies and gentlemen of the House, I oppose this amendment. I don't think that going after the insurance people in



this particular bill is the way to go. Again, I commend . . . ah . . . Mr. Washington in the Judiciary Committee. I think they're doing an excellent job and I hope we have that report soon; but in the meantime, I think this is . . . ah . . . not the right place to put this amendment; and I would have to oppose it."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Mr. Speaker, would the Sponsor yield for a question or two?"

Speaker Redmond: "He indicates he will."

Schuneman: "Representative Jaffe, . . . ah . . . I only have the summary of the amendment; and as I understand, what your amendment says is that insurance companies would be prohibited from discontinuing the writing of malpractice insurance for . . . for a three-year period. Is that . . . do I understand that correctly?"

Jaffe: "No, what my . . . what my amendment does is that any company that withdraws would have the penalty of not being able to write any other type of insurance."

Schuneman: "Right."

Jaffe: "You . . . you have to understand that from our hearings. So far we have found that these companies are . . . are not losing money and . . . ah . . . you know, and there are only a few companies that write this type of insurance; and if these companies do withdraw out of this field, we're going to be left in a situation where nobody is writing medical malpractice insurance, and then we'll run into the situation like they have in California and New York where, in fact, . . ."

Schuneman: "All right, thank you."

Jaffe: ". . . you know, they're threatening strikes . . ."

Schuneman: "Thank you, one other question, . . . ah . . . would your amendment prohibit an insurance company from normal underwriting practices? That is, could they . . . could they refuse to . . . to write hospitals or doctors . . . ah . . . who had . . . ah . . . been found to have excessive malpractice claims or perhaps who are engaged in practices which would cause excessive malpractice claims?"

Jaffe: "Ah . . . the answer to that is . . . is 'no'; and I have to tell you that . . . that's one of the points of consternation of the committee. I . . . we haven't found, for instance, where you have a



doctor who has twelve claims against him that they'll . . ."

Schuneman: "O.K., thank you, you've answered my question. Ah . . . The other question, . . . ah . . . several times you've eluded to the fact that in . . . insurance companies are making a lot of money on malpractice insurance. Now, this runs contrary to all the information that I have had for many years in the insurance business. Insurance companies are not making a lot of money in malpractice business. If they were, we'd have a lot of companies in the business; but could I ask you what testimony in your committee indicated to you that insurance companies were making a lot of money on malpractice insurance?"

Jaffe: "I might tell you that every insurance company that came before us indicated that they were making money in the State of Illinois. They indicated that they were not making money in the State of California and perhaps in New York. Ah . . . Those were the two states that they're not making money. They're making in the State of Illinois and they're having no problems writing medical malpractice in the State of Illinois. I think what they really want us to do is they want us to pay for California . . . ah . . . and they want to pay . . . want us to pay for New York claims; but in Illinois they're having no problem; and none of those insurance companies, when asked directly, 'Would you want to give up your business in Illinois?', said 'yes'. They all said 'No, we would keep the business in Illinois', because they are making money in Illinois; and so I don't think we have to take out the crying towel for the insurance companies in the State of Illinois."

Schuneman: "Mr. Speaker, I'd like to speak just briefly . . ."

Speaker Redmond: "Proceed."

Schuneman: ". . . just briefly to the Bill."

Speaker Redmond: "Proceed."

Schuneman: "I would speak in support of this Amendment. One of the problems that's been facing the malpractice insurance business in the State of Illinois for many years has been the . . . the withdrawal of insurance companies from the market. They have withdrawn in every instance that I know about, because they haven't been able to make a profit, but I think that the malpractice insurance market in the



JUN 21 1975

102.

State of Illinois has reached, truly, proportions that . . . that . . . ah . . . are . . . are very serious and I don't think we can afford to lose anymore companies out of the market that is presently writing in Illinois; and I would suggest to you that those companies who have decided to write malpractice insurance in Illinois should be required to continue for a little while through this emergency situation that we have; and I think this is a pretty good amendment, and I'm going to vote green."

Speaker Redmond: "Gentleman has . . . Representative Giorgi."

Giorgi: "Mr. Speaker, I have a question for Mr. Jaffe."

Speaker Redmond: "Proceed."

Giorgi: "Mr. Jaffe, as long as you're a member of the first companies discontinuing malpractice insurance, how do you feel about discontinuing contingency fee arrangements?"

Jaffe: "Well, as long . . ."

Speaker Redmond: "The point is out of order."

Jaffe: "Well, as long . . ."

Speaker Redmond: "The gentleman has moved the adoption of Amendment Number 5 to Senate Bill 1024. All in favor say 'aye', oppose 'no'; the 'nos' have it. The amend . . . all in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Representative Fleck. Representative Fleck. Representative Simms."

Simms: "Are . . . are we voting on the amendment or the previous question, Mr. Speaker?"

Speaker Redmond: "The amendment."

Simms: "Ah . . . Thank you. This is on the amendment."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record.

On this question there's 74 'aye', 71 'no'; and the amendment is adopted. Any further amendments?"



Jack O'Brien: "Amendment #6, Greiman, amends Senate Bill 1024 on page 1 by deleting lines 4 through 33 and so forth."

Speaker Redmond: "Representative Greiman."

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

Ah . . . I have no desire to be redundant and . . . ah . . . outline what has happened in . . . ah . . . the Sen . . . the House Judiciary Committee. I would point out, however, in support of this Amendment, which strikes most of this Bill, that we must look at it in terms of . . . ah . . . of how a malpractice suit would arise. When a person comes to a doctor . . ."

Speaker Redmond: "Representative Shea."

Shea: "I'd like to raise a point of order."

Speaker Redmond: "Your point is well taken."

Shea: "Is the . . . is the Amendment in shape now that the Bill is amended?"

Greiman: "I'd like to ask leave that the words 'as amended' be added on the face of the . . . ah . . . of the Amendment."

Shea: "I don't think it would still fit, Representative."

Greiman: "Why wouldn't it, I believe it would. The Sections are correct. Then none of the other Amendments will affect this either, from what I can gather."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "May I direct my query to the Sponsor of the Amendment?"

Speaker Redmond: "Proceed."

Geo-Karis: "Ah . . . Is your intention under this Amendment . . . ah . . . to strike practically the whole Bill except the change in the . . . ah . . . statute of limitations?"

Greiman: "Based on the . . . based on the testimony that we had, that was startling and surprising to us all, that the Medical Malpractice Panel, that is suggested by this Bill, would not reduce premiums but in fact increase the premiums because it would . . ."

Geo-Karis: "You're not answering the question . . . all I was . . . don't give me all the . . ."

Greiman: ". . . that's correct, Miss Geo-Karis."

Geo-Karis: ". . . all right, Mr. Speaker, I'd like to speak on the Amendment. Mr. Speaker, . . ."



Speaker Redmond: "We don't even know if it's in shape yet, so I don't know . . . Representative Schlickman."

Schlickman: "Well, Mr. Speaker, I join with the Majority Leader in a point of order. This Amendment would delete on page 1, lines 4 through 33, now with respect to the . . ."

Speaker Redmond: "The inquiry was made as to whether or not the Amendment . . ."

Schlickman: "Is in order."

Speaker Redmond: ". . . is in order in regard to the adoption of the other Amendments, and the Parliamentarian is consulting the Bill and the Amendments to see whether or not it's in order."

Schlickman: ". . . Well, until there is a ruling, I would suggest there shouldn't be any discussion on the Amendment."

Speaker Redmond: "I agree. I agree. The Parliamentarian advises me that in his judgment it's not in order and I'll abide by the Parliamentarian's decision. Representative Greiman. Representative Greiman."

Greiman: "Well, Mr. Speaker, I'm . . . I'm somewhat at sea then as to how, when there are some 17 or 18 Amendments, any Amendment hereafter is going to tie in to Sections of the Bill . . . ah . . . we have adopted two Amendments now, I assume that's going to take everything out of order at this point."

Speaker Redmond: "Some of the Bills, some of the Amendments have been drafted reciting the Bill as amended."

Greiman: "And I ask for leave, all I asked for was leave that . . . that the words 'as amended' be put on, and I was told that . . . the Majority Leader then said that no . . . ah . . . that wouldn't solve the problem. Now, do I not have leave . . ."

Speaker Redmond: "The Parliamentarian says that it will not because you're using the incorrect numbers for the lines . . ."

Greiman: "But so will every Amendment hereafter."

Speaker Redmond: "Well, . . ."

Greiman: "Does that mean we can no longer amend this Bill and the rest of them are all out of order? I assume it must. Unless the drafters of the subsequent Amendments knew which would be adopted and which would not."



Speaker Redmond: "State your point."

Stone: "Mr. Speaker, you have ruled, I suggest we go on to the next order of business."

Speaker Redmond: "Any other amendments?"

Jack O'Brien: "Amendment #7, Fleck, amends Senate Bill 1024 in inserting immediately before the Section headed 'Severability' the following, Section 4, and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment #7 would create the Illinois Patients Compensation Fund, which is patterned closely on the Florida legislation recently enacted in that state. What it would do, there would be an assessment to every practicing physician in the state of \$1,000. Any hospital would pay \$300 per bed. Based on the fact there are approximately 14,000 physicians in this state, that would generate approximately \$14,000,000 and based on the fact of a rather modest figure of 50,000 beds, that would generate \$15,000,000 from the hospital contribution making a total of \$29,000,000 in this fund. Now, what this fund would do in case there is a \$500,000 judgment, a judgment rather in excess of \$500,000, assuming there will be a cap on this legislation, the insurance carriers would be liable only up to \$500,000. The remaining amount would be paid out of the special fund which would be created by direct assessment to the doctors and the hospitals. That fund would be administered as a trustee by the Treasurer of the State of Illinois. Any law suits naming the fund as a defendant for claims in excess of \$500,000 would be defended by the Attorney General of the State of Illinois. Now, if we are going to be thoughtful about a cap on recovery to ease the burden of the insurance industry, we should do it in a constitutional fashion. You don't do it by putting a mandatory cap on and denying the rights as those who are most severely in . . . injured their access to the courts to receive their monetary returns. This is basically an artificial cap which would remove the constitutional objections. It also would be a direct assessment on the medical industry and I am sure that they would more closely police their profession which they have not been doing because malpractice is



the cause of a malpractice crisis. I would urge that this is a very good Amendment. I think that it will aid in the crisis that we have; and I would move the adoption of House Amendment #7 to Senate Bill 1024."

Speaker Redmond: "Representative Boyle."

Boyle: "Question of the Sponsor. Is there any contribution to the fund by the industry?"

Fleck: "No."

Boyle: "In other words, what this fund does then is take the place of malpractice insurance, is that correct?"

Fleck: "I don't think that you can actually say that. But it does . . . it puts . . . you might say the State of Illinois is a quasi insurance company. All they're doing is holding the fund to pay off verdicts which are in excess of \$500,000."

Boyle: "So why would a doctor if he was a participant, why would it . . . ah . . . of the fund, why would a doctor or hospital then buy medical malpractice insurance?"

Fleck: "Because the fund would only pay for judgments in excess of \$500,000. If they wanted to have coverage up to \$500,000, they would have to go to your insurance carriers."

Boyle: "Do you know how many cases they've been in the history of the State of Illinois . . ."

Fleck: "Yes."

Boyle: ". . . where judgments were in excess of \$500,000?"

Fleck: "Yes."

Boyle: "Tell us."

Fleck: "4."

Boyle: "4?"

Fleck: "All last year."

Speaker Redmond: "Representative Daniels."

Daniels: "Question for the Sponsor, will he yield?"

Fleck: "I'll yield if it's easy."

Daniels: "Okay, now, Mr. Fleck, under your page 1, lines 10 through 12 . . . you make the fund liable for a doctors malpractice only in cases where the doctor's practiced medicine in all its branches, is that



correct?"

Fleck: "Correct."

Daniels: "Doesn't the Act as amended by the first amendment provide . . .
ah . . . Medical Malpractice Review Panel for doctors in all the
healing arts?"

Fleck: "Ah . . . Yes."

Daniels: "Now, wouldn't your Amendment then, if it's adopted, exclude
osteopaths and chiropractors but yet the Bill itself would cover
them?"

Fleck: "Yes, and the reason being is that . . . ah . . . your judgments
and your awards and claims which are above \$500,000 would probably
direct themselves to the high exposure end of the medical profession,
which are your anesthesiologists and neurosurgeons and what have you.
I don't think a chiropractor is going to . . . ah . . . injure a
patient to the point where there's going to be a \$500,000 claim."

Daniels: "So, yet, so you feel that they should be excluded although
they're covered under the Bill as amended, correct?"

Fleck: "Under the panel provisions, yes."

Daniels: "Now, the second question I have is that you place the responsi-
bility of the fund in the hands of the Treasurer, is that correct?"

Fleck: "That's correct."

Daniels: "Now, have you determined, or not, whether he has the necessary
resources and facilities to carry out this administration?"

Fleck: "Well, he . . . he's got the necessary resources to carry out
. . . ah . . . a \$10,000,000,000 budget and I submit if he can't
handle an additional \$25,000 . . . ah . . . I think Alan would . . .
ah . . ."

Daniels: "I thought you said the fund . . . ah . . . very sizable."

Fleck: "I said \$25,000,000."

Daniels: "20 . . . oh, I thought you said \$25,000."

Fleck: "I'm sorry, I . . ."

Daniels: "All right, the next question I have is, you place the defense of
the fund in the hands of the Attorney General, . . ."

Fleck: "That's correct."

Daniels: "Have you checked with the Attorney General's office whether or



not they feel it's as feasible for them to defend the fund?"

Fleck: "Well, I think it would be very feasible for the Attorney General in view of the fact there are only four cases . . . ah . . . with verdicts in excess of half a mil . . . half a million last year."

Daniels: "Well, of course . . ."

Fleck: "I made reference to Bill Scott yesterday when he was on the floor and . . . ah . . . he just sort of looked at me and didn't say one thing or another."

Daniels: "Well, I . . . I also checked with his office and they're very concerned whether they would have the . . . the manpower and also the budget to enter into defense of a law suit in the event that it is a continuous one like some of these major law suits like these for a period of months."

Fleck: "Well, in response to that I'd say that the Attorney General has a lot of specials running around. I think he could go to a good personal injury defense firm and hire them on a per diem basis."

Daniels: "Okay, Mr. Speaker, may I speak to the proposed Amendment?"

Speaker Redmond: "Proceed."

Daniels: "Ladies and Gentlemen of the House, I think that Representative Fleck is to be commended in the effort that he made as far as the Patients Compensation Fund. Frankly, I . . . I feel that . . . ah . . . an Amendment of this nature goes in the right direction and would favor an Amendment of this nature if it had the proper language in it. I submit that there are very good areas that we can study from, for instance, the Florida law in the Patient Compensation Fund. However, in the particular Amendment that we have in front of us there are some serious deficiencies. I'm very concerned over the areas not covering osteopaths and chiropractors even though they are covered by the original Bill, the question of the fund being handled by the State Treasurer and the Attorney General's office entering into the defense of the fund. Although I like the basic idea, I think that . . . ah . . . Amendment #7 should be defeated and consequently I urge your 'no' vote on this Amendment."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House, I don't claim to be



an expert in the insurance field by any stretch of the imagination, but it's my understanding that the premiums are . . . are based upon the potential claims and pay outs in . . . in past cases. It would seem to me that we're being extremely unfair for those medical practitioners and hospitals that have no claims or a very insignificant number of claims in the past and they're being required to pay \$1,000 per individual or \$300 per bed. It seems to me this is a wrong approach. You put premiums based upon claims and nothing else; and this is an unfair situation where a doctor may be in the practice for 30 years never had a malpractice claim buy he's still being taxed by \$1,000. This is an extremely bad Amendment, and I would see that it's defeated."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis; "Well, I move the previous question."

Speaker Redmond: "The Lady has moved the previous question. The question is, shall the main question be put? All those in favor say 'aye', opposed 'no'; the 'ayes' have it. Representative Fleck to close."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, this is not by the stretch of anyone's imagination a novel proposition. We find . . . ah . . . analogies in the Federal Fund Insurance Co . . . Insurance Distribution coverage and basically in the State of Illinois, it's also in the Crime Victims Compensation Act, where there are a lot more claims than where the Attorney General's office has to be involved to a greater degree than he would in disregard of the malpractice suits, in excess of \$500,000. I think that it is a very good Amendment. It removes the constitutional problems, and it will really force the medical profession to police itself because they are going to be directly assessed if they have some incompetents who have judgment-after judgment for tremendous verdicts. So I would ask the House to adopt House Amendment #7 to Senate Bill 1024."

Speaker Redmond: "The question is, the Gentleman has moved the adoption of Amendment #7 to Senate Bill 1024. Those in favor indicate by saying 'aye', opposed 'no'; the 'nos' have it, the Amendment is lost. Any further Amendments? Representative Fleck."

Fleck: "Roll Call."



Speaker Redmond: "You're a little late. All right."

Jack O'Brien: "Amendment #8, Fleck, amends House Bill 1024 and inserting immediately before the Section headed 'Severability' the following in Section 4 and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "I move to table Amendment #8."

Speaker Redmond: "Any objections? Hearing none, the Amendment #8 is tabled. Any other Amendments?"

Jack O'Brien: "Amendment #9, Fleck, amends Senate Bill 1024 on page 9 by inserting after line 13 the following and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment is much similar to the one that Mr. Jaffe had, only I think it approaches the problem in a reasonable manner. What it provides for is that if the medical malpractice underwriter wants to increase their rates they must come in before the Director of Insurance to justify that rate increase at public hearings. We are not denying . . . we are not denying the insurance companies the right to do business in the state; we are not denying them the right to raise their premiums, but we are requesting that if the . . ."

Speaker Redmond: "Representative Getty."

Getty: "Mr Speaker, a point of parliamentary inquiry."

Speaker Redmond: "State your point."

Getty: "I'd like to know if this . . . ah . . . Amendment is in proper form at this time?"

Speaker Redmond: "I've been advised that it is not because it is amended . . . it's the unamended Bill. Amendment #9 is not consistent with any other Amendments?"

Jack O'Brien: "Amendment #10, Fleck, amends Senate Bill 1024 in the House as amended in the Section beginning 'this Amendatory Act, 1975' and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, this is a very simple Amendment. Basically what it provides for is that if this Bill should pass that any actions which accrue after the date would be



effected by the legislation, and any actions which accrue prior to the date would not be effected by the legislation. It's a very simple Amendment and it gives people the right to sue under our present law who have presently causes of action; and I would move for the adoption of House Amendment 10 to Senate Bill 1024."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "A point of information, what happened to Amendment 9, was that tabled, Sir?"

Speaker Redmond: "Out of order."

Geo-Karis: "It does what, I'm sorry. Ah . . . I'd like to speak in favor of Amendment 10."

Speaker Redmond: "Any other discussion? Representative Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, under the present statute and if this Bill . . . er . . . Amendment were adopted, it would keep some potential law suits open for 10 years, and it would in effect just nullify this Bill for 2 years. I'd oppose this Amendment."

Speaker Redmond: "Representative Hart."

Hart: "Well, I would take issue with the statements made by the last Gentleman. I think . . . I think it's a good Amendment and . . . ah . . . if it is adopted, I think we could still come along . . . ah . . . with another Amendment which . . . ah . . . could be incorporated in the Bill providing a statute of limitations . . . ah . . . which would effect . . . ah . . . causes of action which have accrued prior to the effective date of the Act. So I think this Amendment could with . . . ah . . . with or without an Amendment . . . ah . . . effecting causes of action which have accrued prior to the effective date be constitutional and it really should be adopted."

Speaker Redmond: "Representative Daniels."

Daniels: "Well, Mr. Speaker, I, too, arise to oppose Amendment #10. I think it's another example on intent to delay the effectiveness of this Bill; and I think that we have worked very hard in connection with the many people associated with the . . . ah . . . preparation of this Bill as it's contained in Amendment #1 and consequently in . . . in fear of the possible delay of the good effects that this Bill can



have, I oppose Amendment #10."

Speaker Redmond: "Representative Berman."

Berman: "Well, Mr. Speaker, I haven't risen on any of the other Amendments, but I think this is a very important Amendment because I think it . . . without this Amendment the constitutionality of what we're . . . of what the Sponsor is trying to do is put in to jeopardy . . . ah . . . You're going to be taking away . . . without this Amendment, you're going to take away the right that a person has to seek . . . ah . . . indemnification for malpractice that has been perpetrated upon him. Ah . . . They have a constitutional right up until today to bring those suits . . . ah . . . under certain guidelines that have been set down by court action. Without this Amendment, you're going to deny those people the right to bring those suits. I think that the Bill . . . ah . . . may have some merit in what the Sponsor is trying to do, but I think it has to be done in a proper way. This Amendment allows that Bill to be handled in a proper way. I'm very much in support of Amendment #10."

Speaker Redmond: "Any further discussion? The Gentleman has moved the adoption of Amendment #10 to Senate Bill 1024. The question is on the adoption. Those in favor indicate by saying 'aye', opposed 'no'. Representative Fleck. Those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Representative Fleck."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I can't concur with Representative Berman more. If you are going to make a charade of the constitutionality of this Bill, voting against this Amendment will certainly accomplish that. You are going to present nothing but a masquerade for the people of this state. There is a very serious constitutional question of whether the General Assembly can cut off a right that has accrued through an injured party, and that's exactly what this Bill is attempting to do. It's a panic attempt at trying to solve a problem. The Bill in its present form isn't thought out and it's loaded with constitutional defects; and I would urge the Members to reconsider their red votes."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Oh, Mr. Speaker, I also rise in favor of this Amendment. Let me



tell you that the companies . . . you know, base their rates on the commissions as it was at the time it was written, and yet if you do not adopt this Amendment it could conceivably be that the recovery . . . ah . . . will not be based on those particular rates. So I think we're really going contrary to the wishes really of Representative Shea in this particular instance. Ah . . . I think that as Representative Berman says without this thing . . . ah . . . the Bill would be unconstitutional and I would like to see more green votes on that board."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 60 'yes', 84 'no'; the Amendment's adopted. Any further Amendments? Amendment's lost, pardon me."

Jack O'Brien: "Amendment #11, Fleck, amends Senate Bill 1024 in the House as amended in the Section beginning 'this amendatory Act takes effect in 60 days' and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Ah . . . Mr. Speaker, Amendment #11, presently is in improper form based on the body of the Bill and I would move . . . ask leave to table Amendment #11."

Speaker Redmond: "Any objection? Hearing none, the Amendment #11 is tabled. Any further Amendments?"

Jack O'Brien: "Amendment #12, Hart, amends Senate Bill 1024 in the House as amended by deleting Section 1 thereof and so forth."

Speaker Redmond: "Representative Hart."

Hart: "Well, thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This Amendment is substantially . . . ah . . . the same as . . . ah . . . Representative Greiman's Amendment which . . . ah . . . was ruled not consistent with the Bill. This Amendment is consistent with the Bill as amended and . . . and it would strike out everything that's in the Bill except that it would provide for a statute of limitations on suits filed for medical malpractice. Now, I do not mean by this offering of this Amendment to . . . ah . . . diminish the experts of the . . . anybody that works . . . ah . . . hard on any part of this Bill. I certainly commend everyone for their



efforts and . . . ah . . . appreciate . . . ah . . . their response to the problem, but it's my opinion that the Bill as drafted . . . ah . . . has serious constitutional defects. Ah . . . The panel that is established and the procedure under this Bill is cleverly worded to try to avoid the problems that were in the . . . that were started by the United States . . . the Illinois Supreme Court in 'Grace versus Howlett' which held the only no-fault Bill that this House has ever . . . this Assembly has ever passed to be unconstitutional; and the Supreme Court said in declaring our no-fault Bill unconstitutional that it established an unconstitutional infringement on the right of trial by jury that exists in Illinois, and after reading over the panel procedure that's . . . ah . . . established under Senate Bill 1024, which is under consideration, even though some of the objections that the Supreme Court raised have been removed by . . . by it, I still feel that it has . . . ah . . . the constitutional defect what . . . ah . . . the reason that . . . ah . . . no-fault Bill of three or four years ago was ruled unconstitutional. I also feel that . . . that the Bill is unconstitutional . . . ah . . . as suggested by Representative Fleck in Amendment # . . . ah . . . 10, I believe it was, so I'm offering . . . I'm offering this Amendment to this body as a salvation, at least in part, to the complaints of doctors and persons . . . ah . . . who are sued for medical malpractice. One of the major complaints that they have stated to me is that you can never know when . . . ah . . . these cases are gonna' arise. People who . . . ah . . . have claims may file them many, many years after the actual operation or hospitalization occurs and . . . ah . . . and it creates an imposition, a terrible problem to depend upon the defendants in the cases. So this would provide a statute of limitations of two years or no more than five years depending on the situation that occurs and I would urge this body to adopt this Amendment and at least give this kind of a solution which . . . ah . . . the constitutionality of which . . . ah . . . I do not believe anybody will challenge . . . ah . . . as a solution at least in part to the problem of the . . . ah . . . the question is really going to revolve around whether or not . . . ah



. . . this Legislature has the authority to provide any kind of a real solution that . . . that the doctors apparently want in view of the constitutional questions involved, so I would urge this body to take this Amendment and . . . and use it as a start to the solution to the problem."

Speaker Redmond: "Representative Daniels."

Daniels: "Will the Sponsor yield?"

Speaker Redmond: "He indicates he will."

Daniels: "Representative Hart, as I understand . . . ah . . . or let me ask you this question. Does this delete everything except for the Section dealing with the statute of limitations?"

Hart: "Yes, it does, it would provide . . . ah . . . there is a statute of limitations in the Bill . . . ah . . . as to and . . . and this would . . . this would amend the Bill to add a statute of limitations to exempting causes of action."

Daniels: "Mr. Speaker, may I speak to the Amendment?"

Speaker Redmond: "Proceed."

Daniels: "Ladies and Gentlemen of the House, Amendment #12 attempts to undo everything that we have attempted to do; and I submit to you that as late as yesterday in discussing with the Illinois Trial Lawyers Director that they were in favor of Senate Bill 1024 as amended by Amendment #1 and 2. Now, what we are doing in this particular Amendment 12 is to undo all of the work that has been accomplished by the Illinois Trial Lawyers, the Illinois Medical Society and the Illinois Hospital Association and many of the members of the Judiciary Committee. Ladies and Gentlemen, I ask you to be aware of what may happen if you are to pass this Amendment and I ask for your red light and oppose the enactment of this Amendment."

Speaker Redmond: "Representative Greiman."

