

STATE OF ILLINOIS
82ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

98th Legislative Day

April 28, 1982

Speaker Ryan: "The House will be in order and the Members will please be in their seats. The Chaplain for today is Reverend Anthony Tzortzis from St. Anthony's Hellenic Orthodox Church of Springfield, Illinois. Reverend Tzortzis."

Reverend Tzortzis: "In the name of the Father, and of the Son, and of the Holy Spirit, Amen. Glory to Thee, Oh God. Glory to Thee. Oh, Heavenly King and Comforter. The Spirit of truth, Who are, everywhere, present, and feellest all things. The Treasury of the blessings and Giver of life, come and dwell in the hearts and the mind of our State Representatives and all loyal officers of our country. Purify them from every stain, and of Thy goodness, save their souls. Amen."

Speaker Ryan: "Thank you, Reverend. We will be led in the pledge today by Representative Slape."

Slape et al: "I pledge allegiance to the flag of the United States of America, and to the Republic, for which it stands, one nation, under God, indivisible, with liberty and justice for all."

Speaker Ryan: "Roll Call for Attendance. Representative Getty, do you have any excused absences?"

Getty: "No requests, Mr. Speaker."

Speaker Ryan: "Pardon."

Getty: "No requests...requests, Mr. Speaker."

Speaker Ryan: "Representative Telcser. Take the record, will you, Mr. Clerk? For what purpose do you seek recognition, Representative Ewing?"

Ewing: "Mr....Mr. Speaker, we were not able to complete our work in the Revenue Committee today, and we appreciate your holding that Committee open until we were able to finish the Bills under consideration. We've recessed until

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tomorrow morning at 8:30, in 122B. But there are several Bills who were not posted in time to be heard, and, at the appropriate time, I would like to move to waive the posting rule for these Bills."

Speaker Ryan: "Well, would you hold that Motion, for right now, Representative? Just for now. Representative Madigan, for what purpose do you..."

Ewing: "Before...Yes, before we adjourn today, I'd like have that opportunity, then."

Speaker Ryan: "I will give you the opportunity, Representative. Representative Madigan."

Madigan: "Mr. Speaker, relative to Mr. Ewing's intent to move to suspend the posting requirements, would he please discuss those matters with Representative Pierce in advance of offering the Motion?"

Speaker Ryan: "Representative Ewing."

Ewing: "Yes, Representative Madigan, I have asked each of the Sponsors to talk to your side of the aisle, in regard to these, and I would hope that they had done so. And I would reiterate, if you have come to me with a Bill that you want to waive the posting right...rule, you see Representative Pierce or Representative Madigan. And I want it cleared with them before I bring it up."

Speaker Ryan: "Representative Cullerton, did...can your proposal wait for a minute? Representative Yourell, can yours wait? Representative McMaster, can your proposal wait for the Girl Scouts? All right. Mr. Clerk, would you read Resolution...House Resolution #775 honoring the Girl Scouts on their 70th birthday? Would the House please be in order? The Members be in their seats. Proceed."

Clerk Leone: "House Resolution 775. Whereas, the Girl Scouts of America celebrate their 70th birthday this year; and whereas, Girl Scout troops nationwide have helped millions

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of young women mature and learn how to become valuable citizens; and whereas, the first 16-member troop, founded by Juliette Gordon Low in Savannah, Georgia in 1912, has since grown to 3 million-member organization with branches in every state, Illinois included; and whereas, formal goals of the Girl Scouts of America include promoting 'respect for and appreciation for the religious, racial, ethnic, social and economic diversities of this country by reflecting that diversity in its membership, leadership and programs and by eliminating institutional racism in Girl Scouting', and whereas, another primary girl...goal of the Girl Scouts is 'to develop the planning and decision making abilities of girls need to succeed in the constantly changing world', and whereas, the Northwest Cook County Girl Scout Council has been among the most successful scouting organizations, helping young women in Illinois explore the meaning and responsibilities of being a valuable and productive member of society, therefore, be it resolved, by the House of Representatives of the 82nd General Assembly of the State of Illinois, that we do, hereby, congratulate the Girl Scouts of America on their 70th birthday; and be it further resolved, that Members of this Body encourage all girls in Illinois to participate in their local Girl Scouts and congratulate all those young women who have benefitted by the organization's activities present here in our state."

Speaker Ryan: "We have with us today, the President of the Girl Scouts of America, 'Jane Freeman', who is going to introduce the young ladies that stand behind me for some special achievements and high awards and honors that they have won. I would appreciate your attention, because some may be from your district, and they're going to vote, one of these days. Jane Freeman."

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Freeman: "Thank you, Mr. Speaker. Thank you very much, Mr. Speaker and all of you Members of the House of Representatives. All of us Girl Scouts, here today, on this platform, in the gallery, are delighted to have this opportunity to see our Representatives hard at work in this inspiring chamber. We want to pay tribute to you for all the hard work that you do on behalf of all of us. Too few citizens see you here, and understand the importance of your work for all of our lives. We believe it's very important for girls and women to come to our state capitol. This is the second time that the Girl Scouts in the State of Illinois have come to see you. We want to acquaint the Girl Scouts and the state officials with each others' efforts to improve our community. We believe that these exchanges can help girls to become caring, contributing, and responsible and fully-participating citizens in this fine country of ours. We have worked in our communities in many ways. We carry out summer day camp programs in communities that are not served by others, those with special needs. We work with the handicapped, and the retarded, and the older American citizens. We work in juvenile delinquency and crime prevention. Our materials and program for no...non-sexed area typed career education has been widely recognized, and is now used in 131 school districts across the United States. Truly, throughout our 70 years, we have stressed the importance of service. We have tried to help girls to be aware that the privileges of citizenship, with those privileges, go responsibility. We have chosen to celebrate our 70th anniversary, a very important one, by giving gifts to others; to our communities, and to our states, and to our nation. Because our members recognize, as you do here in Illinois, the critical importance of clean, pure water in our land and

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around the world, all of our almost 3 million Girl Scouts are embarking, this year, on special projects to help restore our nation's clean water, and to enlist the public's enthusiastic support and understanding of this most basic resource. We will work with all levels of government; local, state and national, with business and industry and other civic groups. At the close of our birthday year, we will take a report of the things that we've been working on and doing to the President and the Vice-President of the United States and to the charter which Congress...Congress which charters us. We know that reports from what has happened in Illinois will be among the most important. All of you Ladies and Gentlemen have always given Illinois Girl Scouts tremendous support, and we're happy to be here today to express to you our support for you and the work that you do. And, now, I'd like to introduce the girls who are here, and I'll ask each one as I introduce them to give the Girl Scout signal, so you'll know which one. There's 'Debbie Wideman'. There's 'Janice Noe'. Will you tell them where you're from."

'Noe': "Dixon, Illinois."

'Freeman': "And Debbie."

'Wideman': "I'm also from Dixon."

'Freeman': "And, 'Laurie Schmidt'."

'Schmidt': "I'm from Freeport."

'Freeman': "And 'Laurie Logan'."

'Logan': "I'm from Glen Ellyn."

'Freeman': "And, 'Sue Stalton'."

'Stalton': "From Rock Island."

'Freeman': "And, 'Tonya McNay'."

'McNay': "I'm from Rock Island."

'Freeman': "And, Elizabeth Brown."

Brown: "I'm from Carbondale."

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'Freeman': "Mr. Speaker, on behalf of all of these girls and all of the Girl Scouts in Illinois, to you, representing this House of Representatives, we would like to present this small plaque and this small jar of Girl Scout cookies."

Speaker Ryan: "Very good. I need the plaque, but not the cookies."

'Freeman': "Well, we'll send along some more cookies so all of you will have strength to continue your fine work on our behalf."

Speaker Ryan: "Well, thank you very much, Mrs. 'Freeman', and I hope that you would continue to work with the Girl Scouts. I'd like to have all of the Girl Scouts that are in the galleries, if you'd stand, please, so this Assembly can recognize you for your work. Again, congratulations on your 70th birthday. Here's a copy of the Resolution, and you're welcome back to the Illinois House anytime, and it's nice to have you with us. Thanks very much. Congratulations. Representative Ebbesen, now, for a special announcement. Representative Ebbesen for a special introduction and announcement."

Ebbesen: "Yes, thank you. Members of the House, we have here with us today, an outstanding gentleman in the field of education. With him, of course, first is the Executive Director of the Counsel on Adult Vocational and Technical Education, Pete Johnson, from Sycamore. But, also from Sycamore, which is in the 37th Legislative District, represented by Representative Mautino, Representative Olson and myself, we have Jim Gullinger, who, in the field of education, has established himself as an outstanding educator...educator in the field of vocational education. And I want to present Jim to you, and we have a Resolution that we'd like to have read. But, he is the National, not just the State of Illinois, but the National Vocational

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Educator of the Year. Would you read the Resolution, please, Mr. Clerk?"

Clerk Leone: "House Resolution 619..."

Speaker Ryan: "Could we have your attention, please? I don't want to have to clear the floor, but, you know, these people are guests here, and they should be treated as guests. Could we have your attention, please?"

