

Doorkeeper: "Attention, Members of the House of Representatives, the House will convene in fifteen minutes. All persons not entitled to the House floor, please retire to the gallery."

Speaker Bradley: "The House will.....the House will come to order and the Members will be in their seats and will be led in prayer by Father Krueger."

Father 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. Jerry Moss is quoted as saying: 'Concern for what is right causes us to do our best; Knowledge of what is best inspires us to do what is right.' Let us pray. Heavenly Father, God of all nations and mankind, we give thanks to Thee for the abundance of knowledge which Thou hast imparted for our use in our understanding of Thy divine will and for our use in effecting compatible living among the family that Thou hast placed upon this earth. As Members of this Illinois House of Representatives we have been called to minister to the needs of the people through the government of this state. Help us, O Lord, to daily see the task that is before us; supply us, O Lord, with such understanding that we may ever be inspired to be satisfied with nothing less than that which is acceptable unto Thee. Through Jesus Christ our Lord. Amen."

Speaker Bradley: "Roll Call for attendance. Committee Reports."

Clerk O'Brien: "Representative Katz, Chairman of the Committee on Judiciary II, to which the following Bills were referred, action taken June 12, 1978, reported the same back with the following recommendation: do pass as amended Senate Bill 771.

Representative Hart, Chairman of the Committee on Financial Institutions, to which the following Bill was referred, action taken June 12, 1978, reported the same back with the following recommendation: do pass Senate Bill 1786.

Representative Garmisa, Chairman of the Committee on Transportation, to which the following Bills were referred, action taken June 12, 1978, reported the same back with the following recommendation: do pass Senate Bill 1674. Do not pass Senate Bill 1423."

Speaker Bradley: "Introduction and First Reading."



Clerk O'Brien: "House-Bill 3407. Epton, et al. A Bill for an Act to amend Sections of the Illinois Insurance Code. First Reading of the Bill."

Speaker Bradley: "On the Calendar appears House Bills Second Reading, House Bill 2973. Is Mr. Abramson on the floor? Take it out of the record. 2978, Susan Catania on the floor? On the Calendar is 3319, Representative Madison. 3383, Representative Matijevich. Is that Second Reading? On the Calendar, page 4, appears Senate Bills Second Reading, appears Senate Bill 736. Capparelli. Representative Capparelli was on the floor just a minute ago, is he in the chambers? Well, I know the next Gentleman is here. Senate Bills Second Reading appears Senate Bill 1060. Read the Bill a second time."

Clerk O'Brien: "Senate Bill 1060. A Bill for an Act to create the Illinois Health Finance Authority and define its powers and duties. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 5 were adopted in Committee."

Speaker Bradley: "Are there any motions concerning those Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Bradley: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #6. Bennett. Amends Senate Bill 1060, as amended, in Section 9.02 and so forth."

Speaker Bradley: "The Gentleman from Macon, Mr. Bennett."

Bennett: "Thank...thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment is a very simple Amendment, it goes to Section 9.02 which deals with the rate reviews under the Authority. And the purpose of the Amendment is to really put the Authority on the same footing as the hospitals are today. The hospitals under some conditions can request review of a proposed rate increase less than twelve months after the previous rate increase. And it is the feeling that if the hospitals have that right, the Board should have the right to initiate on its own motion. That is, the Board of this Authority, to initiate on its own motion a rate inquiry to really protect consumers within twelve months of a previous rate inquiry on the same condition. In essence, under Section 9.02, it says in the last sentence of that paragraph, 'The Authority may not initiate a



review or investigation of the rate of any hospital within twelve months immediately following such facility's most recent rate review or investigation.' It really deletes that sentence and says, 'There can be a review', there can be a review of the rates within the twelve month period. And I think this is a consumer's Amendment. I can't understand the opposition because I believe fair is fair. And if there is some made, I can't foresee that there would be any real need but it could happen in the future if there is indeed some need to investigate the rate within a twelve month period, then that Board should have the opportunity and obligation to do so for the protection of the consumer. I...I ask for the passage of this Amendment."

Speaker Bradley: "Gentleman from Christian, Mr. Tipsword, on the Amendment."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, the hospitals of the State of Illinois and third care...third party providers of care throughout the State of Illinois, the Committees of this House in regard thereto and the Committees in the Senate, the Economic and Fiscal Commission, to some extent in years past, have worked very diligently on this Bill. And this is a Bill that requires the cooperation of all parties including the Authority that is set up in this Bill. Now, under the Bill as it presently is constituted, the Authority sets a rate after certain hearings and within a certain length of time. There is...an additional opportunity for hospitals to come back to have an additional determination within any twelve month period. And that would clearly be in only those situations where there is a crisis of some kind beyond the control of a hospital such as fire or flood or tornado that results in some kind of unusual financial hardship. Under no circumstances would the Authority itself find itself in such an...an urgent situation to do this and to open it up during each twelve month period to the Authority going back in time after time. It's simply just going to put us in the same kind of a situation that we find ourselves in today with the same kind of chaos and with no assurance, no assurance, of a predetermined rate because that rate may during the period of twelve months be redetermined under this kind of an Amendment time after time. We need the assurance of predetermined rate for the third party payers including



the State of Illinois and including individual...individuals throughout the state who pay their own bills so that they are not saddled with the...having transferred to them, costs that are not paid...picked up by third party payers throughout the State of Illinois. This Amendment would simply put chaos into this kind of a proceeding. The hospitals and the care providers have the necessity of knowing for a twelve month period what they can budget for and if the Authority can open up this at any time during every twelve month period, they cannot budget knowledgeably and not being able to so budget, it's going to increase the cost of hospital care to the third party payers as well as to individuals. And so consequently we oppose this Amendment because this Amendment is not going to provide us with that predetermination of rates and that reliability which is so necessary to make this kind of a proceeding work. Twelve months is not a long period of time, it's very short between the times that this...there must be a redetermination from time to time of these hospitals' rates.And it is very important that we have this kind of finality at least for each twelve month period so that there can be proper budgeting without the necessity and without the pressure of increasing the cost merely by going through repeated proceedings such as would be suggested or required or opened up under this kind of a proceeding. And so in the interest of securing a real rate-making authority with some real determination and without the pressures to increase cost, I urge that this Amendment be defeated."

Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson, on the Amendment, Sir?"

Vinson: "Yes, Sir. Mr. Speaker, Ladies and Gentlemen of the House, Representative Bennett's Amendment is a good one. It's an Amendment which places the consumer of health care on the same footing as the provider. It is simply an Amendment for equality between the consumer and provider. If we're going to create this regulatory process, we want to make sure it's a regulatory process fair to the consumer and that's what Representative Bennett's Amendment does."

Speaker Bradley: "Further discussion? Mr. Bennett to close."

Bennett: "Well, Mr. Speaker...."

Speaker Bradley: "Pardon...pardon me, Mr....that's Gentleman Chapman."



I'm sorry. Lady from Cook."

Chapman: "Mr. Speaker, I join with the Sponsor of this Bill in opposing Amendment #6. It conflicts with one of the underlying principles of the rate review system proposed in the Bill. Rates should be set perspectivevely on the basis of a calculation of the hospitals' anticipated reasonable, financial requirement for a given fiscal year. I don't always find myself in agreement with the Illinois Hospital Association but today I am strongly in agreement with them on this particular Amendment and would urge you to vote 'no'."

Speaker Bradley: "Further discussion? Now, Mr. Bennett to close."

Bennett: "Thank you, Mr. Speaker, I...I simply would say that this is a consumer Amendment and would ask for a favorable vote."

Speaker Bradley: "The question's on the adoption of the Gentleman's motion. All in favor signify by voting 'aye', 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 26 'ayes', 66 'nays' and the motion fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7. Vinson. Amends Senate Bill 1060, as amended, in Section 4.01 and so forth."

Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Members of the House, what this Amendment does... what the current Bill does right now is to set up five voting members on this board to set hospital rates. One of the voting members is a hospital trustee and four are public members. Putting a hospital trustee on this board to set the rates is equivalent to putting a member, a president of a railroad corporation or a president of a telephone company on the Illinois Commerce Commission Board. We haven't done that in the case of the Commerce Commission and we should not do this with setting hospital rates. If we're going to have hospital rates set by the government it should be an open process, a process that is fair to consumers. This Bill is not. This Bill creates a regulatory process that is the captive of the industry it's supposed to regulate. I urge the adoption of this Amendment."

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

Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, I oppose this Amendment. In the course of this Bill going through the



Committees, it was first set up that there would be the three public members and two trustees. Now trustees of hospitals are not necessarily people that have any financial interest in a hospital. Most of the members of boards of hospitals are public servants' jobs. But it is necessary that there should be someone on that board who could express a...an expert opinion in regard to the interest of the health care providers in the State of Illinois. The other agencies of this kind in the other states of this Union have found it necessary and... and most commendable to have someone who could bring some real expertise within the voting membership. In addition, there was compromise in the Committee. The Committee changed this from what was originally three public members and one...two trustees to four public members and one trustee only. There is a consumer majority, an absolute consumer majority, of four to one and there's nothing that prevents this hospital trustee from being also himself a consumer and only a public spirited person serving upon a hospital board. This gives, certainly, a very weighted advantage to the consumers. And it is also provided in the Bill that...that public members...the definition of who the public members may be excludes anyone else who might have a vested interest in the providing of health care through a hospital or other help care provider organization of any kind. So, consequently, those other four members have no vested interest in the providing organizations of any kind. Consequently, the consumers are absolutely represented by a four to one majority. Certainly, there should be someone on there who would represent the interest of the providers or at least could speak in behalf of the providers in some way that is a voting member upon this board. I urge you, I urge all of the Members of this House to reject this Amendment because a compromise worked out in the Committee is certainly a most satisfactory compromise and gives an overwhelming voice to consumers in the decisions that are made and rate-making by this Authority. I urge you strongly to reject this Amendment which would in and of itself destroy the rate-making authority for the State of Illinois as a viable organization."

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

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

The problem we bumped into with this particular Bill...we're always



talking about the consumer members of a board. Well, the definition of consumer, to put it mildly, is rather loose. Everyone of us is a consumer and so who will be appointed is really a very political decision. You really do not know who these consumers will represent. They could be special interest individuals on their own. But we do know who one member of this board is, we'll have one member of the board who represents the industry. The problem we have had with regulation in America today is too often we have the industry regulating the industry. And what happens to you and me? We get the proverbial shaft every time. And that's exactly what we're opening up ourselves to by not supporting this Amendment. This Amendment gives us some minor protection against having the industry have complete control right now, with no ability to control who these two members are, we cannot be confident that they will be representatives of us as a whole. But we do know that this one individual in particular will not have our interests at heart so it will clearly be the industry's hand-picked spokesman who will have no concern whatsoever other than to protect his or her own industry. If we are to have this Bill protecting you, me and the average consumer of health care, we have to be sure that it is not the industry regulating the industry but what we have is honest government involvement to protect the consumer. I ask you to please support this Amendment to avoid having the industry regulate the industry."

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

Levin: "Mr. Speaker, I rise in support of this Amendment. It used to be that a liberal thought that more government involvement was a good thing. I think that view is changing. I think the view now is that before we're going to have more government involvement we've got to see that that involvement is going to have a positive effect. We've seen what's happened where we've had government come in and regulate various industries. The result has been that those regulations, those regulators have ended up being co-opted and the rates have been higher than they would have otherwise have been. I believe that this is a very important Amendment. It is the first of several Amendments being offered which will make this Bill, which is currently unacceptable, a better Bill. This Bill, I would point out, was drafted by the



Illinois Hospital Association. You might ask, why has the Hospital Association, the industry that's purported to be regulated by this legislation, come out for it. I think there are a number of reasons and I think one of the major ones is they see this legislation as full of sufficient loopholes and they see this Authority as sufficiently controllable that they'd like to have it. I think one of the things we need to do to plug some of this loophole, to make this legislation worth voting for... rather than worth voting against is to remove the formal industry's spokesperson...the...the trustee of the hospitals from one of the voting position. I would point out that in addition to the five voting members there are four other members who are non-voting and they have the opportunity to regularly interact and to influence the five voting members. And among those four nonvoting members are two persons engaged actively in hospital administration. So the industry is well represented among the nonvoting members of the Authority. In addition, the other two nonvoting members of the Authority are third party payers, like Blue Cross, and we know the history of Blue Cross as far as being tied in closely with the providers. We saw Blue Cross told by the Department of Insurance to act to hold down health care costs and we saw them come into the Department of Insurance for an increase in which it was demonstrated that they had done nothing to hold down health care costs. So we have among nonvoting members of this Authority two persons actively engaged in the administration of hospital and at least one representative of Blue Cross who is like having another hospital person on that board. I think this is an important Amendment if we're going to have this kind of legislation be meaningful and I urge its adoption."

Speaker Bradley: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I find the debate going on this Amendment to be very interesting with conservative Republicans and liberal Democrats joining shoulder to shoulder against, basically, middle of the road people. But let's take a look at this Amendment and the overall effect on the Bill and I think all of you ought to look at what will happen if this Amendment is added and the Bill happens to pass. We're talking about an agency which is going to regulate a major industry in this state. And if you



don't think that the State Treasury is going to be impacted by this, our line item for Medicaid is 1,200,000,000 dollars this year. And, basically, what we're talking about is a board that will look at hospital costs and approve those costs or deny those costs. Now we're talking about a voting board member here....being....a...a hospital representative being replaced by a public member. We have to, if we're going to regulate an industry, we're going to have to be fair and make sure that that industry which is in fact supporting this particular Bill and saying you ought to regulate us, that industry ought to have a vote on that board if we're going to be at all effective and have the support of the industry being regulated. Now I think one of the other speakers has indicated that this Bill will still have a majority of the voting members being public members and not industry representatives. And I think that's an important point. And in the deliberations of this particular Commission, these people are going to be looking at what is a justifiable cost and what is not. Remember that, keep that in mind. What is a justifiable cost which the state will reimburse and which other third party payers will reimburse? And I think the people who have to sit on a hospital board day in and day out, making decisions as to the expenditure of hospital funds, ought to have a vote on this Commission if this Commission is going to say, even though you spent that money, it is not a justifiable cost. If this Commission is going to have any credibility whatsoever, the people who are being regulated have to have at least one vote. Therefore, I would join the Sponsor of this Bill in saying that this is a bad Amendment and it ought to be defeated."

Speaker Bradley: "The Lady from Cook, Mrs. Chapman. Let the Chair apologize, your light on this board is not flashing but it is over there, that's why I missed you the first time. Mrs. Chapman. Mrs. Chapman."

Chapman: "I join with the remarks made by Representative Kempiners except I would like to add to his remarks that these people asking for a vote on this Amendment which should be defeated are according to him, are liberal Democrats and conservative Republicans. There are those, Mr.Kempiners, who view me as a liberal Democrat and I'd like to say that this is a bad Amendment and should be defeated. If you



are in favor of controlling hospital costs you will vote for the compromise expressed in the Bill and vote 'no' on Amendment #7."

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

Leinenweber: "Well, thank you, Mr. Speaker. I'd like to comment on the last speaker. I think she had it reversed. This is a good Amendment to a very bad Bill and it points out the problem whenever we get into the area of cost setting or price fixing, as the case may be. I suggest that price fixing by the government is no better than price fixing in the back room by those in...who are...been...in violating our various antitrust acts. Price fixing has, in my opinion, only one purpose and that is to jack up the rates to insure that inefficiency can be compensated in a profitable manner which points out the reason why this is a bad Bill; because whenever we're going about setting rates, we're going to set rates which will compensate the most inefficient so that they can continue operating in a profitable manner. Now the reason the Amendment is good is because it works against this idea that we should compensate inefficiency. We're putting...we don't want to stack this committee in favor of those who wish to have their inefficiency rewarded by higher rates. If we're going to have price fixing let's separate the price fixers from those who tend to profit. Again, I'd like to point out this is a good Amendment to an extremely bad Bill and I urge its adoption."

Speaker Bradley: "Gentleman from Christian, Mr. Tipsword, you talked..."