Greiman: ". . . I was saying before I was interrupted . . . a few Amendments ago . . . ah . . . we have a responsibility, I think, to give the doctors and the patients of Illinois a meaningful kind of piece of legislation. Under oath on Thursday responding to questions put by Committee, the insurance carriers who will set the rates said that the malpractice panel would not . . . they would not lower the



rates but they would increase the rates. Now, they set the rates. Now, we . . . we have the power to change that but right now they set the rates. This is all about insurance premiums. Now, I have doctors that are writing me and calling me and telling me it's desperate that we do this, but I wonder what would happen if I said I want a sugar pill; I want a pill that's just nothing, I want a prescription that will just give me nothing, and that's essentially what this panel does. It gives nothing. The only thing that will lower the premiums on the malpractice insurance, which they testified on their oath, is a change in the statute of limitations, not the panel. The panel sounds like a lot of fun; it puts a little more gamesmanship into the practice of law, but it does nothing to respond to the problem. If we are responsible, well, let's put it this way, if a doctor gave a sugar pill, he would certainly be guilty of malpractice. I suggest that if we give them this Bill, we will be guilty of some kind of legislative malpractice cause it just does not respond to the problem. I suggest that the Amendment be adopted."

Speaker Redmond: "Any further discussion? The Gentleman has moved the adoption of Amendment #12 to Senate Bill 1024. The question is, shall the Amendment be adopted? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 41 'aye', 84 'no'; the Amendment fails. Any further Amendments?"

Jack O'Brien: "Amendment #13, Hart, amends Senate Bill 1024 on page 1 and so forth."

Speaker Redmond: "Representative Hart. Representative Hart."

Hart: "Ah . . . I'd like to table this Bill, it's not . . . well, this . . . this Amendment is not in proper form."

Speaker Redmond: "Any objections? Hearing none, Amendment #13 is tabled. Amendment 14."

Jack O'Brien: "Amendment 14, Hart, amends Senate Bill 1024 on page 10 by inserting after line 19 the following and so forth."

Speaker Redmond: "Representative Hart."

Hart: "Ah . . . This Amendment can be made to be in proper form by . . . ah . . . changing it on its phrase and just saying 'as amended', and



then changing the . . . '9' to '19'. So I would . . . ah . . . move . . . ah . . . and ask the Clerk to make that correction on the face of the Amendment."

Speaker Redmond: "I think the correction is in the reverse, is it not? '19' to '9'?"

Hart: "'19' to '9', yeah."

Speaker Redmond: "Any objections? Hearing none, the Clerk will make it . . ."

Hart: "All right, then, Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment would . . . ah . . . put a self-destruct provision in this Bill which would make it be repealed as of June 30, 1977. There are a whole lot of questions about . . . ah . . . the effect of this Bill that have been raised on the floor of this House, and if it's going to become effective; I think that we ought to have a provision in there which would . . . ah . . . make us take another look at it in the next Session of the Legislature or before; and so I would urge the adoption of this Amendment which would put a repealer on it as of June 30, 1977."

Speaker Redmond: "Representative Daniels."

Daniels: "Ladies and Gentlemen and Speaker of the House, Amendment #14 would basically throw everything out that we've done at this point in time as to this Bill, on June 30, 1977. Now, I submit to you that you think of the following: It is true that we had rather extensive investigation and testimony from the insurance industry. The problem of medical malpractice will not in and of itself be cured by the passage of any legislation. Now, what we have to look towards is the future date from the effectiveness of any Bill. We hope that we will be able to stymie the spiralling increasing in medical malpractice rates. If we are to do this, then, that will take some period of time. We hope that a combination of many things, a review panel and many other provisions of a Bill, will assist in stopping these spiralling costs. By passing this Amendment, you are saying that you do not recognize that we will be able to stabilize these costs under any circumstances and in fact you will be repealing this Act on June 30, 1977. I submit to you that this is a step in the wrong direction,



that, if in fact we need improvements to this legislation, that we can continue to make them in future years, but we should not handicap this legislation by putting an automatic repealer in it and, consequently, I oppose the enactment of Amendment #14 and ask you to do the same."

Speaker Redmond: "Representative Getty, do you seek recognition. Representative Stearney."

Stearney: "Mr. Speaker, and Ladies and Gentlemen of the House, I think this Amendment is absolutely meritorious and deserves your support. The Mr. Shea, the Majority Leader, just said to you on Amendment #4 that he didn't know all the answers; he didn't even know the proper question, but yet he's asking the House of Representatives to oppose a final solution to a problem that we don't even know yet is a problem. Therefore, if that be the case and you're just attempting to put forth a temporary panacea to an alleged problem, I think we ought to have a self-destruct clause on this Bill because maybe then there won't be any need for it in the Bill. But should we pass permanent legislation on a question we don't know exactly what is the question, nor do we know the exact solution. So I say that we should vote 'yes' on this."

Speaker Redmond: "Any further discussion? Gentlemen has moved the adoption of Amendment #14 to Senate Bill 1024. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 38 'aye', 99 'no', and the Amendment's lost. Any further Amendments?"

Jack O'Brien: "Amendment #15, Hart, amends Senate Bill 1024 on page 1 by deleting line 5 and so forth."

Speaker Redmond: "Representative Hart."

Hart: "Ah . . . that Amendment is not in proper form and should be tabled."

Speaker Redmond: "Any objections? Amendment 15 is tabled. Any further Amendments?"

Jack O'Brien: "Amendment #16, Fleck, amends Senate Bill 1024 on page 8 by deleting line 30 through 34 and so forth."

Speaker Redmond: "Representative Fleck, Amendment 16."



Fleck: "Ah . . . Mr. Speaker, that Amendment is in proper form and I would ask leave of the House to table Amendment #16 or 15?"

Speaker Redmond: "16, I believe."

Fleck: "16. 16."

Speaker Redmond: "16, any objections? Hearing none, Amendment 16 is tabled. 17."

Jack O'Brien: "Amendment #17, Shea, amends Senate Bill 1024 as amended by inserting immediately before the Section captioned 'severability' the following Section . . . and so forth."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd like leave to amend the Amendment on its face, it says Section 3 and with the adoption of Mr. Jaffe's Amendment that should read Section 4; do I have leave?"

Speaker Redmond: "Hearing no objections, leave is granted."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, it's a very short Amendment, but I think it goes right to the heart of the problem we face here in the State of Illinois. It says in all actions in which the plaintiff seeks damage on account of injuries by reason of medical hospitals or other healing art malpractice, the maximum recovery to which a plaintiff may be entitled or for which judgment may be rendered for any plaintiff is \$500,000. This is the same type of Amendment we seek to put or sought to put on Section . . . on House Bill 2769. I think it's absolutely essential to this Bill and I would ask for a favorable Roll Call."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Mr. Speaker and Members of the House, if any Amendment or any provision in this Bill is premature, it would be this one. Now, the House Judiciary Committee just received a . . . a large number of records from insurance companies and have been promised additional records by July 14 concerning some of their underwriting . . . ah . . . figures. At the Committee hearing each insurer was asked the number of the . . . the frequency rate of the \$500,000 judgment. None of the insurance companies could even give an answer. None of them kept rates, kept any figures as to how many judgments that they had



ever had against them over \$500,000 in the State of Illinois, except one which was Medical Protective Insurance Company of Fort Wayne, Indiana, which does a very hefty of . . . of physicians insurance business in the State of Illinois, and they have had one. In the State of Illinois, now I think you've got a . . . ah . . . memorandum passed around under the name of Representative Hart, has had exactly four since the beginning of time of claims of \$500,000 or more. Consequently, from a frequency point of view, and this is upon which the insurance companies base their rate, the frequency is so low or appears to be so absolutely low that it will have absolutely no bearing at all on the premium dollar of the insurance companies. Consequently, this is an absolutely meaningless restriction except for the patients who happens to be grievously injured. The insurance companies, when asked whether the \$500,000 limitation would have any effect in their rate, were very, very careful to say that they . . . that it probably would not. They absolutely will not guarantee that it would . . . that it would have any bearing because of the fact, they cannot do so because of the extreme lowness of the frequency of the \$500,000 or more judgments. Nation-wide I believe there have been 60 since the beginning of time. Consequently from a statistical point of view, the \$500,000 judgment and up is meaningless. I would suggest, however, you look at it from the point of view from the patient; and I hope you have read that document that Representative Hart put out which shows that in each of those cases which have exceeded \$500,000 that the economic loss of the patients was in excess of \$1,000,000. I certainly think that from the point of view of protecting the doctors from unmeritorious claims, this flies in the face of that . . . that direction. The meritorious claims of \$500,000 judgment is on its face a meritorious claim. So I would certainly hope that the Members of this House would not put this . . . ah . . . this Amendment on the Bill which is probably unconstitutional anyway. I urge a 'no' vote."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, I trust that the Membership will take a very close look at Amendment #17 and what it



does and I think in doing that you ought to also take into account what the Sponsor of this Amendment did with respect to Amendment #4 and by his action he has violated the equal protection laws of the Constitution, both state and federal. Amendment #4 which he opposed would have placed a limitation on the profits of insurance companies. He didn't want that limitation on the profits of insurance companies, but now he comes to us and wants us to put a limitation on the right to recover by a patient for mal, or if you will, bad practice of a physician or a hospital, and there's another constitutional provision that's being violated, and I cite to you the Bill of Rights, Section 14 . . . Section 14, Article 1, that says that every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person. This Amendment would violate two constitutional provisions, constitutionally guaranteed rights in the Bill of Rights; and I might also suggest, Mr. Speaker and Members of the House, that when the insurance companies upon subpoena appear before Judiciary I Committee, they were asked what effects would a \$500,000 limitation have assuming that it was constitutional, which it isn't. The insurance companies couldn't respond. They don't know if a \$500,000 limitation would bring about a reduction or maintenance of premium or an insurance of coverage for all doctors. Certainly before we're going to abridge rights of individuals in a discriminatory fashion, we ought to be absolutely certain that the effect that the Sponsor of this Amendment wants would be secured by this Amendment. There is no data, there is no substance, substantial evidence in support of this Amendment; and I sincerely and earnestly and solicit your opposition to it."

Speaker Redmond: "Representative Houlihan, D. L. D. L. Houlihan."

Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Amendment. Obviously what we are talking about in this Amendment is the most controversial part of the proposed Bill. In large part, it may be the only controversial part, but it goes to the heart of the Bill as to whether or not many of us who are interested in a malpractice piece of legislation would be in a position to support this piece of legislation. The only justifiable



reason for such a limitation as is suggested in this Amendment would be a guarantee that with such a limitation there would be a reduction in premiums to the health care provider, be it the doctor or the hospital, and a further consequent guarantee that there would be a reduction in health care costs back to the consumers. Ladies and Gentlemen, there is no such guarantees. The Sponsors cannot give you such a guarantee. This is a wholly arbitrary figure. There has been no testimony whatever at any public hearing before any of this House or Senate Committees which have considered the issue which would justify this type of a limitation. Let me emphasize the position of the Department of Insurance of the State of Illinois. They do not support this limitation. The position of the Insurance Laws Study Commission of this state, they do not support this limitation; and to quote the Director of the Department of Insurance, this would be akin to putting the cart before the horse. Now, the frustration of many of us is the fact that this as a proposed solution is a solution at the expense of the victims. Now, there are many interests at stake in this type of legislation, the doctors, the lawyers, the insurance industry, but we have heard so little about the victim. Representative Hart has passed around to each Member of this General Assembly a description of the four cases which have exceeded this on a verdict or a settlement and if you read those cases they would make you weep as to the horrible facts. If we put a limitation like this on a child who has been incapacitated for the rest of his life because of negligence or incompetence on the part of a doctor, it just won't work and it's the wrong point of view to think that with this kind of a limitation we are going to reduce rates. We are using the victim as a scapegoat for the question, and our concern here must be for the victim. There is no justifiable reason for this. In fact, it is wholly unreasonable. Now, the Sponsors here have been misled. I know not by whom, but the effect of this is to mislead the people of this state, and to particularly mislead the medical industry. I urge you, I plead with you, don't do this. If they are serious about attempting to reduce rates, and I'm sure that the Sponsors are, then they should be going to the thres . . . to a threshold position, but not a maximum



limitation. When this was considered in Committee the last time, which was last Thursday, the representative of the Hartford Insurance Company which writes approximately 40 percent of the malpractice coverage in this state made the statement that this may well increase rates, and the reason is because it will lead to the natural tendency that every malpractice case from here on in, if this gets on, is gonna' be for the limitation amount, \$500,000. There is insufficient evidence, there is no guarantee; the only state agencies we have to advise us do not support the limitation. Please, don't vote for this Amendment."

Speaker Redmond: "Are you ready for the question. Representative Friedrich."

Friedrich: "Would the Sponsor of this Amendment yield to a question, please? Representative Shea, I'm reading this Amendment but I don't read it in the context of the whole thing. If a person . . . ah . . . has a cause or a suit as a result of something that happened in the hospital, let's say post surgery and so on, would he with this Amendment be able to collect \$500,000 from the hospital and also from the doctor or just one time?"

Shea: "It says \$500,000 limitation on the recovery."

Friedrich: "On . . . on all persons who might possibly be liable?"

Shea: "Yes, . . ."

Friedrich: "All right, now, the other question is when . . . what . . . when was the first of these 500,000 cases that they mentioned?"

Shea: "To the best of my knowledge, last year."

Friedrich: "All . . . in other words up until last year there never was one and now there's been a rash of 4 or of over 500?"

Shea: "Yes, Sir."

Friedrich: "Mr. Speaker, just briefly that's the reason we're here today talking about this problem. That is that these wards have been getting higher and higher and higher with the liberal juries who think they've got an insurance company or a doctor or a hospital on the butt end of the joke and we've had a rash of this and it's just the beginning. This . . . if . . . if you realize that never until a year ago has anybody been given an award of \$500,000 and all at once we had 4, I



think it's time to put a lid on it. Now, as far as the constitutionality of it, I don't profess to be a constitutional expert, but we had a limit on wrongful death for years and nobody ever questioned the constitutionality of that."

Speaker Redmond: "Representative Kozubowski."

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

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd appreciate the support of the House on this Amendment. I think it's a good Amendment and I think it will help solve the problem of making sure that the people in the State of Illinois have adequate . . . adequate health care facilities."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #17 to Senate Bill 1024. All in favor vote 'aye', opposed vote 'no'. Representative Fleck."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment is the coward's way out, and the coward's way out. To me a coward is nothing but a person who in perilous emergency thinks with their feet and not their heads. This Amendment I would ask you to think about. What you're asking this Legislature to do is to deny the rights of someone who's been victimized by incompetence in the hospitals of this state. If you'll look at the pass out that Representative Hart had, a girl 14 years old enters a hospital for a simple appendectomy, she leaves that hospital a quadriplegic and mentally retarded for life. You have a 28 year old man enter a hospital with a minor arm injury. He leaves the hospital without his arm and without his leg. You're saying to the doctors of this state you have a blank check over \$500,000 to be as incompetent as you want. You can have every incompetent Doctor Frankenstein who stalks the halls of the corridors of these hospitals victimize their patients without any regard because of this ceiling that they're placing on it. If you want the blood to flow and the door to fly,



you just support this Amendment. You're denying the right to these victims and I say they are victims. You are making this Bill unconstitutional and you're doing an injustice to yourself and blood is on your hands. I will say to you if this Bill passes with this Amendment on, it'll probably be the most pernicious, the most insidious and a most insidious Bill that ever crawled out of this General Assembly; and I would ask everyone to vote against this Amendment."

Speaker Redmond: "Representative Miller."

Miller: "Well, thank you, Mr. Speaker and Members of the House, Representative Fleck and others who have arisen to oppose this Amendment have illustrated the 4 cases . . . ah . . . that were referred by Representative Hart to each Member's attention; and they're suggesting that we in voting for this Amendment don't care about the . . . the well being of those 4 people or anybody else who might be involved in a similar circumstance. I would like to reduce the argument to one of economics only and suggest to you that if you invest the \$500,000 payment in any bank or saving and loans or other certificate over a 30 or 40 year period the return on that investment is either triple or quadruple the original amount, and in fact . . . in fact they are being totally compensated for loss of earnings. Conversely, if you take a \$1,000,000 investment or a \$1,000,000 or \$1,500,000 and invest it over a 30 or 40 year period you've got a \$4,500,000 return, far more than that person would have in their given lifetime, and I would suggest it is in fact very fair to limit it to \$500,000."

Speaker Redmond: "The Clerk will take the Record. On this question there's 92 'aye', 53 'no', the Amendment's adopted. Representative Walsh, do you seek recognition? Representative Duff."

Duff: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Redmond: "State your point."

Duff: "Mr. Speaker, in my five years in this House, I have never experienced a greater sense of sadness than I have at this very moment and I speak with all sincerity in my heart. Now, Mr. Speaker, I haven't spoken on one of these Amendments, let me continue, Mr. Speaker, please."

Speaker Redmond: "Go ahead, proceed."

Duff: "And please ask . . . Gentleman would you extend me a personal



courtesy of hearing me out. I am speaking as sincerely as I possibly can. Mr. Speaker, there is no issue. Since I've been in this House which I have had more knowledge of personally and more concern over the conflict and I put my light on at the very beginning of that Roll Call and you saw it, Mr. Speaker. Mr. Speaker, I want to tell you in all sincerity and give me, please, this privilege. My father is a surgeon, he's 81 years old and he's still practicing medicine. Mr. grandfather was surgeon, my . . . my only uncle is a surgeon, my brother is a surgeon, I am a trial lawyer and I spent several years as an underwriter in the insurance business handling malpractice and professional liability insurance; and if you don't think that I have a right and some knowledge to contribute to the qualification of a very significant issue, Mr. Speaker, I resent it very, very much."

Speaker Redmond: "Representative Walsh."

Walsh: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, having voted on the prevailing side, . . ."

Speaker Redmond: "Hear Mr. Walsh out please. Representative Walsh."

Walsh: ". . . having voted on the prevailing side, I move to reconsider the vote by which Amendment #5 was adopted, and I'd like to be heard on the motion."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, as a parliamentary inquiry, I would . . . I would first inquire as to whether or not this motion is timely."

Speaker Redmond: "The Parliamentarian indicates that it is. Representative Jaffe."

Jaffe: "Is the motion in writing, Mr. Speaker?"

Speaker Redmond: "Is the motion in writing, Representative? Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. Now, I had my light on at the beginning of the explanation of votes on this Amendment. I was not recognized. I don't think that we have been proceeding with . . . ah . . . the proper degree of courtesy in observation of the rules. I do wish that I had had a chance to explain my vote on Amendment #17 and I would still like that opportunity if you would afford me that courtesy."



Speaker Redmond: "I don't believe it's in order. We've already declared . . . that it was adopted."

Catania: "Well, Mr. Speaker, my light was on all that time and then to be . . ."

Speaker Redmond: "Well, there's 177 people, I can't call on every one. The previous question was moved which is a privilege motion and I put it."

Catania: "Mr. Speaker, I asked for the privilege of explaining my vote."

Speaker Redmond: "And I'm sorry."

Catania: "Now, when did we decide that we would cut off explanation of vote. We've had several Amendments . . . who have gone on and on."

Speaker Redmond: "I believe it . . . ah . . . the purpose . . . the purpose of the previous question is to cut off debate, Miss Catania and you well know that."

Catania: "Not explanation of vote though, Mr. Speaker, and that's what I asked to do. Now, I have not risen to speak at all on this Bill."

Speaker Redmond: "Okay, go ahead and explain your vote. Representative Beatty."

Beatty: "Mr. Speaker and Members of the House, one, we're on another order of business, but two, there is such a thing as equal rights and while I didn't vote for that E.R.A. Bill I think that if Brian Duff isn't going to be entitled to explain his vote, I don't know why anyone else should be able to; and I don't think anyone should under the circumstance. The vote is 92 to 53, we're following the proper procedure. Now, I don't think this is the time to weaken, Mr. Speaker."

Speaker Redmond: "Representative Barnes. I didn't."

Barnes: "Mr. Speaker, I'd like a parliamentary in . . . inquiry at this point."

Speaker Redmond: "State your point."

Barnes: "I believe unless there is something that I've missed, and perhaps I have, and if I have correct me, I believe according to our rules we are all afforded two minutes to explain our vote on any given issue whether it be an Amendment or a Bill at the passage stage; and to the best of my knowledge that rule has not been waived or we haven't changed it at this point. Now, if I'm wrong, correct me."



Speaker Redmond: "I think you're correct. Representative Bradley, for what purpose do you arise?"

Bradley: "Point . . . on a point of order, Mr. Speaker. I would suggest to the Speaker, we've got about one week to finish our business down here and the Robert's Rules of Orders provides that when dilatory tactics are being used, the Speaker of the House or whoever might be in the Chair does not have to recognize the person if he thinks that their tactics are dilatory; and I suggest to the Chair that when the vote is 92 to 53 and somebody wants to get up and explain a 'no' vote that those are dilatory tactics and they're just delaying the operation of the House and those people should not be recognized at that time for that purpose when the vote is so much in the majority, they are dilatory tactics."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, I made my motion. Ah . . . You have heard it, it is in writing. I'll repeat it if you wish. It's . . ."

Speaker Redmond: "Will you read the motion."

Walsh: ". . . having voted on the prevailing side, I move to reconsider the vote by which Amendment #5 was adopted to Senate Bill 1024."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, I move that that motion lie on the table."

Speaker Redmond: "He . . . Representative Walsh has moved that the vote by which Amendment #5 to Senate Bill 1024 be reconsidered. Representative Jaffe has moved that that motion lie on the table and has demanded a Roll Call. The question is on the motion to table. Those in favor of the motion to table indicate by voting 'aye'. Representative Walsh."

Walsh: "Mr. Speaker, it is customary to let the maker of the motion close in a situation like this."

Speaker Redmond: "You are correct, so close."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, Amendment #5 . . ."

Speaker Redmond: "Representative . . . Representative Jaffe."

Jaffe: "A . . . a motion to table is not debatable and ask . . ."

Speaker Redmond: "You are correct. The question is on the motion to table



Those in favor of the motion to table indicate by voting 'aye', oppose by voting 'no'. Representative Walsh."

Walsh: "Mr. Speaker, in explanation of my vote, if we could have a little order, in explanation of my vote, Amendment #5 purported to open up the market for malpractice insurance in this state. In fact the effect of Amendment #5, I am convinced, does exactly the opposite. I'm told that the Hartford Insurance Company which writes a blanket policy for members of the Illinois Medical State Medical Association, some 5,000 doctors, has a clause in their contract wherein they can cancel that contract if there is substantial governmental interference. I submit to you that this could possibly be interpreted as substantial governmental interference. Furthermore, I'm told and I find in reading this Amendment that the Hartford Insurance Company could continue to write other lines of insurance even if they cancelled that policy, that policy which insures them 5,000 at a very satisfactory rate I'm told, they could continue to write even if this Amendment were made a part of this Bill because they could write other malpractice insurance at this . . . in this state and cover the same 5,000 doctors at substantially increased rates. So I have been convinced, Mr. Speaker, we made a terrible error in adopting Amendment #5 and that is the reason for my motion and I urge a 'no' vote on the motion to table."

Speaker Redmond: "I wonder if we might break in here for just a moment, we have a visitor from the Missouri Legislature, Representative Pucharski."

Pucharski: "Thank you . . . ah . . . guests, fellow Legislators, I sympathize with you that are on the losing side. Quite often I'm on that same side and the frustrations are the same whether you're in Missouri or in Illinois. I thank you very much for allowing me the privilege and the courtesy to appear before you especially without a coat or, it, over there we can't get on that floor without a coat and you're lucky over here. Thank you."

Speaker Redmond: "He further advises that they have just adjourned. I ask for a little rub-off powder. Representative Borchers, for what reason do you arise?"

Borchers: "Mr. Speaker and fellow Members of the House, we have here today



in Springfield . . . ah . . . two guests from . . . ah . . . Paris in France. One is the editor . . . ah . . . foreign editor of the 'Le Mond' which is the same in France . . . in Paris as the 'Times' would be in London or perhaps the . . . ah . . . in New York our magazine the 'Times' in . . . ah . . . in New York or the 'Washington Post' and with your indulgence they . . . ah . . . we've invited them to . . . ah . . . visit the Legislature and the editor will just say a few words, he speaks very little English, so his interpreter will have to take care of it. So Monsieur Vuealelau (French name)."

Mons. Vuealelau: "Ladies and Gentlemen, I don't speak good English but I am very pleased to have this opportunity to visit the United States and particularly the State of Illinois . . . Illinois where I received a warm . . . I hope to come back . . . to come again and I thank you very much."

Speaker Redmond: "As . . . as you know our colleague, Representative Borchers, discovered that Illinois was the . . . 14th colony really preceding some of the original 13, I guess, and we have adopted a House Joint Resolution and we are pleased to present the copies of the Resolution to our guests from France. Representative Jaffe."

Jaffe: "Mr. Chairman . . . Mr. Speaker, first of all, let me say to you . . . could I have a li . . . a little order, Mr. Speaker."

Speaker Redmond: "Give the Gentleman order."

Jaffe: "First of all let me say to you that Representative Walsh has completely misinterpreted that particular Amendment. That particular Amendment says, and I'm gonna' read it to you again, any insurance company which is writing medical malpractice insurance in this state on the effective date of this amendatory Act of 1975 and which subsequently discontinues the writing of such insurance in this state is prohibited from writing any other insurance in this state for a period of three years after the date of such discontinuance. You know it's sort of funny to me that at last we've heard from the insurance company. You know they have every right, they want every right, they want every privilege, they want everything to go their way, but when it comes to a public conscience they absolutely have none. You know Representative Walsh made reference to the Hartford Insurance



Company. Let me tell you that the Chairman of the Judiciary Committee wrote them a letter and asked them to come in. They never came in. The only time that we ever hear from Hartford Insurance Company is when we subpoenaed them in. That's the first time and only time that Hartford Insurance Company has been heard from outside of this very moment when they come in and they find . . . ah . . . an Amendment which is not to their liking. I tell you, Gentlemen, and I can see the numbers on the floor, that if you do not sustain this Amendment, you're slapping the Judiciary Committee in the face, and you're saying to the entire state that the Hartford Insurance Company is more important than the people in the State of Illinois."

Speaker Redmond: "The motion to table there are 56 'aye', 96 'no'; the motion is lost. The motion tabled is lost. Now, revert back to Representative Walsh's request to reconsider the vote by which Amendment #5 was adopted. There's been a request that the Roll Call be reversed, do you agree, Representative Walsh? Representative Walsh."