Clerk Leone: "House Resolution 619. Whereas, James Guilinger, a Sycamore, Illinois high school vocational agriculture teacher, was named National Vocational Teacher of the Year, by the American Vocational Association at the opening general session of the AVA annual convention in Atlanta on December 4, 1981; and whereas, Mr. Guilinger was nominated by the Illinois Vocational Association and has been selected from a group of five regional winners to receive the award; and whereas, in 30 years of high school teaching, Mr. Guilinger has seen his small-town students walk off with an innumerable state and national awards; 55 of his students have won the coveted American Farmer Degree of Future Farmers of America, and his FFA chapter has been among the top 25 chapters in this country for 26 consecutive years; and whereas, Mr. Guilinger has built the Sycamore vocational agriculture program into the largest in Illinois, now boasting over 250 students; and he has made it one of the first of such programs in this state to enroll young women for training in agriculture; and whereas, Mr. Guilinger has chosen to receive this well-deserved honor for numerous reasons, not the least among which is his down-to-earth practical philosophy that one should give his best every day, whatever his best is that day, and not dwell upon defeat; and whereas, his own life has taught him to be optimistic, to set goals, and to learn from his mistakes and to move on because he lost his

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hand at the age of three in a farm accident; and, even so, Mr. Guilinger never considered himself handicapped, but rather, has seen his difficulties as challenges; he...he says that competition, not money, has driven him; and whereas, his philosophy has helped Mr. Guilinger to grow as a teacher because he has found a constant challenge in trying to find what works best for each student, in going the extra mile for a student and in emphasizing each student's successes; whereas, Mr. Guilinger praises of Sycamore High School administration for its total support to teachers who are involved in professional organizations; whereas, Sycamore High School is fortunate to have been blessed with Mr. Guilinger's dedication to and concern for Sycamore High School students; whereas, Mr. Guilinger has demonstrated myriad ways, and he is, indeed, a teacher of whom the entire State of Illinois can be justifiably proud, because he is truly representative of the finest traditions in education and because he possesses that elusive quality which, for 30 years, has made the learning process a meaningful experience for his students; therefore, be it resolved, by the House of Representative of the 82nd General Assembly of the State of Illinois, that we join with the Sycamore High School in congratulating Mr. James Guilinger on his selection as National Vocational Teacher of the Year; and that we commend Mr. Guilinger on his successful teaching career; and we express to him our appreciation for his dedication and loyalty to his students; and that we extend to him our best wishes for the many more years of fine service to this young people in Illinois; and be it further resolved, that suitable copies of this Preamble and Resolution be presented to Mr. James Guilinger as a formal indication of our respect and admiration for his achievements in vocational education."

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Ebbesen: "Thank you, Mr. Clerk and Members of the House. I'd like to present these copies...this Resolution to Jim Guilinger, and have him say a word or two."

Gullinger: "I would like to say to this group that my career as a teacher, representing primarily agricultural students across this state has, to me, been of course, a highlight to me, but, the support that we have had from this Body in vocational education funding is what makes it possible for persons such as I to work with the youth of this state, and develop them into future citizens. I thank you very much."

Speaker Ryan: "Representative Smith, for what purpose do you seek recognition?"

Smith, Irv: "I would like to announce the Governor's prayer breakfast, which is o...which is going to be held Thursday morning, May 13, at the Holiday East Inn."

Speaker Ryan: "Just a minute, Representative. This is something these folks should really hear about. That's the prayer breakfast. Everyone of you ought to know when it is, and be there. Proceed."

Smith, Irv: "Thanks again, Mr. Speaker. The Governor's prayer breakfast, which I think everyone here should attend, I concur with that, is Thursday morning, May 13, at the Holiday Inn East. The speaker is the honorable William J. Bower, Judge of...Judge of the United States Court of Appeals for the 7th Circuit in Chicago. He comes highly recommended. That time, again, is 7:45 a.m. Will be over by 9:15. I assume we'll be here after that. Representative Oblinger has tickets, and has told most of the Lady Members of the House, and I was given the task of taking the rest of you. We will put information pertaining to the prayer breakfast in your mailboxes. I'd appreciate it if you would call my secretary. The tickets are seven dollars, and must be purchased in advance. We have some

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good seats, but the seats will go on a first come, first serve, basis. Thank you."

Speaker Ryan: "Now, Representative Cullerton, for what purpose do you seek recognition?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise for the purpose of an introduction. Seated next to me is one of our former colleagues and esteemed Member of the House of Representative, as well as a State Senator; and now he's an Alderman in the 44th Ward. And, most importantly, my Ward Committeeman, and, I might add, that the 44th Ward represents the area of Wrigley Field. I introduce Alderman John Murlow."

Speaker Ryan: "Hey, let's hear it. Welcome, Alderman, back to the people's chamber. Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I would like permission to suspend the rule for posting of Bills, in order to hear House Bills 2075 and 2076 in Counties and Townships this afternoon, immediately after adjournment. I have cleared this with Representative Yourell and with Representative Madigan."

Speaker Ryan: "Gentleman has asked leave to suspend the appropriate rules to have House Bills 2075 and 2076 heard in the Committee this afternoon. Are there any objections? Hearing none, leave is granted, and the Bills are...rules are suspended for the proper posting. Representative Yourell, for what purpose do you seek recognition?"

Yourell: "Thank you, Mr. Speaker. A point of personal privilege and then a Motion."

Speaker Ryan: "In which order?"

Yourell: "As they were stated."

Speaker Ryan: "Proceed."

Yourell: "Last Tuesday, April 20th, there appeared, on the Calendar, House Joint Resolution Constitutional Amendment

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24, sponsored by Representative Bianco. At the time that Bill was called for consideration by the House, I was in the Senate taking care of two Bills that I had passed out earlier in the House, and somebody voted my switch on that piece of legislation. And one of my distinguished colleagues has seen fit to make a great deal to do about it in the local newspapers. So, Mr. Speaker, I now move, having voted on the prevailing side, to reconsider the vote by which HJRCA #24 was passed...or defeated."

Speaker Ryan: "Representative Yourell, the Parliamentarian informs me that your Motion is not timely. Representative Ropp."

Ropp: "Mr. Speaker..."

Speaker Ryan: "Representative Yourell. Wait just a minute. Hold Ropp. Turn on Yourell."

Yourell: "Well, thank you, Mr. Speaker. I suspected that was the case, but I wanted to read these remarks into the record so that; if necessary I have to use them, that transcript will be available to me. And I want to warn the Members of the House, now, that anytime I see anybody voting anybody else's switch, I'm going to call for a verification of every Roll Call. Now, that's one time I did not take my switch...my key out of my switch; and, as a result of that, I voted in an opposite way than I intended to vote. So, from now on, Ladies and Gentlemen, if I see one, single person voting anybody else's switch, you can call...you can look for verifications for the rest of the Session."

Speaker Ryan: "Do you have any further remarks, Representative?"

Yourell: "Yes, I now ask leave to suspend the appropriate rule to have House Bill 2369 on Se...removed on the Calendar to Second Reading, without Committee. I have the approval of the Ru...Chairman of the Rules Committee."

Speaker Ryan: "Where is that Bill now, Representative?"

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Yourell: "It's going to be voted out of Rules, Mr. Speaker."

Speaker Ryan: "Would you hold your Motion?"

Yourell: "Mr. Speaker, Representative Friedrich is seeking your recognition."

Speaker Ryan: "Could you hold your Motion, or withdraw it or one of those? The Bill is in the Rules Committee, Representative."

Yourell: "Thank you."

Speaker Ryan: "Now, Representative Friedrich, for what purpose do you seek recognition?"

Friedrich: "Mr. Speaker, I'd like to ask for a 20 minute recess for a brief meeting of the Rules Committee in 114 immediately."

Speaker Ryan: "Would you hold that Motion, for one minute, Representative? Representative Davis, for what purpose do you seek recognition?"

Davis: "Well, Mr. Speaker, inadvertently, the State Government Organization Committee had scheduled a meeting for next week, with...pertaining to House Bill 2504. I've talked to the Minority Leader, and we...I'd like to move, now, for leave...or ask for leave of the House to have an immediate posting of 2504, for a Committee hearing this Friday, one-half hour before Session. It has been cleared with Representative Madigan."

Speaker Ryan: "...Gentleman's Motion? Is leave granted? Hearing no objections, leave is granted. Representative McBroom, for what purpose do you seek recognition?"

McBroom: "Yes, Mr. Speaker, as long as we're on Motions, here, I would like to make the appropriate Motion to suspend the rules for the Bills that are on supplemental notice for the Cre...Financial Institutions Committee tomorrow. I've discussed it with Representative Leon. It's fine with him. I'd like to read the numbers, if that's appropriate, Mr."

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Speaker."

Speaker Ryan: "Proceed."

McBroom: "House Bill 1969, 2275, 2276, 2520, 2010, 2460. Thank you."

Speaker Ryan: "You heard the Gentleman's request. Are there any objections? Gentleman asks leave. Hearing none, leave is granted. Representative Ropp."

Ropp: "Yes, Sir, Mr. Speaker. I ask leave of the House to table House Bill 2633. I am the sole Sponsor."

Speaker Ryan: "The Gentleman asks leave to table House Bill 2633. Are there objections? Hearing none, leave is granted. House Bill 2633 is tabled. Now, Representative Ewing, for what purpose do you seek recognition?"

Ewing: "Mr. Speaker, for two reasons. First of all, I'd to introduce a gentleman on the floor who's a leader in the downstate Republican Party, and the Chairman of the Livingston County Board, Frank Livingston, and his daughter Carla. Frank."

Speaker Ryan: "Welcome to the Illinois House, Frank."

Ewing: "Second, I would like to renew my Motion to waive the posting rules on several Bills. Mr. Speaker, I would, then, like to renew my Motion. I have several Bills on the posting rules."

Speaker Ryan: "Have you repli...responded to Representative Madigan's request to...to get with Representative Pierce?"

Ewing: "I think the Sponsors have responded, yes."

Speaker Ryan: "Representative Madigan."

Madigan: "Mr. Ewing has been sending the Sponsors to this side of the aisle to talk with Representative Pierce and myself. And, if Mr. Ewing could read the numbers slowly, so that we could hear them."

Speaker Ryan: "Read the numbers slowly for the Democrat side, would you please?"

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Ewing: "I'll try to be very, very clear. House Bill 1926, Representative Bell. House Bill 1965, Representative Capparelli. House Bill 2090, Representative Daniels. House Bill 2334, Representative Smith. House Bill 2568, Representative Mays; and House Bill 1954, Representative Vinson."

Speaker Ryan: "Now, Representative Pierce, for what purpose do you seek recognition?"

Pierce: "It was my understanding, and I've talked to Representative Mays, that House Bill 2568 would not be one that we would agree to waiving the posting requirement on."

Speaker Ryan: "I was under the impression that you Gentleman had reached some kind of an agreement. If you're not prepared to do that, we'll take this whole matter out of the record, and the House will stand in recess for 15 minutes for a Rules Committee in room 114, effective immediately. The House is now in recess."