All right. The Gentleman from DeWitt, Mr. Vinson, to close."

Vinson: "Government agency should not be advocates. Government agencies ought to be impartial referees. They can get the information they need to make decisions about cost regulation when they have to on the basis of expert testimony. Expert testimony that can come from the hospitals. Expert testimony that can come from the consumers. The members of this board should be public members who owe their duty to the public not to hospital boards, not to consumers, not to any vested interest. The reason conservatives and liberals can join on this Amendment is simply because conservatives and liberals in this sense recognize the public interest and therefore I urge a favorable vote on the Amendment."



Speaker Bradley: "Question's on the adoption of the Amendment. All in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, 55 'ayes', 78 'nays' and the Gentleman's motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #8. Leverenz. Amends Senate Bill 1060, as amended, in Section 9.08 and so forth."

Speaker Bradley: "Gentleman from Cook, Mr. Leverenz, on the Amendment."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this would change one word when it comes to approving rates and it would change the word, 'deemed' to the word, 'denied'. And the purpose of this Amendment is to protect the public interests by not creating a board which is captive of the regulated industry. This Bill currently says that if the board does not act within 60 days, the proposed rate goes into effect. That means that tardiness by the board hurts the consumer. And that is wrong and what this Amendment does is to say that if the board fails to act the proposed new rate is denied rather than approved. I move for the adoption of the Amendment."

Speaker Bradley: "The Gentleman from Christian, Mr. Tipword."

Tipword: "Mr. Speaker, Ladies and Gentlemen, I oppose this Amendment. And in opposing this Amendment I'd like to make one thing very clear that has been previously stated by one of the people who opposes this Bill. It's been repeated time after time by him, not by the proposer of the current Amendment but another one of the opponents but I think it is timely to this particular Amendment. This Bill was not drafted by the Illinois Hospital Association. The original Bill of this kind that was filed here in the House was originally drafted by the Illinois Fiscal and Economic Commission. The Bill as it now stands is a Bill, of course, that the Illinois Hospital Association has testified on and has made suggestions; that consumers have testified on and have made suggestions. And has been amended and been put together by the Human Resources Commission...Committee of this House and by comparable Committee of the Senate. This is a Bill that has been drafted generally in its present condition by the General Assembly of the State of Illinois in response to a very important situation that we have in



this state and that is because we do not predetermine rates. It is costing consumers throughout this state more; it is costing the State of Illinois more; it is costing hospitals more to provide health care and also costing all of the third party providers more because the very inefficiency of the kind of system that we have now. And the... the costs not only are added to the State of Illinois and the other providers but they are also transferred over onto the private patient because the hospitals cannot stay in business if they totally lose money. That is what we are trying to rectify. Now, then, these rates are to be reviewed every twelve months. It takes a period of... they have a period here of some sixty days in which to approve a rate or to act upon a rate. Now if the rate that is proposed to the hospital is automatically denied, and if that rate is too low, then that hospital loses money for the next twelve months. They can have it reviewed once, or ask to have it reviewed once, but if it is denied that hospital will lose those funds that are absolutely necessary to meet their necessary expenses. And they have no means, no means at all of ever recovering that loss because the patient is gone, the third party payer has paid whatever rate has been previously fixed thereto even though that...theretofore even though that rate has been too low and they cannot recover it. Now, if there is an unfair rate that is automatically...approved the public may suffer for a short time which can be no longer than one year because it has to be brought up again in another twelve months. But that's only for a short period because any excess revenues generated will show upon their reports and will be considered at that very next automatic rate review that they must be reviewed. If the rate is automatically denied, this can only benefit the payers because they'll get the rate for less than it costs to provide it and never, ever have to make it up whereas if the rate is...is incorrect and made too high, it will be so vividly pointed out upon the very next rate review. I might point out to you that we have here, have had here in the House, House Bill 3163, relating to review of various kinds of actions that must be taken by state agencies. That Bill...House Bill 3163 that was proposed by our Speaker and our Majority Leader and in that legislation is provided that in any department of state government or any agency...does not



take action within 90 days of receipt of the request, the application is deemed approved. And this is the same kind of a situation that is necessary to have that approval because it is going to be reviewed again in another twelve months there is a way that the public generally can recapture anything that is too high. But if it is denied automatically there is never an opportunity to recapture that loss to the health care providers in the State of Illinois and it's very important that this be an approval instead of an automatic denial."

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

Leinenweber: "Will the Sponsor yield for an Amendment...or for a question?"

Speaker Bradley: "He indicates he will."

Leinenweber: "Ted.....I.....in the Bill as it came over with the Senate Amendments engrossed, the Section you're changing is 9.09. Was there another Amendment putting...taking a paragraph out?"

Leverenz: "I...Representative, let me yield to the Sponsor of the Bill, Representative Tipword, to ask your....detail..."

Speaker Bradley: "Mr. Tipword."

Tipword: "If you're looking at the printed version of the Senate Bill, and it's generally the Bill but not exactly it. The Bill is now House Amendment 3 to Senate Bill 1060. House Amendment 3 is the total Bill, it was all put back into that Amendment. Most of it is the same but it did change some of those numbers."

Leinenweber: "Okay, thank you. thank you."

Speaker Bradley: "Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I think in evaluating this Amendment everybody should know that what the Bill says is that the board has sixty days to make a decision on a hospital rate. The Illinois Commerce Commission requires on the average 11 months to make a decision on the telephone rate case. The Illinois Health Facility Planning Board which considers certificate of need for hospitals requires at least 110 days to make a decision on a case. In 60 days this board will be asked to make a decision on hospital rates. Now what's going to happen is, they're not going to be able to make the decision and what that is going to mean is that the rate is going to go into effect because of the way the Bill was written



to benefit the hospitals. If this Bill is supposed to benefit the consumer of health care, that rate ought to be denied if it can't be approved within 60 days. And, therefore, I urge a favorable vote on the Amendment."

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

Levin: "Mr. Speaker, of all the Amendments, and there are about 20 of them pending to this legislation, this is the most important of any of them. This was the major bone of contention in Committee. I would point out that the opposition to Amendment 3 in Committee was based on this issue. Amendment 3 was only adopted by a 12 to 8 vote. The problem is that people don't want to act and it's very easy to let something go by and in this case, the way this Bill is written now, if you let something go by the hospitals are going to get their rate increase. We've attempted to negotiate this issue with the drafters of the legislation - and I repeat what I said before, that the drafters of this legislation are the Illinois Hospital Association - we met with the task force that extensively put together this legislation and we were told when we wanted to negotiate, talk to the Hospital Association. We were then told, 'Well, the Hospital Association doesn't want any changes of any kind.' I would suggest that the reason why the Hospital Association wants no changes is because of the current stance of this Bill and particularly this issue. This is a great loophole. You can drive a truck through it. If you're a hospital and you're dealing with a complicated issue you can expect particularly having one of your trustees making one of the decisions that you may get away free and clear on this. I would point out that there's good, sound basis for this Amendment. The hospitals are in a position if they don't like a decision that's made to appeal it. They having standings to go to court and, in fact, this legislation provides for an expedited appeal so they can get a reversal of the decision by this Authority very quickly. The consumer has no such standing so if you deem it approved there's nobody.....that's in a position to challenge the rate. There's nobody in the position to go to court. There's nobody in the position to ask for a rehearing from this Authority. If you deem it denied you better believe the hospitals are going to appeal. You better believe the hospitals are going to



ask for reconsideration. This Amendment is probably the most important Amendment that we can consider in making this legislation at least livable. It's not going to make it a good Bill but it's going to make it a much better Bill. And if you can't see fit to vote for any other Amendment...."

Speaker Bradley: "Will the Gentleman bring his remarks to a close, Sir?"

Levin: "Yes, if you can't see fit to vote for any other Amendment, please vote for this Amendment. We tried to compromise...."

Speaker Bradley: "The Gentleman...."

Levin: "We tried to come up with interim rates but the Hospital Association said, 'No, we need this Amendment'."

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

Mudd: "Yes, Mr. Chairman, I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Mr. Leverenz, to close the debate."

Leverenz: "Thank you again. Mr. Speaker, Ladies and Gentlemen of the House, the Amendment by changing one word to 'deny' rather than 'approved' would result, I think, in good... a good consumer move. If this is to be in some ways or respects, others have mentioned, price fixing then without approval there should be no increase on the public. No action should result in no increase to the consumer and I move for the adoption of the Amendment."

Speaker Bradley: "The question's on the adoption of the Amendment. All in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Cook, Mr. Keats, to explain his vote."

Keats: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I ask you to please support Representative Leverenz's Amendment because without this Amendment this Bill has got a loophole that is ridiculous. And let me give you an example so you understand why this is such a dangerous loophole. If you have a hospital administrator who is particularly bright, I can guarantee you most of them are, they'll realize that the average regulatory bureaucracy takes a long time to react. So if you constantly flood the bureaucracy with request after request, letter after letter, item after item, they'll slow down



even more. If they don't react you get your rate increase 'cause there's nothing they can do about it 'cause they can't react fast enough. There's a 60 day limit. You flood 'em, they can't make the decision therefore you get your rate increase because you flooded 'em and they couldn't get their work done. It is a classic loophole. It's an honest example of what the Hospital Association will do in order to make the Bill ineffective to protect us but a real deal to protect them. I ask you to please support Representative Leverenz's Amendment. Thank you."

Speaker Bradley: "The Gentleman from Cook(sic), Mr. Tipsword, and let's give the Gentleman some order, please."

Tipsword: "Mr. Speaker, in explaining my vote, let me point out that there's no possibility of the flooding that was just suggested to keep them from making determinations because if they fail to provide the information the time period stops until that information is necessarily provided so that is...simply not going to happen. Let me point out that I think Representative...the Representative from ...Representative Vinson on the other side of the aisle made probably the very best argument in behalf of this that he could possibly make because other agencies are now at this present time making a 120 days or eleven months in trying to make their determination. This requires a determination every twelve months if there is to be a change in the rates. It...it is important that these hospitals be able to budget for a twelve month period. They must budget for a twelve month period. And unless they can get a decision rapidly they're going to lose a lot of money and under the present situation that we have right now that is trying to be cured and that the Illinois Fiscal...Economic and Fiscal Commission was looking at, is that now we guarantee those hospitals whatever their costs may be. They have no reason to hold those costs down. There's no predetermined rates so Public Aid takes months and months and months in deciding whether they're going to pay those Bills and in that time the hospitals have to borrow money, they then have to pay interest and then the state comes up at the end of the period time and says, 'You've got increased costs, we're going to pay you all the costs whatever they may be'. And they just simply say, 'Here's our costs' and the state is obligated to pay them. In



the meantime, too, they're shifting part of that cost over on you and me who are privately providing for our own hospital costs. That's the part we're trying to get around. If you want to kill this Bill, if you want to provide that there's not going to be any protection for all of the people in the State of Illinois in regard to what hospital rates should be, if you want to provide that increased costs to Public Aid and to Public Health, if you want to provide increased cost to the State of Illinois, this is the one you should vote 'yes' on because you'll kill the Bill. And that's exactly what you'll have is the same kind of a mess we have right now. I urge you to vote 'no'."

Speaker Bradley: "Have all voted who wished? Have all voted who wished?"

Clerk will take the record. On this question there are 59 'ayes', 71 'nays' and the Gentleman's motion fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9. Peters. Amends Senate Bill 1060, as amended, by deleting Section 9.09 and renumbering Section 9.10 as Section 9.09."

Speaker Bradley: "Gentleman from Cook, Mr. Peters, your Amendment, Sir. Take it. Withdraws the Amendment. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10. Levin. Amends Senate Bill 1060, as amended, in Section 6....."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker. Let me start out by pointing out that there is a corrected version of this Amendment and that should be what we're dealing with. It's labeled 'corrected.' This Amendment simply makes clear that the Authority of...you know, should in the course...regular course of its activities attempt to coordinate with the various other agencies that are involved in health cost control. We don't want a situation where hospitals are being exposed to ten or fifteen different sets of conflicting goals. And all this legislation does is mandate that the Authority attempt to coordinate data and, you know, talk with the Health Facilities Planning Board, Blue Cross and the various other private and public agency that have a role and an interest in health cost control. The...Amendment makes clear that this does not have to be done for any particular or individual rate increase request. And the failure to do it is not grounds for the hospital being able



to take an appeal. This is found in the legislation in many other states, like the State of Colorado, that have hospital rate review. And we don't want the situation where in the future there cannot be ...these agencies talking to each other or we don't want a situation where the hospitals are saying, 'Authority, you can't be talking to anybody else'. We want the maximum amount of input. We want the maximum amount of expertise coming to bear on what this Authority does."

Speaker Bradley: "Discussion? Gentleman from Christian, Mr. Tipword."

Tipword: "Mr. Speaker, Ladies and Gentlemen, consulting with the...

some Representatives from the House Committee who have revised this Bill and who have heard it extensively, we oppose this Amendment because the Amendment provides in it, among other problems, that the ...the Authority must consult with certain named public health planning bodies, coordinating councils. But, in addition, goes on to say that they must consult with other public and private agencies involved in health planning in coordinating goals and policy without delineating who they may be. Now there are literally hundreds of public health planning agencies scattered throughout the State of Illinois. We don't know to what extent they have to go by virtue of this language. And consequently would leave it open so that it is possible that someone who was not consulted could then come in and attack the rate-making procedure or that the rate-making procedure might not be applicable to them by virtue of having been left out of consultation, without having contacted each and every one of them. The possibility of the numbers of people that...or numbers of groups that would have to be contacted might be so large that what we were worrying about in the last Amendment might even become a reality simply because they couldn't get their work done in time to make decisions which is not what we want to have happen. We...nothing in this Act prohibits the Authority from consulting with any of these agencies but it does not now have the mandate in it that it must consult with all of them that might give rise to a legal question. Consequently, I would urge that this Amendment not be adopted because we feel it is going to put a question into the rate making procedure that might consequently never let rates be final."



Speaker Bradley: "Mr. Kempiners, would you come to the Chair, please?"

Further discussion? If none, the question is on the adoption of the Amendment. All in favor...I'm sorry, Mr. Levin, to close the debate."

Levin: "Hello. Let me suggest that this is another one of the...loop-holes which is why the Illinois Hospital Associations wants this Bill. They don't want any kind of coordination between the various agencies that are involved in health cost control. They want everybody off on their own. They want disjunctive polices. They want conflict. This, for some reason, they want. This language is taken almost verbatim from the Colorado law. It's satisfactory for the State of Colorado. In addition, it's clearly a mandate to communicate with whatever the relevant agencies are and it does not provide that you can overturn rates if you don't do it. Let me read the last sentence of the Amendment. 'This Paragraph 4 does not affect the procedures to be followed by Authority in regard to individual rate filling.' It's very clear that there's absolutely no way that a hospital can challenge the actions of the Authority if a particular agency is not consulted. This is simply making it clear that there is an obligation to attempt to coordinate and consult as many knowledgeable agencies as possible. It's the law in Colorado. We should have it here if we're going to have meaningful legislation."

Speaker Bradley: "Question's on the adoption of the Amendment. All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'noes' have it and the Gentleman's motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #11. Levin. Amends Senate Bill 1060, as amended, and so forth."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "This is simply a technical Amendment...."

Speaker Bradley: "...What purpose does the Gentleman from Christian, Mr. Tipsword, arise?"

Tipsword: "I think I can save the House a bit of time. This is a technical Amendment. We don't think it's necessary but we have no objection to it and we will accept it."

Speaker Bradley: "All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendment?"