Walsh: "I agree, however, if . . . ah . . . you'd rather not revert the Roll Call, but let me . . . let me say this to the Gentlemen that I know of no one who works for the Hartford Insurance Company. I have not been in contact with them nor they with me. I talked with some people who are knowledgeable on what the situation is with respect to that blanket policy covering 5,000 physicians and I suggest to you that this Amendment would or could possibly do considerable harm and I think we made a big mistake and I . . . the Gentleman read the Amendment, if you paid close attention to it. The cancellation of that contract would not necessarily mean that the Hartford Insurance Company was not writing medical malpractice insurance in this state. They could continue to write it at substantially higher rates and so I urge to you vote 'yes' on the motion to reconsider."

Speaker Redmond: "There are unauthorized people on the floor, please leave the Chamber. Representative Schuneman."

Schuneman: "Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . I feel some responsibility for . . . ah . . . this problem that the House finds itself in at the present time. I spoke in favor of this



Amendment when it was offered because I felt that it would keep the market for malpractice insurance in Illinois open and available. After learning that the Illinois Medical Society has a contract for their members which in fact says according to the information that we're furnished that that can't . . . that that contract will be cancelled if the State of Illinois adopts regulations which would effect the writing of malpractice insurance in Illinois. I fear that if we adopt this Amendment we in effect will bring about the cancellation of malpractice insurance for something over 5,000. Now, I would like to know before we vote on this motion . . . ah . . . assuming that the . . . that the motion fails or the Amendment fails rather, I would like to ask the Sponsor of the Bill, Representative Shea, . . . ah . . . would you be willing, Sir, to bring this back to Second Reading; I know, but assuming this Amendment is adopted . . . or fails and the Bill goes to Third Reading today . . . ah . . . and we find out that this is not the case, that is that the . . . ah . . . Medical Society policy would not be cancelled by the enactment of such legislation, would you be willing to bring the . . . the Bill back to Second Reading for the purpose of reconsidering this Amendment at that time?"

Speaker Redmond: "Representative Shea."

Shea: "Yes."

Schuneman: "Thank you."

Speaker Redmond: "Representative . . . Representative . . ."

Schuneman: "In that case, Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . I would support the motion of Representative Walsh. I think he's right and . . . ah . . . that we made a mistake."

Speaker Redmond: "Representative Boyle."

Boyle: "Thank you, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I think that we have . . . it's a sad day in the Illinois House of Representatives when an insurance company can come in here on heresay evidence and stampede this House of Representatives into reconsidering a vote by threatening us that they are going to cancel insurance because of an Amendment to a Bill; and I would urge you to defeat this motion to reconsider. The evidence that was before



Representative Jaffe's Committee indicated that these companies were making money on malpractice insurance and I, for one, highly represent . . . highly resent being threatened by special interest groups that they are going to do or not do something for my vote on the floor of this House and I'd urge you to vote 'no'."

Speaker Redmond: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, I'd just like to point out that every insurance company who does business in the State of Illinois is regulated by the State of Illinois. It's a privilege to come in here, your . . . ever . . . every company, whether they're writing health or casualty or malpractice, is regulated by the Department of Insurance and this is substantial governmental interference."

Speaker Redmond: "Representative Mann."

Mann: "Well, yes, Mr. Speaker, . . . ah . . . I believe that Mr. Schuneman was right the first time and I'd like to . . . ah . . . really know . . . ah . . . the Assistance Minority Leader says he was informed, informed by whom? We're not a bunch of puppetsy insurance companies and the doctors and the Illinois Medical Society don't run this House. They don't control my vote, I don't care what they think or what they say. It's got nothing to do with the issue here. This is a big rip off this malpractice issue. It's a phony issue, and we're being stampeded on this phony issue; and I resent any innuendos from uninformed people who aren't on this floor about contracts that are gonna' be cancelled. It's a bunch of heresay balony and garbage; and this thing ought not to be reconsidered. We don't belong to anybody, we're not in anybody's hip pockets, and to be stampeded by a bunch of people that aren't here for some special interests is ridiculous. It's special interest legislation, and that's all it is, and the one Amendment that we adopted, the special interest people now want to change around."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I heartily agree with the prior Speaker because the reason we're debating any of the issues here today is to protect the honorable conscientious good doctors, and I submit that if we do not make it possible for them



to have proper insurance coverage by such an Amendment, that we are violating our oath to ourselves, to our state and to our country to do the best we can for all professions. We need good doctors, we're not helping them. If we're going to allow the insurance companies to run this Assembly, I, too, am tired of insurance lobbys and I, for one, am a lawyer, am a trial lawyer and I'm willing to have malpractice insurance for the doctors. So let's get on and vote for the Amendment and not reconsider it."

Speaker Redmond: "Representative Berman."

Berman: "Well, Mr. Speaker, I think that the insurance company here that . . . ah . . . that has been mentioned is trying to have it both ways. I haven't heard any objection from any insurance company regarding a \$500,000 cap or any kind of restriction on people who are injured as a result of malpractice. Supposedly, this will accrue to their benefit, and I haven't heard any objection from any insurance company. Now, we have an Amendment that Representative Jaffe put on that would put a little restriction on their ability to make a free choice, in the same Bill that we're giving them a windfall, and now they raise an objection. It bothers me just from a sense of fair play that the company raises objection for one small Amendment to a Bill that is a great windfall to them and an onerous . . . an onerous obstacle on anyone who has suffered as a result of malpractice injury, and I think it's a shame, a shame on them, to even come forth and suggest that this Amendment should be taken off when they're getting such a windfall from the whole Bill. I vote . . . I urge an 'aye' vote on the Amendment."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, Mr. Speaker, I was simply gonna' suggest that under Rule 64 any Member . . . ah . . . who votes on the prevailing side of any issue when he changes his mind for a reasons . . . for any reason or no reason at all may move to reconsider the vote, and I would think that we want to get on and reconsider this vote and Representative Walsh is perfectly within his rights . . . ah . . . if . . . ah . . . additional information has come to his attention or even if without any additional information, he just changed his mind; and I would



urge that we get on to consider this motion to reconsider."

Speaker Redmond: "Representative Barnes."

Barnes: "Well, thank you very much, Mr. Speaker and Members of the House, being not a doctor or involved in a legal profession or involved with the insurance industry, but just speaking from the point of view from a consumer, I think one thing that we have seemingly all forgotten . . . forgotten in this whole argument is the consumer. I think that some consumer interests should be at least attacked in this whole argument from their point of view. It seems to me that the insurance industry's point of view is being considered here; it seems to me that the legal point of view is being considered here, and it seems to me that the medical professional point of view is being considered here; and the one thing that is being left out, who will pay the bill for this whole shabang is the consumer, and I think at least one thing should be said in his regard and the regard from just being a consumer from no other point of view, is I think we're being ripped off totally. If anything should happen, at least the small Amendment should be left on so the consumer could have at least a little safeguard in this overall bad Bill."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, my name was used in debate and I'd like to respond to a couple of the points that were made. First of all, I've been contacted by no insurance company, and to my knowledge, neither has Representative Walsh. The information we have comes from the Illinois Medical Society. No insurance company is threatening to cancel. What has happened is that the contract which has been entered into long before you and I ever entered into a discussion of this problem; that contract provided that the insurance would be cancelled if the State of Illinois entered into these particular regulatory actions as relates to malpractice insurance in Illinois. So I want to clear the record as far as my speaking on behalf of any insurance company, that doesn't happen to be the case."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker . . . Mr. Speaker, I would merely like to say that if



anybody read Amendment #5 they would realize that there was absolutely no governmental interference within a particular contract. That's just a bunch of balony; that's just a cop out; that's the weakest argument that I've ever heard in my entire life. What I'm trying to do here is make sure that we do have malpractice insurance in the State of Illinois that these companies do not leave us to die. They left California and New York; and I don't think that that's too much to ask for. The other company that's been talked about, I indicated before and had to be subpoenaed down. We still don't have the information from them. They're dragging their feet giving . . . giving us their information. Let me say to you this that if these insurance companies pay claims as fast as they got to this floor to exert influence, I think they might be more highly respected; and I would urge a 'no' vote."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. The entire point to this legislation is to protect the consumer, and that's what we're trying to do here. This Amendment will cancel . . . will allow the insurance companies to cancel their group contract with the Medical Association and then go back and sell it at double premiums, double premium at least to the individual physician; and so if you're concerned about the consumer, you will vote to take this Amendment off. The right vote for . . . to protect the consumer is to get this Amendment off of this Bill because they're the ones that are going to have to pay that increase in premiums. The patient that goes to the doctor is going to have to pay that, and so I would encourage an 'aye' vote."

Speaker Redmond: "Representative Madison."

Madison: "Mr. . . . Mr. Speaker, I move the previous question on this rotten motion."

Speaker Redmond: "Gentlemen has moved the previous question. The question is, shall the main question be put? All in favor say 'aye', 'aye', oppose 'no'; the 'ayes' have it. Representative Walsh to close."

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I resent the last Gentleman's motion, I resent the remarks of a number of



a number of people who have spoken on this motion. I have told them that I have not been in contact with the Hartford Insurance Company and I know no one who has anything to do with the Hartford Insurance Company. As a matter of fact, I know no one that has anything to do with any insurance company in terms of management. I don't know how many times I have to say that. I said it before; Mr. Schuneman said it. It has been repeated here over and over again as though to repeat it over and over again made it so. This motion, Mr. Speaker, is in anti-Hartford Insurance Company, and anyone who has paid any attention to . . . anyone who has paid any attention to the debate would know that it's anti-Hartford Insurance Company, because the Hartford Insurance Company has a contract with the Illinois State Medical Association to provide medical malpractice insurance for 5,000 doctors now. They are bound by that contract unless the terms of the contract are breached. Now, I'm told the rate is good and the Illinois State Medical Association and their membership, the physicians, don't want anything to happen to it because they fear that they will have to pay more. Mr. Jaffe's Amendment I suggest to you, and I invite him to rise on a point of personal privilege and be joined by Mrs. Geo-Karis, his Amendment could have been for the Hartford Insurance Company because it gets them out of a contract that might not be too good. All we're trying to do is protect that contract. Now, the Sponsor of the Bill said that he would take it back to Second Reading if the terms of the contract are not as we are saying they are or as they have been told us by the Illinois State Medical Association. I want you to know that I resent what has been said here today. I have never, except for this Session, ever been told that I've been controlled by any special interests, and I have not been. I pledge that to you. I'm doing this because I think it's right. This is what should be done. We should table this Amendment."

Speaker Redmond: "Are you ready for the question? The Gentleman having voted on the prevailing side has moved that the vote by which Senate . . . er . . . Amendment #5 to Senate Bill 1024 was adopted be reconsidered. Those in favor of reconsidering vote 'aye', those



opposed vote 'no'. Representative Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker . . . Mr. Speaker, and Ladies and Gentlemen of the House, in as much as my name has been used rather in vain I think . . . ah . . . I would like to point out the prior Speaker is . . . I certainly didn't impune his integrity in any way, but I know how insurance companies have been around this floor and cornering all of us and I had . . . that had nothing to do with what he was doing. My observations were strictly on my own from what's happening on this floor and outside, and I'm sincerely in favor of this Amendment because I think it will help protect the doctors be covered. That's why I'm supporting the Amendment and against the motion to reconsider."

Speaker Redmond: "Representative Washington. Representative Shea."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, why I'm supporting this is I'd like to have a little more discussion on Representative Jaffe's Amendment. If it does come off, I have promised I'd take the Bill back to Second Reading if the Amendment is needed. Now, I think Representative Barnes put his finger on this whole program and problem when he spoke; and I've said this time and time again, I don't care about the medical profession, and I'm a lawyer and I don't care about their position. The problem here is to insure that the people of this state have adequate health care facilities, and that's what I'm working at. Now, I've been chastised by my own profession. I've had doctors at home tell me they want certain things in this Bill, and I've refused to put them in. I said they're absolutely wrong. What we want to do here is provide the health care facilities for the people of this state, and I'm fearful, I'm fearful that the Amendment that Representative Jaffe's has got on here may cause insurance companies just to quit writing in this state, and that's what I'm concerned about."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker, a parliamentary inquiry, Mr. Speaker."

Speaker Redmond: "State your point."

Barnes: "On this motion, I was wondering whether or not it takes a simple



majority to take a . . . ah . . . majority of those voting or just what degree of . . . ah . . . for acceptance here."

Speaker Redmond: "A majority of those voting."

Barnes: "A majority of those voting?"

Speaker Redmond: "Right."

Barnes: "All right, is the majority of those voting on the question or the majority of those in the Membership?"

Speaker Redmond: "The majority of those voting on the question."

Barnes: "Well, thank you very much, Mr. Speaker."

Speaker Redmond: "Representative Fleck."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I thought the Sponsor of this Bill made a very fine explanation of his vote, but it's a shame he didn't appear at the Judiciary Committee hearings when we had the insurance companies in there 'cause he'd find out what he said about this Bill and the provisions he has in it as providing adequate health care . . . ah . . . won't work. They didn't know. They couldn't answer the question, and I think that this Amendment might answer some questions if we keep it on the Bill. Secondly, I'd like to make an observation that I see a number of people are not in their seats and are voting green on this. I don't want to go through a verification. So I hope maybe we could dump this Roll Call and have an honest vote."

Speaker Redmond: "Have all voted who wish? Representative Jaffe."

Jaffe: "Mr. Speaker, first of all, let me say that the argument that there would be governmental interference with that contract is completely . . . is a completely a phony argument. All you have to do is read . . . all you have to do is read Amendment #5 and you'll see that there is no interference with their contract whatsoever. I mean that's completely a phony argument. It's sort of surprising to me to hear the Majority . . . the Minority Leader standing there and saying, 'Well, the Medical Society is satisfied with . . . with the contract that they have and the insurance company is satisfied with the contract that they have'. Well, let me ask you this, if everybody's satisfied with that particular contract evidently we don't have a crisis and we just ought to vote this Bill down."



Speaker Redmond: "The Gentleman . . . on the motion to reconsider . . . 84 'aye', 68 'no' . . . Representative Fleck."

Fleck: "I requested you don't do it. I'd like to have an honest count. Clyde isn't there, he's green. There's a number of other Members who aren't here and they're green. Now, I would ask . . ."

Speaker Redmond: "Dump the Roll Call. Dump the Roll Call."

Fleck: "Back there . . . they're not . . ."

Speaker Redmond: "It's too late they tell me. Can we dump it? Wait a minute, we're in the process of doing something here. Dump the Roll Call. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. Representative Fleck, now what you got? The Clerk will take the Record. On this question there's 76 'aye', 66 'no'. The motion prevails. The vote by which Amendment #5 to Senate Bill 1024 will be reconsidered. Now, Representative Walsh."

Walsh: "Mr. Speaker, I move to table Amendment #5."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Well, I think this is too important a motion, I would ask for a Roll Call, Mr. Speaker. I don't want to take up the time of the House, but I . . . I think I take up less time than the Hartford Insurance Company does."

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker, this is the Gentleman's motion . . . Representative Jaffe wants to offer this Amendment. I would hope that the Assistant Minority would withdraw his question, let Representative Jaffe explain the Amendment, have some debate and then vote on it."

Speaker Redmond: "Representative Walsh."

Walsh: "Well, Mr. Speaker, we were going to consider this matter when the contract between the Hartford Insurance Company and the Illinois State Medical Association was produced next Monday. Now, if . . . ah . . . if in our opinion and by our I mean . . . ah . . . Mr. Schuneman and others and I . . . ah . . . feel that the wording is not as we were told it was, then we . . . I would certainly support a motion to take this . . . this Amendment from the table and bring the Bill back to Third Reading. The Sponsor of the Bill indicated



that he would be willing to do that and then at that time we can consider the Amendment. I don't see . . . I don't think there's anything more we can say about it right now though."

Speaker Redmond: "Representative Jaffe."

Jaffe: "I would like to offer the Minority Leader a contrary proposal.

Why don't we just leave it on and leave it on Second Reading and then . . . and then we'll see what happens next week."

Speaker Redmond: "Representative Walsh."

Walsh: "The problem with that, Mr. Speaker, is that the Bill could not then be called on . . . ah . . . on Monday for passage. Ah . . . Or tomorrow . . . or Monday for passage and I would just as soon the Bill would move and . . . ah . . . we could do as we had agreed with the Sponsor of the Bill."

Speaker Redmond: "Representative Jaffe."

Jaffe: "I think the Minority Leader would find out that my position is correct and if we follow his order of business . . . ah . . . then we would not be able to bring it . . . we would not be able to vote on the Bill. I think you're going to find that my position is correct and if we leave it just as it is, everything will go along fine and we can vote it up or down in that particular day."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. I think that the Sponsor of the . . . the original Sponsor of the Amendment has offered a reasonable solution to the whole problem. Now, it seems to me and I don't want to infer or . . . or in any fashion that anyone has a special interest here. But I think that this is an issue that is so important to all of us . . . all of us in this state, not just one company, one insurance company, or one medical society or 5,000 doctors or 10,000 doctors. There's some 12,000,000 in this state and I think that the compromise offer by the original Sponsor of the Amendment is appropriate and in order at this time. I don't know that we are going to be out of here Monday. We're not going to be out of here Tuesday as far as I know. We're not going to be out of here next Friday as far as I know. In the ordinary course of business there are many, many Bills and many issues that will have to



be acted upon and I don't see no reason that this one has to have a special order of business. I think that the issue is clear and if someone has a special interest that they want to push here without consideration of the state as . . . as a whole, go right ahead and do it, but I think this should be on record."

Speaker Redmond: "Representative Marovitz. Marovitz, do you want to be recognized? Representative Boyle, your light is flashing."

Boyle: "Thank you, Mr. Speaker. Well, it's obvious that . . . ah . . . the distinguished Minority Leader and the insurance industry have the votes here to do what . . . ah . . . they want to do but . . . ah . . . if the . . . if they're going to be as fair as they purport to be, then looking at the Amendment in light of the contract of Hartford Insurance Company . . . ah . . . then I can see no harm by . . . ah . . . leaving the Amendment where it is. I . . . I don't think they have to table it at this time if they really want to be fair. Now, if they table this Amendment, we all know what's going to happen when they look at the contract. They're going to decide that the Amendment would violate the contract and it'll never be taken from the table. Let's not kid ourselves."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House, as Representative Walsh represents the concern he has, one of things that bothers me is that the insurance company to which he refers determines what's accepted . . ."

Speaker Redmond: "State your point."

Schneider: ". . . it's unilateral and we're taking out of the . . ."

Collins: "Mr. Speaker . . ."

Speaker Redmond: "State your point, Representative Collins."

Collins: "Mr. Speaker, we're on a non-debatable motion to table, and I . . . I think we're indulging in a good deal of dialogue here."

Speaker Redmond: "You're correct."

Collins: "Motion to table."

Speaker Redmond: "That motion . . . motion to table failed. Representative Schneider."

Schneider: "Could I have just a few minutes . . . then I'm saying that what



happens is that according to the way Bill represents this position is that if the Hartford Agency considers the government excessive in its influence then they, the insurance company, can withdraw. That's a unilateral act. I don't think we should be subject to it. I think it's a very simple courtesy to ask that the Amendment stay on and we proceed with the other Amendments and take the word of the Majority Leader, Representative Shea, that he would move it back at the will of all the Membership."

Speaker Redmond: "Representative Walsh."

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this Amendment to start with is absurd. I intend to withdraw my motion to table but I don't want to do it until I'm heard on it. Now, the Amendment says that if an insurance company, and I dare say I'm one of the few people here that have one in their hand or have read it, this Amendment says that if a company discontinues writing malpractice . . . medical malpractice insurance in this state, then they are foreclosed from writing any other type of insurance in this state. It doesn't say a word about rates. Now, a company can offer medical malpractice insurance under this Amendment at whatever rate they want to and if nobody buys it they still offer it, and they can continue to write other lines of insurance in this state. So the Amendment is absurd. As a matter of fact, Mr. . . . Mr. Speaker, . . ."

Speaker Redmond: "Representative Downs, for what purpose do you arise?"

Downs: "A point of order, Mr. Speaker, apparently the insurance industry has failed to deliver a copy of the contract to the Members on this side of the aisle. We don't have what he's looking at."

Speaker Redmond: "The Chair . . . the Chair requests that hereafter if . . ."

Walsh: "Mr. Speaker, I'm speaking . . . I'm speaking . . ."

Speaker Redmond: ". . . if there are Representatives of the insurance industry or any other industry, you bring it to the attention of the Chair or the Doorkeeper and I will make sure that they are forthwith ushered out of the Chambers."

Walsh: "Now, the Gentleman has a lot of nerve saying that . . ."



Speaker Redmond: "Now, Repre . . . Representative Walsh."

Walsh: ". . . I'm speaking to this Amendment and the words in the Amendment. Now, . . ."

Speaker Redmond: "Representative Walsh, continue."

Walsh: "Yeah, now if he and others, many of whom are Members of the Trial Lawyers Association, would take the trouble to read the Amendment they'd find that that's what I was talking about. That's what the Amendment says. The Amendment says nothing whatever about rates and discontinuance of writing this type of insurance at particular rates, and that's the only way the Amendment could be meaningful. The only way, Mr. Speaker, . . ."

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

Walsh: ". . . so I suggest to you that it's a bad Amendment to begin with and I was in error in voting for it and my reason for voting for it was that I thought that this would broaden the market. I repeat the effect of it is, I have been convinced by the Illinois State Medical Association, that it narrows the market and narrows it substantially. So I withdraw my motion to table, Mr. Speaker, and urge the Amendment be defeated resoundingly."

Speaker Redmond: ". . . back on the adoption of the Amendment, as I recall. The motion to table failed, did it not? Where are we?"

Unknown: "We're on the adoption of the Amendment."

Speaker Redmond: "We're on the adoption of the Amendment. Gentleman has moved the Amendment #5 to Senate Bill 1024 be adopted. All in favor vote 'aye' and opposed vote 'no'. Representative Friedrich."

Friedrich: "Mr. Speaker, I think that you have ruled improperly. Unless this motion . . . unless this Amendment is tabled, then it's still on the Bill, and I think you have to table it before you can resurrect it again. He just moved to reconsider the vote."

Speaker Redmond: "We reconsidered the vote by which it was adopted, . . ."

Friedrich: "All right."

Speaker Redmond: ". . . and that carried. Now, we're voting on the Amendment, on the adoption of the Amendment. Reconsider the vote by which it was amend . . . adopted. Representative Maragos. Representative Madison."



Madison: "Mr. Speaker, Mr. Speaker, what are we voting on?"

Speaker Redmond: "We're voting on the adoption of the Amendment, the vote by which the Amendment was adopted before, the Gentlem . . . Representative Walsh moved that that vote be reconsidered. Representative Jaffe moved that that motion lie on the table, the motion to table failed and the motion to reconsider carried, and that left the . . . the Bill without the Amendment attached. We are now voting on the adoption of Amendment #5 to Senate Bill 1024."

Madison: "Thank you, Mr. Speaker."

Speaker Redmond: "Representen . . . Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House, I'm kind of curious of who we're trying to support in the Legislature, the Hartford Insurance Company or the citizens of the State of Illinois. I think we're here to protect those citizens. We passed this Amendment once before, it was a good Amendment and now apparently there's some lobbying efforts being made on behalf of someone and I'm not sure who, but apparently they didn't come on this side of the aisle because we're still in the position we were before. We still think this is a good Amendment for the citizens of Illinois and not necessarily protective of Hartford Insurance Company, and I think Hartford ought to go back to New York unless they fulfill their obligations to the citizens of Illinois. This is a good Amendment and I'd like to see a lot of green lights."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, the argument that's being made by Mr. Walsh in opposing this Amendment is an argument that could be made about the entire Bill. What we're suggesting by adhering to this philosophy of beating down this Amendment is that if we do anything that's contrary to the wishes of the Hartford Insurance Company in their contract with the Medical Society that they have the right to cancel their contract. It seems to me that the entire Bill, unless it's in conformity with what this one insurance company wants, could be looked upon as interference with that contract. I submit to you that carrying this philosophy that far is . . . is . . . is really being bamboozled by one company



to draft the kind of insurance that they want and they want only; and if we don't do it we're saying, in effect, that they can cancel their contract. The . . . the argument being made by Mr. Walsh would apply to every pe . . . provision of this Act and it seems to me that it's foolhearted for us to try to conform with what one particular company wants."

Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, This Amendment has certainly given a lot of people a lot of opportunity to say a lot of things, a lot of innuendo and I think an attempt to paint one side or the other, whether it's the trial lawyers, the Hartford Insurance, the Medical Society or somebody else in the one corner or another. I think that's wrong on the part of every Member of this House who has got up and used that lose kind of rhetoric. The Sponsor of this Bill has indicated in response to Representative Schuneman that he will bring this Bill back to Second Reading if in fact the information Representative Schuneman is found not to be correct. Representative Walsh has indicated that if in fact the information is found not to be correct he will end up changing his position by Monday or whenever that contract becomes available. I think, Mr. Speaker, we end up wasting an awful lot of time arguing all of this today when we're going to end up redoing part of it Monday. I suggest we leave a little bit of time to cool off, to cool off the rhetoric, to approach this situation with a little more sense and sanity and go on with this thing because we're going to go through all of this Monday again."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker and Members of the House, it seems like two hours ago several of us got up and said we ain't ready yet to vote on this issue, and I think everything that's transpired for the last couple of hours has indicated quite clearly we ain't ready yet. Now, I . . . I simply don't understand hardening, crystalizing and knealing process which is going on here and people here are taking hard sides on facts you simply don't have within your grasp. I said two hours ago that if we voted out the Bill as it came out of Committee at



least you'd be safe in not doing any harm to the people of the state. Now, you don't know what you're doing. I'm voting for this Amendment because I think at least it doesn't do a disservice to the concept we're trying to arrive at and that is to protect the victims and the victims in the order of importance are the public of the state, the hospital people and the medical profession. That's my priority; and I think this Amendment would help them not hurt them. But I repeat as I sit down, we simply don't know what we're doing with this Bill."

Speaker Redmond: "Representative Davis."

Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I have a red light up there and I'm proud of it, and I'm going to tell you why. I just walked over there and read that Amendment, and what that Amendment says if they don't write that malpractice insurance, they're going to run 'em out of the State of Illinois. Well, move to the south side and talk to some black brokers if you will. They cannot face their business now. There's no market for them now. Start chasing these insurance companies out of the State of Illinois and the Legislature will have to take their salaries and . . . and go down to the Insurance Director and get a certificate to write this insurance. Why they're burning down houses out there and they don't have any insurance companies, you're gonna' run somebody out because they refuse to take a policy. I'm proud to put that red vote up there and kill that Amendment. It's wrong. You talk about free enterprise and that sort of thing and here you're gonna' run an insurance company out of Illinois. Take your salaries then and put it together. Go and get you a certificate, open you up an insurance company and then you insure the malpractice instead of talking about running big business out of this state."