Speaker Peters: "The House will be in order. Members will please be in their seats. Those individuals that are not entitled to the floor, will please leave. Committee Reports, Mr. Clerk. Representative Peters in the Chair. Committee Reports."

Clerk Leone: "Representative Barnes, Chairman from the Committee on Health and Family Services, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass' House Bills 2231, 2357; 'do pass', as amended, House Bills 955, 2147, 2303, 2513 and House Joint Resolution 21. Representative Wikoff, Chairman from the Committee on Cities and Villages, to which the following Bills were referred, action take April 27, 1982, and reported the same back with the following recommendations: 'do pass' House Bill 2189; 'do pass', as amended, House Bills 2437 and

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2287; 'do not pass' House Bill 2375. Representative Rigney, Chairman from the Committee on Agriculture, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass' House Bill 2505. Representative Macdonald, Chairman from the Committee on Conservation and Natural Resources, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations... Representative Huskey, Chairman from the Committee on Motor Vehicles, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass', as amended, House Bills 1913, 1989, 2314, 2511. Representative Catania, Chairman from the Committee on Public Institutions and Social Services, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass' House Bill 668; 'do pass', as amended, House Bill 1119. Representative Macdonald, Chairman from the Committee on Conservation and Natural Resources, to which the following Bills were referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass', as amended, Consent Calendar, House Bills 2409 and 2408. A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the adoption of the Amendment of the Bill of the following title to wit; Senate Bill 59, together with House Amendment #3 to Senate Bill 59, action taken April 27, 1982.' Kenneth Wright, Secretary. Final Committee Report, Representative Wikoff, Chairman from the Committee on Cities and Villages, to which the following Bills were

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referred, action taken April 27, 1982, and reported the same back with the following recommendations: 'do pass' House Bill 2189; 'do pass', as amended, House Bills 2437 and 2287."

Speaker Peters: "Introduction and First Readings."

Clerk Leone: "House Bill 2643, Bluthardt, a Bill for an Act to provide procedures to public notice illegal publications, and to provide a penalty for violation thereof. First Reading of the Bill."

Speaker Peters: "Gentleman from Cook, Representative Epton, for what purpose do you arise, Sir?"

Epton: "Mr. Speaker, at the appropriate time, if you would care to call the Motion on the Supplemental Calendar, I think we can dispose of it rather quickly."

Speaker Peters: "Motions on Supplemental Calendar, Representative Epton?"

Epton: "Yes, Mr. Speaker, with leave of the House."

Speaker Peters: "Proceed, Sir."

Epton: "Apparently, there is substantial agreement between the Leadership on most of the Bills on that. There is, however, some dis...difference...differences existing on House Bill 1894 and House Bill 2096. With leave of the Chair and the House, however, I would like to, first, call, as one Bill, one Motion, House Bills 2088, 2095, 2367, 2394, 2495 and 2540. All of those Bills have the same basic discussion and differences, and deal with the same substantive problem."

Speaker Peters: "On this question, Representative O'Brien."

O'Brien: "Yes. Yes, Mr. Speaker and Members, I would support the Motion..."

Speaker Peters: "Give the Gentleman your attention."

O'Brien: "I would support the Motion of Representative Epton, and I would encourage all Members on this side of the aisle to

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do so."

Speaker Peters: "Are all of the lights on people seeking recognition on this question? On this question, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I was in the Committee at the time these Bills were heard, and Representative Epton has truly made a new definition for an ancient word. Previously, the word 'chutzpa', which means a lot of gall or nerve, has been defined as one who kills his parents, and then asks for mercy from the court because he is an orphan. Representative Epton had all these Bills in front of him, his Bills, he's the Chairman, and he calls for an adjournment. He says, 'I'll entertain a Motion to adjourn.', and then he bangs the...the gavel and the Mo...the meeting then adjourns. At this point, all of those Bills are substantially dead. Now, he comes and he says, 'Well, these Bills haven't had the kind of hearing they should have because we adjourned the meeting'. He adjourned the meeting. He asked for the...these Bills to be...not to be heard. Now, on the issue of the various Bills that deal with contributory negligence, on those Bills, they have some concept that they should put all the Bills out on the floor. That makes no sense at all. The purpose of a Committee is to look at those Bills, to decide which concept is the better concept, and come forward with it. Instead of putting every...I mean, we could just ban the Committees. Put them all on the floor and we'll make the decisions. The truth is that the Committees should make the decision as to which concept is better. What Representative Epton wants to do is just say, 'Well, forget the Committee. Forget the testimony, of which there was none on the Bill that was heard, and let's just put them all on the floor'. He ought not to have this. We ought to

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vote to put these Bills into Interim Study, and they ought to be studied because they are serious, complicated issue, which probably should have been in the Judiciary Committee, in any event. Except for the distinguished Sponsorship, that's where they would have gone. So, I think we should oppose this, and not give the Gentleman the appropriate number to discharge. Discharge is a serious matter, and when we...when we don't consider it a serious matter and we do it on a lark because someone adjourns a meeting, and then comes and says, 'I want to put the Bills out', that's the kind of thing we should not do. Discharge is a very important issue, and we should not handle it lightly. Thank you."

Epton: "Mr. Speaker, I did..."

Speaker Peters: "Representen...Representative Epton."

Epton: "I did not want to interrupt my distinguished colleague because he was far afield on the subject. What I was asking for was not to vote on the controversial Bills, but to simply take, as a...one unit, the ones on which there was no controversy between the Minority Spokesman, the Majority Leader, the Minority Leadership and the Vice-Chairman, as well as the Majority of the Committee. So that, when he suggests that we are passing the buck onto the House, that is not true. As Representative O...As my colleague, the Spokesman for the Minority, indicated, there was a sorry lack of communication, but I am certainly willing and agreeable to have the two Bills which deal with the important subject get a full hearing in front of the House. So, again, I would repeat my Motion, merely to advance those Bills I mentioned to Second Reading which, incidentally, are not my Bills. They are Bills by Representative Sandquist, Representative Huskey and two Bills of the Insurance Study Commission and the Department

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of Insurance."

Speaker Peters: "The Chair would ask the Members who are not desirous of speaking on this Motion, to please shut their lights off. There cannot be that many people wanting to speak on this. It's like a Christmas tree up here. Now, there may well be, but if you're on something else, please look at your lights, and we'll get to that when the next subject matter comes up. On this question, Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I just concur with Representative Epton and Representative O'Brien. I believe these Bills should be released. I encourage an 'aye' vote."

Speaker Peters: "On this question, Representative Younge. Representative Kelley, would you please turn that light off? On this question, Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, I would just reiterate my earlier comments. There was a little misunderstanding in the Committee. We have those problems from time to time. The two comparative negligence Bills will not be included in this Roll Call, as Representative Epton has stated. And, there are several Bills that the Department of Insurance is interested in, consumer orientated Bills. And I don't have any opposition to them, and neither does anybody here on the Democratic Staff. I would encourage all Members to support the Motion."

Speaker Peters: "On this question, Representative Stearney."

Stearney: "Well, may I ask a question of Mr. Epton? Are the comparative negligence, contributory negligence, Bills in this package that you wish to move to Second Reading?"

Epton: "No, they are not. They are...They are in the pa...not in this package. They will be...come up with the next Motion."

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Stearney: "Okay. These are just Bills that we did not hear."

Speaker Peters: "Excuse me...Excuse me, Representative. Will the Gentleman in front of Representative Stearney please give the Gentleman his attention."

Epton: "That is correct."

Speaker Peters: "Thank you."

Epton: "These are not the Bills affecting comparative negligence."

Stearney: "Okay. Well, you're going to ask that the House suspend the rules and...not suspend the rules, but discharge the Committee on those two other Bills."

Epton: "After this Motion is completed, then I will advance to the next order of business."

Stearney: "Well, just very briefly, to the Ladies and Gentlemen of the House, the problem with this Motion is that the...is that it really deprives the Committee of hearing any testimony on these...on these particular Bills. I don't know whether they're good or bad, but I do know that they had an opportunity to be heard yesterday; however, for one reason or another, the Chair moved to adjourn the Committee, and I was the one that moved, on the Chairman's suggestion, to adjourn the Committee. I would have been eager to hear the testimony on each and every one of these Bills, but we didn't have the opportunity. And I don't think we should move to Second Reading, but we should, perhaps, consider them at another date in Committee, and move to suspend the rules for posting, and have those heard in Committee at a later time. I think that would be the better...the better way to handle this, rather than just moving them all to Second Reading."

Speaker Peters: "On this question, Representative Brummer."

Brummer: "Yes, will the Sponsor..."

Speaker Peters: "He indicates he will."

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Brummer: "...yield? Are you excluding from the...the Bills that appear on the Supplemental Calendar #1, House Bill 1894 and House Bill 2096? Are those the two that are not included in the Motion?"

Epton: "That is correct."

Brummer: "I would urge support of the Motion."

Speaker Peters: "Any further discussion? There being none, Representative Epton to close."

Epton: "Thank you. I would appreciate a favorable vote."

Speaker Peters: "The question is, 'Shall the Motion of the Gentleman to suspend...to suspend the appropriate rule and discharge the Insurance Committee and advance to Second Reading, House Bills 2088, 2095, 2367, 2394, 2495 and 2540?'. Shall that Motion be adopted? Those in favor will signify...is there a desire for a Roll Call vote? Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Representative McAuliffe. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 142 voting 'aye', 10 voting 'nay', 4 voting 'present'. The Motion passes, and the Bills indicated will be discharged from the Committee on Insurance, and advance to the Order of Second Reading, First Legislative Day. Further Motions? Representative Epton."