Clerk O'Brien: "Floor Amendment #12. Levin. Amends Senate Bill 1060, as amended, in Section 9.08 and so forth."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "Mr. Speaker, Members of the House, recently there have been two studies that have been done of hospital costs. One that was done by the General Accounting Office in Washington and one that was done by the Chicago Sun-Times. And both reached approximately the same conclusion that there was a vast disparity in the cost the hospitals pay for the equipment, medicine and other things that they buy and that through coordination of effort, through pooling resources in terms of purchasing, they can save money. Unfortunately, the same studies suggest that by and large this is not now being done, the result is, we're paying rates the hospitals are having to pass on the costs which are excessive. What this legislation does is it says, this particular Authority is supposed to crackdown on high hospital costs. But strangely, there's nothing in anything that this Authority considers that gives the benefit to a hospital that has really acted vigorously to hold down its costs. And that's what this Amendment says that in setting rates, those hospitals that go out of their way to hold down their costs, those hospitals that go out of their way to try to share facilities, they should get the benefits, they should get something from this Authority more than those hospitals that are wasteful, those hospitals that don't bother to try to coordinate resources. I urge the adoption of this Amendment because if we're going to have an Authority that's supposed to cut down on costs, at the very least this Authority could be considering whether the individual hospital is acting vigorously to do this."

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

Tipsword: "Mr. Speaker, Ladies and Gentlemen, we oppose this Amendment for several reasons not because we are in any way opposed to efficiency in the operation of hospitals. Efficiency is one of the things that must be taken into consideration in determining whether the rates are ...are reasonable and just...as a...before they can be approved by the Authority. And this, of course, would reflect all the actions taken by hospitals to be efficient, it's one of the very prime objects of this legislation over the problem that we feel that there is in



this Amendment is that it requires the measurement of....a measurement of standard as an important criterion in the consideration of this Amendment that are subjective in nature and that there is no delineation as to what those...those standards must be. And, in addition, it requires findings by the Authority to be made regarding the acceptable quality of health care, the effective delivery of health care, the efficient delivery of health care and the under-utilization of facilities and services. Now there's nothing wrong with considering all of those things however the Authority by including this in is being made...is being required to make judgments that are more akin to the facility licensure or health planning decision that are already being made by other agencies, the Health Facilities Planning Board and many other agencies that we have in the State of Illinois that now particularly is charged with the duty of reviewing these very particular things all of whom are to be consulted by the Agency in making their decision. The Amendment does not specifically indicate the standards which are to be reviewed...used in reviewing these elements but there are other sections of the Bill which could be cross-referenced to relate to some of these matters in consultation with these agencies. This Section of the Bill relates to facility utilization and health planning in the action and standards of the Illinois Health Facilities Planning Board. And Section 12 provides for a quality assurance planning by the individual hospitals' medical staff. Effectiveness and efficiency evaluations are not otherwise reference. Now those are matters that are...be taken care of...be... these other agencies which we now have set up in the State of Illinois. If we are to go into all of these in rate fixing right now, it requires a second determination of exactly the same things that are available to us by consultation with these boards. And there are no, as I mentioned before, there are no standards set forth in this Amendment. Consequently it is requiring some subjective measurements in areas that really are not akin to rate making acceptance so far as the overall efficiency is concerned and it is truly reflected in the reasonableness and justness of the rates that would be set which are reviewed every twelve months. I urge that this Amendment be defeated."



Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Members of the House, what we have in this Bill is the product of a negotiation between a vested interest to hospitals and a few Members of the Human Resource Committee. What they are trying to do, what the hospitals are trying to do, is carve out protection for themselves, carve out a high rate system. And, unfortunately, tragically, those Members of Human Resource have let themselves be used in that process. Now if you just want evidence, if you just want evidence, that this Bill is going to preserve... cause higher hospital costs not lower hospital costs, all you have to do is look at the opposition to Representative Levin's Amendment here. What it would do is simply require that those hospitals which can efficiently engage in joint utilization with other hospitals be encouraged to do so. Is that unreasonable? But no, they are opposed to it because this is simply an effort to jack up hospital costs. I urge adoption of this Amendment."

Speaker Bradley: "Mr. Levin to close the debate."

Levin: "Thank you, Mr. Speaker...I think this goes to the nub of what I think everybody wants. If we're going to set up a new bureaucracy that's supposed to hold down costs of health care, one of the things that bureaucracy should be looking at is whether or not the hospitals that it supposedly is regulating are doing that, whether they're acting to hold down the cost of health care. That's all this Amendment does. It says that should be one of the factors that should be considered. These criteria have been adopted in other legislation. Last year this Legislature adopted House Bill 1604 that amended the Blue Cross law and one of the standards that was added to whether or not Blue Cross was going to be able to have an increase in its rates is whether or not Blue Cross had acted vigorously to hold down the cost of health care. I suggest that that type of standard is what is in this Amendment and it is particularly appropriate to be considered by the Authority that's supposed to pay the consumer's money. The question is, are the hospitals going to have to crack down on their waste and their inefficiency or are they going to get the same high rates whether or not they are efficient or inefficient? I urge adoption of this Amendment."



Speaker Bradley: "Question's on the adoption of the Amendment. All in favor signify by saying 'aye', those opposed by saying 'no'. In the opinion of the Chair, the 'noes' have it. Five Members request a Roll Call? All right...all in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. The Lady from Cook, Mrs. Chapman, to explain her vote."

Chapman: "Mr. Speaker and Members of the House, one additional reason that we have to oppose this Amendment is that it will guarantee continual litigation when this Bill becomes law because of the subjective nature. Thank you for your 'no' vote."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 58 'ayes', 73 'nays' and the Gentleman's motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #13. Levin..."

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

Levin: "Mr. Speaker, Amendment #13 is an attempt to deal with the problem of the deemed approved and the deemed denied. As was indicated earlier, under this legislation as is currently constituted, if the Authority doesn't act in 60 days then the rates are deemed approved and nobody but nobody has standing to challenge that except for the hospitals who aren't going to challenge that. What Amendment 13 does is it attempts to provide a minimum form of relief in that very limited situation. The way this legislation is constituted now, if there is no standing for a consumer's or anybody else adversely affected to intervene formally and become a party, only hospitals and third party providers may be parties. What this legislation provides is that in this limited situation where a rate goes into effect automatically because of the negligence of the Authority in failing to act, a adversely affected party, a potential consumer of that hospital, may file a petition to...for the Authority to reconsider setting forth the very specific reasons they would like to see the rates reconsidered. And if that's turned down or not acted on, they would have the authority to appeal. This does not provide for consumer intervention in the proceedings generally. It simply provides a mechanism where the Authority has been negligent, where they have failed to act in 60 days and the rates go into effect that somebody may ask for a review.



I would point out that during this time the rates are in effect, if we follow the precedent of the public utility and other law, unless the Authority decides that they're going to reverse themselves and deny the rates, the rates continue to be in effect, they continue to be approved until either the Authority or the court reverses. This is a very limited approach to the deemed approved, deemed denied problem, and I urge it's adoption."

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

Tipsword: "Mr. Speaker, Ladies and Gentlemen, we oppose this Amendment because there is already a...a more efficient appeal method that is set forth in this statute and it requires that the ground work must be laid for appeal and that the appeal would be related to the rate making procedure; not that any person, as provided in this, who then who happens to become a hospital patient or is contemplating entering a hospital, could then come in at any time during the year and attack the rates even after the rates have been stabilized and determined. An appeal procedure that is provided in here, however, is that in the course of the rate making procedure any third party payer who could include the self-insured or the State of Illinois, the Blue Cross Plan, any of the private insurance groups, Medicaid or Medicare, could come in and appear in that rate making process. And if they disagree with that rate, have the right of appeal through the courts for judicial review and you arrive therefore much more rapidly at a determination of the rate overall for everybody. If this Amendment is allowed, it is possible to foresee hundreds and thousands of actions being filed by persons who did not participate in the rate making process but attacking the rate after the rate has supposedly become a final rate but it never becomes final because of this possibility of continual attack during the twelve months. And then you come upon another rate setting procedure. There is already an efficient and effective means of appeal to a judicial body to find this rate without the possibility of hundreds and hundreds and thousands of individual lawsuits then being filed against the rate during the course of the time after the rate has been thought to become effective. There must be some finality and something upon which people can depend and there is already a sensible, reasonable and just means of appealing that



rate making procedure and the rate that is determined already within the Bill."

Speaker Bradley: "Gentleman from DeWitt, Mr. Vinson."

Vinson: "Representative Tipword has perhaps presented the best light possible on this Bill and on this particular Section of the Bill. What he just said for those who listened was that we'll let the insurance companies and the hospitals make their deal, we'll insulate them with the government and you and I won't be able to go into court to challenge the deal that they have just made. I submit that that's the plan for screwing the consumer. I submit that that's no plan for controlling hospital rates. Insurance companies don't have any interest in controlling hospital rates, they pass them along in the form of premiums to you and me. If we want to control hospital rates, at the very least, a consumer who has been affronted, who has been damaged by a rate that doesn't even require a vote to be approved ought to have the right to go into court and challenge that rate. And that's all Representative Levin is asking for in this Amendment. I urge a favorable vote."

Speaker Bradley: "Mr. Levin to close."

Levin: "Thank you, Mr. Chairman...I just point out again the record of Blue Cross as a great protector of the consumer. Blue Cross was told a year and a-half ago by the Department of Insurance to do twenty-three specific things to hold down the cost of health care. We passed legislation telling them that, subsequently that they couldn't have an increase unless they acted to hold down the cost of health care. Yet, when they came in for their last increase it was very clear, and it was the finding of the Department of Insurance, that they had done virtually nothing. What they came in with was the excuse that, 'Well, this House Bill...Senate Bill 1060 is pending, we don't have to do anything, the Legislature is going to take care of it for us.' I suggest that the record of particularly Blue Cross is abysmal as far as protecting the consumer. We see what they've done. They provide no protection at all. This Amendment is very limited. It only applies when the Authority has been negligent, where they have failed to act in 60 days and as a result of their negligence the rates have gone into effect. I just...point out again that the rates under this



Amendment would stay in effect at the higher rate unless either the Authority or the court reversed the increase but during any appeals the rates would stay in effect. It's a very limited Amendment. It tries to deal with what is indeed the biggest loophole in this law and the reason why the hospital association wants it by corrective action."

Speaker Bradley: "The question's on the adoption of motion, all in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'noes' have it and the Gentleman's motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #14. Levin. Amends Senate Bill 1060, as amended, in Section 9.08 by deleting from Subsection J 'and trade'."

Speaker Bradley: "Now that we have everybody's attention, Amendment 14, the Gentleman from Cook, Mr. Levin."

Levin: "Mr. Speaker, I think there was a request for a Roll Call on 13 by at least five Members and I would reiterate that request."

Speaker Bradley: "You want...you want a Roll Call on Amendment 13?"

Levin: "Yes."

Speaker Bradley: "All in favor, the Gentleman from Christian, Mr. Tipsword."

Tipsword: "I didn't hear any such request at the time you asked for the Roll Call vote. It was sometime afterwards but I have no objection, go ahead and take it."

Speaker Bradley: "You're absolutely correct, not till after I had ruled.... that lost, that they requested a Amendment...a vote on the issue. Amendment 14, the Gentleman from Cook, Mr. Levin."

Levin: "Mr. Speaker, this Bill bears the handiwork as we've talked about before of the Illinois Hospital Association. They decided that they want one of their trustees to be voting, they also decided that in the rates that are approved, the dues that the various hospitals pay to the Illinois Hospital Association should automatically be considered proper as passed on to the consumer. That's pretty good when you can draft legislation that says that your dues should be passed on to the consumer. All that Amendment 14 does is it removes the reference to dues of trade associations, specifically we're talking about the



Illinois Hospital Association as, an expense that can be passed on in the form of approved rates. It leaves as a proper expense dues to professional societies, that is something that is quite proper but we should not put it into the statute that dues paid to trade associations, the Illinois Hospital Association, being the best example, should by statute have to be considered and passed on to the consumer. I urge the adoption of this Amendment."

Speaker Bradley: "Gentleman from Christian, Mr. Tipsword, on the Amendment."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, in regard to this Amendment which would remove trade associations, this particular paragraph, or subparagraph in the Bill, after delineating many of the various factors that can be considered, this paragraph says that one of the things that can be considered as a legitimate cost of a hospital doing business, is dues and fees to professionals and trade associations. I'm sure the Illinois Hospital Association would be one of those trade associations. I would merely point out in opposition, however, the First Amendment to the Constitution guarantees the right of associations and that all hospitals have the right to associate themselves with others who have a common interest. This doesn't only apply, however, to hospitals. There are many other care providing organizations that are covered by this Act in setting these fees that would have a right to associate together too. I would urge that the... Amendment be defeated."

Speaker Bradley: "Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Members of the House. I would like to indicate, Mr. Speaker, that we'd like to have a Roll Call on this Amendment ahead of time before the decision's announced. The...the purpose of this Amendment is to pay for that gentleman in the gallery right up there. What this says, and I want to say that if I remember the hospital association, I'd want this Amendment because I'd want to be able to pay for him to be down here to pull the strings on votes like this. But I don't know that as a...a patient in a hospital that I want to have that included in my rate. And I ask you to consider that in voting on this Amendment. Do you want to pay for Mr. Quick to pull the strings on legislative votes in Springfield when you go



to the hospital?"

Speaker Bradley: "Mr. Levin to close the debate."

Levin: "Mr. Speaker, there may be nothing wrong with this Authority considering as one of the factors various dues but that should be their decision, that should not be a decision that is mandated by the law. If we go to the analogy of the Illinois Commerce Commission, the Public Utilities Law in Illinois does not tell the Illinois Commerce Commission, they must consider trade association dues as a proper expense. In those circumstances where the Commerce Commission feels that they want to consider it, they will, where they don't they won't. I think this is a most improper exercise of drafting to guarantee that this is going to be considered. I think that it really illustrates the point we've been making all afternoon, namely, that this legislation was drafted by the Illinois Hospital Association and they certainly want to protect themselves and make sure that their lobbyists are going to be paid by the consumer. I urge the adoption of this Amendment. It's not a big Amendment. It's not going to cost a whole lot of money but I think symbolically it's very important."

Speaker Bradley: "The question's on the adoption of the Amendment. All in favor signify by voting 'aye', opposed by voting 'no' at the request of Mr. Vinson. Have all voted who wished? Have all voted who wished? Clerk will take the record. On this question there are 56 'ayes', 75 'nays', the Gentleman's motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #15. Levin. Amends Senate Bill 1060...."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "Mr. Chairman, since we've dealt with a similar subject on this, I withdraw this particular Amendment."

Speaker Bradley: "Gentleman withdraws the Amendment. Further Amendments?"

Clerk O'Brien: "Floor Amendment #16. Levin. Amends Senate Bill 1060, as amended, by inserting after the word....."

Speaker Bradley: "Gentleman from Christian, Mr. Tipsword, on the Amendment."

Tipsword: "Mr. Speaker and to the Sponsor of the Amendment, we have no objections to this Amendment and consequently although we feel it may be unnecessary, we do not oppose it."



Speaker Bradley: "All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #17. Levin. Amends Senate Bill 1060...."

Speaker Bradley: "The Gentleman...the Gentleman from Christian, Mr. Tipword."

Tipword: "Same thing on Amendment #17, while we don't feel it's absolutely necessary, we don't oppose...."

Speaker Bradley: "The question's on the adoption of the Amendment. All in....favor signify by voting 'aye'...saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #18. Vinson. Amends Senate Bill 1060, as amended, in Section 9.02...."

Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, which Amendment is this? Could you have the Clerk tell the Section...."

Speaker Bradley: "Amendment #18."

Vinson: "Which Section does it amend?"

Clerk O'Brien: "Amends Section 9.02 by inserting immediately after the preliminary period, the following, 'The Authority shall expressly find that the rate for each kind of service will....'"

Speaker Bradley: "Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, what this Bill probably does is to tell this Board to go set rates for hospital care. Gives them no guidance, no guidelines, no directions as to how to set rates. They can do anything they wish in setting rates. Now I submit to you that is simple wage and price control much like we had in the Nixon Administration. It will quickly be resented by labor. It'll quickly be resented by the suppliers of technology and it won't work, it'll simply create shortages. If we want to do something effective, we ought to do something that will actually cut hospital costs. I suggest that the standard contained in my Amendment will do that. What it simply says is that the hospital can only charge a rate related to the actual service the patient takes. So if a patient goes in with an appendicitis, he'll only be charged for the cost of taking care of an appendicitis not for the cost of maintaining a



cobalt bond for the hospital, not an open-heart surgery team, nothing else, just the appendicitis he has. That will bring costs down for the vast majority of patients and I urge the adoption of this Amendment."