Speaker Redmond: "Representative Calvo."

Calvo: "Well, Mr. Speaker, I guess . . . ah . . . I'll address a kind of rhetorical question to the Speaker, all right, or whoever wants to answer it. You know, I stepped out . . . ah . . . shortly after the vote on Amendment 5 and . . . ah . . . now I'm back and you know in Connecticut they pay the Legislators about . . . ah . . . I



don't know, something less than \$1,000 a year. I wonder if suddenly I walk back into the Legislature in Connecticut."

Speaker Redmond: "Representative Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose Amendment #5 and would encourage you to listen to the following: Number 1, we have approximately 4 companies in the State of Illinois that write the major medical malpractice insurance. They're Argonaut who writes approximately 50 percent of the hospitals, Hartford who writes approximately 45 percent of the doctors and Medical Protective who writes approximately 45 percent of the doctors. Now, what you're saying by this Amendment is that if it were to pass, and Argonaut because of the losses they sustained over the next . . . over the past few years of \$83,000,000, that they were to withdraw from writing hospital insurance for a period of time, that they could not under circumstances come back in the State of Illinois and write insurance again for a period of three years. I submit to you that if you pass this Amendment that you are having the reverse effect, and you are in fact kicking out companies out of the State of Illinois who have previously written insurance. Now, I suggest to you that you are not thinking of the people of the State of Illinois and the consumers because the void that we have created in the State of Illinois by kicking them out will not be filled by any other company; and I suggest to you that the evidence is clear that medical malpractice insurance is not profitable in the State of Illinois and I would encourage your 'no' vote on this Amendment."

Speaker Redmond: "Representative Boyle."

Boyle: "Thank you . . . thank you, Mr. Speaker. Briefly, if we allow Hartford to legislate for us in this matter, what will we do next week when State Farm threatens to lose . . . to leave Illinois. How 'bout the New Hampshire group? Will we legislate for them, will we legislate for the A.M.A. when they threaten . . . the doctors threaten to go on strike, how about the trial lawyers, we're going to legislate for them, the American Hospital Association? Mr. Speaker, Ladies and Gentlemen of this House, everybody can leave



the State of Illinois except the people. The people can't leave the State of Illinois and that's who were sent down here to legislate for, Mr. Speaker, the people. We've adopted this Amendment once, we should stay with our vote originally, we should get one for the people and vote green, vote to adopt this Amendment. Do one thing for the people of the State of Illinois. Mr. Speaker, I see there's a lot of lights up there on the board and Members absent. At the appropriate time if there are more red votes than green votes, I intend to ask for a verification of the Roll Call."

Speaker Redmond: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, you know, Hartford Insurance Company happens to be one of the largest insurance carriers in the United States and as a matter of fact in the World. Now if this Bill was passed and they decided not to write this . . . ah . . . type of insurance in the State of Illinois, can you imagine that all of the employees that have group insurance, which is on an annual renewable contract, everyone who has a health insurance policy is supposed to be notified if their insurance is going to be terminated and they're supposed to seek insurance elsewhere. Insurance industries is a profit-making organization just like any other industry, and if they can't write this type of insurance, they can either rate it out, they can increase it, but this is certainly a ridiculous . . . ah . . . piece of legislation to make it binding on an insurance company to write a non-profitable piece of business and I would urge a 'no' vote on this."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, let me just say that we've heard a lot about governmental interfering; if anybody sat before the Judiciary Committee they would find out that the only time increased rates were . . . would be admitted to was when the insurance company said that if you passed Senate Bill 1024 because of the panel you might have increased insurance rates. I would, therefore, suggest to you that this entire act might be government interference and I think that the entire act might be folly. However, I think that this



Amendment is a good one; it keeps those medical malpractice insurance carriers in this particular state, and I along with Representative Boyle would like to ask for a verification at the proper time."

Speaker Redmond: "Have all voted who wish? Representative Mautino."

Mautino: "Mr. Speaker, and Ladies and Gentlemen of the House, I am neither an attorney nor insurance man. I'm proud of that green vote on that board because I'm wondering right now if we would have accepted Amendment #4 which froze the premium rates if this same situation would have occurred. I'd almost bet my bottom dollar that it would've. I'm proud of that green vote, and I'd like to see more of them up there."

Speaker Redmond: "Have all voted who wish? Clerk . . . Representative Jaffe, do you want recognition again?"

Jaffe: "Yeah, I'd like a verification of the negative vote . . . Roll Call, Mr. Speaker."

Speaker Redmond: "The Clerk will take the Record. On this question there's 70 'aye' and 81 'no'. The Gentleman has requested a verification. Representative Walsh. Representative Walsh."

Walsh: "Well, Mr. Speaker, that's perfectly all right, you can take it in whatever order you wish, but . . . ah . . . I would ask verification of the other side if the Gentleman has not removed his request . . . ah . . . beforehand."

Speaker Redmond: "The Clerk will take the . . . or verify . . . Representative D'Arco."

D'Arco: "Mr. Speaker, on which side are the 'present' votes counted?"

Speaker Redmond: "Not counted, they have to be on the question. The Clerk will verify the affirmative Roll Call."

Jack O'Brien: "E. M. Barnes. Beatty. Beaupre. Berman. Borchers. Boyle. Caldwell. Calvo. Catania. Craig. Cunningham . . . o . . . Downs. John Dunn. Fary. Fennessey. Fleck. Gaines. Geo-Karis. Getty. Greiman. Hart. Holewinski. Dan Houlihan. Jim Houlihan. Huff. Jacobs. Jaffe. Emil Jones. Kane. Katz. Kozubowski. Laurino. Lechowicz. Leon. Leverenz. Londrigan. Lundy. Madison. Mann. Maragos. Marovitz. Mautino. McClain. McGrew. McLendon. Merlo. Meyer. Malloy. Mugalian. Mulcahey. O'Daniel. Patrick.



Pierce. Pouncey. Richmond. Sangmeister. Satterthwaite.

Schlickman. Schneider. Schraeder. Skinner. Stearney. Taylor.

VanDuynes. Waddell. Washington. Willer. Younge. Yourell."

Speaker Redmond: "Any questions? Any questions of the affirmative Roll

Call? Representative Walsh."

Walsh: "Darrow?"

Speaker Redmond: "I hear . . . there he is."

Walsh: "Ah . . . J. M. Houlihan?"

Speaker Redmond: "Is Houlihan here? Jim Houlihan? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off."

Walsh: "Huff?"

Speaker Redmond: "Huff? Representative Huff, he's here."

Walsh: "Emil Jones?"

Speaker Redmond: "He's not here. Take him off."

Walsh: "Laurino?"

Speaker Redmond: "Laurino, was that?"

Walsh: "Yes."

Speaker Redmond: "Is Representative Laurino here? How is he recorded?"

Jack O'Brien: "Gentlemen is recorded as voting 'aye'."

Speaker Redmond: "Take him off."

Walsh: "Lechowicz?"

Speaker Redmond: "Representative Lechowicz here? How's he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off."

Walsh: "Leon?"

Speaker Redmond: "Representative Leon? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Walsh: "Leverenz?"

Speaker Redmond: "Representative Leverenz? He's here."

Walsh: "Gaines?"

Speaker Redmond: "Representative Gaines? Is Representative Gaines here?

How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off."



Walsh: "Geo-Karis?"

Speaker Redmond: "Representative Geo-Karis? Representative Geo-Karis here? How is she recorded?"

Jack O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Redmond: "Take her off."

Walsh: "Marovitz?"

Speaker Redmond: "Representative Marovitz? How is he recorded?"

Jack O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off. Representative Lechowicz has returned. Put him back on."

Walsh: "McGrew?"

Speaker Redmond: "Representative McGrew is back on. He's here."

Walsh: "Mugalian?"

Speaker Redmond: "I didn't get that. Representative Mugalian? I understand he's up in the Gallery."

Walsh: "Does that count?"

Speaker Redmond: "They tell me he's up here."

Walsh: "Does that count? All right. Getty?"

Speaker Redmond: "Representative Getty? How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "There he is, he's here, he's here."

Walsh: "Pierce?"

Speaker Redmond: "Representative Pierce is here."

Walsh: "Pierce is here, okay. Meyer?"

Speaker Redmond: "Representative Meyer is here. Representative White should be recorded as 'aye'."

Walsh: "Waddell?"

Speaker Redmond: "Representative Waddell is here."

Walsh: "Yourell?"

Speaker Redmond: "Do you seek recognition, Representative Waddell?"

Waddell: "Change my 'aye' to 'nay' please."

Speaker Redmond: "Would you change the Gentleman from 'aye' to 'nay'?"

Walsh: "And I'm glad he did, Mr. Speaker. Beatty?"

Speaker Redmond: "What was his last one?"

Walsh: "Beatty?"



Speaker Redmond: "Representative Beatty? Is Representative Beatty here? Beatty? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him from the Roll Call."

Walsh: "Yourell?"

Speaker Redmond: "Yourell? Is he here? How's he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off."

Walsh: ". . . further question, Mr. Speaker."

Speaker Redmond: "Representative VonBoeckman?"

VonBoeckman: "How am I recorded?"

Speaker Redmond: "How's the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as not voting."

VonBoeckman: "Vote me 'aye'."

Speaker Redmond: "Vote the Gentleman 'aye'. Representative Griesheimer?"

Griesheimer: "Mr. Speaker, how am I recorded?"

Speaker Redmond: "How is he recorded? Griesheimer."

Jack O'Brien: "Gentleman is recorded as not voting."

Griesheimer: "Vote me 'no' please."

Speaker Redmond: "Vote the Gentleman as 'no'. Representative Duff."

Duff: "Vote me 'no' please, Mr. Speaker."

Speaker Redmond: "Vote Duff . . . vote him 'no' . . . the negative Roll Call. Representative Walsh?"

Walsh: "Ah . . . Could we have some idea of what we have now, what the . . . ah . . . what the negative vote is now?"

Speaker Redmond: "You can, 62 'yeas', . . ."

Walsh: "And 81 'nays'."

Speaker Redmond: ". . . and 84 'nays'."

Walsh: "84, okay, thank you."

Speaker Redmond: "Proceed with the verification of the negative Roll Call."

Jack O'Brien: "Anderson."

Speaker Redmond: "Gentleman has withdrawn his request for a verification.

I . . . somebody . . . who was that, Matijevich. Oh, okay, proceed with the verification of the negative Roll Call."

Jack O'Brien: "An . . ."



Speaker Redmond: "Representative Boyle? Representative Boyle?"

Boyle: ". . . on, Mr. Speaker, I believe the rules of the House provide that when there's a verification of the Roll Call the Members be in their seats and I direct your attention to the other side of the aisle. They're all over the place over there and it's very difficult for us to . . . ah . . . verify a Roll Call when they're all over and also I'd ask that all unauthorized people be . . . ah . . . cleared off the floor."

Speaker Redmond: "You're absolutely correct. Will the Members please be in their seats, that's on both sides of the aisle, and any unauthorized persons leave the floor. Representative Boyle, you're standing up. Verify the negative Roll Call."

Jack O'Brien: "Anderson. J. M. Barnes. Birchler. Bluthardt. Bradley. Brandt. Brummet. Campbell. Capparelli. Capuzi. Carroll. Chapman. Choate. Coffey. Collins. Daniels. D'Arco. Davis. Deavers. Deuster. DiPrima. Duff. Ralph Dunn. Dyer. Ewing. Farley. Flinn. Friedland. Friedrich. Garmisa. Giglio. Giorgi. Griesheimer. Grotberg. Hanahan. Hill. Ron Hoffman. Hudson."

Speaker Redmond: "Representative Sharp, for what purpose do you arise?"

Sharp: "Yes, I'd like to be recorded as voting 'aye'."

Speaker Redmond: "Vote the Gentleman 'aye'. Representative Leon is returning . . . 'aye'."

Jack O'Brien: "Leon wants to change his vote, Mr. Speaker . . . ah . . . after Hudson is J. D. Jones. Kempiners. Kent. Kosinski. Kucharski. Lauer. Leinenweber. Kornowicz. Luft. Macdonald. Madigan. Mahar. Matijevich. McAuliffe. McCourt. McMaster. McPartlin. Miller. Mudd. Nardulli. Neff. Palmer. Peters. Polk. Porter. Reed. Rigney. Ryan . . . sler. Schoeberlein. Schuneman. Shea. Simms. E. G. Steele. C. M. Stiehl. Stone. Telcser. Terzich. Tipsword. Totten. Tuerk. Waddell. Walsh. Washburn. Winchester. Mr. Speaker."

Speaker Redmond: "Any questions . . . negative Roll Call? Mr. Jaffe, Representative Jaffe?"

Jaffe: "Oaky. Bradley?"

Speaker Redmond: "Representative Bradley is here."



Jaffe: "Mr. Speaker, before we start, can we find out what this . . . the Roll Call is at the present time?"

Speaker Redmond: "64 'aye', 84 'nay'."

Jaffe: "Brandt?"

Speaker Redmond: "Who?"

Jaffe: "Brandt."

Speaker Redmond: "Brandt? Is Representative Brandt on the floor? How is he recorded?"

Jack O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Jaffe: "Bluthardt?"

Speaker Redmond: "Representative Bluthardt is here."

Jaffe: "Ah . . . Campbell?"

Speaker Redmond: "Campbell's here."

Jaffe: "Ah . . . Capuzi?"

Speaker Redmond: "Representative Capuzi, he's in the back."

Jaffe: "Ah . . . Chapman?"

Speaker Redmond: "Representative Chapman, she's here."

Jaffe: "Ah . . . Collins?"

Speaker Redmond: "Collins is right here."

Jaffe: "Daniels?"

Speaker Redmond: "Representative Daniels is in his seat."

Jaffe: "Ah . . . Deavers?"

Speaker Redmond: "Representative Deavers is here."

Jaffe: "Ah . . . DiPrima?"

Speaker Redmond: "DiPrima is here."

Jaffe: "Ah . . . Duff?"

Speaker Redmond: "Representative Duff is in his seat. Representative Madison, for what purpose do you arise?"

Madison: "Mr. Speaker, doing a verification of the odd votes, there were several people that were taken off that have now returned to the Chamber, can they be put back on?"

Speaker Redmond: "Who are they?"

Madison: "Ah . . ."

Speaker Redmond: "I think they put 'em back on."



Madison: "Representative Geo-Karis was taken off. Representative Leon was taken off."

Speaker Redmond: "Would you bring that to our attention at the end, please?"

Madison: "Thank you."

Speaker Redmond: "Proceed."

Jaffe: "John Dunn?"

Speaker Redmond: "John Dunn, is he here? He's in the back."

Jaffe: "Ah . . . Friedland?"

Speaker Redmond: "Representative Friedland's in the aisle."

Jaffe: "Ah . . . Garmisa?"

Speaker Redmond: "Representative Garmisa's here."

Jaffe: "Giglio? Mr. Speaker, Giglio?"

Speaker Redmond: "Giglio is back there."

Jaffe: "Ah . . . Ewell?"

Speaker Redmond: "Representative Ewell? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as not voting."

Speaker Redmond: "Keep him not voting."

Jaffe: "Ah . . . Hanahan?"

Speaker Redmond: "Representative Hanahan? Hanahan? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Unknown: "There he is right here."

Jaffe: "Hill?"

Speaker Redmond: "Representative Hill? Is Representative Hill in the Chamber? How is he recorded?"

Jack O'Brien: "Gentlemen is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Jaffe: "Ah . . . Hudson?"

Speaker Redmond: "Who was that?"

Jaffe: "Hudson."

Speaker Redmond: "He's here."

Jaffe: "Ah . . . J. D. Jones?"

Speaker Redmond: "He's here."

Jaffe: "Ah . . . Kucharski?"



Speaker Redmond: "Representative Kucharski? He's here."

Jaffe: "Ah . . . Luft?"

Speaker Redmond: "Representative Luft? He's here."

Jaffe: "Ah . . . Macdonald?"

Speaker Redmond: "Representative Macdonald, she's here."

Jaffe: "McMaster?"

Speaker Redmond: "Representative McMaster? He's here."

Jaffe: "Ah . . . Mahar?"

Speaker Redmond: "He's here."

Jaffe: "Ah . . . Patrick?"

Speaker Redmond: "Patrick, he's here."

Jaffe: "Peter?"

Speaker Redmond: "Pierca?"

Jaffe: "Peters?"

Speaker Redmond: "Peters? He's here."

Jaffe: "Where?"

Speaker Redmond: "Right in back of you."

Jaffe: "Ah . . . Porter?"

Speaker Redmond: "Representative Porter? Is Representative Porter here?"

How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Jaffe: "Ah . . ."

Speaker Redmond: "Representative Williams, for what purpose do you arise?"

Williams: "I'd like to find out if I'm recorded."

Jack O'Brien: "Gentleman is recorded as not voting."

Williams: "Vote me 'aye', Sir."

Speaker Redmond: "Vote him 'aye'."

Jaffe: "Ah . . . Rigney?"

Speaker Redmond: "Representative Rigney is here."

Jaffe: "Schisler?"

Speaker Redmond: "Schisler? Is Representative Schisler in the Chambers?"

How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."



Jaffe: "Ah . . . Ryan? Ryan?"

Speaker Redmond: "Representative Ryan is talking to the girls."

Jaffe: "Ah . . . Schoeberlein?"

Speaker Redmond: "Representative Schoeberlein is here."

Jaffe: "Ah . . . Simms?"

Speaker Redmond: "How is Representative Simms recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Jaffe: "Telcser?"

Speaker Redmond: "He's here. Any further questions?"

Jaffe: "Ah . . . no, that's it, Mr. Speaker."

Speaker Redmond: "That's it. Mr. Clerk, what's the count? 65 'yeas', 75 'nay' . . . 79 'nays' and 2 'present'. The Amendment fails. I wonder if I could at this time introduce you to an old friend of this House of Representatives, Representative DiPrima."

DiPrima: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm very proud to have with me here today and . . . ah . . . well, first there's a Resolution I'm gonna' introduce and I'd like to have this Resolution read by Mr. O'Brien. Jack O'Brien, will you read this Resolution, please?"

Jack O'Brien: "House Resolution 395, whereas, those among the citizens of Illinois who layed down their day to day pursuits to take up arms against a foreign enemy of the United States are among the first citizens of the land and are deserving of the highest praise and reward; and, whereas, the veterans of foreign wars has ably represented veterans and their families and government circles, has provided social deversions for its members and has fostered the spirit of Americanism since its foundation more than 75 years ago; and, whereas, the Illinois Department Veterans of Foreign Wars is among the largest and strongest of the several departments of the great organization known as the V.F.W.; and, whereas, the Illinois Department of the V.F.W. is holding its 1975 convention in Springfield from June 19 through June 22, 1975; and, whereas, the continuation and expansion of the work of the V.F.W. is an end to be desired by each



of the people of Illinois, therefore, be it resolved by the House of Representatives of the 79th General Assembly of the State of Illinois that we commend the Illinois Department of Veterans of Foreign Wars upon the many services which it has performed on behalf of veterans of our state and on behalf of each of the people and be it further resolved that the way . . . we wish for each of the department officers and delegates of the 1975 Convention in Springfield a pleasant and fruitful meeting, and be it further resolved that we extend the compliments of the people of Illinois to the Illinois Department V.F.W. and to each of its members for the continuation of the excellent programs and veterans affairs and Americanism from which the V.F.W. has always conducted, and be it further resolved that suitable copies of this Preamble and Resolution be presented to the Department Commander Robert J. McMann and to Department Adjutant William L. Grasford and for acceptance on behalf of each member of the Illinois Department Veteran of Foreign Wars."

Speaker Redmond: "The order of business is Resolutions. The Chair recognizes Representative DiPrima for the purpose of moving the adoption of the Resolution."

DiPrima: "Mr. Speaker, Ladies and Gentlemen, I move for the adoption of the Resolution."

Speaker Redmond: "All in favor vote 'aye', indicate by saying 'aye', oppose 'no'; the 'ayes' have it; the Resolution's adopted. Now, Representative DiPrima."

DiPrima: "Ladies and Gentlemen, at this time it gives me great pleasure to introduce the State Commander of the Veterans of Foreign Wars, Commander Robert McMann. Commander McMann."

Commander McMann: "Thank you. My deep appreciation in the name of about 112,000 members that represent the V.F.W. in Illinois for the fine efforts of the Illinois legislation to remember our veterans on so many occasions. Thank each and every one of you, Gentle . . . Gentlemen and Women. I also invite you to join us if you can get away this evening to our headquarters over here at the Forum 30. You are certainly welcome. We'd certainly like to have you stop by



When you finally get out of here and enjoy some of our hospitality.

Thank you very much."

Speaker Redmond: "Order of business is...ah...Senate Bill Second Reading we are on Senate Bill 1024." Are there any other Amendments?"

Jack O'Brien: "Amendment #18, Fleck."

Speaker Redmond: "Representative Fleck."

Jack O'Brien: "Amends Senate Bill 1024 on page 8 by deleting line 30 to 34 and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Thank you, Mr. Speaker. "If I could have a little bit of order Mr. Speaker, I'd like to... Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #18 to Senate Bill 1024 would provide that a patient who has a claim in excess of \$500,000.00 may assert that claim against the hospital for \$500,000.00 the doctors..."

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

Shea: "Mr. Speaker, is this Bill in conformance with the Bill as amended ...the Amendment in conformance?"

Speaker Redmond: "I've been advised by the Parliamentarian that it is not."

Fleck: "I will table that Amendment."

Speaker Redmond: "Leave to table Amendment #18, hearing no objections Amendment #18 tabled. Any further Amendments?"

Jack O'Brien: "Amendment #19, Hart. Amends Senate Bill 1024 as amended on page 9 by inserting after line 31 the following paragraph."

Speaker Redmond: "Representative Hart."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment would...a...prohibit the taking of any kind of agreement from the patient...ah...before the operation or hospitalization. If you have ever been into a hospital and gone in an ah...and they said after you finally get in to a hospital that present you with a form that you have to sign before you can have an operation, and then you are caught in the middle. You want the operation but...ah...intelligently and intellectually you know that you shouldn't sign any agreement and it shouldn't provide any kind of relief or other...ah...ah...pre-operative...ah agreement whereby the doctor can go in there and do anything they want to and relieve the hospital or the doctor from any liability for what happened. So



this would make any kind of...ah...ah agreement prior to the operation illegal and void in contrary to public policy and I think this would have ah...go a long way in taking away some of the hostilities that may exist between the patient and the doctor when these kind of situations arise."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Would the Sponsor yield to a question?"

Speaker Redmond: "Indicates he will."

Friedrich: "Representative Hart, I thing that I have the right to hold you harmless in anything I want to do but would you care to Amend this to say that no medical attention could be refused because someone refused to sign a hold harmless agreement."

Hart: "Well I don't know whatever, whether we're changing anything in that regard and first, and first of all I would take issue with a question of whether or not you have the right to hold me harmless prior...prior to the conduct of any kind of ah...ah...medical operation or anything else that I might do. The courts have trended...ah...tended to hold...ah...exculpatory clauses in contracts as being void against public policy and all I'm trying to do by this Amendment is to affirmatively say that they are in this Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Would the gentleman respond to a question or two?"

Speaker Redmond: "He will."

Yourell: "Ah...Representative Hart, I am a little concerned with this Amendment as in relation to what we commonly know as...ah...ah...ah...medical consent. Now are you saying by the Amendment that ah...any application or agreement...ah that a doctor may wish to have you sign relative to a medical procedure ah...would...ah be eliminated with this Amendment and I'm thinking specifically of...ah abortion. Ah...it's been proven medically that aborted, those individuals who have been aborted...ah in future pregnancies...ah the child that is a result of that pregnancy after the abortion...ah can have and sustain brain damage and it is the practice now as I understand it for a doctor who does abort a fetus that he must inform or should inform the patient of any...ah...subsequent...ah actions or reactions...ah that would be the result of that medical procedure. Are we saying



by this Amendment that a medical consent can no longer be a part of the patient doctor relationship?"

Hart: "No, unless it is exculpatory or contains some kind of a release.

It's...it's...this would not prevent you signing some kind of agreement that you know that you're knowing you are going to have an operation, but it would...ah prevent the taking of any kind of ...ah written agreement which would provide any kind of liability for the result of the...ah operation."

Speaker Redmond: "Any further discussion?"

Speaker Redmond: "Representative Terzich."

Terzich: "Yes, Representative Hart,...ah would this...ah also make it null and void if there was an agreement say with a doctor for a patient that might have to go...under go some new type surgery that ...ah the doctor may...ah not know what the results may be but it might be a life saving or a corrective type surgery? Would this relieve the...ah patient from any obligation of agreeing to such an operation?"

Hart: "Well, it would, it would prohibit the agreement if it provided a release of any liability for the undertaking of the operation. Now, this wouldn't it...it your question is similar to the one that Representative Yourell asked. It...it wouldn't prohibit the doctor from taking ah...ah statement from you that he has explained the thing to you and that you understand it, but if it relieves him or the hospital from any kind of...ah liability for their negligence or for...or you know, after all, in the first place you can't recover from a doctor or a hospital unless you can prove that they were negligent and ah...so in taking any kind of release they could not incorporate any language in it which would relieve them from their negligence in the event that there was some."

Terzich: "Well...ah at the present time can't anyone over 18 sign a release such as...ah a settlement on a claim or anything of this nature to...ah release themselves or whatever it might be from liability?"

Hart: "Ordinarily not. Those kind of agreements are generally held to be violative of public policy and especially in a situation where the two are not really...ah...ah at arms length to each other. In



other words the pa...the doctor has much more information and knowledge about really what is going to happen than the patient has and the patient is in a position of you know...you either you have the operation or sign the paper or you don't get it and so...ah...ah...under the conditions that prevail...ah...when you have a doctor patient relationship, I do not believe the courts would...ah...allow...ah...ah...such a thing but I would like to put it into law to prevent it from even happening."

Terzich: "Well, then you're saying that if I want to...ah...give a doctor permission and I want to relieve him of any liability, then I would be denied that right of...ah...doing so?"

Hart: "Yes, and that's because under the conditions that you...you would be signing it you would not really be in...ah...ah...ah...bargaining...ah...position."

Terzich: "Well, I'm three times seven, thank you."