Epton: "Thank you, Mr. Speaker. House Bill 1894 is a Bill which is a controversial Bill, and there were, in Committee, at ten minutes after two, in excess of 33 slips signed by witnesses who were prepared to testify. This Bill, and the Bill that I will mention subsequently, is a subject dealing with the state of negligence in our state today. As a matter of fact, it is of such prime importance, that Chief Justice Ryan of the Supreme Court, spoke to Representative Mautino and the Council for the Illinois Insurance

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Commission, and asked to have copies of all of the comparative negligence Bills which were being advanced. At that time, after discussing it with Members of the Commission, I also discussed it with Members of the Insurance Committee, and there was the prevailing feeling that the issue was of such importance, that the entire House should be empowered to decide whether we should go back to the rule of contributory negligence, go back to the so-called Wisconsin Rule, or go to the Wisconsin Rule, or remain with the comparative negligence Bill, as espoused by the Supreme Court. Dwight Friedrich, the Sponsor of this Bill, asked...had other commitments, asked me if I would handle the Bill in his absence, even though I indicated that I was not in favor of the Bill. At that time, I spoke to the Members of my Committee, and unfortunately, we had again, a sorry lack of communication, and the Bill failed the passage by virtue of the absence of some of the Members, and the failure of some Members to vote. The thought behind this request is simply to put before this entire House, a subject which probably affects the citizens of the State of Illinois, the residents, more than anything else, including their taxes. I'm not asking for the passage of this Bill. I'm simply asking that it be placed on...move...discharge the Committee, and placed Second Reading where, I know, Representative Friedrich will hold the Bill until any required Amendments are presented. I would ask your favorable approval of Motion on House Bill 1894."

Speaker Peters: "Representative Epton moves to suspend Rule 66A, and moves to discharge the Insurance Committee and advance to the Order of Second Reading, First Legislative Day, House Bill 19...894. House Bill 1894. On that question, Representative Greiman."

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Greiman: "I wonder if the Gentleman would yield for a question."

Speaker Peters: "He indicates he will."

Greiman: "I...I was a little, perhaps I misunderstood what the Supreme Court Justice's role was in this, Bernie. He was interested in the passage of these Bills out of Committee. Is that right?"

Epton: "Not in the passage, he was interested, vitally interested, in what action, if any, the Legislature was going to take. He knew that there were at least three Bills filed. As a matter of fact, they...I can't speak for the Supreme Court, obviously, but there are, as we all know, some problems arising out of their recent decision."

Greiman: "Well...well, you've quoted him. I just...I'm trying to understand. If...If all he did was ask for the Bill...copies of the Bills, or did he say that the House should decide it, or what? Did he..."

Epton: "He asked for copies of the Bills, and indicated that he would be...that the Supreme Court would be pleased to hear...to receive the feeling of the Legislature, because they felt that, properly, this should be in the area of legislation."

Greiman: "Well, okay. On the Motion, I'm not sure I understand what that means, frankly, that the Supreme Court...a Justice of the Supreme Court has asked for Bills, and thinks the Legislature should do something about something. That's a distinct branch of government, and we're somewhat sacred in terms of the legislative process. They do their thing, and we do our thing. On this, however, this is, as Representative Epton has said, a very serious, involved question. It is a very technical question. It is a very complex question. Despite that, not one witness...not one witness came before the...was called upon. Many witnesses, I assume, had filed witness statements. No witnesses...No

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witnesses were called. Now, it seems to me that if the Committee process means anything, it means that a Committee is going to have public witnesses giving testimony. I understand that things, you know, got a little hot, but; nonetheless, not one witness was given an opportunity, not one insurance company, not one trial lawyer, not one plaintiff, not one defendant, not one person gave testimony before that Committee on that day. Now, that's ludicrous to suggest that we have a complex, important issue, and yet, we're not going to have one witness testify before the Committee. We're going to pass this complex question out on the floor. Committees' jobs are to make hard decisions. We do it all the time. Committees' jobs are to discover what the issues are. We do that all the time. To pass this out without a single witness, because the Supreme Court, perhaps, thinks that maybe we should have all the Bills out, and I'm not sure I understand that, yet. That's ludicrous. This Bill should...This Bill should have...These Bills, I should say, are...are conflicting concepts of contributory negligence and comparative negligence. They should go in the Committee. They should stay there until the Committee decides on what's a good route to follow. That's the way we do it. That's our process, and there's nothing that's been said by the Representative that would determine why we should discharge these Bills. We should vote 'no'. The last Bi..Bills, perhaps, were correct to come out. They didn't have a hearing because of the...of the quick adjournment of the Chairman. But these Bills...These Bills are more complex. They deserve a hearing. They deserve Committee consideration, and if we discharge these Bills in a very casual, cavalier way, we will be saying, "Forget the Committee work in the House of Representatives".

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Speaker Peters: "On the question before us, Representative Friedrich."

Friedrich: "Mr. Speaker, I am one of the Sponsors of this Bill, and I had been led to believe there were...the support on both sides of the aisle to put this Bill out, along with others, so that all the Members of the House would have an opportunity to offer Amendments on it. This subject was of such a...an importance last year, that the Supreme Court said the Legislature had failed to act in this area, and they felt there ought to be some action, so they changed the law. Since then, there have been some problems arise because of that decision. Now, the fact that this has not had hearings, partly, is part of the process around here. I think the first meeting of...meeting of the Committee on Insurance was yesterday, and I think we had all understood that the...all the Bills established would be put out and worked on together. So, I feel a little bit left out of here, because of that...the way that thing worked. But I would ask for your support in bringing this Bill to the floor, where we can take action on it, along with the other Bills on the same subject, since this is the last week for Committee Bills."

Speaker Peters: "Further discussion on this subject? Representative Nautino. Excuse me, Representative. For those who have inquired, it is the intent of the Chair to take the necessary Motions to complete the business of the House, and then to adjourn so that the Committees may conduct whatever business they have. In terms of when we return, that has not been determined as yet. But we are, now, going to take whatever appropriate Motions we have to take, so that we can, then, move on to adjourn, and to the Committees. So that's whatever Motions are set to be taken, so that you know where we're going. Representative

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Mautino: Proceed, Sir."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, stand in support of Representative Epton's Motion to discharge these Bills. First and foremost, I was the Legislator that received a request from the Supreme Court to submit to them all of the information and the prior legislation that was passed or pending, by the States of Nebraska, as well as the States of Wisconsin. The request was made, since I do serve on the Insurance Law Study Commission with Representative Epton. The question that we are addressing with this Motion is extremely important to everyone in the State of Illinois. There are great problems with it, and I do believe the court wants to see what direction the State of Illinois will take in this regard, and compare it with other states, as well. So, I firmly stand in support of Representative Epton's Motion, and do hope that we get these Bills on the floor for a complete airing. I was not privy to the Committee work and the problems that occurred within the Insurance Committee. But this is the only proper and correct way to address this question, is on the Hou...the floor of this House. Thank you."

Speaker Peters: "On the question before us, Representative Stearney."

Stearney: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm opposed to this Motion, and I think, you know, you can all say, 'Well, we feel a bit sorry for the Chairman, he needs to discharge these...these two Bills, and we should give him the benefit of the doubt'. However, let me just give you a bit of the history as to what happened in that Committee yesterday, and you would see that the Chairman committed an egregious faux pas, and the House should not bail him out. He mentioned earlier about

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witnesses who were prepared to testify. Well, I sit on that Committee, and I asked if these witnesses would be allowed to testify prior to the vote. And the Chairman said to me, and in the presence of the Committee, that there was no need to hear the witnesses prior to the vote, simply because he had talked to all the Members of the Committee, and he had a Majority of the votes who were prepared to vote these Bills out of Committee, and there was no sense hearing the testimonies, simply because those Members would not change their mind, regardless of the testimony. Well, lo and behold, he gambled, he threw the dice and he lost, because he found himself one vote short of a majority; and, therefore, the Bills were held in the Committee. Then, rather than continue and hear the rest of the Bills, the nine other Bills that were in the Committee, he asked for a Motion to adjourn, and I made that Motion, in response to his request. But, be that as it may, he's got the other eight Bills out of Committee. They're on the floor for Second Reading. But these two Bills should not be discharged from the Committee, simply because the Chairman refused to hear any testimony, not only from the proponents, but opponents to this Bill, as well. And if that be the case, if no testimony was given in Committee, and the Bill failed by one vote, they should remain in Committee; and they should not be discharged, no matter what the reason. He gambled, he threw the dice and he lost. And the House should not be all...asked to bail him out of the mistake that he made at that point. So, for that reason, I would say, unfortunately, that may be the case that the Bills do not get out. But nevertheless, they should remain in Committee, and, perhaps at a later time, we can hear testimony in Committee, as it should have been heard yesterday, and it was not given that time. I ask

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that you vote 'no'."

Speaker Peters: "On this question, Representative Getty."

Getty: "Mr. Speaker, Members of the House, I think there's another item that really hasn't been addressed, regarding this Bill and the other Bi...Motion that Representative Epton would put, I believe, after this concerning comparative negligence. And that issue is the assignment of Bills. To begin with, this is a Bill clearly within the realm of Representative Leinenweber's Judiciary Committee. It is a Bill that, I think, clearly should have been assigned to the Judiciary Committee. I rise as the only Democratic Member of the Committee on Assignments. Had I been notified of the meeting of the Committee of...on Assignments, I certainly would have been present to vigorously argue with my colleague, who's standing right in the aisle, why that Bill ought to be assigned to Representative Leinenweber's Judiciary Committee. But I wasn't notified of that meeting. I wasn't...I wasn't told that he was going to assign it to the Insurance Committee. I wasn't told that this matter, that has very, very serious consequences to every person in the State of Illinois, that involves the way we handle our jurisprudence, the manner in which we calculate damages, the manner in which we determine negligence, would go to a Committee other than the Judiciary Committee. Inconceivable, but it happened. And the Minority Member of that Committee wasn't even told that there was going to be a meeting. I suggest to you that the appropriate Motion today ought to be a Motion, not to discharge the Insurance Committee, but to discharge Committee and reassign it to the place that it ought to have gone in the first place, to Representative Leinenweber's Judiciary Committee, where it could have had a full and fair hearing by Members who are used to dealing

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with this sort of thing. It doesn't belong on the floor of the House, now. It has not been considered. It is a matter of very grave importance that ought to have the utmost scrutiny by the Committee system of this House, and by the Committee best able to handle it, the Judiciary Committee. For that reason, I would respectfully oppose Representative Epton's Motion."

Speaker Peters: "Representative Nelson, on this point."