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

Tipsword: "Mr. Speaker, Ladies and Gentlemen, this Amendment is an argument that was disposed of very early on in the Economic and Fiscal Commission when we were considering in that Commission this kind of a Bill. And that is, if it is related solely and only to the specific services provided to that patient laying in that hospital bed in Room 403 and that only, you're going to eliminate an awful lot of other things that are necessarily a part of the cost of maintaining and having that hospital and that are beneficial to the patient and all of the other patients. For instance, Authority has the right to consider what research being done in that hospital is a thing that is important to all medical care and that should be spread out of over the cost of all of the patients. They have a right to consider the cost of maintaining laboratories in that hospital so that they are available to examine into and to...to take care of the requirement for every kind of a patient that may come into that hospital to receive every kind of care. And a portion of that cost is legitimately and reasonably spread out over the cost of every patient who may come into that hospital in providing emergency rooms, in just having that emergency room there for every patient to be taken into. It is important that that room and that care be there for those patients who have special need of it. If we did not have that, if it were not so provided and you could not spread it out being a necessary cost of hospital care, I would suggest to you that immediately entrance into those emergency rooms for those patients who use that emergency room only is going to multiply three and four and fivefold and consequently they will not be able really to sustain that kind of care even though we have in our statutes that there must be an emergency room in that hospital and must provide care to anyone who is brought in. And we passed that here on the floor of this House some five or six years ago and is a legitimate obligation of a hospital and a legitimate cost which must be spread out over all of the various patients who come into the



hospital. Consequently, I urge that you defeat this Amendment because if we pass this Amendment then that means that the things that are necessary costs of a hospital that have been spread out over all of the patients and are legitimately a cost of running an efficient and serviceable hospital could no longer be provided. And you would have only that specific personal actions that are taken in that hospital for every specific patient that could be on their bill and shortly our medical care in this country would deteriorate to such an extent that it would no longer be serviceable care to the patients in the State of Illinois."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "Will the Sponsor of the Amendment yield?"

Speaker Bradley: "He indicates he will."

Levin: "We just heard the comments of the distinguished Sponsor of Senate Bill 1060. Is it your intent that the costs only of the specific services apply or that any back up services and administrative costs are...that are necessary for those also be included?"

Vinson: "A fair amount of the overhead naturally has to be included in the cost of the service because it's directly related to the cost of service. It's much like the situation, Mr. Levin, when you go to theto an automobile dealership and buy a car. If you buy a Chevrolet you pay for part of the cost of the overhead of General Motors but you don't pay for part of the cost of a Seville. And what the Bill does right now, it says that when a patient goes to the hospital he not only pays a legitimate part of the overhead for the Chevrolet but he pays for part of the Seville too."

Levin: "May I speak?"

Speaker Bradley: "Certainly, Sir."

Levin: "Given the comments of Representative Vinson, I rise in support of this Amendment because we don't want the situation where one class of patient is being subsidized by another class. There are some very foolish things that hospitals do, like buying multimillion dollar slicer machines because it's fashionable to have one and they may only use it two or three hours a day. And so rather than charge the particular patients they're going to use that slicer, what the actual cost is, they pass it on to some other patients that don't use that



machine. All this legislation suggests that there should be an accountability in terms of cost and they are, I think, that the effect of this particular Amendment would help to eliminate a lot of the waste because it would put the cost where it goes directly and we would eliminate a lot of the subsidies that we see now."

Speaker Bradley: "Mr. Vinson to close."

Vinson: "It's a good Amendment, Mr. Speaker, and I urge its adoption."

Speaker Bradley: "Question's on the adoption of the Amendment. All in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'noes' have it and the motion fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #19. Levin. Amends Senate Bill 1060, as amended, by deleting the last paragraph, Section 4.03 and so forth."

Speaker Bradley: "Gentleman from Cook, Mr. Levin."

Levin: "Let me start out by giving a little credit on terms of this Amendment, the idea for this Amendment came from Representative Skinner. And this, I think, is the kind of Amendment that Representative Skinner would like. This is another attempt to compromise and to deal with the problem of when there is negligence on the part of the Authority in failing to act and the rates go into effect automatically. The action that the hospital association was going to put into the Bill in order to deal with the situation is to say that if they fail to that's deemed to be misfeasance and the Governor, if he chooses, may remove any of the members of the Authority at any point from misfeasance. Now, my reaction to that is, come on now, this is no threat to anybody, it's not going to provide any kind of an incentive for any of the members of the Authority to act to guarantee that in every case there's going to be a decision within 60 days. What Amendment 19 does is it provides an incentive to the members of the Authority so that they're going to make sure that they act in the 60 days because under this Amendment if they don't act within 60 days and the rate goes into effect because of their negligence 30 days later they're automatically off the Authority. I think this is the kind of a swift justice that the members of this Authority would understand and it would guarantee that in every single case the members of the Authority would act to either to approve rates or deny rates but that we would not have a situation where rates



would go into effect automatically because of their negligence in acting. I just want to point out one other thing, and that is, we're probably going to hear the argument, what if somebody is sick, it's not their fault then. Well, I would suggest that it only takes three members of the Authority to vote and if you're sick you can make sure that three of your colleagues are going to be there. I think this is a swift way, a sure way, of dealing with the greatest loophole in this legislation and I urge its adoption."

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

Tipsword: "Mr. Speaker and Ladies and Gentlemen, regrettably, unfortunately, the language that has been used we have probably gone too far and then what this Amendment would do is destroy the board totally. If there is someone who just merely wants to act or wants to control the board and will refuse to get a majority although the other members of the board may be acting totally correctly in trying to get to a decision, trying to reach a result that is equitable for everyone but a couple of the other members say, 'unless you go our way, there ain't going to be any decision in this matter and you're all going off the board and the board's destroyed' because it provides herein, it substitutes for the provision authorizing the Governor to make removal of members for misfeasance. Now then it no longer requires misfeasance and it says that the members are automatically removed if they fail to arrive at their determination by inserting this provision that failure to render a final order on a proposed individual hospital rate change within sixty days will be evidence of misfeasance by the individual voting members automatically causing their removal 30 days after the rates are approved. The provision's irreversible. Once the Authority fails to take action it will be disbanded within 30 days for whatever reason of its failure to act. The accountability of individual members for the failure to act could not be clearly established among the five voting members and they each would therefore be equally responsible. Also, there is no provision for extenuating circumstances such as a member being ill or an unexpected resignation or some weather caused delays or some emergency or catastrophe that... that caused the commission not to be able to get together. Although the Amendment will provide a strong incentive for the Authority to



act on all rate change proposals, it could also be abused by one or a few of the members. Withholding the vote could become an effective club over the entire membership, threatening the entire membership, the total Authority, with extinction for failure to make a specific recommendation. If they had left this with actual misfeasance and with the Governor to make those determinations, it would certainly have been far more....far more acceptable and effective club. But what this does, providing an automatic removal, is a total destruction of the Authority because of the actions of a few."

Speaker Bradley: "Mr. Levin, what purpose do you rise?"

Levin: "Would the Gentleman yield for a question?"

Speaker Bradley: "Well, you're the Sponsor of the Amendment...."

Levin: "Representative...."

Speaker Bradley: "Just a minute, now, we didn't....yeah, this is the other way around. The Gentleman from DeWitt, Mr. Vinson."

Vinson: "This Amendment deals with the Section we talked about earlier.

You will recall that I mentioned at the time that it takes...Commerce Commission eleven months to act on a rate case. It takes the Health Facilities Planning Board, dealing with this industry, 110 - 115 days on the average to act on a case. This Section says that this board is somehow miraculously going to act on a case in 60 days. We all know it's not. We all know those rates are going into effect without action by this board. It's a rubber stamp. Now all Mr. Levin is asking for in this Amendment is to say that if this rubber stamp does prove to be a rubber stamp, the members of the board are removed. I think it's...good Amendment, reasonable Amendment and ought to be adopted."

Speaker Bradley: "Gentleman from Cook, Mr. Levin, you wish to close, Sir? If not, the question's on the adoption of the Amendment. All in favor signify by saying 'aye', opposed 'no'. One, two, three, four, five..."

Levin: "Mr. Speaker, after conversations with the Sponsor of the Bill in which he indicates that his interest in developing an Amendment similar to this which would clear up the defects that, you know, he's raised, I would withdraw this Amendment at this...."

Speaker Bradley: "Gentleman withdraws the Amendment. Further Amendment?"

Clerk O'Brien: "Floor Amendment #20. Vinson. Amends Senate Bill 1060,



as amended, on page 15, line 3...."

Speaker Bradley: "Gentleman from DeWitt, Mr. Vinson. Mr. Keats, would you.... Mr. Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, what this Amendment does - and I'm...after watching the Roll Call, I suppose it'll be defeated because it attempts to break up this cartel that we're forming here today - what it says is that where you have a proprietary hospital - and there are still a few in Illinois - that their income taxes will be taken into consideration as part of their cost. Now, I suspect that it's one of the objectives of the hospital association in this Bill to stamp out proprietary hospitals and I suspect...."

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

Tipsword: "I just have a question about the Amendment. Is the Amendment in proper form?"

Speaker Bradley: "Let's see the Amendment. On what are you basing your question, Mr. Tipsword?"

Tipsword: "This is to a Senate Bill 1060, as amended, and refers to lines on various pages and I'm wondering if it is still....after... after Amendment if that...now properly refers and can be properly identified?"

Speaker Bradley: "Mr. Tipsword, it appears in the Chair that the Amendment on the three different areas seem to be in the proper order according to, I think I've got Amendment #3 which is the Bill, Senate Amendment #3, is that correct? Mr. Tipsword."

Tipsword: "Yes. Our question was to the fact that now then there have been other Amendments adopted, are the lines then still correct? The line numbers."

Speaker Bradley: "Mr. Vinson, I think the Senate Bill 1060 in your Amendment would have to read 'as amended in House...of House Amendment #3 to Senate Bill 1060', would clear...and if you could get leave of the House to accept that then I think the Bill...Mr. Tipsword."

Tipsword: "And it would appear, would it not, that lines 34 and 35 do not include the language that is being amended here on page 16?"

Speaker Bradley: "On...you're referring on...on page 16...."

Tipsword: "To the amended Bill."



Speaker Bradley: "On page 16, Sir? Lines 34 and 35?"

Tipsword: "That's right."

Vinson: "Mr. Speaker...."

Speaker Bradley: "On that point you've skipped a couple, left a couple of words in there you probably shouldn't have left in. It would read 'a variable factor after' then you Amendment, 'federal, state, local income taxes which shall be adequate to take care of your problem there so I don't think your Amendment is properly drawn."

Vinson: "Can I have leave of the House, Mr. Speaker, to change the Amendment?"

Speaker Bradley: "On its face? Mr. Tipsword, do you object?"

Tipsword: "...Well can it be? I just don't know whether it can be or not."

Speaker Bradley: "On your face if you allow them to...."

Vinson: "I would make these...the two changes...."

Speaker Bradley: "What would you like to do with now? Would you like to..."

Vinson: "I'd make...like to make changes you suggested in the first part of the Amendment."

Speaker Bradley: "...You want to amend it on page...on page 16, lines 34 to read...."

Vinson: "After the word 'after'."

Speaker Bradley: "Okay, so it would read, 'a variable factor after federal, state and local income taxes which shall be adequate' which doesn't form a sentence."

Vinson: "I'm sorry. What I was...have it say, 'is a variable factor' and then the Amendment would delete, 'after federal, state and local income taxes!'"

Speaker Bradley: "So it would read 'a variable factor which shall be adequate to provide' and you're dropping out 'federal, state and local income taxes?'"

Vinson: "Yes, Sir."

Speaker Bradley: "Got that, Mr. Tipsword?"

Tipsword: "I'm not sure...."

Speaker Bradley: "That...that...that sentence will now read, 'a variable factor' and we will delete, we will delete after, 'federal, state and local income taxes' and it will start with 'which'. Then it will



be 'variable factor which shall be adequate to provide for proven'."

Tipsword: "On what lines and pages is that now?"

Speaker Bradley: "34 and 35 on page 16."

Tipsword: "All right, then, I'll have no objections to that. We'll proceed on the Amendment."

Speaker Bradley: "All right, we'll amend it on its face to read that."

Vinson: "Thank you. Was I still in the process of explaining my:the Amendment, Mr. Speaker?"

Speaker Bradley: "Pardon, Sir?"

Vinson: "Am I in the process of explaining the Amendment, is that where we are?"

Speaker Bradley: "That would take...he had leave to amend it on its face. The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Now before we proceed I want to be real sure. Is the Enrolling and Engrossing going to be able to discern where that really goes? If we're going...we've got other Amendments besides Amendment 3 that has been put in there."

Speaker Bradley: "We're going...."

Tipsword: "I'm wondering if we're using the proper language to put it in?"

Speaker Bradley: "Well, we're writing it in and it will read, if you've got a copy there on page 16, 'a variable factor' and we're deleting everything after 'factor' up to the comma and it will say 'variable factor of which shall be adequate to provide for the proven'. We're deleting the words 'after federal, state and local income taxes'."

Tipsword: "My...my problem is by delineating page and...page and line, would it be better if you...you identified the paragraph or something so you would know where it is because you've got other Amendments besides Amendment 3? We've adopted three other Amendments already."

Speaker Bradley: "Have we adopted Amendments that affect that language and that paragraph, Sir?"

Tipsword: "It's gonna change the pages and lines in the engrossed Bill."

Speaker Bradley: "...I understand that this Amendment will amend Amendment #3 that was adopted by...."

Tipsword: "That's right but we've adopted other Amendments. Are the page numbers and lines going to be okay now? Can Enrolling and



Engrossing tell where it is without giving us a Bill that doesn't make sense any more?"

Speaker Bradley: "I think we're all right. I think that we're referring to Amendment #3 only and I think we'll be all right with... with the Amendment except we also are going to add, on this Amendment, 'as amended by Amendment #3'. Okay? All right. Really don't recall where we were, had you explained the Amendment, Mr. Vinson?"

Vinson: "I think I was just in the process of explaining the Amendment."

Speaker Bradley: "Continue, then."

Vinson: "So that nobody will lose any continuity on where we are, this is an Amendment which permits this board in setting the rates to take into account the income taxes proprietary hospitals pay. We have a very few proprietary hospitals in this state and we should not use this Bill as a backdoor vehicle for stamping them out. We ought to try to preserve some of this diversity we have in the health care industry because this is the cause of innovation in the industry. And I'm simply asking that a legitimate cost to those proprietary institutions, their income taxes, be taken into consideration. And then, secondly, what the Amendment does is it says four of those proprietary institutions that in setting the rate that patients shall pay who go to those hospitals, and nobody has to go to those hospitals, that the rate shall be set so that the investors shall receive a return on equity comparable to other industries of similar risk, no more, no less than other industries of similar risks. It's a very simple Amendment and I urge it's adoption."

Speaker Bradley: "Now, the Gentleman from Christian, Mr. Tipword."