Speaker Redmond: "Any further discussion? Representative Daniels."

Daniels: "Representative Hart, will you yield for a question?"

Speaker Redmond: "He indicates he will."

Daniels: "Would you define in your language what you mean by exculpatory in nature?"

Hart: "Well, it's...it's...it's...such a nature that it would relieve a doctor or hospital from liability for negligence."

Daniels: "Well, aren't you saying that in the following...ah...portion of that sentence?"

Hart: "Yes...yes... it's like lawyers usually do. We say things twice."

Daniels: "So you're duplicating the language there?"

Hart: "Well, in a sense yes."

Daniels: "Would you then consider...ah...holding this for a minute and eliminating those words exculpatory in nature or and then just...ah...put in there so it is not duplicating the words?"

Hart: "Well, I...I...I don't think that's necessary. I think that the language that's in here...ah...is not of such a redundancy that it...it would need to be eliminated."

Daniels: "Well, I think that you find that there's a great deal of body of law on the terminology 'exculpatory in nature' and my concern is that you are not in fact duplicating the language but you are in



fact using words of art in the legal profession and I think by throwing that in, that you get to some of the problems that Representative Terzich brought out earlier, and would consequently urge you to do that, unless you do I would recommend a no vote on this Amendment."

Speaker Redmond: "Anything further? Representative Geo-Karis."

Geo-Karis: "Ah may I address a question to the Sponsor, Mr. Speaker?"

Speaker Redmond: "Proceed."

Geo-Karis: "Ah, Mr. Sponsor, at the present time when anyone wants any surgical care ah from a doctor or from hospitals..ah..I believe there is a statement that they do sign and I believe it is in itself exculpatory in nature. Am I correct?"

Daniels: "Well it, it could be or could not be I...ah...there are, I guess every hospital has a different...ah...statement that it uses."

Geo-Karis: "But under the law of Illinois at the present time if I recall correctly Illinois hasn't looked at a law case in almost six months..ah..the negligence factor cannot be exculpated out ah...even under such an agreement. Isn't that right?"

Daniels: "Well of course that's always a question that would be ultimately decided by the courts and I think there is possibility that the courts would under certain circumstances oppose such an agreement but I don't think that ah..I think it's the ah...if the...ah...statutes are made of void as contrary to public policy ..ah..then there would be no doubt about it, and it would not be a matter that would even have to be litigated."

Geo-Karis: "May I speak in a question, Mr. Speaker? Ah, Mr. Speaker, and Ladies and Gentlemen of the House, much as I would like to agree with my esteemed colleague this is one time that I'm going to have to disagree with him, because I feel if we are going to have a meaningful malpractice insurance coverage we should not let anything stand in it's way and I feel if we do pass such a policy..ah..such policy of legislation..ah..we will pass the doctors who are inadequate taken to task because I know there some doctors who bury their mistakes, but there are a lot of good doctors, and I do feel that we should give the



malpractice insurance a chance to work once it passes."

Speaker Redmond: "Any further discussion? Representative Hart to close."

Hart: "Well I'm a little confused by the various arguments that have been placed against...ah this...ah most of which I consider to be a little bit nitpicking, but a doctor and a patient are not in an equal bargaining position when you get into the situation where you need medical treatment, and I don't think any doctor would object to this if all the rest of the doctors were on the same basis under the law, but if you've ever gone to a hospital and taken your family in there and you're set for an operation and you have this form pushed in fo...front of you, that you either sign and get the operation or you don't sign and you have to take your family back home, then I think it's a situation that ought to be done away with, and this would prevent the taking of any kind of release of liability prior to the operation and I think it's an excellent Amendment; I think that it should be incorporated in the Bill, if we're going to have the provisions that protect the doctor we ought to have something in here to protect the patient, and I ask for the adoption of this Amendment."

Speaker Redmond: "The Gentleman's move the adoption of the Amendment #19 to Senate Bill 1024. All in favor of the adoption vote 'aye', oppose vote 'no'. I've been advised that there are six lost chicken dinners in the Speaker's corridor. Representative Katz, are those your chicken dinners?"

Katz: "Ah I'd be happy to take that in lieu of explaining my vote, Mr. Speaker. Ah, Mr. Speaker, I'm speaking ah to explain my vote in favor of the Amendment. The fact to the matter is that without this kind of Amendment if every doctor in the State takes a position that they will not run the medical services unless the patient signs a release..ah unless you are going to do without medical services there will be absolutely no recourse. Now it does not mean the people seem to be worried about the fact that what if they don't want to, if



they want to sign it. Well, no one has to sue a doctor. I mean you know a doctor doesn't need this if a patient doesn't want to sue him. It's within the patient right not to, but the effect of not having this kind of provision would be to deny medical treatment to everybody unless they would do it and that's the only reason, if I understand it, for the Amendment so I vote 'yes'."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 42 'ayes', 51 'no' and the Amendment fails. Any further Amendments?"

Jack O'Brien: "Amendment #20, Fleck. Amends Senate Bill 1024 in the House as amended in the Section beginning this Amendatory Act takes effect 60 days and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Well, Mr. Speaker earlier I presented an Amendment which would deal with the right to bring suit in all cases now that we have the cap on this Bill. House Amendment #20 would remove the limitation for causes of actions that have accrued before the effective date of this Act in amounts exceeding \$500,000.00 only. If we're going to deal with the cap, then we're talking about those few very severe injuries, those very very bad, bad malpractice cases where the patient has been rendered to the stage of being a vegetable. I think this General Assembly in all its conscience, all its conscience should at least adopt this Amendment, to give those patients who are right now have their cause of action..."

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

Friedrich: "I'm sorry, but I don't believe that Amendment has been distributed and I'm not trying to be dilatory here, but if I can get a copy from somebody else I'd be glad to see one."

Speaker Redmond: "Evidently they...you weren't on the route. Proceed Representative Fleck."

Fleck: "Yes, Mr. Speaker. This will deal with those few actions. Now, as we explained earlier there's only been four cases with verdicts succeeding half a million dollars. You've seen the results on the poop sheets. Quadriplegics, multiple amputations for patients who have gone in the hospital for minor ailments. This Amendment will



at least help those who need the help most. Those patients who are sitting in hospitals right now or recovery wards who might be in semi-comatose state. If you don't approve this Amendment Ladies and Gentlemen of the House, you have no hearts, you have no feelings and you have no emotions for those who need your help the most. I urge the adoption of House Amendment #20 to Senate Bill 1024."

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

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House. I submit that the Amendment is faulty in paragraph 2 because it says however the 500,000 limitation provided in this Act does not operate retrospectively. I think what they should have probably said is retroactively. I don't even know what they mean by retrospectively in this case."

Speaker Redmond: "Representative Shea."

Shea: "Well Mr. Speaker, Ladies and Gentlemen of the House. Under the present law medical malpractice claims have about a ten year statute of limitations on it. What this Bill would effectively do is to attempt to put off the limitation for the next ten years for anybody that has been previously injured but has not filed suit yet. I think it is a bad Amendment. It would hurt the Bill and I would...ho...hope that it would not be adopted."

Speaker Redmond: "Representative Fleck."

Fleck: "Well in closing Mr. Speaker, we've heard people talk about the Bill as though it were a God. Just as though it were born on Mount Olympus. If you don't have the heart to at least protect those people, who are no longer people, they are shells of what they were, they might not have any limbs, they might not have any thought processes but they are alive. Sort of alive, they're nothing but zombies sitting in beds in these hospitals. If you don't adopt this Amendment for the sake of this so called God like Bill, then may God forgive your soles."

Speaker Redmond: "Any further discussions? The Gentleman has moved for the adoption of Amendment #20 to Senate Bill 1024. All those in favor of the adoption vote 'aye', opposed vote 'no'. Have all voted who wish? How about Fleck will he? Have all voted who wish?"



The Clerk will take the Record. On this question there's 43 'ayes', 83 'no' and the Amendment fails. Any further Amendments?"

Jack O'Brien: "Amendment #21, Fleck. Amends Senate Bill 1024 as amended by deleting Section 4 as contained in Amendment #17 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, Amendment #21 was re...ah...in a shape was recently tabled to a prior Amendment. This Amendment would permit a patient who has a claim to recover \$500,000.00 against a negligent hospital or \$500,000.00 against a negligent doctor or doctors. In other words what it does it realizes that there is a cap to the right to sue as to the negligent party but not as to the victim. Presently, under the Bills from a victim can only sue for a total amount of \$500,000.00 no matter if an army is positioned to destroy its body in its thought process. This would at least give the victim the opportunity to sue the various negligent parties for an amount of \$500,000.00 individually and I would move for the adoption of House Amendment #21 to Senate Bill 1024."

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker I oppose the Amendment. Again, Mr. Fleck is effectively trying to take off the rate cap placed on this Bill by saying, if a person is in a hospital or a nurse and an anesthesiologist and a doctor and two or three other consulting physicians all have something to do with them that he could get \$500,000.00 recovery from each one of them, I'm absolutely opposed to the Amendment."

Speaker Redmond: "Representative Fleck to close."

Fleck: "Well Mr. Speaker, Ladies and Gentlemen of the House this is your last chance to give any consideration at all to the victims in this State, your last chance. Presently, Argonaut Insurance writes most the hospitalization insurance policies so if you are going to sue the hospital for half a million that carrier would pay for that verdict and the other insurance, Hartford for example, would be writing it for the doctors and that company would



be paying the insurance for that verdict. So you're not going to break one individual insurance company, you're going to spread it around so they all can be responsible for the incompetent physicians that they might have been underwriting. This is your last opportunity to think of the patients who are being destroyed in hospitals and I would ask for the adoption of House Amendment #21."

Speaker Redmond: "Gentleman . . . Gentleman has moved the adoption of Amendment #21 to Senate Bill 1024. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 35 'aye', 76 'nay'; the Amendment fails. Any further Amendments?"

Jack O'Brien: "Amendment 22, Fleck, amends Senate Bill 1024 as amended by inserting immediately before the Section headed 'Severability' the following: Section 4 and so forth."

Speaker Redmond: "Representative Fleck."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . I'm pretty sure what the outcome of this Amendment is going to be, but this one is going to direct itself to the crisis of the premium increase. What this Amendment does is just what the Sponsor of this Bill has been commending the Judiciary Committee for doing, that is calling in the insurance companies and asking them to open up their books and records and to justify to this General Assembly why they're having these rate increases. What Amendment 22 does, before a malpractice carrier may increase their rates and their premiums, they should appear before the Department of Insurance to justify in a public hearing with their books open to the public and justify the rate increase. This is a very simple matter. At least we're going to get the insurance companies out of the shadows. We're going to take their books and records out of the shadows and bring in the light of day so that the General Assembly, the Department of Insurance and every person in this state will know why they're increasing their premium. If you don't want to vote for this, you might as well disban the Judiciary Committee which the Sponsor has highly commended time and time again. This is necessary. The



Judiciary Committee can't meet constantly. This General Assembly will quit and we'll have a new Judiciary Committee, we will have hiatuses where they won't be meeting, but the Department of Insurance will always be there. The Department of Insurance will always be there to investigate the insurance carriers and find out why they're increasing their premiums. If you don't want to vote for this, you're in the pocket of the insurance industry because this is bringing the light of day for their books and records; and you ought to pay attention. If you don't want this to open up their books and explain to the Department of Insurance why they're increasing their rate and justify . . . justify the rate increases, vote it down and you turn your head on this crisis and you have done disservice to everyone in this state."

Speaker Redmond: "Gentleman . . . Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I heartedly agree with the Sponsor of this Amendment. What we have been told by the insurance companies is 'my gosh we cannot insure the doctors anymore', I think . . . ah . . . or the hospitals, I think the doctors and the hospitals should be protected as well as the people. Why such an Amendment like this because if they have real . . . ah . . . hardship in trying to meet their cost and insuring doctors and hospitals, then they should have to submit some evidence to the Insurance Director. I heartedly ask everybody's 'aye' vote on this Amendment."

Speaker Redmond: "Representative Miller."

Miller: "Thank you, Mr. Speaker and Members of the House, I rise in support of the Amendment introduced by Mr. Fleck. I think it's putting the investigation of the subject matter in the proper form, properly conducted by the Department of Insurance and they can pick up where the Judiciary Committee has begun so effectively and . . . ah . . . I urge your vote for the Amendment."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, throughout this whole debate I have not uttered one word except voting my conscience and my thoughts on this Bill . . . on these Amendments, however, this is one Amendment that



I strongly support because it does do what we have to . . . what it has to do on behalf of the people of the State of Illinois and it has the supervisory of tests to see that they . . . the remarks that they've made along are correct and, therefore, I support this Amendment."

Speaker Redmond: "Representative Lechowicz."

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

Speaker Redmond: "The previous question has been moved. The question is, shall the main question be put? All in favor indicate by saying 'aye', oppose 'no'; the 'ayes' have it. Representative Fleck to close."

Fleck: "Mr. Speaker, and Ladies and Gentlemen of the House, as to the real crisis and the rate in premium increase, this Amendment is probably one of the most significant Amendments you'll vote on, and I really believe that a vote against this Amendment not to put it on this Bill would render this Bill like a warehouse of hypocrisy, where all the hypocrits are in joint ownership professing values which they don't respect; and I'll tell you, you should support this Amendment because this will get to the very crux of the problem. At least we'll know why, and I think all Members of this General Assembly want to know that reason, why; and I would ask for adoption of House Amendment 22 to Senate Bill 1024."

Speaker Redmond: "Representative Shea."

Shea: "Charlie, would you just answer me one thing and I think maybe you ought to amend it on the face. Is the Section number correct? Aarens Bill Amendment off and my Amendment renumbered. All you'd have to do is either make it three . . . either make it three or you . . . Amendment #17 went with . . . ah . . . when Mr. Jaffe's Amendment went on that was 3, I renumbered mine 4, and the ones after it are now . . . ah . . . numbered. We have no 3 in the amended Bill, but we have a 4. So would you want to amend this to read Section 3?"

Fleck: "Yes, if I have leave of the House."

Speaker Redmond: "Any objections? Hearing none, leave is granted."

Shea: "What . . . now, wait a minute maybe I'm confused now . . ."



Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, a parliamentary inquiry . . . ah . . . when this House saw fit to take . . . ah . . . my Amendment off . . . ah . . . I believe that Representative Shea's Amendment no longer conformed to the Bill itself, and . . . ah . . . I . . . I don't know really what happened to Representative Shea's Amendment. I think it may be a nullity by virtue of the fact that you took my Amendment off."

Speaker Redmond: "Representative Shea.."

Shea: "Well, again, the Bill reads 1, 2, 4, 5, 6 and 7. If you want to add this, I suggest you add it as Section 3, that's all. I'm trying to get it . . . ah . . . where Enrolling and Engrossing . . . ah . . . won't have any problems with it on Tuesday when we . . . or Monday when we discuss Aaron's problem and I think this would do the same thing that Aaron wanted to do but in a completely different way, a way that reverses what we've done up to now with the Department of Insurance and I'm happy to see that happen, that . . . ah . . . if you want to put this in I think that if you just made it Section 3 instead of Section 4 would conform to the amended Bill."

Fleck: "I . . . I see what you're talking about Representative Shea, and I . . . I ask leave to make . . . to amend . . . the Amendment on its face to read Section 3, and then . . ."

Speaker Redmond: "Any objections? Hearing none, permission is granted. Representative Schuneman."

Schuneman: "Mr. Speaker, is it too late to ask the Sponsor a question?"

Speaker Redmond: "No, what's your point?"

Schuneman: "Mr. . . . ah . . . Representative Fleck, you pro . . . I'm asking a question. The . . . ah . . . according to your explanation of the Bill your interest in this Amendment has to do with shedding some light on premium charges on the earnings of insurance companies and to find out whether or not something is really crooked in Denmark as far as the insurance industry is concerned. You want to know if the rates should be justified, whether or not people are being ripped off. Well, I notice that the insurance industry has been castigated this afternoon to a considerable degree and I'd be the first to admit that they probably deserve some of that. The



doctors perhaps have been in error in some instances as far as this question is concerned. Would you support an Amendment which would study the involvement of the contingency fees charged by the trail lawyers? In order to shed some . . ."

Speaker Redmond: "That doesn't . . . the question to me."

Schuneman: ". . . In order to shed some light on this subject."

Speaker Redmond: "Representative Fleck, for what purpose do you arise?"

Fleck: "Well, that's a very good point, but to shed light on it everyone knows what a contingency fee is. I'm sure any lawyer would open his books to you as they do to I.R.S. or anyone else. So I think that's an irrelevant comment."

Speaker Redmond: "Correct. The Gentleman has moved the adoption of Amendment #2 to Senate Bill 1024. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Representative Fleck."

Fleck: "I think I'm gonna' go home with a heart attack."

Speaker Redmond: "Representative Shea says at the proper moment he's going to demand a verification. Have all voted who wish? Representative Shea."

Shea: "Can I just commend Mr. Fleck and I wished he would extend this theory to the Department of Insurance that we wouldn't have any rate increases without prior approval because I think one of the saddest things this General Assembly ever did was to allow the insurance writers in this state to increase rates without prior approval of the Department and I commend you 'cause I think this is a step in the right direction."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 123 'aye', 5 'no'; the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "Amendment #23, Deuster, amends Senate Bill 1024 in the House as amended in the Section beginning 'This amendatory Act of 1972 does not apply to' and so forth."

Speaker Redmond: "Representative Shea, for what purpose do you arise?"

Shea: "Isn't this Amendment the exact same as Amendment we priorly . . . prior . . . we considered prior to this Amendment?"

Speaker Redmond: "Representative Deuster."



Deuster: "No, it's not the exact same Amendment. I would like to ask leave . . . ah . . . for the Clerk to make . . . change one letter, the . . . ah . . . when Representative Shea's Amendment #17 was adopted, there was a juggling of Section numbers and his Amendment was changed from 3 to 4. I would like Amendment #23 on line 8 with leave of the House changed from . . . ah . . . the same way . . . ah . . . so that it reads 4."

Shea: "This is the same Amendment or . . ."

Deuster: "No, it . . . it's similar but it is different . . . ah . . . and I would point out in this respect it says . . . it refers to causes of action accruing on the effective date of this amendatory Act. The other Amendment said after."

Shea: "In other words this Amendment now just talks about the day the Act becomes effective?"

Deuster: "Well, yes, that . . . that's the difference, and I . . . I'd be very happy to . . . ah . . . explain this Amendment and have us take a Roll Call on it. It is . . . it has been changed . . . ah . . . you are correct that it's very similar. It just moves up the effective date, you might say, of one day. The . . . I think that it's clarification and an improvement over the other Amendment; and I would . . . ah . . . I'd like . . . I'd like to proceed to explain it and have the House . . . will."

Speaker Redmond: "Gentleman have leave to make the change? Hearing no objection, leave is granted. Proceed."

Deuster: "One of the most important things . . . ah . . . for all of us to remember, and I might say I rise as a supporter of this legislation, I'll vote for it on Third Reading whether it has this Amendment in or not, but I think . . . ah . . . what we're talking about is instances where doctors do some damage to a patient and the real question is . . . ah . . . when should this . . . ah . . ."

Speaker Redmond: "I can't see the Member speaking."

Deuster: "What'd he say? I didn't hear you, Mr. Speaker."

Speaker Redmond: "Proceed."

Deuster: "Thank you."

Speaker Redmond: "There was somebody standing between you and his Chair."



Deuster: "Oh, I'm . . . the real question is when . . . when are we going to take away the existing right that persons who are damaged have to sue for recovery in excess of \$500,000, and the question is, should we take it away . . . ah . . . as of yesterday or today or tomorrow? Ah . . . the Act as it stands really . . . ah . . . takes effect when the law suit is filed and . . . ah . . . this Amendment would . . . would . . . ah . . . say that when the doctor does the damage to you . . . ah . . . and if that took place prior to the effective date of this Act, then you can recover; and because I think it's far more important to the citizens of Illinois, to the patients of the doctors as to when the wrong arm was cut off or when the damage was done . . . ah . . . instead of referring to when they go to a lawyer, go through a lot of negotiations, discuss things, try and settle out in court and finally that failing, file a law suit. We must remember that both in the Illinois Constitution and the United States Constitution there's a reference to ex post facto laws which we cannot . . . we cannot impose on our people. Yes, that applies to criminal law, but I think civilly to the concept is this of fair play. I think we want to say to the citizens of Illinois, 'if you were damaged yesterday or hurt by a doctor yesterday, we're not taking your right to recover, we're simply saying when this Act takes effect, causes of action that accrue yesterday you can sue on, causes of action accruing tomorrow this Act will cover'. I think this is a fair Amendment and I . . . I urge your adoption of Amendment 23."

Speaker Redmond: "Any discussion? Representative Shea."

Shea: "Well, Mr. Speaker, I didn't want to go into the procedural aspects too much. I . . . in my opinion, this is the same as the bad Amendment that Mr. Fleck had, and I would hope that the . . . the Amendment would be . . . ah . . . be . . ."

Speaker Redmond: "Representative Deuster to close."

Deuster: "I think it's been discussed. I would urge a favorable vote on Amendment 23."

Speaker Redmond: "The Gentleman has moved the adoption of Amendment #23 to Senate Bill 1024. All in favor vote 'aye', oppose vote 'no'."



Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question, 25 'aye', 78 'no'; and the Amendment failed. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. I wonder if this would be an appropriate time to call . . . ah . . . Senate Bill 1250? Hearing objections, we won't. The order of business, Conference Committee Reports. Conference Committee Reports appears Senate Bill 66. Representative Friedland."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would move that the House con . . . ah . . . approve the First Conference Committee Report. This was done at the request of Representative Shea and Representative Rayson. It adds portion of property to the Metropolitan and Sanitary District of greater Chicago in the Village of Chrisman Park. I'd urge favorable consideration."

Speaker Redmond: "The question is, the House adopt Conference Committee Report to Senate Bill 66. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 102 . . . 103 'aye', 1 'no', and the House adopts the Committee . . . Conference Committee Report to Senate Bill 66. House Bill 496. Representative Jaffe."

Jaffe: "Yes, in House Bill 496, what happens is that the Senate has put on one Amendment. They are going to recede from that Amendment. We're going to leave the Bill in the same fashion as when it left the House. All five House Members voted in agreement on it on both Republican and Democratic sides, and it really just changes one word and that would be 'and to' . . . ah . . . the Senate one has changed 'or' to 'and' and now they're going to leave it 'or'."

Speaker Redmond: "The Gentleman moves the adoption of Conference Committee Report #1 to House Bill 496. All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question, 110 'aye', 1 'no'; and the House does adopt the First Report of the Conference Com-



mittee. House Bill 585. Representative Terzich."

Terzich: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this is with regard to the Senior Citizens on the free hunting and fishing license and . . . ah . . . this simply amends the Hunting Section with regard to the blind and the mentally disabled; and I urge adoption of . . . ah . . . concurrence with this Amendment."

Speaker Redmond: "Gentleman has moved that the House adopt the First Report of the Conference Committee. All those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 169 . . . no 'nay'; and the House does adopt the First Report of the Conference Committee. 1173. Representative Mulcahey."

Mulcahey: "Mr. Speaker, Ladies and Gentlemen of the House, Conference Committee Report . . . ah . . . on House Bill 1173. First of all, the Senate receded from Senate Amendment #1; and #2, the House Bill 1173 was further amended to reduce the supplemental appropriations by \$7,860. I move for the adoption of Conference Committee Report on House Bill 1173."

Speaker Redmond: "Representative Macdonald."

Macdonald: "Yes, a point of inquiry, Mr. Speaker. Ah . . . I do not have the Conference Report 49 . . . on . . . ah . . . Senate Bill 496. Is it just that I have been skipped or does everyone else not have it either?"

Speaker Redmond: "I was . . . ah . . . if it was a House Bill 496, I was advised that they have been distributed."

Macdonald: ". . . have it."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you, Mr. Speaker and Members of the House, . . . ah . . . will the . . . ah . . . Sponsor or the . . . ah . . . Sponsor of the House . . . Sponsor of the Bill yield for a question?"

Speaker Redmond: "Indicates he will."

Lundy: "Did not one of the . . . ah . . . Senate Amendments to this Bill originally prohibit the payment of . . . ah . . . monies to certain named individuals?"



Mulcahey: "That's affirmative."

Lundy: "And has that . . . ah . . . has that Amendment been removed from the Bill?"

Mulcahey: "Yes, it has, no that has not been removed. The . . . the \$7,860 that I talked about concerning the . . . ah . . . the Amendment that the Senate added on was to eliminate those payments to those particular individuals for the remainder of the year."

Lundy: "The money, I understand that money has been removed but has the Amendment which specifically names the individuals been removed from the Bill?"

Mulcahey: "Yes, it has."

Lundy: "Thank you."

Speaker Redmond: "Gentleman has moved the . . . that the House adopt the First Report of the Conference Committee on House Bill 1173. All in favor vote 'aye', oppose vote 'no'. I . . . Representative Macdonald, I've been advised that these have been on the Calendar for several days now and the Reports were handed out some time ago. Have all voted who wish? The Clerk will take the Record. On this question there's 117 'aye', no 'nay'; and the House does adopt the First Report of the Conference Committee on House Bill 1173. House Bills, Third Reading. On House Bills, Third Reading, appears House Bill 666. Senate Bill 666."

Fredric Selcke: "Senate . . . Senate Bills?"

Speaker Redmond: "Yeah, Senate Bill 666."

Fredric Selcke: "Senate Bill 666, an Act making appropriation for the ordinary and contingent expense of the Illinois Legislative Counsel. Third Reading of the Bill."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Speaker, and . . . ah . . . making a fair play, I ask this appropriation Bill sitting here on Third and I'll be happy to move it back to Second and have that . . ."

Speaker Redmond: "If you do, we're going to pass it. Representative Totten."

Totten: "Well, thank you, Mr. Speaker, . . . ah . . . I did file an Amendment on . . . ah . . . Senate Bill 666 . . ."



Speaker Redmond: "Have you got it?"

Totten: ". . . and the Sponsor . . . ah . . . graciously has agreed to bring it back to Second Reading so that we can put the Amendment on or . . . ah . . . or at least consider the Amendment. Ah . . . It is a reduction Amendment and I would ask leave of the House or I guess the Sponsor would have to ask leave of the House to bring it back to Second."

Mudd: "Whatever is fair."

Speaker Redmond: "I'll let Mr. Totten decide what's fair."

Totten: "Well, I'd like to ask leave of the House to bring Senate Bill 666 back to Second Reading then for purposes of Amendment."

Fredric Selcke: "Well, I just turned that on."