Nelson: "Thank you, Mr. Speaker, Members of the House. I feel responsible, in a way, because, when the Insurance Committee met yesterday I was late to the meeting. I was in another Committee. And, I would like to support Representative Epton's Motion to hear these Bills on the floor. I agree with Representative Getty that there are serious consequences to every Illinois citizen revolving around this issue of comparative negligence or contributory negligence. I believe that your constituents feel very deeply about this if they have ever been involved in an automobile accident or some kind of altercation like that, where insurance payments are apportioned. And I am supportive of Representative Epton's efforts to get this on the floor, and for us to spend some time in debate. I hope you will support him."

Speaker Peters: "On this question, Representative Mulcahey."

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

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', opposed... In the opinion of the Chair, the 'ayes' have it. Representative Epton to close. Excuse me, Representative. For what purpose does the Gentleman from Sangamon, Representative Kane, seek recognition?"

Kane: "Mr. Speaker, how many Bills are...are in this Motion?"

Speaker Peters: "The Chair will restate the Motion. There's one

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Bill."

Kane: "There's one Bill in this Motion?"

Speaker Peters: "Yes, Sir. One Bill. Representative Epton to close."

Epton: "Thank you, Mr. Chairman (sic - Speaker). I certainly won't argue with my colleague across the floor. I had nothing to do with the assignments of these Bills. I appreciated the opportunity to have them heard. I might also add that I will take issue, however, with my colleague on this side of the aisle, that somehow reminds me of 'sound and fury', but no substance. Unfortunately for some of the Members of the Committee, they probably forgot that there was a transcript of the entire proceedings, and that transcript will correct my colleague to indicate that I said yes, we do have an understanding, by the majority of the Members of the Committee to pass all of these Bills out, so that the entire House can view them as a package, because of their importance. In answer to the question as to whether or not the witnesses could testify, I said yes, of course, they could. When the question was asked as to what was the purpose in taking the vote prior to their testimony, I responded since an agreement had been reached that the Bills would be passed out, I felt it only fair that the Committee Members and the witnesses be aware of the fact. We would have been here...been in Committee until, probably, Saturday night, if all the witnesses had testified. As a matter of fact, ten minutes after the Roll Call was called, we had in excess of 33 witnesses, both pro and con. At this time, I, again, am not speaking in favor of the Bill. I am simply suggesting that it is not at all unusual for this House to treat a matter as a Committee, practically as a whole, when it concerns such an important feature. And I would respectfully urge an 'aye' vote."

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Speaker Peters: "Representative Epton, pursuant to Rule 66A, moves to discharge the Committee on Insurance from any further consideration of House Bill 1894, and to advance to the Order of Second Reading, First Legislative Day, that same Bill. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Take 89 votes. The voting is open. To explain his vote, Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, I rise in opposition to this Motion. I must tell you that this is a subject matter that is not new to the General Assembly. It has been studied for at least six years, that I know of, under both Democratic and Republican administration. And I must tell you that it really looks very strange to me, the curious route that this particular Bill takes, in order to get here; although it's been studied in Judiciary for six years under Representative Leinenweber's leadership, under the Democratic Leadership and so on and so forth, all of a sudden when it's introduced as an emergency matter, which it is not, the Supreme Court has spoken on this matter. On April 12 it's assigned to the Judiciary I Committee. And, lo and behold, what happens, all of a sudden, on April 14th it's reassigned to the Insurance Committee, evidently, without any knowledge on the part of the Democratic Member, Representative Getty. This is really a bad way to..."

Speaker Peters: "Please conclude, Representative."

Jaffe: "Yeah. I just want to say, this is really a bad way to run a Legislature, and, by doing things like this, we really do...not bring glory to the Legislature, but put the Legislature, really, in a manner of ill repute."

Speaker Peters: "To explain his vote, for one minute, Representative McBroom."

McBroom: "Well, Mr. Speaker, Members of the Legislature, I was at

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the Committee meeting, and I arise in support of Representative Epton. I think he conducted the meeting in fine fashion. People were wandering in and out, and I think most of the Members that were there had...the Chairman Epton been able to get a full Committee, the Bill would have passed out in fine fashion. People were coming. People were going. Lobbyists were bothering the Chair. There were Members there that were not Members of the Committee. It was a very confusing period of time, and I...I would certainly urge the support of the Chairman of the Insurance Committee. Thank you."

Speaker Peters: "To explain his vote, for one minute, the Chair recognizes Representative Brummer."

Brummer: "Yes, I would urge a...a red vote on this. It seems to me that we're totally illogical, and I suppose logic has no particular priority in the General Assembly. First of all, there were some 30 witnesses that wanted to testify. We did not hear any testimony. This is a matter that should be heard by the entire House. The Motion should be to resolve into a Committee of the whole, so that we can hear this testimony. It seems to me ridiculous that, on a matter that everybody concedes is of utmost importance, we're suddenly going to exclude all testimony. We aren't going to hear testimony with regard to it. This is an archaic concept. It does not exist in 38 other states. The Illinois Supreme Court abolished the concept last year. Certainly before we take such rash action, we...we ought to hear testimony, and...and in a very deliberative process, decide this issue, or, at least, if it is so important that everyone should be considered, we should...should resolve into a Committee of the whole, so that we can hear the testimony that ought to be introduced in this. I would urge more red votes."

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Speaker Peters: "Have all voted who wish? Have all voted who wish? Last call, have all voted who wish? Mr. Clerk, take the record. On this question...On this question, there are 90 voting 'aye', 6...On this question, there are 90 voting 'aye', 66 voting 'nay'. Representative Braun wishes to be recorded as voting...pardon. Representative Braun, 'yes'? Representative Braun wishes to be recorded as voting 'no'. Representative Ewell wishes to be recorded as voting 'no'. Representative Hudson wishes to be recorded as voting 'aye'. Now, the vote, Mr. Clerk. On this question, there are 91 voting 'aye', 68 voting 'nay', and on that...Representative Greiman, for what purpose do you seek recognition?"

Greiman: "A verification of the Affirmative Roll."

Speaker Peters: "The Gentleman asks for a verification of the affirmative vote. Mr. Clerk."

Clerk Leone: "Poll of the..."

Speaker Peters: "Representative Epton asks for a Poll of the Absentees."

Clerk Leone: "Barnes. DiPrima. Doyle. Flinn. Huff. Jackson. Kornowicz. Kucharski. Kulas. Laurino. Martire. McAuliffe. Rhem. Richmond."

Speaker Peters: "Excuse me."

Clerk Leone: "And Robbins."

Speaker Peters: "Yes, Representative Greiman, for what purpose do you seek..."

Greiman: "Slow it down, just a..."

Speaker Peters: "The Gentleman is now calling your absentees. Proceed, Sir. Proceed, Mr. Clerk."

Clerk Leone: "And Robbins. No further."

Speaker Peters: "Does anyone wish to be added, deleted, changed, before we proceed with a verification? Proceed with the verification of the affirmative vote, Mr. Clerk."

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Representative Sandquist, for what purpose do you arise?
Representative Sandquist has leave to be verified.
Representative Greiman. Gentleman is verified.
Representative Leon asks the same...has the same request,
Representative Greiman. Gentleman is verified.
Representative Wikoff, same request. Representative
Greiman? Gentleman is verified. Proceed, Mr. Clerk, with
the verification of the Roll."

Clerk Leone: "Poll of the Affirmative. Ackerman. Alstat."

Speaker Peters: "Excuse me. Ladies and Gentlemen, we do have to
get through with these Motions. We would like to get out
in time to hear Committees. We would like to have some
Resolution as of what we are going to end up doing tomorrow
because of the funeral of His Eminence. The quicker we get
through this, I think, the better off we will all be. If
the Members will please take their seats, and those who are
not entitled to the floor, if they will please remove
themselves from the floor. Proceed, Mr. Clerk."

Clerk Leon: "Poll of the Affirmative. Ackerman. Alstat.
Barkhausen. Barr. Bartulis. Bell. Bianco. Birkinbine.
Bluthardt. Boucek. Bower. Capparelli. Collins. Conti.
Daniels. Davis. Deuchler. Deuster. Domico. Donovan.
Jack Dunn. Ralph Dunn. Ebbesen. Epton. Fawell.
Findley. Virginia Frederick. Dwight Friedrich. Garnisa.
Griffin. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey.
Hudson. Huskey. Karpier. Jim Kelley. Klemm. Kociolko.
Koehler. Kosinski. Krska. Kustra. Lechowicz. Leon.
Macdonald. Margalus. Mautino. Mays. McBroom.
McCormick. McMaster. Ted Meyer. Roland Meyer. Miller.
Neff. Nelson. Oblinger. O'Brien. Olson. Pechous.
Peters. Piel. Polk. Pullen. Reed. Reilly. Rigney.
Ropp. Sandquist. Irv Smith. E. G. Steele. C. M. Stiehl.
Stuffle. Swanstrom. Tate. Telcser. Terzich. Topinka.

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Tuerk. Vinson. Vitek. Watson. Wikoff. Winchester. J.
J. Wolf. Woodyard. Zwick and Mr. Speaker."

Speaker Peters: "What is the count, Mr. Clerk? We'll begin with
91 voting 'aye', 68 voting 'no'. Representative Sandquist,
Leon and Wikoff verified with the approval of the maker of
the Motion. Representative Greiman."

Greiman: "Representative Dunn."

Speaker Peters: "The Gentleman is in his seat."

Greiman: "Representative Bianco."

Speaker Peters: "Representative Bianco. The Gentleman in the
chamber? How's he recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Peters: "Remove Representative Bianco."

Greiman: "Representative Bluthardt."

Speaker Peters: "Representative Bluthardt is in his seat."

Greiman: "He's there. I see him. I see him. Representative
Donovan."

Speaker Peters: "Representative Donovan. The Gentleman in the
chamber? How is he recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Peters: "Remove the Gentleman from the Roll."

Greiman: "Representative Daniels."

Speaker Peters: "Representative Daniels. The Gentleman in the
chamber? How is he recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Peters: "Remove him from the Roll."

Greiman: "Representative Leon."

Speaker Peters: "He was verified, Representative Greiman."