Tipword: "Mr. Speaker and Ladies and Gentlemen, we oppose this Amendment for some very, very important reasons. As the Bill now stands, these expenses of...these income tax items would be taken into consideration by the Authority as a cost, and a variable factor and recognize them as an element of the hospitals' financial requirements in arriving at its rates. However, this Amendment sets up those taxes, income taxes, as an operating expense. Now, we feel, regretably, that this would prevent the Federal Government from agreeing to participate in the Illinois program. And quite frankly this



will not...this...this Act will not ever take effect unless the Federal Government comes in with their Medicare and Medicaid Programs and agrees to participate fully otherwise this is totally ineffective. And we have found this to be true in the other states where they have had this kind of an Authority and have tried to set up this kind of Authority. It would prevent the Federal Government from agreeing to participate in our program. And to the best of our knowledge, the Federal Government has never agreed to allow proprietary hospitals and rate review programs a rate of return based on other businesses in industries of comparable risk. In addition, it uses this term, 'comparable risk' which does not, is not a standard that is easily discernible and is itself going to lead to multiple lawsuits in determining what is a comparable risk for each and every proprietary hospital in setting their rates. And this Amendment, therefore, builds into this Act an absolute opportunity and is certainly... and we feel a certainty that there are going to be multiple lawsuits in determining in each situation what such a comparable risk may be. The Amendment identifies the Federal State Income Taxes as an operating expense rather than including these as a cost, as a variable factor in recognizing them as an element to the hospital financial requirement. The suggested treatment of this particular item would be unchanged with the Amendment but could create some problems in obtaining agreement from the Federal Government to participate in this program and we anticipate some problems from the Blue Cross organization. Blue Cross has supported the rate review proposal up to this point, including the financial requirement section of the Bill. However, the current Blue Cross contracts specifically exclude federal and state income taxes as an operating expense of hospitals therefore making it a nonreimbursable item. For this reason, Blue Cross might oppose the Bill rather than subscribe to the double standard of supporting it and taking a different tact in the Blue Cross contract. We feel that this Amendment makes it very, very dangerous to include this in the contract, or into this Act, because we're going to have possible problems. We feel of certain problems that the Federal Government and very likely possible problems with the Blue Cross agencies in this state. And it would certainly make the Bill a nullity which we suspect



some of the proprietary hospitals want to make the Bill. To have a Bill we just simply cannot have this Amendment relating to this guarantee of an...of a certain factor of profit for every hospital. Now the Act as it is set up is set up to take into consideration all operating costs and to assure that there...these proprietary hospitals will continue to have a profit. But it does not specify the limits of that profit and this a...this Bill, or this Amendment, in trying to set up a limit of profit uses a factor that is itself incapable of exact definition. So all this is going to do is probably kill the Bill, or at the very least, subject the Authority to continuous litigation. I urge its...."

Speaker Bradley: "Mr. Vinson to close."

Vinson: "Mr. Speaker, Members of the House, Representative Tipsword indicated that Blue Cross would oppose it. Since when does this Assembly have the duty to bow to Blue Cross? Why can't we write the laws in the state? Why do we have to bow to Blue Cross? I suppose because they sit on some hospital board. And Mr. Tipsword suggested that the words 'comparable risk', the words 'comparable risks' were difficult to define. There is nothing more difficult to define than the task this...this Bill assigns this board in setting hospital rates. If they can do that with the wisdom of Solomon then they can certainly define the concepts of comparable risk."

Speaker Bradley: "Question's on the adoption of the Amendment. All in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'noes' have it and the motion failed. Further Amendment?"

Clerk O'Brien: "Floor Amendment #21. Vinson. Amends Senate Bill 1060, as amended, by deleting the title and inserting in lieu thereof the following."

Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Members of the House, this may well be my final effort on this Bill today. I'm sure that will make a lot of people happy, see Representative Pierce clapping. The purpose of this Amendment is to offer the House a constructive alternative. It's in the nature of a substitute. It takes away rate setting power from this board. It does leave the board with the duty, with the duty to define a uniform cost accounting system for hospitals. That creates the



basis if a year or two down the road the Federal Government compels us to set rates, we've got the knowledge to set the rates then. And it does recognize, I would think it might be favorably received by the Sponsors of the Bill, it does recognize the nature of the Bill as an agreement, a contract among the vested interests because it puts every vested interest on the board, the medical society, the hospital association, public health, public aid, the SHCC, everybody's on this board. Gives them the power to investigate a variety of effective ways to control hospital costs, such things as health maintenance organizations, such things as preventive health care, techniques that may really bring this problem under control. It moves away from the concept of simple setting of wages and prices and creates a legitimate, constructive study commission. I urge its adoption and the rejection of this Bill to cartelize the hospital industry in this state."

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

Tipsword: "Mr. Speaker, Ladies and Gentlemen, the Sponsor of this Amendment was very truthful in what he said about the Amendment, this Amendment that removes the central portion of the Bill, the rate making power from the Authority and substitutes a commission that would merely be a...a commission that could recommend certain ways of cutting costs. It would have no authority whatsoever and would ...would give us no determination to the things that we have been trying to meet in this Act. I know when the Fiscal and Economic Commission of this Legislature first got into this area and first made its proposals they found that one of the things that they needed more than anything else to try to cure the morass that the Department of Public Aid had got into and the Department of Public Health was to find some predetermined rates so that...so that the bills could be promptly paid and that we did not thereby foster increased costs not only to the State of Illinois but to all of the other hospital patients throughout this entire state. This Bill...this Amendment would completely destroy the Bill, do away with any possibility of any kind of fair rate making, would put us right back to where we are now with only a ...sort of an Authority or Commission to make suggestions for cost cutting but would have absolutely no mandatory effect at all. I



urge you to defeat this Amendment because this Amendment is just like simply saying, 'no, we don't want any Bills to have any kind of a...a cost saving, rate fixing authority in the State of Illinois'."

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

Huff: "Thank you, Mr. Speaker, will the Sponsor of the Amendment yield for a question?"

Speaker Bradley: "He indicates that he will."

Huff: "Representative Vinson, as I listened to you explain the Amendment you mentioned a...an accounting procedure. Would that have the effect of creating an actuary that this Authority could look back on in determining the rate structure?"

Vinson: "Well, under the Amendment, Mr. Huff, there will not be rate setting by the board but the actuarial basis, if you will, that you're talking about will be created so that if we are later compelled, or persuaded, that it really is necessary to set rates the data base will be there so that we can accurately set rates."

Huff: "...Without that Amendment, do you feel that the Bill sufficiently shows that that...it has a basis upon which of arriving at a conclusion with regards to the rates other than a subjective one?"

Vinson: "No, I would suggest the Bill is tragically flawed, Representative Huff."

Huff: "Mr. Chairman, may I speak to the...."

Speaker Bradley: "You certainly may, Sir."

Huff: "Well, I'm going to say that I think that this Amendment should be adopted because all too often we see in the insurance industry that they arrive at...basis upon which rates are set and when you ask for a documented actuary there is none, there simply is none. These decisions are arrived at purely on subjective emotions and the time of the day. I think this is a good Amendment if we're really serious about having a...an actual way to not only arrive at a decision with regards to rates but show how we arrived at that decision based on some actual bottom line figure of black and white. I...I...I... support this Amendment."

Speaker Bradley: "The Gentleman from DeWitt, Mr. Vinson, to close."

Vinson: "Thank you, Mr. Speaker, I appreciate Representative Huff's support. This Amendment will establish a basis for accurately making



decisions in the hospital industry, I urge its adoption."

Speaker Bradley: "Question is on the adoption of the Amendment. All in favor signify by saying 'aye', opposed 'no'. The question on the adoption of the Amendment, all in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. This question, there are 84... or there are 52 'ayes' and 84 'noes' and it fails and Mr. Vinson is a prophet. Further Amendment?"

Clerk O'Brien: "Floor Amendment #22. Pullen. Amends Senate Bill 1060, as amended, by deleting Section 9.09 and renumbering Section 9.10..."

Speaker Bradley: "Lady from Cook, Mrs. Pullen."

Clerk O'Brien: "To Section 9.09."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment would delete the Section that says if the Director of Public Aid is not paying at the rate established by the board no one else has to pay at that rate. I think if most containment and rate setting is fair then it has to be fair for everyone. If the Director of Public Aid is not paying at the rate then the State Legislature should direct the Department of Public Aid to pay at that rate. If the rates are set properly, as the Sponsor believes they will be, but as we have no assurance they will be, but if they are set properly then everyone should pay at that rate. And I urge the adoption of this Amendment."

Speaker Bradley: "The Gentleman from Christian, Mr. Tipword, on the Amendment."

Tipword: "Mr. Speaker, Ladies and Gentlemen, if we have learned nothing from the other states that have Authorities such as this, there is, we have learned one thing and that is this, that unless all the payers pay at a...at a...at the same rate, including the Federal Government who must not be let out of the Bill but who must be required to...to come into the Bill to make it work properly, then the Authority and this whole structure cannot work at all unless they are in. If the Federal payers are permitted to not agree and to get by with whatever they want to pay then we put ourselves right back in the kind of a bad situation that we find ourselves in now in that the individual payer and the state, other state agencies and other third party payers are going to have to pick up the part of the Federal bill that the



federal does not pick up. We estimate that that could amount to something between 35 and 50 million dollars that either the people in the State of Illinois or the State of Illinois or other third party payers are going to have to pick up a form of hidden tax that we would be paying to and for the Federal Government if we...if this is allowed...this Amendment is allowed to become a part of this Act. It is essential that the Federal Government come in and pay their fair share so that we don't go shifting their burden as a hidden tax back upon you and me and your neighbors and everybody else that our hospital and health care users in the State of Illinois. And I urge that you vote 'no' on this Amendment."

Speaker Bradley: "Mrs. Pullen to close the debate."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the real hidden tax in hospital care will be the unnecessarily high costs that people have to pay because of this Bill and new state regulations. I urge an 'aye' vote on this Amendment to make it fair and I ask for a Roll Call, please, Mr. Speaker."

Speaker Bradley: "Question's on the adoption of the Amendment. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. This question, there are 47 'ayes', 92 'noes' and the Gentleman's motion fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. Oh, I'm awfully sorry. The Chair apologizes, Ms. Pullen. The Gentleman from McHenry, for what purpose do you rise, Mr. Hanahan."

Hanahan: "Point of personal privilege, Mr. Speaker."

Speaker Bradley: "State your point, Sir."

Hanahan: "Under Section 55.1 of the Rules of the House, it specifically and clearly states that no literature is supposed to be distributed on the floor of the House. And on my desk today I received a letter from George Ryan, the distinguished Minority Leader of this House. And I'd like the Chair to instruct the Minority Leader that this distribution of literature on the floor of the House is specifically banned by rules that he voted for and help promulgate. But speaking specifically to the letter, it affects me personally and



directly along with Representative John Matijevich in the fact that the criticism of the manner of which the Appropriations Committee is now handling some major pieces of legislation. We're, the Minority Leader requests that because of this action taken by the Appropriations Committee that something sinister and something wrong is taking place and, therefore, it should be stopped. And I might point out to him that nothing is wrong that's going on, nothing is sinister. It's just the fact that if the Sponsors of legislation had requested to move their Bills, we would not have had to take this innovative and drastic approach of taking Bills and amending into major omnibus appropriation Bills, the precedent that we're now taking in the Appropriations Committee. And I suggest that the sponsorship of these kinds of omnibus Bills may not be to his liking, but I guarantee the Minority Leader that his Bills that he calls his Bills because of the administration's request for these Bills will be handled with some form of expediency, of swiftness, of clarity, and I can assure the Members of the House that those Bills that were put into the... House Bill that I happen to be handling will be handled effectively. And I'm sure that each and every Member of this House will appreciate the fact that they won't have to be sifting through twenty and thirty different Bills in order to figure out what is happening with state finance. The only problem that I've got is I still don't know what is happening in the state economic picture. And if the Minority Leader would want to suspend Rule 55.1 and present to us on the floor of this House, on each Member's desk the clarification of what the task force of the Governor is going to tell us on what is going to happen on the economic picture of Illinois so that we could pass these appropriation Bills, it'll make my job a lot easier. So I'd just appreciate, Mr. Speaker, if you'd inform the Minority Leader of my feelings about distribution of literature and his position on the omnibus Bills that are going to move state government forward."

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

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to set the record straight. First off, the distribution that I made today was a personal letter to each of you and it was



not literature. And I think that I am protected under the First Amendment by doing that, Representative. So I exercise that right. Secondly, I don't believe in the letter that I have written to each of you that I indicated that there was anything sinister about the process. I only pointed, tried to point out to each and every one of you what could happen to you as a Sponsor of a Bill. And thirdly, Representative Hanahan, the last I heard, Representative Madigan was going to subpoena the Members of the task force to bring, to bring them back from their trips or wherever they were. And it certainly, if he has that right and hasn't exercised it, then I don't know what to tell him. But as soon as I get a report and one's made available to me, you'll get the first copy after Madigan."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise, too, because I, like Tom Hanahan, am a Sponsor of one of those omnibus or mini-bus, I guess, now Bills that we have... one of which, one I'm Sponsor of is on Second Reading in the House. I'd like to remind the Membership and the Minority Leader why we got into that posture and I hate to belabor the point. But I just sent back a letter to Mr. Gaylord Freeman who is Chairman of the task... the Governor's task force. And let me just read a small part of that letter. To Mr. Freeman, I say, 'My guess is and this is an educated guess because it follows what has happened in other states. My guess is the Governor's Cost Control Task Force will recommend savings between three hundred to five hundred millions of dollars. It is almost laughable that persistent attempts to cut out even small amounts from the administrative agencies are met with stiff resistance from the departmental directors and representatives of the Executive when we all know that every agency can operate with less taxpayer's dollars. It is also amazing to me that your letter implies your responsibility is to those who provided the funds to finance the task force. I thought since the task force was established by Executive Order, it was created for a public purpose. That purpose can best be achievable, I believe, by allowing the Legislature to participate through its appropriation process with efforts to implement savings and efficiencies



in State Government and as quickly as possible. You have pointed out that you appointed the Members and the corporation raised the funds from the private sector. However, you know that the task force has utilized many manhours of persons on the public payroll to help with the projects. Therefore, to hint that your responsibility is to the private sector is unfortunate indeed. Governor Thompson has often said that the Executive and Legislative Branches of government should work cooperatively. This is one time that by excluding in a timely fashion the legislative process, the taxpayers are being denied early implementation of a program that can result in tax relief. Now, Mr. Speaker and Ladies and Gentlemen of the House, the candidates for Governor are both going to debate tonight on public television in Chicago. Mr. Speaker and Ladies and Gentlemen of the House, before Members of the... Mr. Barnes and myself and the Vice-Chairman of the Appropriations Committee, weren't kidding when we said that we thought that the cost control task force report should be in our hands. We know that the reports are floating around and I think that it is embarrassing, very embarrassing to the Executive, to the incumbent Governor that he not use that report, use those reports that I understand some administrative agencies have in their hands and not allow us as a legislative Body to have that report, to reflect on how that report in those agencies might also have an effect on the budget. I think that's very unfortunate. I happen to have the omnibus Bill, I guess, by mistake because the Department of Insurance budget went to defeat. And I thought I responsibly then introduced a Department of Insurance Appropriation Bill. I thought that was responsible. Then after the Appropriations Committee had for some time been meeting and we had all of these Bills in Subcommittee, I thought it also responsible to put them in the form of one Bill. Now our Bill, the end result of the Appropriation Bill that I have is a two-tenths... two-tenths of one percent reduction of the original Bills, two-tenths of one percent. Now tonight we're going to be hearing a lot, I'm sure, from the Governor about tax relief. We've heard about it California. I have a copy of a... of a magazine here, Newsweek, where it says that



they've polled all the states in the Union and everybody's for tax relief, everybody's talking about it. Everybody's talking about inflation. Everybody but the Governor of the State of Illinois, except tonight he's going to talk about tax relief. Well if he's talking about tax relief and he's not willing to cut two-tenths, two tenths of one percent out of those agencies that are in my Bill, then he's a phony. He should not talk about tax relief. Well we're talking about it and candidate Bakalis is talking about it, but we want it to be meaningful. We want the money to come from somewhere. So I think, Ladies and Gentlemen of the House, what we did was responsible and I take umbrage in the Minority Leader's letter to all the Members. I think I'm a responsible Member of this Body like I think he is and what we have done, I think, is responsible. All the agencies of government will operate and I just think it's very unfortunate that Gaylord Freeman and his task force control... task force on cost control are really being subversive. They're hiding, they're operating secretive government and I don't think Governor Thompson has stood for that. He's been a man of ethics he says. Why should he be hiding all of these facts?"

Speaker Bradley: "For what purpose the Gentleman from Lawrence, Mr. Cunningham, arise?"