Mudd: "Well, I would . . . ah . . . take it back to Second."

Speaker Redmond: "Senate Bill 666 returned back to the order of Second Reading."

Fredric Selcke: "Amendment #1, Totten, amends Senate Bill 666 as amended and so forth."

Totten: "Okay, thank you, Mr. Speaker, . . ."

Speaker Redmond: "Representative Totten."

Totten: ". . . and . . . ah . . . Ladies and Gentlemen of the House, again I want to thank the Sponsor for the courtesy of . . . ah . . . offering the opportunity on the Amendment. The Amendment reduces the request of the Legislative Counsel in various lines by a total of 6 percent as worked out with the agency from the total request minus the cost of living put on in the Senate. The reductions are in personal services, 43,000; retirement, 3,000; social security, 3,000; contractual, 1,800; travel, 2,000; telecommunications, 1,500; E.D.P., 2,500; social research, 1,500; in . . . ah . . . services . . . ah . . . and in turn there's a total reduction of 11,000; for a total reduction of 82,058. It's about 5.8 percent . . . ah . . . of the budget and I'd move for the adoption of the Amendment."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. . . . ah . . . Speaker and Members of the House, I have no objections to this Amendment . . . ah . . ."



Speaker Redmond: "Gentleman has moved the adoption of Amendment #1 to Senate Bill 666. All in favor of the adoption indicate by saying 'aye', oppose, 'no'; the 'ayes' have it, the Amendment's adopted. Third Reading. 693."

Fredric Selcke: "Senate Bill 693, a Bill for an Act to amend the Motor Fuel Tax Law. Third Reading of the Bill."

Speaker Redmond: "Representative D. L. Houlihan. D. L. Houlihan here? Well, it's Third Reading. He's not here."

Fredric Selcke: "Out of the Record."

Speaker Redmond: "Take it out of the Record. 706. Is Representative Porter here? Well, I'll jump around 'til we find somebody that is here then."

Fredric Selcke: "All right,."

Speaker Redmond: "Is McPartlin here? Craig? Washburn? 749."

Fredric Selcke: "Senate Bill 749, a Bill for an Act to regulate the practice of dental surgery and dentistry in the State of Illinois. Third Reading of the Bill."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 749 amends an Act regulating the practice of dental surgery and dentistry to redefine the functions of dental assistants. It allows dental assistants to perform certain functions not previously authorized by law. The Illinois Dental Society working with other professional society and health groups has worked several years to develop a program to allow dental assistants certain expanded duties. 37 States now authorize by law assistants to perform certain functions. Now, those in organizations supporting this Bill are the Illinois Dental Society, the Chicago Dental Society, and 23 other local dental societies in Illinois, the Department of Public Health, Department of Registration and Education and Illinois Council of Deans and Illinois Lincoln Dental Society and so on and so forth; and I would ask for your favorable support."

Speaker Redmond: "Representative Tipword."

Tipword: "Would the Gentleman yield to a question?"



Speaker Redmond: "Indicates he will."

Tipsword: "Ah . . . Representative Washburn, I understand that although this is one that . . . that there were some controversy . . . ah . . . concerning the position of the dental assistants on this that . . . ah . . . this has now been agreed to and worked out between the dental assistants and the dental profession, is it not?"

Washburn: "Well, the controversy has sub . . . subsided somewhat, let's say that. I don't know, I can't tell you that they're in total agreement, no, Tips', but the . . . their . . . it's not as controversial as it was."

Tipsword: "Thank you."

Speaker Redmond: "Any further questions? Representative Mautino."

Mautino: "Mr. Speaker and Ladies . . . will the Sponsor yield for a question?"

Speaker Redmond: "Yes."

Mautino: "Now, Representative Washburn, there was a controversy concerning the Community College Educational Program and the Dental . . . and the dental assistants . . . ah . . . qualifications and duties within this . . . ah . . . this Bill. Would you mind explaining to me which . . . ah . . . areas have been corrected concerning that which the community college offer to the dental assistants now."

Washburn: "I have something in my file from community colleges. Just hold tight for a moment."

Mautino: "Fine."

Washburn: "Too many letters in here that I don't know which one's which. Well, anyway let's say there's 10,000, approximately 10,000 dental assistants in the State of Illinois, the turnover is about 50 percent, about 5,000 a year, and . . . ah . . . the community colleges under the present . . . ah . . . situation are only turning about 400 a year. If that were the case, we'd soon run out of dental assistants . . . the dental assistants original proposal has been adopted."

Mautino: "Was there an Amendment from the Community College System to this piece of legislation that was not accepted or was it accepted?"

Washburn: "No, no, to the best of my knowledge, they've never contacted me



as to an Amendment. No, Sir. From the Junior Colleges? Community colleges?"

Mautino: "Yes, yes, Sir."

Washburn: "No, uh-um."

Speaker Redmond: "Representative Mugalian."

Mugalian: "Ah . . . Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I received substantial communication both by telephone, by mail and in person from Representatives I should identify as essentially persons engaged in the training of dental assistants. As . . . ah . . . as recently as yesterday evening, those Representatives have indicated to me that this legislation is retrogressive and discourages the objective of increasing the use of paraprofessional in the field of dentistry. There are apparently 17 accredited institutions teaching . . . ah . . . dental assistants. 14 of them are our own community colleges. This Bill in one way of looking at it and in their opinion and I think in my opinion does very little to . . . to help anything at all except probably permits the use of untrained dental assistants, persons who will work as dental assistants without having been accredited and having taken the training that our community colleges are for. One of the defects in this Bill according to the Representatives is that there is no definition of appropriately trained dental assistants. This is the major Amendment that those groups wanted in this Bill and that Amendment was . . . was refused and the . . . ah . . . the Sponsor of the Bill in the . . . in the Senate . . . ah . . . have refused to put that on. So I suggest that this Bill . . . ah . . . should be defeated."

Speaker Redmond: "Representative Stone."

Stone: "Ah . . . Mr. Speaker, the Gentleman who just spoke and Mr. Mautino, in my judgment, are absolutely correct. This Bill as it now is allows dentists to take young people or old people off of the streets, bring them in their office, show them how do to certain work and allow them to do it. Now, the junior colleges in particular, those 17 or so junior colleges that have . . . ah . . . dental assistants training programs wanted to put an Amendment



on that would provide that before dental assistants could go to work for our dentists, they at least, if they were called dental assistants, had to have certain training. I believe that the gentlemen should have certain training. I believe that the gentleman should hold this Bill, take it back to Second, put the . . . the proper Amendments on it and . . . and we can pass it. But in its present condition, I think we only legalize . . . ah . . . the practice of some dentists in going out on the street so to speak and bring in people and after two or three days training . . . ah . . . they call them dental assistants. The Bill does need some work. It could easily be done . . . ah . . . within the time span we have and then it would be an excellent Bill."

Speaker Redmond: "Representative Palmer."

Palmer: "If the Sponsor will yield for a question?"

Speaker Redmond: "Indicates he will."

Palmer: "The . . . ah . . . was Amendment . . . House Amendment #1 to the Senate Bill adopted?"

Washburn: "Yeah . . . yes."

Palmer: "Well, it seems to me that the . . . ah . . . it cast upon the Department of Registration and Education the duty of making recommendations . . . ah . . . relating to the performance of past by these dental assistants and also the recommendation for the educational qualifications . . . ah . . . to the assistants to do their duty. So . . . ah . . . I just wonder if this is not . . . ah . . . if this is not enough . . . ah . . . so that they can operate. Maybe they need gearing up time. This is . . . this is the question that's posed to you in answer or in response to some of the objections."

Washburn: "Yeah, dental assistants now are not covered by any statutes. They're not under any law at all, and . . . ah . . . in order to gear this thing up and I believe the reporting date on . . . ah . . . the Amendment was . . . ah . . . February '77. The . . . ah . . . Dental Examining Board and the Regis . . . the Department of Registration and Education would set standards by that time."

Palmer: "Yeah, this . . . Mr. Speaker, it appears that the . . . with



the adoption of this House Amendment that . . . ah . . . it perhaps they've worked out a statutory scheme whereby they can gear up and then place the duty and the Department of Education and Registration to . . . ah . . . set out these qualifications. So in that respect it doesn't appear to be too bad."

Speaker Redmond: "Representative Kane."

Kane: "Would the Sponsor yield for . . . ah . . . a question?"

Speaker Redmond: "Yes."

Kane: "Were any Amendments adopted to this Bill?"

Washburn: "Yes, that's the Amendment we were just talking about, discussing with Representative Palmer in Committee."

Kane: "Thank you."

Speaker Redmond: "Representative Matijevecich."

Matijevecich: "Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . for some years now we've been trying to expand the duties of dental assistants, and I think this is a good Bill. As it was introduced, . . . ah . . . I had a lot of problems with it both as to the dental hygienists and the dental assistants, but I think they've been worked out. It's a limited expansion of . . . of those duties, and I think it's about time that we provide for such an expansion; and I would urge you to vote in support of this Bill."

Speaker Redmond: "Any further discussion? The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. McLendon 'aye'. On this question there are 93 'ayes', 17 'no'; Cunningham 'aye', the Bill having received the constitutional majority is, hereby, declared passed. Representative Stone."

Stone: "There . . . there just aren't 92 people here, Mr. Speaker. Ah . . . and . . ."

Speaker Redmond: ". . . Lundy 'aye', Choate 'aye', Houlihan 'aye', Borchers 'aye', Bradley 'aye', Tipsword 'aye', Jaffe 'aye' . . . dump the Roll Call, do it again. Vote 'aye'. Have all voted who wish?"

Stone: "Now, wait a minute, is he there?"

Speaker Redmond: "The Clerk will take the Record. On this question



there's 103 ayes, 14 nays. The Bill having received the constitutional majority is hereby declared passed. 751, Representative Porter, not here. Out of the Record. 783 we'll pass. 786, Representative Neff. Is Representative Neff here? 792, Representative Madigan here? Pass that one. 793, Representative Madigan. Pass that one. 829, Representative Houlihan."

Clerk Selcke: "Senate Bill 829, Bill for an act authorizing creation of mutual trust investment companies through first furnishing investments to banks, trust companies and support. Third Reading of the Bill.

Houlihan: "Mr. Speaker, I would ask leave of the House to take Senate Bill 829 back to the order of Second Reading for the purpose of an Amendment."

Speaker Redmond: "The Gentleman request leave to bring..ah..Senate Bill 829 back to the order of Second Reading for the purpose of an Amendment. So I...leave, leave granted. Return to the order of Second Reading."

Selcke: "Amendment #1, Maragos amends Senate Bill 829 on page 2, line 10, and so forth."

Maragos: "Mr. Speaker, Members of the House, since we've had this discussion the other night regarding, regarding ah...Senate Bill 821, 829 we've discussed this with the Sponsor, the House Sponsor, Mr. ah...Houlihan and he has agreed to leave the Amendment to 829, which has been discussed with everyone concerned, with this Bill and we ask for it's adoption. What it does, it confines the certain areas of the..ah.. mutual invest..ah..mutual trust investment companies to assure that any smaller stockholders or contributors to these funds are not going to be pre..... by the bigger ones with economic power and I ask for you aye vote on the adoption."

Speaker Redmond: "The Gentleman's moved the adoption to Amendment #1 to Senate Bill 829. All in favor indicate by saying aye; aye, opposed no. The ayes have it. The Amendment's adopted. Any further Amendments? Third Reading."

Selcke: "How about 830, 831, 832. 856. Representative McClain."



Selcke: "Senate Bill 856, a Bill for an act to amend the school code, Third Reading of the Bill."

Speaker Redmond: "Representative McClain."

McClain: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, ah Senate Bill 856 is a simple Bill which really puts in line the Chicago school board with downstate school board districts, what it permits is that ah the Chicago board now may transfer their appropriation during the first half of their fiscal year and not to exceed 10 percent of ah that category of funds. Ah it got a full hearing in revenue committee, passed out 12 to 4 with 2 voting present and I urge your acceptance of this ah Bill."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you Mr. Speaker. Could I ask if there was any money that was lapsed?"

Speaker Redmond: "Any money lapsed?"

Schneider: "L a p s e d, lapsed."

McClain: "I don't see that that doesn't really go to the point of this Bill."

Schneider: "Did you have transfer ability last year?"

McClain: "The transfer ability allowed to the Chicago board as in the last half of the fiscal year and it's unlimited. The ah downstate schools if I can make myself perfectly clear, downstate schools now may transfer ah during the entire year up to 10 percent or they may redo their entire budget at any time during that fiscal year ah...providing with the usual 30 day notices requirement."

Schneider: "What my question really is if you've had money and you don't seem to know ah that might have lapsed and you had unlimited transfer ability in the last six months ah then it would seem that you would not need transfer ability, but ah because you can't answer the question I guess ah I won't be able to get an answer."

McClain: "Well Representative Schneider I really don't think you're hitting the point. The point is that in the first half of the



year there could be..."

Speaker Redmond: "Roll Call. The question is shall this Bill pass.

Those in favor vote aye, opposed vote no. Representative Skinner."

Skinner: "Well Representative Schneider could've gotten to the point eventually. This is a pretty bad Bill. What it says is that they can have after the half first half year, they can absolutely, they can transfer any money they want between anyitem; you know they can they can look the budget, can look like a scrambled egg. Ah during the first six months they can transfer 10 percent of any budget. Now the Sponsor's shaking his no but I'm one of those four votes that ah that didn't vote for this in the revenue committee and I assure you that had to come, two times they had to come, they came in the morning and they didn't have the votes there. Had to come back in the afternoon then some of the votes that voted in the morning weren't there and this you know, why even have a school budget? Why don't we just appropriate one lined item to the City of Chicago's school system. It would make as much sense as this Bill does.

Speaker Redmond: "Have all voted who wish?"

Skinner: "Representative.....by the way went up for grabs over this one."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speakerfor the support of this Bill, it was adequately explained in committee why it was needed and we're asking the same treatment be given this group schools as is in the other part of the State, and it was explained satisfactorily by the spokesman at that time and the witness when Mr. McClain brought it in, and I think it's something to be, we should be fair and uniform throughout the State of Illinois and I ask for the aye vote. It doesn't concern it because I raised dollar of State money additional. All it does is give some leeway because after six months that was the inflationary period. Many times these boards of education doesn't have the opportunity to properly adjust. And for instance would have new buildings and new



schools and new building costs. They could take it for one small portion of the fiscal year and put it in the other. I think we should support this Amendment . . . this Bill."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . Representative Skinner has been fully misleading. Ah . . . The first time the Bill came in front of . . . ah . . . Revenue Committee, Representative Maragos tried to handle the Bill because I did not show up and since he's not familiar with the School Code or didn't have it at the tip of his tongue as . . . ah . . . I was able to once I prepared for the Bill . . . ah . . . they decided not to . . . ah . . . the Bill did not pass. The second time I came back, I brought the School Code with me. We delineated the differences between downstate school districts and the Chicago School Board. I . . . I assured the Committee that what . . . I'm in the Education Committee and if there's anybody on the Education Committee that's as skeptical as Chicago or anything as skeptical of Chicago as I am . . . ah . . . I'd like to see them. However, I'm firmly convinced that this Bill is a fair Bill for the Chicago School Board. They need it and it's got nothing to do except equalizing the Chicago School Board, downstate school boards; and I'd urge an 'aye' vote."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there are 99 'ayes', 13 'nay'; and the Bill having received the constitutional majority is, hereby, declared passed. 863."

Fredric Selcke: "Senate Bill 863, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative McClain."

McClain: "Ah . . . Thank you, Mr. Speaker, I don't believe it's timely to bring this Bill in. Thank you."

Speaker Redmond: "You want it out of the Record? 883, Representative Leinenweber, out of the Record. He's not here. 894, Representative Terzich? Out of the Record. 943, Representative Campbell . . . I'll be there. 943 out of the Record. 970, Representative Getty?"



Representative Getty? Out of the Record. Representative Bradley, for what purpose do you arise?"

Bradley: "I think that Mr. Hoffman was going to make a point. I think you skipped 882."

Speaker Redmond: "Well, I guess he's right. 882."

Fredric Selcke: "Senate Bill 882, a Bill for an Act to amend an Act concerning municipal funds. Third Reading of the Bill."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, I trusted you when you said you'd get to me. Senate Bill 882 amends an Act concerning municipal funds. It includes treasury notes and other securities issued by agencies of the United States provided that such securities are fully insured by the Federal Deposit Insurance Corporation. All 882 does is add it into the language that which municipalities, center districts, municipal corporations and park districts may invest their unused funds. We have inserted just the provision treasury notes and other securities issued by the agencies of the United States. We have . . . we have two Amendments on it. One is a home-rule Amendment and one is clarifying language, both worked out with the Chairman of the . . . ah . . ."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', Representative Palmer."

Palmer: "I just wanted to ask one question of the Sponsor and that was . . . ah . . . give us a for instance as to the other agencies of the United States. Securities issued by agencies of the United States."

Hoffman: "The language was worked out by the Park Association, I can't accurately tell you what agencies of the United States. But it was . . ."

Palmer: ". . . ah . . . housing authority debentures or something of this nature? You don't know?"

Hoffman: "I . . . I don't know. I doubt it."

Speaker Redmond: "Question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question 110 'aye', no 'nay'; the Bill having received the constitutional majority



is, hereby, declared passed. 986."

Fredric Selcke: "Senate Bill 986 . . ."

Speaker Redmond: "Representative Friedland."

Fredric Selcke: ". . . an Act in relation to taxation of mobile homes.

Third Reading of the Bill."

Speaker Redmond: "986."

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

Senate Bill 986 is somewhat similar to one or two other measures that have been considered. However, the difference with this measure is that the . . . ah . . . mobile home privilege tax could be used . . . considered a semi-annual tax. It's broken down to payment of . . . ah . . . two installments. Similar to the real estate, and the Digest is correct; and I would urge your favorable consideration in this measure."

Speaker Redmond: "Any question? Representative McMaster."

McMaster: "John, does this . . . ah . . . provide for a difference in the value as far as the assessed valuation and privilege tax is concerned depending upon age to the trailer?"

Friedland: "Ah . . . Yes."

McMaster: "Thank you."

Speaker Redmond: "Representative Palmer."

Palmer: "A question or two . . . ah . . . would the . . . ah . . . lessee of the trailer, would he be the person that would be assessed or would the assessee be the owner of the trailer park?"

Friedland: "If the property is owned by the owner of the trailer, of course, it would be the . . . that owner . . . ah . . . I'm not sure. I'd have to check on your other portion of your question, Representative Palmer."

Palmer: "Well, I don't understand the answer to my question then . . . ah . . . who gets the tax bill?"

Friedland: "If it's considered real estate, the mobile home owner."

Palmer: "And . . . ah . . . that's definite in here?"

Friedland: "Yes."

Palmer: "Well, number 1, Mr. Speaker, I think probably you've got an unconstitutional situation here. Ah . . . The owner . . . the interests of a lessee of a trailer park only has a tentative



interests then more than likely their month to month tenants. Sometimes they may go a little longer than that by returns of writ of lease. I think you can foul up your books, the tax books real good, . . . ah . . . this way and put an inordinate burden on the tax assessor of every county and also the collector of every county . . . ah . . . to perform his duties as are required by this Bill. If the answer is that it goes to the trailer park owner, obviously it's going to raise the rent of the tenant and those rents now are quite high and many Senior Citizens live in these parts and I wonder whether or not it's worthwhile to shovel off on them more burdens than what they've already got. I urge a 'no' vote."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker and Members, I wonder if the Sponsor would yield for a question?"

Speaker Redmond: "He indicates he will."

Dunn: "Representative Friedland, I notice this says it provides for a deduction according to the age of trailers. Now, if the present law says it's .15 cents a square foot, could you give us the figures to what this does . . . ah . . . how it reduces it for older trailers or mobile homes?"

Friedland: "Yes, Representative Dunn, for a trailer one year old it would be .10 cents per square foot, a two and three years old . . . ah . . . 8.75 cents, fourth and fifth years following the model year . . . ah . . . 7.50 cents and it scaled to tenth and subsequent years 3.75 . . . ah . . . cents. I would point out that the comment mentioned by Representative Palmer, Senior Citizens will have the option to . . . ah . . . be taxed by real estate. If they do that, of course, they would receive the homestead exemption of if the . . . ah . . ."

Dunn: "They would be eligible for the Senior Citizens tax relief grant . . . ah . . . if it was considered . . . ah . . ."

Friedland: "Ah . . . By the other item the privilege tax."

Dunn: "Representative Friedland, is this .10 cents annual or semi-annual? I wonder, I notice it says provides for collecting it annually."

Friedland: "Ah . . . semi-annual, the . . ."

Dunn: "Well, this would be a raise then, I believe. Are you sure about



that? If it's now .15 cents a year, is what I'm trying to say. For new ones and old ones and all alike, is that this provides for .10 cents semi-annually. Scaled down why we're raising the privilege tax. I think this is . . ."

Friedland; "That's correct."

Dunn: "Ah . . . Oh, this is a terrible Bill then, I believe. I thought we was gonna' get some tax relief for Senior Citizens, and if that is . . . if I'm not mistaken . . ."

Speaker Redmond: "Representative Maragos, for what purpose do you arise?"

Maragos: "Ah . . . Mr. Speaker, we had a similar House Bill dealing with . . . ah . . . real estate tax on mobile homes. The fact that Revenue Committee of the House did allow two Bills to come out. One was Representative . . . three Bill in fact, Representative Grotberg's, Representative Yourell's and . . . ah . . . Representative McMaster's; and I'd like to ask Representative McMaster if he knows the status of his House Bill 569 in the Senate, and thereby we may not need this Bill if that's progressing satisfactorily."

Speaker Redmond: "Representative McMaster. Representative McMaster."

McMaster: "Mr. Speaker, if I may answer the Gentleman's question, I believe in all three of those House Bills are on Third Reading in the Senate, Sam, and . . . ah . . . there were some Amendments suggested by the . . . ah . . . tax assessors office from Cook County in regard to 569 that . . . ah . . . some Amendments that we accepted, obviously it hadn't passed on Third Reading or would be over here for concurrence. But we have the three separate things out or on the floor over there, Sam, they're out of Committee and on the floor."

Dunn: "That . . . that is why, Mr. Speaker and Members of the House, I would li . . . ask the House Sponsor of this Bill if he would hold this and . . . ah . . ."

Speaker Redmond: "Take it out of the Record."

Dunn: "Thank you."

Speaker Redmond: "There's not enough people to have a controversial one like that."

Unknown: "Okay."



Speaker Redmond: "987, Representative Porter on the floor? Pass that one. 1001, Representative G. L. Hoffman on the floor? Pass that one. 1021, Representative Merlo? 1021, you want to go with that? Take that out of the Record at the request of the Sponsor. 1031, out at the request of the Sponsor. 1036, Representative Beaupre? Out of the Record. 1048, Representative Lechwoicz, he's around some place. Do you want to call him and see if he wants to come down and take that? 1049, oh you want . . ."

Fredric Selcke: "Senate Bill 1049, a Bill for an Act to provide for the development and construction of public docking and dry bulk commodity transfer of facilities tri-city regional port districts. Third Reading of the Bill."

Speaker Redmond: "Representative Calvo."

Calvo: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I don't know of any opposition to this Bill. It was heard in two Committees Executive Committee and the Appropriations Committee and met with the approval of the Appropriations Committee. I'm quite certain without a dissenting vote, and . . . ah . . . I would appreciate your favorable support."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question 105 'ayes', no 'nay'; and the Bill having received the constitutional majority is, hereby, declared passed. 1063, Representative Keller, not here. 1081, Representative Hirschfeld? Not here, take that one out. 1109, Representative McPartlin?"

Fredric Selcke: "Not here."

Speaker Redmond: "Take that one out. 1135."

Fredric Selcke: "Senate Bill 1135, Caldwell, out of the Record."

Speaker Redmond: "Out of the Record?"

Fredric Selcke: "Yeah."

Speaker Redmond: "1160, Representative Hart, do you want that one? Out of the Record. 1161, Representative Epton? Not here. 1170, Griesheimer? Not here. 1247."

Fredric Selcke: "Senate Bill 1247, Schneider, do you want that?"



Speaker Redmond: "Out of the Record. He's groaning. 1252."

Fredric Selcke: "1252 . . ."

Speaker Redmond: "Representative Ryan."

Ryan: "I wonder if I might inquire of the Chair . . . ah . . . what the intentions are to adjourn here this afternoon?"

Speaker Redmond: "You might inquire."

Ryan: "I wonder if I could get an answer?"

Speaker Redmond: "I don't know yet. I don't know yet, we'll see how we go."

Ryan: "Well, it seems like we're not going very well, Mr. Speaker, we're taking a lot of time here. There's a lot of guys gone . . ."

Speaker Redmond: "The more we talk . . ."

Ryan: ". . . and we're wasting our time."

Speaker Redmond: ". . . the more people leave. So let's try 1252."

Ryan: "Well, I . . . I may have to question the quorum here before long, Mr. Speaker."

Speaker Redmond: "You're privileged. 1252."

Fredric Selcke: "Senate Bill 1252, an Act to add Section 4A and 4B to an Act concerning agreements for furnishing or delivery of personal property and so forth. Third Reading of the Bill."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Mr. Speaker, Ladies and Gentlemen of the House, at this time, I'd like to ask leave to table Senate Bill 1252. I discussed it with the Senate Sponsor and with the Consumer Advocate."

Speaker Redmond: "Objections? Leave granted, 1252 tabled. 1257, Representative Merlo? Out of the Record. 1258, Representative Kozubowski?"

Fredric Selcke: "Not here."

Speaker Redmond: "Out of the Record. 1285, Representative Collins?"

Fredric Selcke: "Sam."

Speaker Redmond: "1289, Representative Collins? Not here. 1259 . . . 1290, Representative Maragos?"

Fredric Selcke: "Senate Bill 1290, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, this Bill allows assistants . . . it comes from the



... ah ... from the Senate by Senator Dougherty, that's ... ah ... comes out that provides that a voter who cannot read English cannot be assisted by election officers or by a friend or relative in selection present only by election officers."

Speaker Redmond: "Representative Mann."

Mann: "Mr. Speaker, ... ah ... may I suggest constructively that the Gentleman take this out of the Record because he's in for a long debate and a verification afterwards."

Speaker Redmond: "Out of the Record."

Maragos: "I will but the thing is, Mr. Mann, if you do this you're depriving my mother of voting, I'm serious."

Mann: "Bob Marsh said the same thing 10 years ago and she's still voting."

Speaker Redmond: "1291. Representative Collins here? 1292, Representative Fary. 1292."