Greiman: "Oh, I'm sorry. Yes, he was. I'm sorry. Yes, yes, he
was. Representative Neff."

Speaker Peters: "Representative Neff is..."

Greiman: "I see him. Okay. Representative Oblinger."

Speaker Peters: "Representative Oblinger is in her seat."

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Greiman: "She's there. Okay. Representative Pechous."

Speaker Peters: "Representative Pechous is in his seat."

Greiman: "Representative Zwick."

Speaker Peters: "Representative Zwick is on the left side of the chamber, in the center here, near Representative Telcser's chair."

Greiman: "All right. Representative Polk."

Speaker Peters: "Representative Polk. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Peters: "Remove him."

Greiman: "Representative Irv Smith."

Speaker Peters: "The Gentleman's in his seat."

Greiman: "Representative Hoffman."

Speaker Peters: "Representative Hoffman. He's...He's here."

Greiman: "He's here. Representative Davis. I can't see if he's back there. Oh, there he is."

Speaker Peters: "The Gentleman is in the aisle."

Greiman: "That's all that I have. Oh, wait...wait. Just one more."

Speaker Peters: "Representative Donovan has returned to the chamber."

Greiman: "E. G. Steele."

Speaker Peters: "Represe...I'm sorry Representative."

Greiman: "They're here."

Speaker Peters: "Representative Greiman, I'm sorry, I didn't hear you."

Greiman: "E. G. Steele."

Speaker Peters: "Representative E. G. Steele. Is the Gentleman in the chamber? Remove him...How is he recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Peters: "Remove him from the Roll. Mr. Clerk, return Representative Daniels to the Roll."

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Greiman: "Representative Robbins."

Speaker Peters: "Robbins? How's the Gentleman voting...recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Peters: "Not recorded. Excuse me, Representative Rhem, for what purpose do you seek recognition?"

Rhem: "Vote me 'no'."

Speaker Peters: "Vote the Gentleman 'no'. Have you got Representative Greiman's on? I'm sorry, Representative, I didn't hear that."

Greiman: "Ralph Dunn."

Speaker Peters: "Representative Ralph Dunn. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Peters: "Remove him from the Roll."

Greiman: "Representative Margalus."

Speaker Peters: "Rep...Representative Margalus. Margalus is in the rear. Excuse me, Representative Greiman, Representative Ralph Dunn has returned. Mr. Clerk, return Representative Ralph Dunn to the Roll. Margalus is in the rear."

Greiman: "Well...Mr. Speaker, we...we verified Representative Polk off. Did we not?"

Speaker Peters: "Yes."

Greiman: "I just wanted to make sure."

Speaker Peters: "Bianco, Polk and E. G. Steele."

Greiman: "Representative Reilly."

Speaker Peters: "Representative James Reilly is in the chamber."

Greiman: "That's...that's all we have. Thank you, Mr. Speaker."

Speaker Peters: "Representative Yourell."

Yourell: "How am I recorded?"

Speaker Peters: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

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Yourell: "Change me to 'aye', please."

Speaker Peters: "Change the Gentleman to 'aye'. Representative Flinn."

Flinn: "Please vote me 'aye', Mr. Speaker."

Speaker Peters: "How is the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Peters: "Gentleman wishes to be recorded as voting 'aye'. Representative Dick Kelly. How is the Gentleman recorded?"

Clerk Leone: "Representative Kelly is...Dick Kelly is recorded as voting 'no'."

Speaker Peters: "Representative Kelly. The Gentleman wishes to be recorded as voted...voting 'aye'. Any other? Representative Mays."

Mays: "Yes, how am I recorded?"

Speaker Peters: "How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as 'aye'."

Speaker Peters: "Any further additions, subtractions? Representative...I can't see there. Representative Richmond. Vote Representative Richmond 'aye'. Representative Barnes, 'aye'. Representative Pechous. How is Representative Pechous recorded?"

Pechous: "I voted as an 'aye'. Please change me to a 'no'."

Speaker Peters: "Mr. Clerk, how is Representative Pechous recorded?"

Clerk Leone: "Representative Pechous is recorded as voting 'aye'."

Speaker Peters: "Change the Gentleman to 'no'. What is the count, Mr. Clerk? On this question, there are 92 voting 'aye', 68 voting 'nay', and the Gentleman's Motion passes. Representative Epton."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to apologize for the time that was taken in this debate. I was led to believe it would not be this

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intensive or extensive, and I do apologize to the Chair. The arguments that I advanced in behalf of House Bill 1894 are the identical arguments in favor of House Bill 296. And, I think, in all fairness to the House, the arguments, both pro and con, that we heard before, would apply in this in...particular instance. This Bill is the opposite of the Bill you voted on previously. It's simply giving this Bill an opportunity to be heard also. And, again, I ask the House to understand, the vote to all...to come on the floor of the House is not to commit yourself to vote for the passage of the Bill. It does give it an opportunity to be heard, and I would appreciate a favorable vote."

Speaker Peters: "On that question, the Chair recognizes Representative Kane."

Kane: "Would the Sponsor of this Motion yield to a question?"

Speaker Peters: "He indicates he will."

Epton: "Yes."

Kane: "Isn't it true that this is going to be fought over on Second Reading anyway, that Amendments are going to be offered to both Bills on Second Reading? So, we're going to have to fight it four times instead of just twice, if we let a second Bill out."

Epton: "My understanding is that on the...that on the first Bill, you see, it would be a technical Amendment. So, there'll be no basic change in Representative Friedrich's Bill. On the Second Bill, there was an error in drafting. Originally, it was supposed to be the Wisconsin Law, which, as you know, calls for the plaintiff to be free of 51 percent negligence. That is the only change that we made in the Bill. It would have been made in Committee and passed. It would have been made...And for the House, it may or may not pass."

Kane: "Yeah, but, given the feelings on the...on this issue and

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with these two Bills, will not the proponents of one Bill try to amend their Bill into the other Bill? And so, we're going to be saddled with fighting both issues on Second, as well as on Third Reading?"

Epton: "I really can't foresee what they will do, but knowing both Representatives Friedrich and Tate, I do not believe that they will be taking the time on the floor objecting to each other's Bills. I think that, if I may speak for myself, I think that Representative Friedrich's Bill will have an extremely uphill battle. I think Representative Tate's Bill will be closer to the feeling of the House, but that, also, may fail. However, I don't think that you will find the two Gentlemen at odds, at any great length in the discussion, and take up the time of the House."

Speaker Peters: "Further discussion? Representative Madigan, on this question, Sir."

Madigan: "No, Mr. Speaker. For the purposes of an announcement."

Speaker Peters: "Proceed."

Madigan: "To simply announce a former Member and leader on the Democratic side of the aisle, an outstanding Legislator for several years, former Representative Corneal 'Deacon' Davis, talking with Representative Smith. 'Deacon', say hello."

Speaker Peters: "Former Representative and Dean of the House, Corneal Davis. Welcome to the chamber. On this question, Representative Friedrich."

Friedrich: "Representative Epton has properly stated the matter here. And that we had hoped that we could get this done in Committee, and I can assure you that, if the other Bill is amended as he has indicated, that I will table my Bill."

Speaker Peters: "Any further discussion? On this question, Representative Greiman."

Greiman: "I'm a glutton for punishment, Mr. Speaker. I...I don't

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understand this putting two Bills out, at all. I'm told that the process is not going to be working with Committees, and having the Committees select. The process will be that we'll put it on the House floor and, in the floor, we'll make these decisions. The way we generally make judgments and decisions on the House floor among issues is, classically, to do it at the Second Reading, at the Amendment stage. So that there will be a series of Amendments, I assume, offered to this Bill. Amendments which would be...Some will emasculate the Bill. Some will change it. Some will...will revise it, and some, I suppose, will just fight to leave it the way it is. And that's how we do it, when we're on Second Reading. Now, we're going to put on a whole different Bill, with a whole different concept. You either respect, have some basic respect for the Committee system, or you don't. You have some basic respect for the Amendment process, or you don't. It's no longer a question of whether the Chairman did this, or the Chairman did that on...on a given day. It's a question of whether we believe in the system under which we're operating. In this case, the system has been violated once. Let's not violate it again. You've got a Bill dealing with comparative negligence on the floor. Let's amend that up and down so we don't have to fight the battle 20 times. We fight it once, one day on Second Reading, one day on Third Reading, and that's it. Otherwise, we're going to keep battling it over and over. It'll be, you know, every year ...I always believed that if I were...if I died and I came back, I'd want to come back as a Bill in the General Assembly, because I'd never die. And that's what happens. We get a Bill, and it keeps coming back, and it keeps coming back. And that's the case in this...with this issue. So, let's just...We got one

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Bill out. Let's leave it. Let's not take this Bill out too, okay? Let's vote 'no'."

Speaker Peters: "Further discussion? Representative Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, I would just encourage you to give this Bill an opportunity to be heard on Second Reading. This Bill, it never had the opportunity to be heard in Committee. Both sides of the aisle agree that this is a very controversial issue. There's no reason to not allow two Bills of entirely different approaches to be heard, discussed and debated. We've had a Supreme Court Justice write the...a Member of this Assembly to discuss and to...to give this issue a thorough hearing on the floor and a thorough debate. I would just encourage all of you to give this an opportunity to be heard, and a 'yes' vote. Thank you."

Speaker Peters: "Representative Epton to close."

Epton: "Thank you, Mr. Speaker. I would appreciate a favorable vote."

Speaker Peters: "Representative Epton moves, pursuant to Rule 66A, to discharge the Committee on Insurance for any further consideration on House Bill 2096, and moves that that Bill be advanced to the Order of Second Reading, First Legislative Day. Those in favor of the Motion will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 100 voting 'aye', 54 voting 'nay'. This question, having received...This Motion, having received the Majority required, is hereby declared passed. Representative Pullen. Representative Conti, what purpose do you seek recognition, Sir?"

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it's been said time and time again that all great leaders

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are born in the month of April, and this month, as Custodian of Agreed Resolutions, it's been proven that there's more birthdays this month than any other month in the calendar, and today is no different. It's John Birkinbine's birthday, and we would all like to wish him a happy birthday. John Birkinbine.