Cunningham: "To speak the truth and correct some of these malicious falsehoods that have been said from the other side of the aisle. Specifically as the Minority Member on Appropriations I and I've heard those boobs over there..."

Speaker Bradley: "Mr. Cunningham, Mr. Cunningham, please Sir. What purpose does the Gentleman, Mr. Hanahan, arise?"

Hanahan: "The question is, what order of business are we on and what point is this Gentleman rising to? I rose on a point of order on the violation of rules. Does he support me on the concept that the Minority Leader violated the rules? What is he talking about?"

Speaker Bradley: "Let's don't get into a dialogue. I don't think that his point of order should necessarily bring about a point of order on you, Sir. So if you don't mind, I think we'll go to some other business."



Cunningham: "I do mind."

Speaker Bradley: "Well..."

Cunningham: "Now let's just have a moment here to set the record straight and let me publicly compliment the Minority Leader for warning those on either side of the aisle, the troops in the trenches, that unless you pay attention to what's happened here, you will be disenfranchised, you will be deprived of your traditional dignity and power intended by the Constitution and the laws has happened to the Democratic Members of Appropriations I. They went along with this scandalous system whereby they were... lost the right to question the heads of the department and all at once in the dark of the night we were confronted with a fait accompli when they showed up with House Bill 3383. Now we're going to have a chance here in about an hour to correct the error that was made on 3383. We're going to turn back the clock for a dignified approach to the traditional way that Appropriations has been handled. And I want you to note, when my great and good friend, John Matijevich, he keeps saying we acted responsibly, we acted responsibly, we acted responsibly. Methinks he protesteth overmuch. He knows in his heart that their conduct was unconscionable. It was a late, lame effort to rescue a sinking political ship. And I would ask those on the other side not to go down with that ship. Let's do it the way we've always done. Let everyone be heard on Appropriations I. Read what the Minority Leader has written to you. When 3383 comes up on the motion, support us. Support the rule of fairness we've always had."

Speaker Bradley: "Under motions, the Chair recognizes Representative Greiman on his motion to discharge and advance to Second Reading, Second Legislative Day Senate Bill 1811. What purpose does the Gentleman from Cook, Mr. Schlickman, arise?"

Schlickman: "Point of order, Mr. Speaker."

Speaker Bradley: "State your point, Sir."

Schlickman: "Under the rules when you go to an order of business, you are to take the Bills in numerical order and you've jumped from House Bill 2965 to Senate Bill 1811."

Speaker Bradley: "On the Order of Second and Third Readings only,



Mr. Schlickman."

Schlickman: "We're on the Order of Motions. And the rules provide, I believe, Mr. Speaker, and certainly the intent of the rules if not the letter of the rule is to take matters in numerical order when you get to a particular order of business. And I respectfully suggest, Mr. Speaker, that we operate in an orderly procedure."

Speaker Bradley: "What rule are you referring to, Mr. Schlickman, that is so specific regarding motions?"

Schlickman: "I said, Mr. Speaker, if it doesn't provide for by the letter, it's certainly by the spirit and according to the custom of this House. And you have your Parliamentarian there who I'm sure can find it very easily."

Speaker Bradley: "Well, the spirit moved me to call this one. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "I make the point of order that Parliamentarian should never be one who is to cite rule for a Member. You either have a point of order and cite the rule. If you don't do it, we go on to further business which I say, Mr. Speaker, is the only order we have now to proceed where you're at."

Speaker Bradley: "Correct, Sir. Thank you. Gentleman from Cook, Mr. Greiman, on your motion."

Greiman: "Thank you, Mr. Speaker."

Speaker Bradley: "For what purpose the Gentleman from Cook, Mr. J. Houlihan, arise?"

J. Houlihan: "Mr. Speaker, I'd like to direct the Parliamentarian and the Speaker's attention to Rule 37 which lists the calling of Bills."

Speaker Bradley: "We're not on Bills, we're on motions."

J. Houlihan: "I understand that it says when Bills or Resolutions are placed on the Calendar on the Order of Second Reading, they include they appear in numerical order. And I believe that that would include motions."

Speaker Bradley: "What makes... what leads you to believe that it would indicate only... that it would indicate motions. It specifically says Bills and Resolutions."

J. Houlihan: "Well, Mr. Speaker, I believe that because this is a motion with reference to a Bill it's included. Since by the fact that



the motion refers to a Bill, the Bill is listed and all the Bills must be called in numerical order."

Speaker Bradley: "Opinion of the Chair and the opinion of the Parliamentarian that that rule only applies to Bills Second Reading and Third Reading, House Bills and Senate Bills and does not apply to motions, Mr. Houlihan."

J. Houlihan: "Is it my understanding then, Mr. Speaker, that with regard to motions, the Chair can elect to go to any motion at any time when we're on the Order of Motions? Is that your interpretation?"

Speaker Bradley: "That's correct. The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Would you kindly have the Clerk correct the board. It's Senate Bill 1811 that we're considering. And I believe your ruling is correct and if they want to make an appeal of the ruling, they may do so; but let's proceed with the orderly business of this House."

Speaker Bradley: "He hasn't appealed. So Senate Bill 1811 is correct. Thank you. Mr...the Gentleman from Cook, Mr. Greiman."

Greiman: "Thank you, Mr. Speaker."

Speaker Bradley: "Just a minute, Mr. Greiman. The Gentleman from Kankakee, Mr. Ryan. Let's give the Gentleman some order."

Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is just another example of what can happen to you when you're in the Minority. Run roughshod over us, misuse the rules and abuse each and every one you single Members. And if you allow that to happen here today, it's going to happen tomorrow and the day after and the day after that. Now stand up once, quit listening to the political bosses and do what's right. I'm going to move, Mr. Speaker, to overrule your ruling, override your ruling."

Speaker Bradley: "It's not debatable. The Gentleman moves to overrule the Chair. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Clerk will take the record. On this question there are 85 'ayes', 71 'nays' and the Gentleman's motion fails. The Gentleman from Cook, Mr. Greiman. The Gentleman from Cook, Mr. Ryan."

Ryan: "Well, thank you, Mr. Speaker. I would request a poll of the



absentees."

Speaker Bradley: "Call the absentees."

Ryan: "Mr. Speaker, Mr. Speaker."

Clerk O'Brien: "Brandt."

Ryan: "Mr. Speaker."

Speaker Bradley: "Mr. Ryan."

Ryan: "Since you were so kind as to clear the board, do you suppose I could have a copy of the Roll Call so I could go along with the Clerk?"

Speaker Bradley: "We'll get you one right away. We are... it's always been the policy... to call the absentees, we have to get the Roll Call off the machine, Mr. Ryan. We do it on every occasion. The Gentleman from McHenry, Mr. Skinner, what purpose do you rise?"

Skinner: "I figured using a German word on this Bill might get your attention, Sir. I would like to change my vote from 'yes' to 'no'. If that's possible, if not, I move to reconsider. Take your pick."

Speaker Bradley: "Can't move to reconsider, but if you want to change your vote, you can do that."

Skinner: "Well then, just change my vote to the Republican vote."

Speaker Bradley: "We're on... we're on... let's take them one at a time. We're on a poll of the absentees. Poll the absentees. The Gentleman from Cook, Mr. Madigan, for what purpose do you rise?"

Madigan: "Mr. Speaker, I suggest that if there is a problem retrieving the Roll Call that we might wish to take another Roll Call. But we would need some clear explanation from the Chair or from someone else as to what the motion is, Mr. Speaker."

Speaker Bradley: "Mr. Ryan, we're trying to have a new Roll on the Mr. Ryan's motion to... and the question is, shall the Chair be overrode? If you're in favor of overriding the Chair, you will vote 'aye'. If you are... want to support the Chair, you vote 'no'. And we'll... Ms. Geo-Karis. Turn Ms. Geo-Karis on."

Geo-Karis: "Point of parliamentary inquiry. Support the Chair in doing what? It's not clear."

Speaker Bradley: "You're simply voting 'no' to support the Chair and 'aye' to support Mr. Ryan on overriding the ruling of the Chair. The Gentleman from Cook..."



Geo-Karis: "The ruling of the Chair was what exactly? Not clear, Mr. Speaker. That's all I'm asking, just what was the ruling of the Chair?"

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

Madigan: "Mr. Speaker, I rise to explain my 'no' vote in support of the ruling of the Chair, Mr. Speaker. Mr. Speaker, the rules clearly enunciate your authority to call motions at your pleasure without regard to the numerical order at which they appear on the Calendar. Those in the Membership who believe that you are under a restraint to call motions according to numerical order or according to an order of priority have misunderstood that provision of the rules which deals with those Bills on the Order of Second Reading and Third Reading. Mr. Speaker, this is a highly important Bill to a highly volatile situation in the Chicagoland area, certainly there is an emergency to be considering this Bill at this time. And therefore, you are justified in taking this Bill at your pleasure and not with regard to the numerical order on the Calendar."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Houlihan."

J. Houlihan: "Mr. Speaker, to explain my vote."

Speaker Bradley: "Proceed, Sir."

J. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, let there be no misunderstanding. My 'aye' vote is in no way a support of the Minority Leader, no way connected with the Minority Leader who's been involved with an effort to hide state information that's critical to the budget process. We know that there's information there. That's not the issue here. The issue here is individual Member's rights. It's not whether you're for the Chair or against the Chair. The question is individual Member's rights and I'd urge an 'aye' vote on this measure."

Speaker Bradley: "Have all voted who wished? Clerk will take the record. On this question there are 84 'ayes' and 78 'nays'. And the Gentleman's motion fails. Mr. Greiman on your motion on Senate Bill 1811."

Greiman: "Thank you, I won't... I won't say thank you, Mr. Speaker,



cause I've said it five times. I stand here on a great tradition of this House is to discharge Bills from House Judiciary 11. That's almost a tradition in this Body. And I certainly am proud to join the many Sponsors who have asked over the years, over this Session particularly, to discharge Judiciary II. The Bill that I am the Sponsor of is similar to the Bill that Representative Telcser is the House Sponsor of, deal with the most critical and immediate situations. It deals with the proposed march..."

Speaker Bradley: "Mr. Collins on a point of order."

Collins: "Well, Mr. Speaker, my point of order is very simple. We're not here to debate the merits of the Bill, but to hear the reasons for this motion on a Bill that was defeated in Committee by a vote of 18 to 4. I would suggest that the Gentleman should stick to his motion and not get into the merits or demerits of his Bill."

Speaker Bradley: "Mr. Greiman, would you contain your remarks to the motion?"

Greiman: "Well, I've sat... I will. I must tell you that I sat on this floor and I listened to the motion to discharge the death penalty and we talked about the death penalty and crime in the streets. And I listened about obscenity and about pornography and had applaud... and they had applaud..."

Speaker Bradley: "Mr. Greiman, Mr. Greiman, please stay with the..."

Greiman: "I will..."

Speaker Bradley: "Would you please, Sir?"

Greiman: "I can only tell you we had a hearing before the Committee on Judiciary. It was a long hearing. Our Bill as it now is amended was prepared basically by constitutional law professors who were unable to testify on that day because of the end of school term. They have spent a great deal of time insuring that there are safeguards that protect free speech and First Amendment rights on the one hand and on the other hand, make group defamation a gain, a misdemeanor in Illinois and give to a community presently besieged the tools with which to help itself. We ask at this critical moment without going into the details of that hearing and of the issues that you overrule, that you discharge Judiciary II and that this Body have a full debate, debate on whether



free speech is impaired, which I say it is not, and whether people shall live in security in my city, in my town and in hundreds of other places in Illinois. And whether memories of this generation and whether the memory of four hundred thousand Americans should be forgotten by this Body or by anybody in Illinois."

Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "He's speaking to the Bill itself again. This is... only appropriate to speak to the motion at this time. I'd ask the Speaker to admonish Mr. Greiman as to that point."

Speaker Bradley: "Just to the motion, Mr. Greiman."

Greiman: "Apparently free speech is endangered more in this House than outside in Skokie. I'm speaking to the motion to discharge but you can't speak about it in a vacuum, Sir. You know the issues. The issues are to discharge and to debate this Bill. And I ask that this House put 89 votes up to give the people of Skokie a chance to defend themselves and a tool to keep Nazis out of their town."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, in the first place, I would like to state frankly that I take exception to the manner in which the Gentleman from Skokie proceeds. He begins with a tirade against my Committee, the Judiciary II Committee. I consider it ill-appropriate. I consider it to be quite out of the ordinary that the Gentleman who has on so many occasions in this House voted in favor of this Committee now stands when he wants this House's vote to discharge the Committee and utters the kind of platitudes which are quite inappropriate for the Gentleman from Skokie. With regard to this particular Bill, it was a very difficult Bill for the Members of the Committee. They sat for two and a half hours, only these Bills were scheduled. The Committee heard all of the witnesses that the Gentleman from Skokie had and all of the witnesses who came from other cities with regard to the very difficult First Amendment problems posed by the Bill. At the conclusion of all of that testimony, the Committee voted 16 to 4 against the do not pass Resolution. The Gentleman with all of the arguments that he could muster could



persuade only four Members of Judiciary II Committee that his Bill ought to be adopted bearing in mind the fact that this is a free society and that the First Amendment must necessarily guide us... all. These Bills and this Bill had a very full hearing. It had a very fair hearing. I would urge the Members of this House to stand by the Committee system, to recognize that you could not begin to have the kind of two and a half hours that were devoted by this Committee and to urge a vote against the discharge of this Committee."

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

Leinenweber: "Thank you, Mr. Speaker. I would like to certainly second the remarks of the Chairman of the House Judiciary II Committee. Now as the Gentleman from Skokie pointed out, it is not the first time that this House has been asked to overrule or to take from the House Judiciary II Committee a Bill. But I would suggest to you that that Committee is pretty evenly divided along ideological lines with the liberals probably having a one or two vote margin. I can recall no Bill, Mr. Speaker, that every received the unanimity of opinion of all the Members of that Committee than House Bills... or Senate Bill 1811 did. It received almost unanimous votes from all ends of the political spectrum that have been appointed to that Committee. Mr. Speaker, if the Committee system of this House means anything at all, if we're going to spend two and a half, three hours of our time, four hours of our time sitting in Committee listening, listening to every witness who appears, who fills out a witness slip and asks to be heard at our time... and listen to the endless debate in the Committee itself among the Members. If we're going to be asked to do that and then have the Sponsor of the Bill who admits he received a complete and thorough hearing, nothing has been brought up to indicate that he was shut off in any way, but that he could only convince four out of twenty Members who were present which in itself may be a record for attendance in that Committee. Four Members out of twenty, sixteen voting 'no' on that Bill, sixteen people going against what may very well be the popular political position to take, sixteen people going the line to cast a



'no' vote against a very, very extremely dangerous and bad Bill, sixteen... if you're going to vote to discharge that Committee, then I suggest we ought to change our rules and abolish the Committee system and bring everything on the floor for a Third Reading vote regardless of what happens. Mr. Speaker, if we believe in the Committee system, then let's vote 'no' on this motion to discharge House Judiciary II."

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

Laurino: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. As a Chairman of a Committee I, too, take exception when someone wants to discharge a Bill from a Committee that's been heard fully. But by twenty Members of a Committee to take into consideration the lives of all of the people of a community that I represent in the 15th District with Mr. Greiman, I resent the fact that this House cannot hear this Bill in its entirety and have the Membership decide for itself rather than have the word of sixteen people decide that the entire populace of Skokie cannot have pure justice. And I hope that there will be some support for this override of this... to discharge this Committee. Please vote 'yes' on the discharge motion."

Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Mr. Speaker and Members of the House, I think there's one important point that may distinguish this Bill from even most Bills that we hear before this Body. And that is that over the course of three or four hours, we heard some of the most complex debate, some of the most detailed explanation of the legal aspects of this Bill of any conceivable Bill that's ever come before Judiciary or would ever come before this House. And what the Sponsor of this Bill and this motion wants us to do is to bring this Bill out on the floor of the House and emotionalize the issue and oversimplify the issue and say this is a march Bill or this is a Skokie Bill, when in fact it's not any of those things."