Fredric Selcke: "Senate Bill 1292, an Act to amend Section 4 and to add Sections 9 and 10 to an Act to promote the welfare of wage earners and so forth. Third Reading of the Bill."

Speaker Redmond: "Representative Fary. Fary."

Fary: "Take it out of the Record, please?"

Speaker Redmond: "Take it out of the Record. 1293, Representative D'Arco?"

Fredric Selcke: "Not here."

Speaker Redmond: "1297, Representative Keller? Take that one out. 1301, Representative Boyle? 1301 out of the Record. 1311, Representative Nardulli."

Fredric Selcke: "Senate Bill 1311, a Bill for an Act to amend the Space Needs Act. Third Reading of the Bill."

Speaker Redmond: "Representative Nardulli."

Nardulli: "Mr. Speaker and Members of the House, Senate Bill 1311 simply adds four Members to the Space Needs Commission. We talked about it with our two Amendments which was presented by Representative Graham; and I ask a favorable vote."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there are 111 'aye', 2 'nay'; the Bill having received the constitutional majority is,



hereby, declared passed. 1371."

Fredric Selcke: "Senate Bill 1371, . . ."

Speaker Redmond: "Representative McGrew here?"

Fredric Selcke: "No, not here."

Speaker Redmond: "1380, Representative Katz? 1380, Representative Katz,
take that out."

Fredric Selcke: "Not here."

Speaker Redmond: "1384, Representative Stubblefield?"

Fredric Selcke: "Oh, there he is, do you want it?"

Speaker Redmond: "Representative Stubblefield on 1384."

Fredric Selcke: "He don't want it."

Speaker Redmond: "1395, Representative Garmisa? Take that out. 1465,
Representative McPartlin? Take it out. 1493, I don't know whose
this is. Take that out. 1497, Representative Polk."

Fredric Selcke: "Senate Bill 1497, an Act making supplemental appropri-
ation to Spanish Speaking People Study Commission. Third Reading of
the Bill."

Speaker Redmond: "Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, this is a supplemental
appropriation of \$6,730 as a supplemental appropriation to the
Spanish Speaking People Study Commission; and I would move to adopt."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor
vote 'aye', oppose vote 'no'. Have all voted who wish? Have all
voted who wish? The Clerk will take the Record. On this question
there's 101 'aye', 12 'no'. The Bill having received the consti-
tutional majority is, hereby, declared passed. 637. Berman 'aye'.
637."

Fredric Selcke: "Senate Bill 637, . . ."

Speaker Redmond: "Representative Shea."

Fredric Selcke: ". . . a Bill for an Act to provide for the ordinary
and contingent expense of the Office of the Governor. Third Reading
of the Bill."

Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, this is the
operating and . . . ah . . . expense for the Office of the Governor
and the . . . ah . . . Executive Mansion. It was reduced by 6 percent



and I would appreciate the support of the House."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor . . . Representative Skinner."

Skinner: "I think it's almost verification time. This is the budget . . . this is the budget for which not one single employee of the Office of the Governor came to answer one single question. If we vote for this budget, we are certainly voting for the Sponsor and not for the Bill."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 110 'aye'. Representative Skinner."

Skinner: "If you'll tell us whether we're gonna' leave now, I'll be happy not to ask for a verification. If we're gonna' stay all afternoon, everybody is gonna' be here, not just us."

Speaker Redmond: "We won't be here much longer. This Bill having received the constitutional majority is, hereby, declared passed. 1499 we've got a Sponsor. Representative Shea."

Fredric Selcke: "Senate . . . Senate Bill 1499, a Bill for an Act making a supplemental appropriation to the Department of Revenue and so forth. Third Reading of the Bill."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this is a supplemental appropriation to the Department of Revenue for income tax refund money. It also contains \$200,000 to the . . . ah . . . office . . . or the Superintendent of Public Instruction or whatever that office is now called for current payroll purposes. There were three people that didn't get paid this week and if this Bill . . . or that part of the Bill doesn't get signed into law before the end of the month, these people will not get paid for their . . . there's some 200 people that will not get paid for the last quarter."

Speaker Redmond: "Question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Representative Shea, can you handle . . . ah . . . 1048 . . ."

Fredric Selcke: "Have all voted who wish?"

Speaker Redmond: "Have all voted who wish? On this question . . . the



Clerk will take the Record . . . on this question there's 133 'aye', no 'nay'; and this Bill having received the constitutional majority is, hereby, declared passed. Representative Shea."

Shea: "On 1048?"

Speaker Redmond: "Can you handle that? 1048."

Fredric Selcke: "Senate Bill 1048, a Bill for an Act making appropriation to the Department of Finance. Third Reading of the Bill."

Shea; "Ah . . . Is there an Amendment up there that I'm informed the Sponsor may want to put on the Bill?"

Fredric Selcke: "Is there an Amendment to this Bill. Two Amendments on it, #1 is tabled."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this appropriates \$1,444,000 to the . . . ah . . . Department of Finance for the operating of the electronic data processing system that's . . . ah . . . that we used in the General Assembly, and I'd appreciate the support of the House."

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

Matijevec: "Ah . . . Representative Shea, would you yield to a question? I thought Representative Katz had a Bill that takes this . . . that appropriation and put it somewhere else or not? No?"

Shea: "Well, John, that's what . . . ah . . . the Parliamentarian just talked about. I see Representative Katz on the floor . . . ah . . ."

Matijevec: "Oh, okay, I didn't know he was here."

Speaker Redmond: "Representative Waddell."

Waddell: "Mr. Speaker, and Ladies and Gentlemen of the House, I think I can shed some light on this. Due to the actions that we had taken previously, we had mandated to this Department that they pick up the data services of other departments. That's the reason in the other departments you did not have the figure you had previously and you now mandated that M.I.D. pick them up and that's what you have in front of you."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 108 'aye', no 'nay';



and the Bill having received a constitutional majority is, hereby, declared passed. On the order of Consideration Postponed appears . . . Representative Downs, what appears there?"

Downs: "968."

Speaker Redmond: "Appears Senate Bill 968. Representative Downs."

Downs: "Mr. Speaker, Ladies and Gentlemen of the House, this is the waiver of liability . . . ah . . . Bill in which the original Bill extended the repealer of the waiver of liability with regard to . . . to visas transmitted through blood transfusions. The original Bill extended the repealer two years. It . . . ah . . . received 83 votes and objections concerning the extension of time. I took it back to Second Reading and accepted an Amendment offered by opponents of the Bill when it was first called extending the repealer only one year and . . . ah . . . believe that I have eliminated substantially the opposition to the Bill and request your favorable consideration of it."

Speaker Redmond: "Any good questions, Representative Peters."

Peters: "Mr. . . . Mr. Speaker, excuse me, I'm not opposed to the Bill, but are we now on the order of Consideration Postponed?"

Speaker Redmond: "We're looking for things we can pass and this is one that we can."

Peters: "Consideration Postponed."

Speaker Redmond: "That automatically brings us back to Third Reading. The question is, will this Bill pass? All in favor vote 'aye', opposed vote 'no'."

Fredric Selcke: "Page 10."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 113 'aye', no 'nays'; the Bill having received the constitutional majority is, hereby, declared passed. On Consideration Postponed appears Senate Bill 543, Representative McClain."

McClain: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 543 amends the School Code to require School Boards to provide transportation for elementary and . . . ah . . . high schools districts. Right now we mandate . . . ah . . . consolidated high school



districts, unit districts and other districts. We had a particular problem with . . . ah . . . with Aurora, Al Schoeberlein and Jack Hill, if you'll recall, that's now been cleared up and I would defer to Representative Schoeberlein."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker, just a suggestion. There are now in the House approximately 110 people and all these Bills that are on Postponed Consideration were put there because they were contentious; and I think if we're gonna call hard . . . hotly argued points we're doing an injustice to the House."

Schoeberlein: "Mr. Speaker, Mr. Speaker?"

Speaker Redmond: "Representative Schoeberlein?"

Schoeberlein: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, Representative Hill . . . ah . . . had opposition to this Bill . . . ah . . . I believe Monday or Tuesday and . . . ah . . . we have been in contact with school boards and we are withdrawing . . . I am withdrawing my position; Jack I don't believe is on the floor right now, and I know he would do the same. So I am asking that we . . . ah . . . all vote for this particular Bill."

Speaker Redmond: "Any further discussion? Representative Peters."

Peters: "Mr. Speaker, I don't want to belabor a point and I'm really far from being knowledgeable in terms of school situations. But I know that there was an awful lot of discussion and I received some mail from up in my area in terms of this Bill and if it's anywhere near that 89, I'd like to be . . . ah . . . recognized for the purpose of verifying."

Speaker Redmond: "Representative . . . Mr. McClain."

McClain: "Well, I'll talk to Representative Peters. In that case, I thought it was agreed now since it was only Representative Schoeberlein and Hill that were . . . that were raising the point so I'll . . . I'll withdraw."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, you gave us a date to be here today, more than half of us about are out of this Assembly. I don't think it's fair to the rest of us that we



should go on deliberating . . . deliberating on Bills if the others aren't here. They're out enjoying the sunshine, the swimming pool. I don't mind working straight through, but if we're gonna' . . . I'm gonna' do it, I want everyone else who is a Member here to do it. That's what we were elected to do and I mean it. I submit that I'm going to ask for a call for a quorum right now. I don't think it's fair."

Speaker Redmond: "Before . . . before you do that, pursuant to Rule 31, I lay House Bill 3118 before the House acting as a Committee of the whole for hearing on Sunday, June the 22nd, 1975 at 2 o'clock p.m. pursuant to the rules no notice is required for this procedure the week prior to June the 30th. So the Committee of the whole on House Bill 3118, 2 o'clock tomorrow. Representative Walsh."

Walsh: "Now, would you repeat that, Mr. Speaker?"

Speaker Redmond: "I lay House Bill 3118, 2 o'clock tomorrow. Representative Walsh."

Walsh: "Now, would you repeat that, Mr. Speaker?"

Speaker Redmond: "I lay House Bill 3118 before the House acting as a committee whole at 2 o'clock . . ."

Walsh: "Pursuant to what rule?"

Speaker Redmond: "31. 31D is the one that provides that it doesn't require any notice."

Walsh: "Now, this . . . ah . . . by what authority, Mr. Speaker, was that Bill introduced?"

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3118 was introduced from the Rules Committee as an emergency matter that effects State Government. The vote was 12 to 11 in Committee, Mr. Walsh. That is the Bill that provides that the Governor may if he desires impound 6 percent of the General Revenue and he may if he desires release it."

Walsh: "Speaker."

Speaker Redmond: "Representative Walsh."

Walsh: "Ah . . . I respectfully suggest to you, Mr. Speaker, that . . . ah . . . giving this matter less than 24 hours notice on a weekend



is insufficient notice and is an abuse of Rule 31."

Speaker Redmond: "31D provides no notice a week prior to June the 30th."

Walsh: "I beg your pardon, I understand that, Mr. Speaker."

Speaker Redmond: "So that . . ."

Walsh: "But I . . . I . . ."

Speaker Redmond: ". . . it is in conformance."

Walsh: ". . . I still submit to you that it is an abuse of that privilege that is granted to you under the rules and I would respectfully request that you make it Monday at the latest."

Speaker Redmond: "Representative Tipword."

Tipword: "Mr. Speaker, I . . . ah . . . have no objections to the Bill or the hearing of it, but I would just like to make a parliamentary inquiry."

Speaker Redmond: "State your point."

Tipword: "Does a Committee . . . ah . . . of the whole require a quorum of the House?"

Speaker Redmond: "I would assume so."

Tipword: "I was just wondering it . . . noticing how many are gone here, I'm wondering if we're really going to do the Bill any good by calling . . . ah . . . a Committee of the whole at 2 o'clock tomorrow afternoon when there may be even less than is here at the present time and in fact I think it's again an imposition on those who do their best to get here who will sit here with no one here."

Speaker Redmond: "Representative Mann."

Mann: "You are perfectly within your rights. Every Member knows that there's a meeting tomorrow. They've been advised of this. It's the responsibility of every Member to be here. I think the matter has been announced by the Speaker and that should settle it."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, I'm not against the motion, but I . . . I wonder if . . . I don't have the Bill and I would like to have it if . . . if this is passed so I could study it overnight."

Speaker Redmond: "You'll have it. I think it's been . . . Representative Deuster."

Deuster: "Mr. Speaker . . ."



Speaker Redmond: "I'm trying to close now."

Deuster: ". . . Yes, . . . well, Mr. Speaker, you referred to some rules and I'm looking at my rules and I don't see any rule that gives you . . ."

Speaker Redmond: "31."

Deuster: "Well, I have 31 here. I've got 31D."

Speaker Redmond: "31C and D."

Deuster: "And it doesn't say anything about . . . ah . . ."

Speaker Redmond: "Well, it . . ."

Deuster: ". . . it provides that the notice re . . . provisions must be complied with."

Speaker Redmond: "Representative Duff . . . not under 31D."

Duff: "Mr. Speaker . . ."

Speaker Redmond: "Representative Duff. Representative Duff."

Duff: "Mr. Speaker, 31D says informing a Committee of a whole, the Speaker shall leave his Chair and appoint an acting Chairman to preside over the Committee of the whole. That is related to the conduct of the meeting."

Speaker Redmond: "We're sitting . . . it's a Committee meeting."

Duff: "I'm on a point of order, Mr. Speaker, that is a reference to the conduct of the meeting."

Speaker Redmond: "Well, that's all right."

Duff: "Now, Mr. Speaker, Rule 31 says that it can only take place when the provisions of Rule 18 are complied with and Rule . . ."

Speaker Redmond: "Representative Shea."

Duff: ". . . and Rule 18 has a provision that says the notice must be made one day in advance and then the meeting . . . and it must be done before noon of the following Legislative Day; and Rule 18 is not being complied with, Mr. Speaker, in any way, shape or form."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Rule 18 says that in the week, Rule 18C, says that in the week preceding June 30th which starts tomorrow that the notice provision is waived but it will be announced from the floor of the House."

Speaker Redmond: "Representative Matijevich."



Matijevich: "That was 18E and it was 31C is the one that allows the Speaker to do it at his discretion. 18D allows him because we are in . . . that will be in the week preceding June 30th to do it without notice but he has to make an announcement which he has done."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker, there is no question . . . the first part of the statement is correct, Rule 31 let's the Speaker do this. As far the D is concerned it's when you leave the Chair and give somebody else . . ."

Speaker Redmond: "Well, that's all right, I haven't done it."

Duff: "Let . . . let me finish, Mr. Speaker. It's the entire Rule 31 is subject to compliance and conformity with the provisions of Rule 18. Now, in Rule 18, I would refer you to B and . . ."

Speaker Redmond: "Look at 18D."

Duff: ". . . All right, D says no notice by posting is required for any meeting held in the week preceding June 30th in any regular Session, but the meeting shall be announced on the floor of the House, but this is not the week preceding adjournment, Mr. Speaker, this is the week before that."

Speaker Redmond: "Representative . . ."

Duff: "Today is Saturday, I would remind you, Mr. Speaker."

Speaker Redmond: "The meeting will be held and I think that it's in compliance with the rules. Message from the Senate is the order of business."

Fredric 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 a Bill of the following title in the passage of which I'm instructed to ask concurrence of the House, Senate Bill 632, passed by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution, House Joint Resolution #66, concurred in by the Senate June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House that the Senate has concurred with the House in the adoption of the following Preamble and Joint Resolution, House



Joint Resolution #5, concurred in by the Senate June 20, 1975. Edward G. . . . Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to recede from their Amendment #2 to a Bill of the following title, House Bill 10 . . . 1291, action taken by the Senate June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the adoption of House Amendments #1 and 3 to a Bill of the following title, Senate Bill 456, action taken by the Senate June 20th, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the adoption of House Amendments 1 and 2 to a Bill of the following title, Senate Bill 682, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the adoption of Amendments #1 and 2 to a Senate Bill 881, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the adoption of the Bill of the following title, House Bill 2606, together with the following Amendment passed by the Senate as amended June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2591, together with the following Amendments in the adoption of which I'm asked concurrence of the House passed the Senate as amended June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House . . . let me keep that . . . ah . . . in the passage of the Bill of the following title, House Bill 2571, together with the following Amendment, action taken by the Senate passed the Senate as amended June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2788, together with the following Amendment, passed as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred



with the House in the passage of the Bill of the following title, House Bill 2437, together with the following Amendments passed as amended June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2868, together with the following Amendment, passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2869, together with the following Amendment passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of a Bill of the following title, House Bill 2878, together with the following Amendments passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2891, together with the following Amendment passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 2915, together with the following Amendment passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, 2957, together with the following Amendment passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has concurred with the House in the passage of the Bill of the following title, House Bill 3028, together with the following Amendments passed the Senate as amended June 21, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendments #1 and 2 to a Bill of the following title, Senate Bill 911, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has



refused to concur with the House in the adoption of Amendment #1 to the Bill of the following title, Senate Bill 1118, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House, the Senate has refused to concur with the House in the adoption of Amendment #1 . . . Bill of the following title, Senate Bill 911, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 to a House of Representative Bill of the following title, Senate Bill 945, action taken by the June 20, 1975."

Speaker Redmond: "Pardon me, it will be 1 o'clock tomorrow afternoon."

Fredric Selcke: ". . . Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in Amendment #2 to a House Bill of the following title, Senate Bill 638, action taken by the Senate June 20, 1975."

Speaker Redmond: "Representative Kempiners."

Fredric Selcke: "Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #2 in the House to a Bill of the following title action taken by the Senate June 20, 1975."

Speaker Redmond: "Could you hold it just a minute and take a breath. Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker, I rise on a parliamentary inquiry."

Speaker Redmond: "State your point."

Kempiners: "Have we passed the adjournment Resolution?"

Speaker Redmond: "No. We haven't done that yet."

Kempiners: "We have not so that if we don't agree with one and you come in at 1 o'clock that . . . ah . . . we would speak in opposition to that when the adjournment Resolution is passed, is that correct?"

Speaker Redmond: ". . . Motion, yeah. Representative Shea. We're not quitting."

Shea: "You mean about the time I want to adjourn to or the adjournment Resolution?"

Kempiners: "The time you want to adjourn to, is that not included in the



adjournment Resolution, . . . ah . . . Mr. Majority Leader?"

Speaker Redmond: "We haven't had it."

Shea: "What do we need an adjournment Resolution for?"

Speaker Redmond: "Representative Barnes for an announcement."

Barnes: "Thank you very much, Mr. Speaker, not an announcement but a motion. It's filed and I don't . . . I guess I should go ahead because it's today's date."

Speaker Redmond: "I know it, I want them to hear it before they . . . where's the motion?"

Barnes: ". . . okay, fine. Ah . . . Thank . . . thank you very much, . . ."

Speaker Redmond: ". . . the motion?"

Barnes: "No, I understand I'm cleared up on this point now. Ah . . . The . . . ah . . . Appropriations Committee II will meet on Monday, June 23, 1975 on the House floor at 8 a.m. They will be hearing Senate Bill 555 which is the Department of Public Aid, Senate Bill 629 which is the Illinois Law Enforcement Commission, Senate Bill 635 which is the Department of Children and Family Services and Senate Bill 510 which is the Department of Labor. This is the last day for these Bills to be heard, so I suggest that the Sponsors all be in attendance 8 a.m., House floor, Monday, June 23."

Speaker Redmond: "Fred, go ahead."

Fredric Selcke: "Ah . . . Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in adoption of Amendment #1 to House of Representatives a Bill of the following title, Senate Bill 642, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 to Senate Bill 645, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in Amendments #1 in the House to a Bill of the following title, Senate Bill 707, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 444, action



taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of Amendment #1 of the House the Bill of the following title, Senate Bill 418, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 419, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 to a Bill of the following title, Senate Bill 432, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 454, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House a Bill of the following title, Senate Bill 470, action taken by the Senate June 20, 1975. Kennet Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 to the House to a Bill of the following title, Senate Bill 355, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House . . . give me another one . . . refuse to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 295, action taken by the Senate June 20, 1975. Kennet Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 298, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 223, action taken by the Senate June 20,



1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 211, action taken by the Senate June 20, 1975.

Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 208, action taken by the Senate June, 20, 1975.

Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 184, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 4, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a Bill of the following title, Senate Bill 56, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendment #1 of the House to a bill of the following title, Senate Bill 57, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary. Mr. Speaker, I'm directed to inform the House the Senate has refused to concur with the House in the adoption of Amendments #1 and 2 of the House to a Bill of the following title, Senate Bill 69, action taken by the Senate June 20, 1975. Kenneth Wright, Secretary . . . ah . . . Senate Bill . . ."

Speaker Redmond: "Representative White."

White: "Just . . . Mr. Speaker, Ladies and Gentlemen of the House, tomorrow morning at 10 a.m. at Lincoln Park on Diamond 10 the House will play the Press . . . ah . . . the liquid appeasement will be provided by Representative Mahar and on Friday . . . you like . . . for the piece meal . . . okay, on Friday the 27th the Democratic



secretaries are going to play the Republican secretaries . . . ah . . . at Lincoln Park at 6 p.m. on Diamond 3. Thank you. I would also ask the players for tomorrow's ball game to be present not later than 9 o'clock. Thank you."

Speaker Redmond: "First Reading."

Fredric Selcke: "Senate Bill 632, an Act to provide the ordinary and contingent expense of the Bureau of the Budget and so forth. First Reading of the Bill."

Speaker Redmond: "What else you got? Representative Shea."

Shea: "Mr. Speaker, I move that the House do now adjourn until 1 o'clock p.m., Sunday, June 22."

Speaker Redmond: "Gentleman's moved the House adjourn until 1 p.m., tomorrow. All in favor say 'yes', 'aye', oppose 'no'; the motion carries . . . Representative Maragos."

Maragos: "Agreed Resolutions."

Speaker Redmond: "Do it tomorrow."

Maragos: "All right."



INDEX
HOUSE OF REPRESENTATIVES

1.

June 21, 1975

9:00	Speaker Redmond	House will come to Order
	Rev. Krueger	Prayer
	Speaker Redmond	Roll Call
9:03	Jack O'Brien	Messages from Senate
	Speaker Redmond	Consent Calendar
9:08	Jack O'Brien	Senate Bills, Third Reading
9:11	Speaker Redmond	above Bills passed
	Skinner)	
	Speaker Redmond)	
	Jack O'Brien	SB 468....Second Reading CA #2 & 3 adopted; 1,4,5 & 6 tabled in Committee
9:14	Stone	Amendment #7
9:15	Grotberg	withdraw Am. #7
	Speaker Redmond	
	Stone	Amendment #8
	Speaker Redmond	
9:17	Ryan	Amendment #8
	Speaker Redmond	
9:18	Stone	ask vote 'no'
	Speaker Redmond	
9:18	Ryan	to close
	Speaker Redmond	Amendment #8 lost
9:19	Jack O'Brien	Amendment #9
	Speaker Redmond	
9:19	Stone	



9:20 Speaker Redmond Amendment #9..adopted..Third
 Jack O'Brien SB 472...Second Reading....CA
 Speaker Redmond
 Chapman)
 Ryan)

9:21 Speaker Redmond Amendment adopted..Third Reading
 Jack O'Brien SB 653..Second Reading..no CA

9:25 Speaker Redmond Third Reading
 Jack O'Brien SB
 Shea
 Jack O'Brien SB 652...Second Reading
 Speaker Redmond Third Reading
 Speaker Redmond SB 957...Third Reading

9:28 Berman
 Jack O'Brien SB 992...Second Reading, 1 CA
 Speaker Redmond
 Houlihan, D. move not adopt CA
 Speaker Redmond CA #1 tabled
 Jack O'Brien Amendment #2
 Speaker Redmond
 Houlihan, D. Amendment #2
 Speaker Redmond SB 992 (cont.)

9:32 Houlihan, D.)
 Schneider)

9:36 Speaker Redmond Amendment #2
 Schneider
 Speaker Redmond Amendment #2 adopted, Third Reading



9:36 Jack O'Brien SB 989, Second Reading; 1 CA
 Speaker Redmond
 Barnes, E. M.
 Jack O'Brien SB 1018, Second Reading; 1 CA
 Speaker Redmond
 ? Amendment #1
 Speaker Redmond Amendment #1 adopted, Third Reading
 Jack O'Brien SB 1057, Second Reading; 1 CA
 Speaker Redmond take out

9:40 Lundy)
)
)
 Speaker Redmond)

9:40 Shea
 Lundy

9:42 Speaker Redmond

9:43 Jack O'Brien SB 633, Second Reading; 1 CA
 Speaker Redmond

9:43 Kane Amendment #1
 Speaker Redmond
 Schlickman) yield ?
)

9:44 Kane)
)
 Schlickman address Amendment, oppose
 Speaker Redmond

9:46 Grotberg) yield ?
)
 Kane)
 Speaker Redmond

9:47 Barnes



9:49	Grotberg	address Am. #1, SB 633
	Speaker Redmond	
9:50	Barnes, E. M.	
	Speaker Redmond	
9:51	Geo-Karis	
9:55	Speaker Redmond	
9:55	Londrigan	oppose
	Speaker Redmond	
9:56	Dyer	oppose
	Madigan	
	Speaker Redmond	
10:00	Ebbesen	move previous question
	Speaker Redmond	
	Kane	for
	Speaker Redmond	Amendment #1
10:00	Dunn, J.	
	Speaker Redmond	
10:05	Barnes	'aye'
	Speaker Redmond	Amendment #1, lost
10:05	Jack O'Brien	Amendment #2
	Speaker Redmond	
	Ryan	Sponsor
	Speaker Redmond	Amendment #2, lost
	Jack O'Brien	Amendment #3
	Speaker Redmond	
	Kane	move to table Amendment #3
	Speaker Redmond	tabled Am. #3; Third Reading



	Jack O'Brien	SB 634, Second Reading, no CA
10:08	Kane	
	Speaker Redmond	Amendment #1
10:08	Kane	Amendment #1
	Geo-Karis	
	Speaker Redmond	
	Kane	
10:09	Choate	
	Speaker Redmond	
	Kane)
)
	Geo-Karis)
10:10	Speaker Redmond	Amendment #1 adopted
	Jack O'Brien	Amendment #2
	Speaker Redmond	
	Ryan	
10:12	Kane	
10:14	Speaker Redmond	
10:14	Ryan	to close
10:15	Speaker Redmond	Amendment #2 lost; Third Reading
10:17	McPartlin	Fiscal note filed; HB 379
	Speaker Redmond	Fiscal note filed; Third Reading
	Jack O'Brien	SB 484
	Speaker Redmond	
10:18	Hart	hold it for Boyle
	Jack O'Brien	SB 507, Second Reading
	Speaker Redmond	



? Amendment adopt #.....