Speaker Peters: "Happy birthday, John. For what purpose does the Lady from Cook, Representative Pullen, seek recognition? Careful. Careful. Clear the aisle. Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Mr. Speaker, with all the activity this week, and this being the last week to hear House Bills in House Committee, I have a...a list of Bills that have just been assigned to my Committee that I would like leave of the House to hear at our Committee hearing tomorrow. I will read the list into the record. I have checked with the Minority Spokesman of the Committee, and it's okay with him. House Bill 1965, 2132, 2134, 2234, 2242, 2389, 2482..."

Speaker Peters: "Representative Pullen. Please start again, and a little slower so that the Clerk can take them down, and that I can take them down."

Pullen: "1965, 2132, 2134, 2234, 2242, 2389, 2482, 2524, 2574, 2599, 2601, 2639."

Speaker Peters: "Representative Greiman, on this question."

Greiman: "Mr. Speaker, I would object to House Bill 2639."

Speaker Peters: "Representative Pullen."

Pullen: "I gave one Motion, Mr. Speaker."

Speaker Peters: "Representative Greiman."

Greiman: "Well, in that case, I'd ask for a division of the question, if that's what...if that's what the Lady asks for. I just asked her...It would make it a lot simpler if she took out 2639 and...but, if she's asking for leave of

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the House, I will object to House Bill 2639."

Speaker Peters: "Representative Pullen."

Pullen: "Mr. Speaker, I..."

Speaker Peters: "Excuse me. Will the people in front of and around... Thank you."

Pullen: "I don't want to put the House through separate Motions on them, if no one has any objections to any other Bills. So, if the Gentleman persists in his objection, I will..."

Speaker Peters: "Representative Greiman, do you persist?"

Greiman: "Mr. Speaker, I persist in the objection to 2639."

Speaker Peters: "The Ge...The Gentleman persists in the objection to 2639. The Lady amends her Motion to delete 2639 from her Motion. You've heard the Motion. Does the Lady have leave to appropriate the suspending posting rules and use of the Attendance Roll Call for the Bills listed for the Committee on Executive? Is there leave? Being no objection, leave is granted, and the rule is suspended. Now, Representative Pullen."

Pullen: "What, further, do I have to do?"

Speaker Peters: "Pardon?"

Pullen: "What, further, do I have to do? May I...May I put a Motion to..."

Speaker Peters: "Proceed."

Pullen: "All right. I now move that the appropriate rules be suspended so that House Bill 2639 may be heard in the House Executive Committee tomorrow."

Speaker Peters: "You've heard the Lady's Motion. On that question, Representative Kane."

Kane: "Point of parliamentary inquiry. I think that Motion has to be on the Calendar for a day, and that that ruling is not...and that...and that rule is not suspendable."

Speaker Peters: "Is that just a statement for the record, Representative Kane? Or would you like..."

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Kane: "I would ask you to rule that way, that that Motion is out of order."

Speaker Peters: "The Gentleman is correct, and the Motion is out of order. Now, that...that ought to make your weekend, Doug. Representative Ewing, for what purpose do you seek recognition? Representative Ewing."

Ewing: "Mr. Speaker, just before temporary adjournment, I had read off a list of Bills which I had asked for leave to post for an adjourned hearing...or recessed hearing of the Revenue Committee tomorrow morning. One of those Bills, 2568, Representative Mays, was objected to, and I have deleted that from the list. The other Bills include 1926, Representative Bell. 1965, Representative Capparelli. 2090, Representative Daniels. 2334, Representative Smith. 2343, Representative Piel. And 1954, Representative Vinson. I'd renew my Motion."

Speaker Peters: "On that question, Representative Bradley."

Bradley: "Yes, Mr. Speaker, I object to 1926."

Speaker Peters: "The Gentleman objects."

Ewing: "Mr. Speaker, if he objects, let's remove it and take it separately, and I'll..."

Speaker Peters: "Gentleman...Remove 192...The Gentleman amends his Motion to remove 1926, Mr. Clerk. Please make that notation. Further discussion on that question, Representative McAuliffe? No? Representative Darrow? No? Representative Pierce?"

Pierce: "What...what was that last Bill, Representative Steele?"

Ewing: "No, Vinson. 1954."

Pierce: "Oh, yeah. That's...All right."

Ewing: "I think he cleared that with you."

Pierce: "All right, we're all clear."

Ewing: "Yes."

Pierce: "You and I are clear."

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Ewing: "We're clear."

Speaker Peters: "You've heard the Gentleman's Motion ask...to suspend the appropriate...is this to be heard in Revenue, Representative?"

Ewing: "Yes."

Speaker Peters: "The Gen...Pardon?"

Ewing: "Heard in Revenue tomorrow morning."

Speaker Peters: "The Gentleman asks suspension of the appropriate posting rule so that the Bills enumerated can be heard in the Revenue Committee meeting tomorrow. The Gentleman asks leave of the Attendance Roll Call. Is there objection? There's no objection, leave is granted, so ordered and the rule is suspended. Representative Ewing."

Ewing: "I would renew my Motion to suspend the rule to allow us to hear House Bill 1926 by Representative Bell. Sponsored by Representative Bell."

Speaker Peters: "Representative Bradley, on that question."

Bradley: "Yes, Mr. Speaker. I objected, and I...under Rule 18K, this is not on the Calendar, this Motion, and it has to take unanimous consent, and I object."

Speaker Peters: "And you object, Sir?"

Bradley: "Yes, Sir."

Speaker Peters: "The Gentleman objects, and his point is well taken, Representative Ewing. Your Motion is out of order."

Ewing: "Would the...Would the Chair explain that Motion...I mean, the ruling?"

Speaker Peters: "Representative Bradley, what rule do you cite?"

Bradley: "18K, Mr. Speaker, and I can read it to you. The last...The...Calendar requirements of this paragraph may be suspended only by unanimous consent, and Calendar requirements are it appears...this Motion to appear in the Calendar. It doesn't appear on the Calendar; therefore, it takes unanimous consent. And I object."

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Speaker Peters: "Representative Ewing, do you have that? It's Rule 18K."

Ewing: "And it's your ruling, then, that it takes unanimous consent to post that Bill?"

Speaker Peters: "No, it doesn't take unanimous consent to post the Bill, it takes unanimous consent to ha...to..."

Ewing: "To waive the posting rule."

Speaker Peters: "No, the Motion has to be in writing, unless there is unanimous consent not to have it in writing and on the Calendar. Further Motions? Representative...Representative Ewing. Are we...are we done?"

Ewing: "Yes."

Speaker Peters: "Representative Collins, for what purpose do you seek recognition?"

Collins: "Mr. Speaker, for the purpose of a Motion concerning Bills that came out of the Rules Committee today."

Speaker Peters: "Proceed, Sir."

Collins: "I move that the provisions of the posting rule be suspended so that the following Bills can be heard in the following Committees tomorrow. 2116, 2117, 2118, 2119, 2120 and 2122, all in Judiciary II. I believe Representative Pullen has already moved on 2132...34 and 2234. She also moved on 2242, but the...the Assignment Committee has met and has reassigned that to Judiciary II. 2639, Financial Institutions. 2389 has already been subject to Representative Pullen's Motion, as has 2482. 2524, in Executive. 2536, Financial Institutions. 2574, again was Executive. 2599 and 2601 were also Executive, so they were subject to Representative Pullen's Motion. 2628, in Judiciary II. 2639 was subject to Representative Pullen's Motion. 2557, Judiciary II. 2558, Appropriations. And 2156, Transportation. And I would

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move that those Bills...that the posting requirement be waived so that those Bills could be heard in those Committees tomorrow."

Speaker Peters: "The...On that question, Representative Madigan."

Madigan: "Mr. Speaker, I have no objection to the Gentleman's Motion, but I am seeking recognition for another purpose."

Speaker Peters: "You've heard the Gentleman's Motion to suspend the appropriate rule so that the mentioned Bills may be heard in the Committees as assigned and mentioned. The Gentleman asks leave for use of the Attendance Roll Call in suspending the rule. Is there any objection? There being none, so ordered, Mr. Clerk. The Motion is adopted. Further Motions? Representative Wolf. Excuse me. Representative Younge, what was the number of that one you had? Is...is it done? Representative Younge."

Younge: "Representative Tuerk would give the Motion."

Speaker Peters: "All right. Representative Wolf, proceed, Sir."

Wolf, J. J.: "Thank you, Mr. Speaker, Members of the House. Pursuant to Rule 63A, I would move to take from the table and place onto Second Reading, Second Legislative Day, Senate Bill 702."

Speaker Peters: "You have heard the Gentleman's Motion. What is the Motion to take from the table? The Gentleman moves to take from the table House Bill 702 and place on the Order of...Senate Bill 702 and place on the Order of Second Reading, First Legislative Day. Is that the Mo...Second Legislative Day. On that question, Representative O'Connell."

O'Connell: "Mr. Speaker, I would object to the Representative's Motion."

Speaker Peters: "Representative O'Connell."

O'Connell: "I have a question of the Chair, Mr. Speaker."

Speaker Peters: "Proceed."

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O'Connell: "In objecting to that Motion...objecting to that Motion, Mr. Speaker, what is the...is there a requirement, then, that there be a voice...a voice vote or a Roll Call vote on the bringing it back to Second Reading?"

Speaker Peters: "Representative O'Connell, do you object to going to the Order of hearing this Motion? Am I...do I understand you, so we've got the record correct on this? For immediate consideration of Representative Wolf's Motion, is that your objection?"

O'Connell: "I do not object to the immediate consideration of the Motion, Mr. Speaker. If he asks leave to bring it back, I would object to that."

Speaker Peters: "Well, Re...Representative, did...yes, I mean, that...The Chair wants to make sure that we all know what we're doing here. The Gentleman..."

O'Connell: "I would object to this, as well...Mr. Speaker."

Speaker Peters: "Representative Wolf, the Gentleman objects to the consideration, the immediate consideration of your Motion. On that...Representative Vinson, are you seeking recognition?"

Vinson: "Yes. Mr. Speaker, can't Representative Wolf simply put a Motion to immediately consider and have the vote?"