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

Greiman: "I wish that Mr. Johnson would stick to the perimeters of what he is allowed to. I think he's going way beyond when he talks about what I want to do and what my intentions are. Please,



Mr. Johnson, stick to the motion."

Speaker Bradley: "Mr. Johnson, to the motion please." Mr. Johnson:

Johnson: "The importance of the Committee system to this motion, I think, is overriding. We had the opportunity to hear it for four hours and we can't have the opportunity to have four hours of floor debate on this. The vote was 16 to 4. Let me just read for you the cross section of Members of this House who voted to defeat House, Senate Bill 1811. Katz, Kosinski, Mann, Byers, Willer, Breslin, Getty, Martin, Darrow, Johnson, Cunningham, Leinenweber, Schlickman, Catania, Antonovych and Stearney. And over the course of those names, the ideological and political and ethnic spectrum is so broad that I would suggest, Mr. Speaker and Members of the House, to bring this out and to try to subject this House to four hours of floor debate is useless. We ought to rely on the Committee system and vote 'no' on this motion to discharge."

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

Kosinski: "Mr. Chairman, Ladies and Gentlemen of the House, as Vice-Chairman of the Judiciary Committee over a great number of years, many things have come to our attention where a difference in ideology, a difference of philosophy, or difference in political view, elected the discharge of that Committee. I assure you in this instance, none of these were present; merely a profound consideration of the principles of Americanism as we know them that made this Committee judge and determine in great preponderance the vote that it did and not permit that Bill to hit this floor. I recommend that we re... we leave the Bill in Committee and not bring on the House floor."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I was one of the four who was called stupid in the Judiciary II Committee cause I voted to pass that Bill. Now if I'm stupid, then I'm stupid in not realizing, not taking consideration there's going to be bloodshed in areas, not only in Skokie or anywhere else, if this Bill is not fully debated by this House."

Speaker Bradley: "Ms. Geo-Karis, Ms. Geo-Karis, would you please... would you please..."



Geo-Karis: "I apologize to my colleagues here."

Speaker Bradley: "Speaker to the motion."

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, I think this Bill should be discharged from Committee. I think that everyone voted their conscience. I voted mine. I am against the portrayal of depravity, murder and torture... which... which would happen and has happened in the Nazi Party and I feel this Bill should be debated by everyone in this House. I may not vote for the Bill when I get through here and everything, but I think... just a minute. But I did vote for it in Committee and at the present time I plan to vote for the Bill because I haven't heard any strong... strong opposition to it legally. When Professor Kerman who's a known constitutional authority can support the Bill, I think it deserves a hearing before this House."

Speaker Bradley: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question. All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The opinion of the Chair, the 'ayes' have it. The Gentleman's motion prevails. Mr. Greiman to close the debate."

Greiman: "Thank you, Mr. Speaker. This is a Bill, a Bill and an issue which has divided many people, many people who often stand together on this floor. And it has that kind of dynamics to it and no one understands it better than my community. I would tell you that the Illinois State Bar Association Board of Governors debated this issue, debated Senate Bill 1811 and passed a Resolution asking the General Assembly to enact Senate Bill 1811. They are not, they also have a cross section of our state, ethnically every other way. And that Bar Association has the same sensitivity that the lawyers who sit on Judiciary II have and they suggest that it be passed and I suggest that it be debated. I think it's an important critical issue for this year and for the future. We all look at American society and we say we are concerned with it. This issue has the essence, the nub of some of the problems that are in our society. We ought not silent debate. We ought to hear this Bill. And I ask you to discharge



Senate Bill 1811. Thank you."

Speaker Bradley: "The question's on the Gentleman's motion to discharge the Committee. All in favor of the Gentleman's motion signify by voting 'aye', those opposed by voting 'no'. I'm sorry. The Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "There has been one thing said about the Judiciary Committee which is absolutely false and that is that it is either representative of the Illinois General Assembly or the people of the State of Illinois. Remember this is the Committee that killed the death penalty, not just once but several times. In addition, it passed out the Bill to legalize marijuana. Now the public opinion in this state is approximately three to one in favor of the passage of this Bill and what you're doing by this vote is saying that we who are Representatives of the General Assembly are going to hide behind the pants and skirts of the Members of this Judiciary Committee who are afraid of free debate on this issue."

Speaker Bradley: "Have all voted who wished? Mr. Schlickman to explain your vote."

Schlickman: "Mr. Speaker, Members of the House, I arise not only to explain my vote but on a point of personal privilege inasmuch as my name was used by someone who debated in this matter. I am a Member of Judiciary Committee and I went to that Committee hearing with a good deal of concern, apprehension and a good deal of sympathy. I, too, represent a part of the Village of Skokie. And as my name denotes, I am an American of German ancestry. When I attended that hearing, Mr. Speaker, I wasn't sure how I was going to vote on either of the two Bills. I was disappointed, Mr. Speaker, Members of the House, that the discussion that day on this critical issue revolved around House Bill 1811 almost to the disregard of House Bill 16... or Senate Bill 1676. Mr. Speaker, Members of the House, we all have to vote with our conscience, we have to be concerned not only about immediate affairs, but we have to be concerned about long-range affairs. As an outspoken libertarian stated that day, if this Bill becomes law, someone who wants to wear the Star of David will be prohibited. As someone who is interested in model airplanes, he would be prevented from carrying



a plane with a swastika through the Village of Skokie. I respectfully suggest, Mr. Speaker, Members of the House, those of you who are concerned about what is to happen in Skokie probably June 25, take a look at how Senate Bill 1676 which I think has the answer to the problem without tramping, without searing that sensitive nerve of the First Amendment and I vote 'no'."

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

Bluthardt: "Thank you, Mr. Speaker and Members of this House. For the second time in a week, I feel compelled to explain my vote much for the same reason that the previous speaker did. I carry a German name, but less you think that I'm pro-Nazi and I'm afraid that many people will because of my vote, let me explain that I'm a quarter German, a quarter Irish, a quarter French, and a quarter English. My wife is Jewish and Polish. My grandchildren are all those things plus Italian. I fought in Germany a hundred and seventy-nine days of continuous combat. I am not pro-Nazi. I despise them more than any other group that I've ever experienced or heard about in my lifetime or in the lifetime of the history of this world. But I am a great believer in the principles of the Constitution and the guarantees of the Constitution. And I think that this Bill flies in the face of the First Amendment. And therefore, I am voting 'no' on this issue."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijevich, to explain his vote."

Matijevich: "Well, I only explain it, Mr. Speaker, because I don't think anybody look at... looking at that board ought to judge in their mind that this vote is any reflection on the problem in Skokie. However, I feel that the Bill does not answer the problems and I really think that the true test of liberty is when you give it to your enemies. So I think the Bill is... it's bad a, therefore, that's why I vote 'no' on this motion."

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I'm a little confused here. I'm a layman. I'm not an attorney. But



if I'm not correct, didn't the Supreme Court rule that they can march there? And the results of this vote today, the result of this vote today here would become moot?"

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Mr. Schneider, get on the Roll. All right, have all voted who wished? The Clerk will take the record. 56 'ayes', 110 'noes' and the Gentleman's motion fails. To show that we are not impartial in the Chair, we will go back and take up Senate Bill 1676 under motions. The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, Members of the House, I filed a motion which appears on the Calendar to take from the table Senate Bill 1676. And let me say at the onset that the Chairman of the Judiciary Committee and its Members did indeed give this piece of legislation a very fair, thoughtful and substantive hearing. And I must say that the arguments on both sides of the question were done in a very, very high caliber, thoughtful and meaningful way. But, Mr. Speaker, Members of the House, our rules provide that a Member may file a motion to discharge Committees or take Bills from the table and it is pursuant to those rules that I am pursuing this course of action. I, in no way, imply or mean to imply that I have no respect or regard for the Committee system or for the Members of that fine Judiciary Committee. What I am simply doing is acting according to the rules which the Members of this House have adopted and I am pursuing a piece of legislation which I know to be extremely important to many, many thousands of people. I know, Mr. Speaker, that this House has always acted in a compassionate, fair manner and has always tried to help people in this state who are troubled and who are in need of help. And it is for these reasons, Mr. Speaker, that I have pursued my motion. I know that the rules preclude me from getting into the substance of this piece of legislation. And I am, therefore, trying not to get into the substance of the Bill, but am simply explaining to the Members of this House that I sincerely and truly believe that this issue ought to be debated by every single Member of the House. This is an issue which is critical, time is not on our side. We don't have the necessary weeks or months to study this



piece of legislation, to put in a Subcommittee. We must act on it now. We must act on it before the rest of this month goes out. And so, Mr. Speaker, Members of the House, I sincerely ask and hope that 107 Members this afternoon will join with me, 106 Members will join along with me and provide the necessary number of votes to take Senate Bill 1676 from the table, put it on the Calendar so that every Member of the House can be heard on the issue and on the question. Believe me, Mr. Speaker, it is important enough and vital enough so that everyone participates in the debate on this critical issue."

Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson, on his motion."

Johnson: "Mr. Speaker, Members of the House, this Bill was heard simultaneously with Senate Bill 1811 before the Judiciary Committee. Had the same four hours of full-blown hearing with witnesses from all over the country and in this case received a 15 to 5 negative vote by the Members of Judiciary II Committee with only Representative Schlickman voting differently on one Bill than the other. And I'd also suggest in this particular Bill that a majority of the Members of the Committee voted do not pass and that, therefore, the 107 vote rule for discharge is applicable here. I would simply state that the same merits of the same issue, issues would apply to this Bill as to the last one and would respectfully suggest that the Members of the House vote 'no' on his motion to discharge."

Speaker Bradley: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I move the previous question."

Speaker Bradley: "All in favor of the Gentleman's motion signify by saying 'aye', opposed 'no'. The opinion of the Chair, the 'ayes' have it. And the Gentleman from Cook, Mr. Telcser, to close the debate."

Telcser: "Well, Mr. Speaker, Members of the House, there's little I can add to what Representative Greiman said regarding his Bill or what I said in my opening remarks. I simply ask and implore the Members of the House to give us a chance to hear this important Bill before the entire Membership of this Body and I hope



we'll have an affirmative 107 votes."

Speaker Bradley: "The question is on the Mr. Telcser's motion on Senate Bill 1676 to take from the Speaker's Table. All in favor of the Gentleman's motion signify by voting 'aye', opposed by voting 'no'. The Gentleman from Cook, Ms. Pullen, to explain her vote. The Lady... you'll never forgive me."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, it is true that this Bill was heard along with the other and perhaps that's part of the problem. I was in the audience that day and I heard the Roll Call taken on these two Bills. And the Roll Call was taken first on this Bill. And everyone who explained his vote in that Committee, Mr. Speaker, Ladies and Gentlemen of the House, was talking about the other Bill. I do not believe this Bill did receive the fair hearing that it might have if it had been heard separately even though it might have been a good idea to present them together because they are addressing a similar issue. They address it in a completely different manner and yet, this Bill was debated on the basis of the other Bill. And it is for that reason that I ask you please to vote 'yes' because there was a problem with the Committee vote on this Bill and it deserves to be heard on this House floor. Thank you."

Speaker Bradley: "Have all voted who wished? The Gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "I don't think it's necessary, Mr. Speaker."

Speaker Bradley: "The Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "Representative Pullen is absolutely correct. No one, no one spoke to this Bill during the debate in the House Judiciary Committee. The... the Chairman of the Rules Committee is half right in his previous speech where he said both were given good consideration. This one was not. This one was... let me give you a history of this Bill. This Bill was first passed in Great Britain during the 1930's and it was successful in Great Britain at achieving its purpose. In the last decade, it was successful at stopping similar... a similar situation in Great Britain. My wife, Robin, suggested this Bill and she suggested it as the result



her experience in Great Britain as an assistant to a Member of Parliament. This Bill is not as broad as the last Bill. It has nothing to do with defamation; group defamation; the entire topic of the Committee hearing. It has to do with stopping things like this which is an actual flag that my seatmate procured during World War II from ending up in... in the town in question. I think that this Bill deserves consideration. It got more votes than the other Bill, yet for some reason the Committee voted do not pass on this Bill and failed to do the same on the last Bill. If that's an example of fairness of the Judiciary Committee, let anything that happens in Skokie this month be on their shoulders."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Clerk will take the record. The Gentleman from Cook, Mr. Madigan."

Madigan: "Is it permissible to ask a question of Representative Skinner?"

Speaker Bradley: "Will the Gentleman yield?"

Madigan: "The Bill in Great Britain, was it used to suppress the Irish?"

Skinner: "Well, you're of course speaking to the subject. It was used to suppress uniformed marches of the Irish Republican Army as well as the National Front during the 1930's. You can... but you would still be able to wear your uniform in the Illinois House, Representative Madigan."

Speaker Bradley: "Have all voted who wished? Clerk will take the record. On this question there are 61 'ayes' and 85 'nays' and the Gentleman's motion fails. Agreed Resolutions. For what purpose the Gentleman from Cook, Mr. Houlihan, arise?"

J. Houlihan: "Mr. Speaker, to raise a question of the Chair."

Speaker Bradley: "You can wear your uniform, too."

J. Houlihan: "Well, thank you, Mr. Speaker. On a more serious note, if a witness before a legislative Committee knowingly misrepresents the facts to that Committee, what is that person's status? Is there a question of contempt there? Is there a question... a disciplinary question that we might proceed... proceed with?"

Speaker Bradley: "I would hope that the Chairman of that Committee



would take care of that problem at the proper time."

J. Houlihan: "Well, Mr. Speaker, I don't believe that's... I believe... our rules are unclear and I would hope that you would direct the Parliamentarian to look into that matter because that would..."

Speaker Bradley: "Your point... your point's well taken, Sir, and... I think that the next time we address ourselves to the rules, we may be taking that up."

J. Houlihan: "I mean, the current rules, the Parliamentarian could research just what position or posture a witness might be in who knowingly misrepresents the facts to a Committee, a full Committee holding hearings on a particular matter in the House."

Speaker Bradley: "Your point is well taken, Sir, and I think it's well made and we will look into the matter. And if it bears amending our rules with the support of the House, at that time, we'll do it. The Gentleman from Cook, Mr. Mann, for what purpose do you rise?"

Mann: "For an announcement, Mr. Speaker. You want me to hold that?"

Speaker Bradley: "Just hold that a minute. We'll get to announcements. Mr. Giorgi, we're going to do Agreed Resolutions and all... On... Mr. Matijevich, on a point of order."

Matijevich: "Yeah, I want to broaden on what Representative Houlihan had said because I think he wants the Parliamentarian to research it now and not for the purpose of amending rules in the future. The issue is very important now and Representative Houlihan wants that issue to be researched now to determine in his mind as the Vice-Chairman if somebody comes before a Committee and is asked certain questions and there's some doubt about the integrity of the answers, he wants that matter researched now."

Speaker Bradley: "The Parliamentarian is within the sound of my voice, I will instruct him that he research the question and get back to Mr. Houlihan as quickly as possible. Mr. Collins, what purpose do you rise?"

Collins: "Well, Mr. Speaker, I would think that Representative Houlihan should be more concerned about bringing action against a certain photographer than against any witnesses."

Speaker Bradley: "Agreed Resolutions."



Clerk O'Brien: "House Resolution 945, Dawson. 946, Matejek. 947, Madigan-Beatty-Kucharski. 948, Meyer. 949, Pechous. 950, Pechous. 951, Hoxsey. 952, Leverenz. 953, Leverenz. 954, Younge. 955, Marovitz-Telcser. Senate Joint Resolution 86, Conti-Farley."

Speaker Bradley: "Representative Giorgi on the Agreed Resolutions."