Jack O'Brien Amendment #3

Speaker Redmond

10:18 Ryan Amendment #3

Speaker Redmond

Richmond

Speaker Redmond

10:20 Dunn

Speaker Redmond

10:20 Ryan

Speaker Redmond

Choate)

10:20 Ryan)

Speaker Redmond Amendment #3 lost; Third Reading

10:22 ~~Jack O'Brien~~ ~~SB 935~~

Speaker Redmond

Marovitz take out

Jack O'Brien SB 691, Second Reading, no CA,
floor Amendment

10:23 Speaker Redmond

Friedrich) Amendment #1

10:24 Schneider)

Speaker Redmond

10:26 Mudd

Speaker Redmond

10:27 Mann) question

Friedrich)

Speaker Redmond



10:29 Schlickman
 10:30 Speaker Redmond
 10:30 Friedrich to close
 Speaker Redmond Amendment #1
 10:30 Schneider vote 'no'
 Speaker Redmond
 10:30 Grotberg support
 Speaker Redmond
 10:33 Mudd

SPECIAL

Speaker Redmond Amendment adopted, Third Reading
 Jack O'Brien SB 517, Second Reading, 2 CA
 Speaker Redmond
 Greiman Amendment #2
 Speaker Redmond Amendment adopted
 Jack O'Brien
 Speaker Redmond
 ? Ryan
 Greiman
 Speaker Redmond
 10:37 Ryan to close
 Speaker Redmond Amendment #3 lost, Third Reading
 10:38 Jack O'Brien SB 598 935, Second Reading, 3 CA
 Marovitz
 Bradley in Chair
 Jack O'Brien Amendment #2



10:40	Bradley	Amendment #2 adopted
	Jack O'Brien	Amendment #3
	Bradley	
10:40	Marovitz	Amendment #3
	Bradley	Amendment #3 adopted; Third
10:41	Bradley	SB.....Third Reading
	Hoffman, R. K.)	question of Chair
10:42	Bradley)	
10:43	Schlickman	Parliamentary Inquiry
	Bradley	
10:45	Fred Selcke	
	Madigan	
10:46	Bradley	
	Fred Selcke	SB 362...Third Reading
	Bradley	
10:46	Fennessy	
10:47	Bradley	SB 362...Passed
	Fred Selcke	SB 410..Third Reading.
10:48	McClain	
	Bradley	
	Palmer	
	Bradley	
10:48	Simms	
	Bradley	
10:50	Palmer)	Parliamentary Inquiry
	Bradley)	
	Bradley)	
	McClain)	



	Bradley	SB 410 (cont.)
10:52	Leinenweber	
	Bradley	
10:55	Beaupre	
	Bradley	
10:56	McClain	to close
	Bradley	
10:58	Deuster	explain vote
10:59	Bradley	SB 410..Passed
	Fred Selcke	SB 417...Third Reading
	Beaupre)
)
	Bradley)
10:59	Polk	
	Bradley	
11:01	Katz	
	Bradley	
11:03	Dunn, J)
)
	Bradley)
11:03	Stone) Point of Order
)
	Bradley)
11:08	Beaupre	to close
11:10	Bradley	SB 417..Passed
	Fred Selcke	SB 433
	Bradley	
11:10	Lechowicz	
	Bradley	



11:10	Gaines)	question
	Lechowicz)	
	Bradley	
11:12	Friedrich)	
	Lechowicz)	to close
	Bradley	SB 433...Passed
	Fred Selcke	SB 443
	Bradley	
11:13	Terzich	
	Bradley	SB 443..Passed
	Fred Selcke	SB 463
	Bradley	
11:15	Tipsword	
	Bradley	
11:18	McMaster	
	Bradley	SB 463...Passed
	Fred Selcke	SB 506
	Bradley	
11:19	Londrigan	
	Bradley	
11:20	Mugalian	oppose..SB 506
	Bradley	
11:20	Schlickman	
	Bradley	
11:21	Londrigan	to close
	Bradley	SB 506
11:23	Borchers	



11:23	Bradley	SB 506
11:24	Leinenweber	
11:25	Bradley	SB 506...passed
	Fred Selcke	SB 641...Third Reading
	Bradley	
11:25	McClain	
	Bradley	SB 641...passed
	Fred Selcke	SB 647, Third Reading
	Giglio	
11:28	Kempiners	
	Bradley	
11:29	Mahar	
	Bradley	
11:30	Giglio	to close
	Bradley	
11:30	Walsh	explain vote, 'no'.
	Bradley	
11:31	Dunn, R.	
	Bradley	
11:32	Skinner	
	Bradley	
11:33	Giglio	
	Londrigan	
	Bradley	
11:34	Giglio	
	Bradley	
11:35	Lundy	



11:35	Bradley	SB 647, (cont)
	Kempiners	
	Bradley	
11:37	Garmisa	
	Bradley	
11:38	Schraeder	
	Giglio	Poll the absentees
	Walsh	
11:39	Darrow	Record me as 'aye'
	Bradley	
	Winchester	'no'
11:40	Fred Selcke	Polls absentees
	Walsh	request verification
	Bradley	
	Giglio	Postpone consideration
11:42	Fred Selcke	SB 647 ...658
	Bradley	
11:43	Beaupre	
	Bradley	
11:43	Ryan)
	Beaupre)
	Bradley)
11:43	Telcser	
	Bradley	
	Beaupre	
	Bradley	



11:44	Barnes, E. M.	
	Bradley	SB 658 (cont)
11:45	Telcser	
	Bradley	
11:45	Beaupre	point of personal privilege
	Bradley	back to Second Reading
11:45	Downs	point of personal privilege
	Bradley	
	Fred Selcke	Amendment #2
11:46	Ryan	
	Bradley	Amendment #2
	McGrew	explain vote
11:48	Beaupre	
	Bradley	
11:48	Terzich	
	Bradley	
	Ryan	
	Bradley	
11:50	Leinenweber	
11:50	Peters	
	Bradley	
11:50	Ebbesen	
	Bradley	
11:51	Lechowicz	
	Bradley	
11:53	Beaupre	explain vote



11:55	Bradley	Amendment adopted, Third Reading
	Fred Selcke	SB 661, Third Reading
11:55	Tipsword	
	Bradley	SB 661, passed
	Houlihan, J.	
	Bradley	
11:59	Shea	
	Houlihan, J.	
11:59	Bradley	
	Houlihan, D.	
	Bradley	
12:01	Houlihan, J.	
	Bradley	
12:01	Washburn	SB 663, Third Reading
	Bradley	
	Byers) question..
	Washburn)
12:03	Schraeder) question..
	Washburn)
	Bradley	
	Washburn	to close
	Bradley	
12:03	Barnes, E. M.	
	Bradley	
	Ryan	
	Bradley	
	Barnes, E. M.	



12:03

Bradley

SB 663, (cont.)

Mudd

request Washburn's Bill go back to
Second Reading

Bradley

Totten

Bradley

Peters

move previous question

Bradley

motion fails

Maragos

Bradley

Leinenweber)

Maragos)

Bradley)

Maragos)

Bradley)

Georgi)

Ryan)

Bradley

Collins

Bradley

Georgi

point of order

Collins

Bradley

Collins

Bradley

Caldwell) question

Washburn)

Bradley



	Washburn	to close ..SB 663
	Bradley	
	Kosinski	
	Bradley	
	Cunningham	
	Bradley	
	Stone	point of order
	Bradley	
	Cunningham	
	Bradley	
	Stone	point of order
	Bradley	
	Mudd	
	Bradley	SB 663...Passed
	Jack O'Brien	Committee Reports
	Bradley	
	<u>SPECIAL</u>	
	Jack O'Brien	SB 1024, Second Reading, 2 CA
12:20	Shea	Amendment #1
12:21	Bradley	Amendment adopted
	Jack O'Brien	Amendment #2
	Shea	
	Jack O'Brien	
12:22	Daniels	Yield to Fleck
	Fleck	Amendment #2
	Bradley	
12:23	Shea	oppose Amendment



12:23	Bradley	SB 1024 (cont.)
12:24	Schlickman	urge 'aye' vote
	Bradley	
12:25	Leinenweber	urge 'aye' vote
	Bradley	Amendment #2
12:26	Fleck	
	Bradley	Amendment #2...lost
	Jack O'Brien	Amendment #3
	Bradley	
12:27	Hart	Table #3
	Bradley	
	Jack O'Brien	Amendment #4
	Bradley	
12:28	Jaffe	Amendment #4
	Bradley	
	Washington	
	Bradley	
12:36	Leinenweber	urge 'no'
	Bradley	
12:36	Dunn, J.	urge 'aye'
	Bradley	
	Geo-Karis	
12:38	Bradley	
	Jaffe	
	Duff	point of order; questions germane-
	Bradley	ness
12:39	Jaffe	



12:39	Bradley	opinion of Chair; it is germane
	Duff	
12:43	Lundy	
	Lundy	Point of Order
	Bradley	
12:43	Shea	explain 'no' vote
	Bradley	
12:43	Mautino	
12:43	Bradley	
12:44	Schuneman	
12:46	Bradley	
	Fleck	
	Bradley	
12:47	Cunningham	
	Bradley	
12:48	Downs	explain vote
	Bradley ..Speaker Redmond	
12:50	Londrigan	
	Speaker Redmond	Amendment #4 lost
12:51	Jack O'Brien	Amendment #5
	Jaffe	
	Speaker Redmond	
12:52	Shea	oppose Amendment
	Speaker Redmond	
12:53	Schuneman) question
)
12:54	Jaffe)
	Speaker Redmond	



12:57 Giorgi)
)
 Jaffe) discussion SB 1024...Am. #5

12:57 Speaker Redmond Giorgi out of order...Am. #5

12:59 Simms
 Speaker Redmond Amendment #5 adopted
 Jack O'Brien Amendment #6
 Speaker Redmond

12:59 Greiman
 Speaker Redmond
 Shea) point of order
)
 Greiman)
 Speaker Redmond

1:00 Geo-Karis)
)
 Greiman)
 Speaker Redmond

1:01 Schlickman point of order
 Speaker Redmond) Parliamentarian advises it's not
) in order.

1:02 Greiman)
)
 Stone
 Jack O'Brien Amendment #7
 Speaker Redmond

1:04 Fleck
 Speaker Redmond

1:07 Boyle) question
)
 Fleck)
 Speaker Redmond

1:08 Daniels) question
 Fleck)



1:12	Daniels	oppose
1:12	Speaker Redmond	SB 1024 (cont.)
	Schraeder	oppose
	Geo-Karis	
1:13	Speaker Redmond	
	Fleck	to close Amendment #7
	Speaker Redmond	Amendment lost
1:14	Jack O'Brien	Amendment #8
	Speaker Redmond	
	Fleck	move to table #8
	Speaker Redmond	tabled #8
1:15	Jack O'Brien	Amendment #9
	Speaker Redmond	
	Fleck	Amendment #9
	Speaker Redmond	Am. #9 ...out of order
1:16	Getty	
	Speaker Redmond	
1:16	Fleck	Amendment #10
	Speaker Redmond	
	Geo-Karis	
	Speaker Redmond	
1:18	Hart	
	Speaker Redmond	
	Daniels	oppose
	Speaker Redmond	
	Berman	
1:20	Speaker Redmond	Amendment #10



1:20	Fleck	Amendment #10 ...SB 1024
	Speaker Redmond	
1:21	Jaffe	
	Speaker Redmond	Amendment lost
1:22	Jack O'Brien	Amendment #11
	Speaker Redmond	
	Fleck	table Amendment #11
	Jack O'Brien	Amendment #12
	Speaker Redmond	
1:23	Hart	
	Speaker Redmond	
1:28	Daniels)
	Hart)
	Daniels	oppose
	Speaker Redmond	
1:29	Greiman	
1:30	Speaker Redmond	Amendment #12..lost
	Jack O'Brien	Amendment #13
	Hart	Table
	Speaker Redmond	Amendment #13 tabled
1:32	Hart	Amendment #14
	Speaker Redmond	Clerk will make correction
1:33	Hart	Amendment #14
	Speaker Redmond	
1:33	Daniels	oppose
	Speaker Redmond	
1:35	Stearney	



	Speaker Redmond	Amendment #14 lost (SB 1024)
1:35	Jack O'Brien	Amendment #15
	Speaker Redmond	
	Hart	table
	Speaker Redmond	tabled #15
1:36	Jack O'Brien	Amendment #16
	Fleck	table #16
	Speaker Redmond	
	Jack O'Brien	Amendment #17
1:37	Speaker Redmond	
	Shea	leave to amend the Amendment
	Speaker Redmond	leave
1:38	Shea	
	Speaker Redmond	
1:38	Leinenweber	
	Speaker Redmond	
1:40	Schlickman	oppose
	Speaker Redmond	
1:43	Houlihan, D. L.	oppose
	Speaker Redmond	
1:45	Friedrich)
)
	Shea)
	?	move previous question
	Speaker Redmond	'ayes' have it
1:49	Shea	Amendment #17
	Speaker Redmond	
1:50	Fleck	oppose



1:50 Speaker Redmond Amendment #17, (SB 1024 cont.)

1:51 Miller

Speaker Redmond Amendment #17 ..adopted

Duff point of personal privilege

Speaker Redmond

1:55 Walsh move to reconsider vote..Am. #5

Jaffe motion...timely

1:55 Speaker Redmond

Catania

1:56 Speaker Redmond

Beatty point of order

Speaker Redmond

1:57 Barnes

Speaker Redmond

Bradley point of order

Speaker Redmond

Walsh move to reconsider vote..Am. #5

Jaffe move motion lie on table

Speaker Redmond

Walsh

Speaker Redmond

Jaffe

Speaker Redmond

1:59 Walsh

Speaker Redmond

"Missouri Legislator"

Speaker Redmond



2:03	Borchers	
	"Frenchman"	'have fun with this girls' !!!!
2:04	Speaker Redmond	
2:05	Jaffe	
	Speaker Redmond	motion to table is lost
2:07	Walsh	
	Speaker Redmond	
2:08	Schuneman)
	Shea)
	Speaker Redmond)
2:10	Boyle	
	Speaker Redmond	
2:11	Meyers	
	Speaker Redmond	
2:12	Mann	
	Speaker Redmond	
2:13	Geo-Karis	
	Speaker Redmond	
	Berman	
	Speaker Redmond	
2:15	Deuster	
	Speaker Redmond	
2:15	Barnes, E. M.	
	Speaker Redmond	
2:16	Schuneman	
	Speaker Redmond	
2:18	Jaffe	



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

2:18 Speaker Redmond

2:19 Ryan 'aye' vote
 Madison move previous question
 Speaker Redmond 'ayes' have it
 Walsh to close

2:23 Speaker Redmond moves vote be re-considered Am. #5
 Geo-Karis SB 1024
 Speaker Redmond
 Shea
 Speaker Redmond

2:25 Barnes Parliamentary inquiry
 Speaker Redmond

2:26 Fleck
 Speaker Redmond

2:27 Jaffe
 Speaker Redmond
 Fleck requests "honest count"
 Speaker Redmond Dump the Roll
 Speaker Redmond motion prevails..Am. #5
 vote reconsidered
 Walsh move to table #5

2:29 Jaffe
 Speaker Redmond
 Shea
 Speaker Redmond

2:30 Walsh
 Speaker Redmond

2:30 Jaffe



	Speaker Redmond	
	Walsh	
	Speaker Redmond	
	Jaffe	
	Speaker Redmond	
2:31	Barnes	
	Speaker Redmond	
	Boyle	
	Speaker Redmond	
2:33	Schneider	
	Speaker Redmond	
	Collins	point of order
	Speaker Redmond	
2:35	Schneider	
	Speaker Redmond	
2:35	Walsh	
	Speaker Redmond	
2:36	Downs	
	Speaker Redmond	
2:38	Walsh	withdraw motion to table
	Speaker Redmond	
2:38	Friedrich	
	Speaker Redmond	voting on Amendment
2:38	Madison	
	Speaker Redmond	
2:39	Schraeder	
	Speaker Redmond	



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

2:40	Beaupre	
	Speaker Redmond	
	Peters	
	Speaker Redmond	
2:42	Washington	
	Speaker Redmond	
2:43	Davis	urge 'no'
	Speaker Redmond	
	Calvo	
	Speaker Redmond	
2:45	Daniels	urge 'no'
	Speaker Redmond	
2:47	Boyle	vote 'aye'
	Speaker Redmond	
2:48	Terzich	
	Speaker Redmond	
2:49	Jaffe	
	Speaker Redmond	
2:50	Mautino	
	Speaker Redmond	
2:50	Jaffe	verification
2:50	Walsh	verification of other side
	Speaker Redmond	
2:50	Jaffe	
	Speaker Redmond	verify affirmative Roll Call
2:51	Jack O'Brien	
	Speaker Redmond	any questions?



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

2:54	Walsh	
	VonBoeckman	
	Griesheimer	
	Duff	vote me 'no'
	Speaker Redmond	
	Walsh	
	Speaker Redmond	proceed with verification of negative Roll Call
3:01	Boyle	
	Speaker Redmond	"Members be in their seats, etc."
3:01	Jack O'Brien	proceed with negative verification
	Speaker Redmond	
3:05	Sharp	vote me 'aye'
	Jack O'Brien	continues negative Roll Call
3:09	Speaker Redmond	any questions on negative Roll Call?
3:10	Jaffe)
	Jack O'Brien)
3:10	Speaker Redmond)
3:10	Madison	
	Jaffe	proceeds with question
	Speaker Redmond	
	Williams	vote 'aye'
3:14	Jaffe	proceeds
3:14	Speaker Redmond	what's the count?
3:15	Speaker Redmond	Amendment fails - introduce?
	DiPrima	
3:17	Jack O'Brien) HB 395
	DiPrima)



Speaker Redmond adopted
 Jack O'Brien
 Fleck Amendment #18 table
 Speaker Redmond
 Shea
 3:23 Jack O'Brien Amendment #19
 Speaker Redmond
 3:23 Hart
 Speaker Redmond
 3:24 Friedrich) yield?
 Hart)
 Speaker Redmond
 3:25 Yourell) respnd to question?
 Hart)
 Terzich
 Hart
 3:29 Daniels) question
 Hart)
 3:30 Speaker Redmond
 Geo-Karis) question
 3:30 Hart)
 Speaker Redmond
 3:32 Hart to close
 Speaker Redmond
 3:34 Katz
 3:35 Speaker Redmond Amendment #19 fails
 3:35 Jack O'Brien Amendment #20



3:35	Fleck	Amendment #20
	Speaker Redmond	
3:37	Friedrich	
	Speaker Redmond	
3:37	Fleck	continues
	Speaker Redmond	
3:38	Geo-Karis	
	Speaker Redmond	
3:38	Shea	oppose
	Speaker Redmond	
3:39	Fleck	
3:40	Speaker Redmond	Amendment fails
	Jack O'Brien	Amendment #21
3:40	Fleck	
	Speaker Redmond	
3:42	Shea	oppose
	Speaker Redmond	
3:43	Fleck	
	Speaker Redmond	Amendment #21 fails
3:43	Jack O'Brien	Amendment #22
	Speaker Redmond	
3:42	Fleck	
	Speaker Redmond	
3:45	Geo-Karis	
	Speaker Redmond	
3:46	Miller	
	Speaker Redmond	



3:46	Maragos	
	Speaker Redmond	
3:46	Lechowicz	move previous question
	Speaker Redmond	'ayes' have it
3:47	Fleck	to close
	Speaker Redmond	
3:48	Shea)	anser one thing
	Fleck)	
	Speaker Redmond	
3:49	Jaffe	parliamentary inquiry
	Speaker Redmond	
3:50	Shea	
	Fleck	ask leave to amend the Amendment
	Speaker Redmond	
3:50	Schuneman	question
	Speaker Redmond	
3:52	Fleck	
3:52	Speaker Redmond	Amendment #22
3:53	Shea	
	Speaker Redmond	Amendment #22 adopted
	Jack O'Brien	Amendment #23
3:54	Speaker Redmond	
	Shea	
	Speaker Redmond	
3:54	Deuster)	leave to change number in Amendment
3:55	Shea)	
	Speaker Redmond	leave granted



3:56	Deuster	explain Amendment
	Speaker Redmond	
3:59	Shea	oppose
3:59	Deuster	to close
	Speaker Redmond	Amendment #23 fails, Third Reading
4:00	Friedland	move House adopt Conference Committee Report #66
	Speaker Redmond	House does adopt
4:01	Jaffe	HB 496 - move for adoption Conference Committee Report
4:02	Speaker Redmond	House does adopt Conference Committee Report #1
	Terzich	HB 585
	Speaker Redmond	House adopts Conference Committee Report
	Mulcahey	HB 1173 Conference Committee Report
	Speaker Redmond	
	Macdonald	don't have Conference Committee Report
	Speaker Redmond	
	Lundy)	yield
	Mulcahey)	
	Speaker Redmond	House adopts Conference Committee Report #1
	Fred Selcke	SB 666, Third Reading
	Mudd	move back to Second?
	Speaker Redmond	
	Totten	I have Amendment
	Mudd	whatever's fair
	Speaker Redmond	
	Totten	



Fred Selcke
Mudd
Speaker Redmond SB 666 back to Second
Fred Selcke Amendment #1
Totten
Speaker Redmond
Mudd no objections
Speaker Redmond Amendment adopted, Third Reading
Fred Selcke SB 693, Third Reading
Speaker Redmond out of record
Fred Selcke SB 749, Third Reading
Speaker Redmond
Washburn
Speaker Redmond
Tipsword) question
Washburn)
Mautino) yield?
Washburn)
Speaker Redmond
Mugalian
Speaker Redmond
Stone
Speaker Redmond
Palmer) yield?
Washburn)
Speaker Redmond
Rose yield?



Washburn
 Speaker Redmond
 Matijevich
 Speaker Redmond SB 749
 Stone
 Speaker Redmond SB 749 passed
 Fred Selcke SB 829, Third Reading
 Houlihan leave to take back to Second for
 Amendment
 Speaker Redmond leave granted
 Fred Selcke Amendment #1
 Speaker Redmond
 Maragos
 Speaker Redmond Amendment adopted, Third Reading
 Fred Selcke SB 856, Third Reading
 Speaker Redmond
 McClain
 Speaker Redmond
 Schneider questioned
 McClain
 Speaker Redmond
 Skinner
 Speaker Redmond
 Maragos
 Speaker Redmond
 McClain
 Speaker Redmond SB 856 passed
 Fred Selcke SB 863, Third Reading



Speaker Redmond
 McClain "not timely"
 Speaker Redmond out of record
 Bradley
 Speaker Redmond
 Fred Selcke SB 882, Third Reading
 Speaker Redmond
 Hoffman, R.
 Speaker Redmond
 Palmer) question
 Hoffman)
 Speaker Redmond SB 882 passed
 Fred Selcke SB 986, Third Reading
 Speaker Redmond
 Friedland
 Speaker Redmond
 McMaster) question
 Friedland)
 Speaker Redmond
 Palmer) question
 Friedland)
 Speaker Redmond
 Dunn, R.) yield?
 Friedland)
 Speaker Redmond
 Maragos
 Speaker Redmond



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

McMaster	
Speaker Redmond	
Maragos	hold this?
Speaker Redmond	out of record
Fred Selcke	SB 1049, Third Reading
Speaker Redmond	
Calvo	
Speaker Redmond	SB 1049 passed
Fred Selcke	SB 1247
Speaker Redmond	
Ryan	inquiry of chair
Speaker Redmond	
Fred Selcke	SB 1252, Third Reading
Speaker Redmond	
Holewinski	leave to table SB 1252
Speaker Redmond	tabled
Fred Selcke	SB 1290, Third Reading
Speaker Redmond	
Maragos	
Speaker Redmond	
Mann	suggest he take out
Speaker Redmond	
Maragos	"be glad to"
Speaker Redmond	out of record
Fred Selcke	SB 1292, Third Reading
Speaker Redmond	
Fary	take out of record



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Speaker Redmond
 Fred Selcke SB 1311, Third Reading
 Speaker Redmond
 Nardulli
 Speaker Redmond SB 1311 passed
 Fred Selcke SB 1497, Third Reading
 Speaker Redmond
 Polk
 Speaker Redmond SB 1497 passed
 Fred Selcke SB 637, Third Reading
 Speaker Redmond
 Shea
 Speaker Redmond
 Skinner
 Speaker Redmond SB 637
 Skinner
 Speaker Redmond SB 637 passed
 Fred Selcke SB 1499, Third Reading
 Shea
 Speaker Redmond) SB 1499 passed
 Shea)
 Fred Selcke SB 1048, Third Reading
 Shea
 Fred Selcke
 Shea
 Speaker Redmond
 Matijevich yield?



Shea

Speaker Redmond

Waddell

Speaker Redmond) SB 1048 passed

Downs) SB 968 consideration postponed

Speaker Redmond

Peters

Speaker Redmond SB 968 passed

McClain SB 543 consideration postponed

Speaker Redmond

Duff

Speaker Redmond

Schoeberlein withdraw opposition

Speaker Redmond

Peters

Speaker Redmond

McClain withdraw

Speaker Redmond

Geo-Karis

Speaker Redmond HB 3118 - hearing 2:00 p.m. Sunday
Committee as a whole

Walsh) repeat

Speaker Redmond) Rule 31

Shea

Walsh)

Speaker Redmond)

Tipsword parliamentary inquiry



Speaker Redmond
 Mann
 Speaker Redmond
 Schraeder
 Speaker Redmond)
 Deuster)
 Speaker Redmond)
 Duff)
 Speaker Redmond
 Shea "Rule 18 C"
 Speaker Redmond
 Matijevich
 Speaker Redmond
 Duff "Rule 31 & 18"
 Speaker Redmond message from Senate
 Fred Selcke
 Speaker Redmond 1:00 tomorrow afternoon
 Fred Selcke
 Kempiners "thank you"
 Fred Selcke
 Speaker Redmond)
 Kempiners)
 Shea
 Speaker Redmond)
 Barnes, E.M.) announcement
 Speaker Redmond
 Fred Selcke continues messages from Senate



Speaker Redmond	
White	announcement of ball games
Speaker Redmond	
Fred Selcke	SB First Reading
Speaker Redmond	
Shea	move House adjourn
Speaker Redmond	motion carries
Maragos	Agreed Resolutions
Speaker Redmond	"do it tomorrow"