Giorgi: "Mr. Speaker, Dawson's House Resolution 945 talks about Michael Pavich. 946 by Matejek honors Kevin C. Davis. 947 by Madigan honors Elmer Wangerow. 948 by Meyer talks about a golden wedding anniversary. 49 by Pechous notes a memorial service. 50 by Pechous talks about John Pellegrini. 951 by Hoxsey tells about the great City of Mendota. 952 by Leverenz honors the Legislative Council in Kickapoo Chapter of the American Business Woman. 953, Leverenz also honors the Nancy Amberg of the Kickapoo Chapter. 954 by Younge talks about the institution of marriage. 955 by Marovitz talks about Judiciary I. And Conti-Farley ask that they note the dedication of the parking garage tomorrow. I move for the adoption of the Agreed Resolutions."

Speaker Bradley: "The Gentleman moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, Resolutions are adopted. Mr. Houlihan, the Parliamentarian says he will research it and get back to you. It may take some time, but as I recall and some of you other Members, it comes up every once in a while what the posture is under contempt. Yes, if the person is not sworn in to give testimony, that seems to be the problem. And we do have the power to swear a witness, but he will get back to you on the issue, and I would hope, to all the Members. Mr. Houlihan."

J. Houlihan: "Mr. Speaker, we would direct his attention not just to what we might look into in terms of future rules, but what the current status is in our rules."

Speaker Bradley: "That's right. I've talked with him. Now, Mr. Mann, on an announcement. We'll get all the announcements out of the way. Mr. Mann."

Mann: "Yes, thank you, Mr. Speaker. There will be a meeting of the Judiciary I Committee immediately following adjournment in Room C1. Thank you, Mr. Speaker."



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

E.M. Barnes: "Thank you very much, Mr. Speaker, Members of the House.

Before we get to announcements, I have had some conversation with both the Majority Leader and the Minority Leader relative to House Bills to be heard in the Appropriations II Committee. Representative Ryan has a copy of the list, Representative Madigan has a copy of the list and I left a copy of the list with the Speaker. I would now move, Mr. Speaker, that the proper rules would be waived so that those Bills that were heard in the Appropriations II Committee could be... could be post... could be heard this afternoon with the express intentions of the Chair to recess those Bills until Thursday morning. There's a complete list of them and if you wish for me to read them, but otherwise, I would make that motion at this time, ask leave of the House to do so."

Speaker Bradley: "Mr. Barnes, would you state your motion? Leave of the House to hear those Bills?"

E.M. Barnes: "To have those Bills heard, they are House Bills that has already, many of them have had testimony in the Appropriations II Committee. I would ask leave to have those Bills heard today in Appropriations II with the express intention of recessing those Bills until Thursday morning."

Speaker Bradley: "The Gentleman have leave that... the Gentleman from Kankakee, Mr. Ryan, on the Gentleman's motion."

Ryan: "Well, Mr. Speaker, I don't believe the Gentleman's motion is too clear and I think that it certainly ought to be spelled out what Bills..."

Speaker Bradley: "Well, if I understand his motion, he is asking leave of the House that those Bills that are not heard today, this afternoon in Appropriations and he has a list of those Bills, that they could be... reset for Thursday. Is that correct, Mr. Barnes?"

E.M. Barnes: "Not quite. There's..."

Speaker Bradley: "And I think Mr. Ryan has a list of the Bills."

E.M. Barnes: "Mr. Speaker, there's a list of Bills that was heard, have been heard in Appropriations II before. They inadvertently was not carried over. They should have been carried over. Mr. Ryan and Representative Madigan and you in the Chair have a list of



those Bills. I'm asking leave of the House for those Bills to be heard today in the Appropriations II Committee with the express intention of recessing them until Thursday morning."

Speaker Bradley: "Mr. Ryan."

Ryan: "Well, thank you, Mr. Speaker. I don't know whether we've all got the same list, but there are three Bills or four that... that are not supposed to be on that list."

Speaker Bradley: "Would you read those..."

E.M. Barnes: "Mr. Speaker, the list that we have is the identical list to the Majority... Minority Leader's with the exception of House Bill 2595, 2632, 2758 and 3125 which is not included in this motion."

Speaker Bradley: "Are those the four Bills you were referring to, Mr. Ryan?"

Ryan: "That's fine."

Speaker Bradley: "Okay, the Gentleman... hearing... does the Gentleman have leave? Hearing no objection, the Gentleman's motion pre... and we will use the Attendance Roll Call and the Gentleman's motion prevails. All right, further announcements. The Gentleman from... Mr. Barnes again."

E.M. Barnes: "Thank you very much, Mr. Speaker. The Appropriations II Committee will reconvene immediately, immediately upon the adjournment of the House in Room 118. Immediately upon adjournment of the House, Room 118."

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

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen. The Elections Committee will meet immediately after adjournment in Room D1. Please be there."

Speaker Bradley: "The Gentleman from Lake, Mr. Matijevich, on an announcement."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, there's a Subcommittee in Appropriation I on C.D.B. Bills that will meet in Room 114 immediately after adjournment. Their meeting will last no more than an half an hour. After that, one half hour from now, the full Committee will meet in Room 114 and our total work should not last over an hour. So I'd urge the Membership to be



prompt."

Speaker Bradley: "The Gentleman from Cook, Mr. Madigan. Wait a minute. Mr. Terzich, you have an announcement?"

Terzich: "Yes; the Pension and Personnel Committee will meet in Room D1 at four p.m. We have five Bills on the Calendar and shouldn't take too much time. We'd like to see everyone in attendance. That's Room D1, four p.m., Personnel and Pensions."

Speaker Bradley: "Hearing no further announcements, the Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, for what purpose does the Clerk seek time?"

Clerk O'Brien: "Committee Reports and Introduction of Bills."

Madigan: "Are there any further announcements?"

Speaker Bradley: "No further announcements."

Madigan: "Any motions, any complaints?"

Speaker Bradley: "There might be some complaints. There are no motions."

Madigan: "Mr. Speaker, allowing the Clerk two minutes for Committee Reports and Introduction of Bills and nothing else, Mr. Clerk, I move that we adjourn until ten a.m. tomorrow morning."

Speaker Bradley: "The Gentleman moves we adjourn till ten a.m. tomorrow morning after the Clerk receives two minutes of time. All in favor of the Gentleman's motion say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned, will stand adjourned in two minutes."

Clerk O'Brien: "Representative Schneider, Chairman of the Committee on Elementary and Secondary Education, to which the following Bills were referred; action taken June 12, 1978. Reported the same back with the following recommendations: do pass Senate Bill 238 and Senate Bill 430; do pass as amended Senate Bills 386, 388, 393, 395, and 1055. Introduction and First Reading. House Bill 3408, Ryan et al. A Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. House Bill 3409, Huskey. A Bill for an Act to amend Sections of an Act making appropriation to the ordinary and contingent expense for the Illinois Industrial Pollution Control Finance Authority. First Reading of the Bill. House Bill 3410, Yourell-



Lechowicz. A Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. No further business, the House now stands adjourned."



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	1.
1	12:00	Speaker Bradley	House to order	
		Reverend Krueger	Prayer	
		Speaker Bradley	Roll call	
		Clerk O'Brien	Committee reports	
2		Speaker Bradley		
		Clerk O'Brien	Introduction and first reading	
		Speaker Bradley		
		Clerk O'Brien	SB 1060, 2nd, 1,2,3,4,5, adopted	
		Speaker Bradley		
		Clerk O'Brien	Amendment #6	
		Speaker Bradley		
		Bennett		
3		Speaker Bradley		
		Tipsword	Oppose	
4		Speaker Bradley		
		Vinson	Support	
		Speaker Bradley		
		Bennett		
5		Speaker Bradley		
		Chapman	Oppose	
		Speaker Bradley		
		Bennett	To close	
		Speaker Bradley	Amendment #6 fails	
		Clerk O'Brien	Amendment #7	
		Speaker Bradley		
		Vinson		
6		Tipsword		



2.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Bradley	
	12:25	Keats	
7		Speaker Bradley	
		Levin	
8		Speaker Bradley	
		Kempiners	
9		Speaker Bradley	
		Chapman	
10		Speaker Bradley	
		Leinenweber	
		Speaker Bradley	
		Vinson	To close
11		Speaker Bradley	Amendment #7 fails
		Clerk O'Brien	Amendment #8
		Speaker Bradley	
		Leverenz	
		Speaker Bradley	
12-13		Tipsword	Oppose
		Speaker Bradley	
		Leinenweber	Yield?
		Speaker Bradley	
		Tipsword	
		Speaker Bradley	
	12:42	Vinson	
14		Speaker Bradley	
		Levin	
15		Speaker Bradley	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	3.
		Mudd	MPQ	
		Speaker Bradley		
		Leverenz	To close	
		Speaker Bradley		
		Keats		
16		Speaker Bradley		
		Tipsword		
17		Speaker Bradley	Amendment #8 fails	
		Clerk O'Brien	Amendment #9	
		Speaker Bradley	Peter withdraws #9	
		Clerk O'Brien	Amendment #10	
18		Speaker Bradley		
		Levin		
		Speaker Bradley		
		Tipsword		
		Speaker Bradley		
		Levin	To close	
		Speaker Bradley	Amendment #10 fails	
		Clerk O'Brien	Amendment #11	
		Speaker Bradley		
		Levin		
		Speaker Bradley		
	12:59	Tipsword	No objection	
20		Clerk O'Brien	Amendment #12	
		Speaker Bradley		
		Levin		
		Speaker Bradley		



4.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
20-21		Tipsword	Oppose
22		Speaker Bradley	
		Vinson	
		Speaker Bradley	
		Levin	To close
23		Speaker Bradley	Amendment #12
		Chapman	Explain vote
		Speaker Bradley	Amendment fails
		Clerk O'Brien	Amendment #13
		Speaker Bradley	
		Levin	
24		Speaker Bradley	
		Tipsword	
25		Speaker Bradley	
		Vinson	
		Speaker Bradley	
	1:15		
26		Speaker Bradley	Amendment #13 fails
		Clerk O'Brien	Amendment #14
		Speaker Bradley	
		Levin	Asks for roll call
		Speaker Bradley	
		Tipsword	
		Speaker Bradley	Amendment #14
		Levin	
27		Speaker Bradley	
		Tipsword	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	5.
		Speaker Bradley		
		Vinson		
28		Speaker Bradley		
		Levin		
		Speaker Bradley	Amendment #14 fails	
		Clerk O'Brien	Amendment #15	
		Speaker Bradley		
		Levin	Withdraws #15	
		Speaker Bradley		
		Clerk O'Brien	Amendment #16	
		Tipsword	No objection	
29		Speaker Bradley	Amendment #16 adopted	
		Clerk O'Brien	Amendment #17	
		Speaker Bradley		
		Tipsword		
		Speaker Bradley	Amendment adopted	
		Clerk O'Brien	Amendment #18	
		Speaker Bradley		
		Vinson		
30		Speaker Bradley		
		Tipsword		
31		Speaker Bradley		
		Levin	Questions	
		Vinson		
32		Speaker Bradley	Amendment #18 fails	
		Clerk O'Brien	Amendment #19	
		Speaker Bradley		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	6.
		Levin		
33		Speaker Bradley		
		Tipsword		
34		Speaker Bradley		
	1:35	Vinson		
		Speaker Bradley		
		Levin	Withdraws #19	
		Speaker Bradley		
		Clerk O'Brien	Amendment #20	
35		Speaker Bradley		
		Vinson		
		Speaker Bradley		
35-36		Tipsword	Is Amendment in proper form	
37		Speaker Bradley		
		Vinson	Asks to amend Amendment on face	
		Speaker Bradley		
		Tipsword	No objection	
38		Speaker Bradley		
		Vinson		
		Speaker Bradley		
38-39-40		Tipsword		
		Speaker Bradley		
		Vinson		
		Speaker Bradley		
		Tipsword	Oppose Amendment #20	
		Speaker Bradley		
		Vinson	To close	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	7.
		Speaker Bradley	Amendment #20 fails	
		Clerk O'Brien	Amendment #21	
		Speaker Bradley		
	1:55	Vinson		
41		Speaker Bradley		
		Tipsword		
42		Speaker Bradley		
		Huff	Yield	
		Vinson		
		Speaker Bradley		
		Vinson		
43		Speaker Bradley	Amendment #21 fails	
		Clerk O'Brien	Amendment #22	
		Speaker Bradley		
		Pullen		
		Speaker Bradley		
44		Tipsword	Objects	
		Speaker Bradley		
		Pullen	To close	
		Speaker Bradley	Amendment #22 fails, 3rd	
		Hanahan	Point personal privilege	
45		Speaker Bradley		
		Ryan	Responds	
46		Speaker Bradley		
47	2:10	Matijevich		
48		Speaker Bradley		
	2:16	Cunningham		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	8.
		Speaker Bradley		
		Hanahan		
		Speaker Bradley		
49		Cunningham		
		Speaker Bradley		
		Schlickman		
50		Speaker Bradley		
		Matijevich		
		Speaker Bradley		
51		Houlihan, J.	Objects to calling HJCA #55	
		Speaker Bradley		
		Lechowicz		
		Speaker Bradley		
		Greiman		
		Speaker Bradley		
		Ryan	Move to OVR chair	
		Speaker Bradley	Motion fails	
		Ryan	Poll absentees	
52		Speaker Bradley		
	2:26	Skinner		
		Speaker Bradley		
		Madigan		
		Speaker Bradley		
		Geo-Karis	Question	
53		Speaker Bradley		
		Madigan		
		Speaker Bradley		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Houlihan, J.	
		Speaker Bradley	Motion fails
		Greiman	Motion SB 1811
54		Speaker Bradley	
		Collins	
		Greiman	
55		Speaker Bradley	
		Johnson	Objects
		Speaker Bradley	
		Greiman	
		Speaker Bradley	
		Katz	
56		Speaker Bradley	
		Leinenweber	
57		Speaker Bradley	
		Laurino	
		Speaker Bradley	
	2:40	Johnson	Opposes motion
		Speaker Bradley	
		Greiman	Point of order
58		Speaker Bradley	
		Johnson	Continues
		Speaker Bradley	
		Kosinski	
		Speaker Bradley	
		Geo-Karis	
59		Speaker Bradley	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	10.
		Van Duyne	MPQ	
		Speaker Bradley		
		Greiman	To close	
60		Speaker Bradley		
		Skinner		
		Speaker Bradley		
		Schlickman	Explain vote	
61		Speaker Bradley		
		Bluthardt	Explain vote	
		Speaker Bradley		
		Matijevich	Explain vote	
		Speaker Bradley		
		Conti	Explain vote	
62	2:50	Speaker Bradley	Motion fails	
		Telcser	Motion SB 1676	
63		Speaker Bradley		
		Johnson	Oppose	
		Speaker Bradley		
		Van Duyne	MPQ	
		Speaker Bradley		
		Telcser	To close	
64		Speaker Bradley		
		Pullen		
		Speaker Bradley		
		Leinenweber		
		Speaker Bradley		
		Skinner		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	11.
65		Speaker Bradley		
		Madigan	Question to Skinner	
		Skinner		
		Speaker Bradley	Motion fails	
		Houlihan, J.	Question	
66		Speaker Bradley		
		Mann	Announcement	
		Speaker Bradley	Hold that	
		Matijevich	Point of order	
		Speaker Bradley		
	3:01	Collins		
		Speaker Bradley		
67		Clerk O'Brien	Agreed resolution	
		Speaker Bradley		
		Giorgi		
		Speaker Bradley	Resolution adopted	
		Houlihan, J.		
		Speaker Bradley		
		Mann	Announcement	
68		Speaker Bradley		
		Barnes, E.M.	Announcement and motion	
		Speaker Bradley		
		Ryan		
		Speaker Bradley		
		Barnes, E.M.		
69		Speaker Bradley		
		Ryan		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	12.
		Speaker Bradley	Motion prevails	
		Barnes	Announcement	
		Speaker Bradley		
		Laurino	Announcement	
		Speaker Bradley		
		Matijevich	Announcemnt	
70	3:08	Speaker Bradley		
		Terzich		
		Speaker Bradley		
		Madigan		
		Clerk O'Brien		
		Madigan	Allow Clerk 2 mins., move to adjourn till 10 A.M.	
		Speaker Bradley	House adjourn	
71		Clerk O'Brien	Introduction and 1st reading	