Speaker Peters: "That's...yes, he is entitled to do that. I just wanted to make sure we got the record clear here. Representative O'Connell ob...objects to...to the Motion that you made. Now, Representative Wolf. Representative Wolf."

Wolf, J. J.: "Yes, Mr. Speaker, I was just about, then, to make the Motion, and I believe it requires a Roll Call vote."

Speaker Peters: "What...what's the Motion? The Gentleman moves for the immediate consideration of his Motion to take from the table Senate Bill 702, and return that Bill to the Order of Second Reading, Second Legislative Day. That

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Motion is now properly put. On that question, Representative Tuerk? No?"

Tuerk: "Later."

Speaker Peters: "On that, Representative Zito."

Zito: "Just an inquiry of the Chair. How many votes will this take, Mr. Speaker? It is my understanding it will take 107."

Speaker Peters: "Yes. The...this Motion will take 107 votes, and, assuming this Motion passes, then the next step would be a consideration of the original Motion made by Representative Wolf and objected to by Representative O'Connell. So we know where we're at. Representative Zito, for what purpose do you rise?"

Zito: "Just a parliamentary inquiry. If...If this Motion passes, would this Bill then have to go to Rules Committee before it's put in Second Reading?"

Speaker Peters: "Representative Vinson, for what purpose, Sir?"

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I would argue that the precedent that Speaker Ryan and Speaker Redmond have previously articulated: that you don't speak to the devil until you meet him, is appropriate in this case."

Speaker Peters: "Yes, we'll wait til the dog jumps over the fence or whatever that thing is. We'll answer that question once we get through with the two votes. The fir...The question, now, before the House is on the Motion of Representative Wolf for immediate consideration of his original Motion on Senate Bill 702. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. It will take 107 votes. On this question, Representative Ebbesen, to explain his vote."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would encourage the House to put 107 votes up there

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to...This is a very important legislative proposal. It has...It's a Senate Bill. It has passed the Senate, in their wisdom. It's, as you people know, it's got a little bit of controversy to it. It's not a medical Bill, or an anti-medical Bill or a pro-optometry. It's for the benefit of the health and well-being of the people of this State, and I think it ought to be...I think it ought to be considered. And, as we all know, the deadline is running out. If we give it 107 votes, at least Representative Wolf will have the opportunity to put it on Second Reading, Second Legislative Day, so we can take final action on it by the end of this week."

Speaker Peters: "Further discussion? Have all voted who wish? Have all voted who wish? Last time, have all voted who wish? Take the record, Mr. Clerk. On this question, there are 76 voting 'aye', 58 voting 'nay'. Representative Birkinbine, do you seek recognition? 76 voting 'aye', 58 voting...Representative Richmond votes 'aye'. Representative Turner? I can't see that far, Representative."

Turner: "I'd like to be recorded as 'aye'."

Speaker Peters: "Representative Turner wishes to be recorded as voting 'aye'. Representative Mike Slape, 'aye'. Steczo, 'no'. On this question, there are 79 voting 'aye', 59 voting 'nay', and the Gentleman's Motion is lost. Representative Tuerk, for what purpose do you seek recognition, Sir?"

Tuerk: "Mr. Speaker, for two reasons, a Motion and then a clarification on meetings. But I'll make the Motion first."

Speaker Peters: "Proceed, Sir."

Tuerk: "...To suspend the appropriate rule to have House Bill 1738 heard this afternoon, I think, in Labor and Commerce

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Committee."

Speaker Peters: "You've heard the Gentleman's Motion. Is there objection? Gentleman asks leave for use of the Attendance Roll Call, pass the Motion. Is there objection? There being none, it's so ordered. The roll is suspended. Representative Tuerk."

Tuerk: "Then, on the second count, I...I see, by the hour, it's four o'clock. The two o'clock Committee meetings were scheduled for two. I presume we'll meet at four, thereabouts. And then the four o'clock, will they move ahead to six, or what?"

Speaker Peters: "Representative Tuerk, let's see what other orders we may have here, and then we'll clarify that for everybody. Okay?"

Tuerk: "Thank you."

Speaker Peters: "Thank you. We have, at the podium, a ring with the emblem of the Shrine. So, if someone wants to come to the podium... Representative Madigan, for what purpose do you seek recognition?"

Madigan: "Mr. Speaker, I rise with a point of inquiry. Mr. Speaker, Rule 31, entitled Assignment of Bills, clearly requires that assignments must be placed within three days by the Committee on Assignment, and Section G reads that during Regular or Special Sessions of the House, no Bill may remain within the control of the Committee on Assignment for a period exceeding three Legislative Days. This Subsection can be suspended only upon the affirmative vote of 107 Members. Rule 41A reads that Resolutions, except proposed Constitutional Amendments, and it specifically cites Rule 31's assignment rule, as the rule governing the assignment of Resolutions, it further states that each Resolution assigned to a Committee shall be treated in the same manner as a Bill. Because the above

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House Rules mandate the assignment of all Resolutions by the Committee on Assignments, within three Legislative Days, and since House Resolution 828 has remained with the Committee on Assignments for three days, the rules of this House now mandate that it be immediately assigned a Committee. House Resolution 828 is Sponsored by a very clear Majority of Democrats in the House of Representatives, and it calls upon Governor Thompson to revise his Fiscal Year 1983 budget in accordance with current economic projections."

Speaker Peters: "Representative Madigan, excuse me. Your inquiry of the Chair is..."

Madigan: "When will the Committee on Assignments, in accordance with the rules in this House, assign this Resolution to Committee for hearing?"

Speaker Peters: "The Chair will make that in...that inquiry for you. Represent...the Chairman of the Committee, Representative Collins."

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, in answer to the Majority (sic - Minority) Leader's inquiry, the Committee on Assignment will meet and assign the Resolution referred to as soon as it comes within the...the purview of the Committee. We have yet to receive Resolution 828."

Speaker Peters: "Representative Madigan."

Madigan: "Mr. Speaker, the LIS computer indicates that this Resolution was introduced on April 22...strike that, Sir. It indicates that this Resolution was assigned to the Committee on Assignment on April 22nd. Today is April the 28th. So, Mr. Collins, the LIS computer clearly indicates that this matter is within the purview of your Committee."

Speaker Peters: "Representative Madigan, if you give the Chair a few minutes, we'll get back to that before we adjourn."

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Madigan: "Mr. Speaker, are you saying that we will get a response to this inquiry today?"

Speaker Peters: "The Chair will make a response...Rep...are you...Representative Collins. We have the answer."

Collins: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I would remind the Maj...Minority Leader that the LIS is not the official minutes of the House. And I find it hard to believe that he's not aware of what transpired last Thursday, after adjournment, with the official minutes of the House. The Resolution to which he refers was never read, and we adjourned before it was read by the Clerk of the House. The official minutes of the House would show that 828 was never read, and there was no reference to the Resolution within the minutes of the House. However, sometime after adjournment, somehow and someone tampered with the official minutes of the House, so that these records, the records of this House, were altered to show something that never transpired. Now, if the Minority Leader says he's not aware of this situation, I certainly am ready to accept his word that he wasn't aware of this. But, it's something that he should be made aware of, because someone ordered that the records of this House, the minutes, be tampered with. And somebody altered and forged, within the minutes of the...of this House. This is something that was brought to my attention. I thought that it would be corrected. I am shocked. I...I am really amazed that the Minority Leader would indulge in...in such a maneuver to attempt to bring disfavor upon the Committee on Assignment, when, in fact, someone unbeknownst to me or anyone else, has ordered that the minutes of this House be tampered with, and as I said before, when the Resolution is read in this House, and when they are properly entered upon the minutes of this House; then, when they are properly

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delivered to the Committee on Assignment, we will...we will properly exercise our function and assign it to the proper Committee."

Speaker Peters: "Representative Madigan."

Madigan: "Mr. Speaker, the Reading Requirement is a Constitutional Requirement which relates to Bills, and not to Resolutions. Mr. Collins stated that, for some reason, this matter, House Resolution 828 was not acknowledged by the Clerk as being filed. If that is the case, I would like the Speaker of the House to tell me why the Clerk did not acknowledge the receipt of a Resolution which I filed with the Clerk on that day. And, despite all of these technical considerations, Mr. Speaker, this matter has been filed with the Clerk and I, as the chief Sponsor, request that this matter be referred to the Committee on Assignment if it is not there, and then be assigned, and if it is in the Committee on Assignment, that it be assigned. We have until July 1 to move to a consideration of this Resolution. If those who are responsible for the management of the House of Representatives choose to manipulate the machinery of the House of Representatives in an effort to prevent the consideration of this Resolution by one of our Committees, then so be it. I have a copy of this Resolution. I know the contents of this Resolution, and all of us will hear of this Resolution and hear the contents of this Resolution as we move through the Appropriations process. This Resolution, and the fact that the Fiscal and Economic Commission has revised downward its economic projections will not go away..."

Speaker Peters: "Mr. Madigan. Mr. Madigan..."

Madigan: "...And will be heard by the Members of this House, and by the people of this state."

Speaker Peters: "Yes, Mr. Madigan, the Chair has sufficient food

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for thought on the inquiries made. We will answer your question. For what purpose does the Majority Leader seek recognition? Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House. Last Thursday, the Minority Leader entertained us with a diatribe about law and order and doing what's proper and what's not proper. The Clerk of the House was home absent, ill, on the day in which this error occurred. The Assistant Clerk was in charge that day of the operations of the Clerk's Office, but...in either case, the fact of the matter is, your Resolution was not read, and we want to abide by the rules, and we want to do things properly, as you discussed last Thursday. The Resolution will have to be read on one day when we're in Session, today or whenever the Speaker wishes to call it. It'll be assigned to the proper Committee, and then properly assigned. Now, I know that the Minority Leader wants to abide by law and order, as he said last Thurs...last Thursday, so let's do that."

Speaker Peters: "Representative Cullerton, further inquiry? Representative Madigan."

Madigan: "For sake...for sake of argument, Mr. Speaker, in a response to the Majority Leader, in the event that the Chair determines that House Resolution 828 has not been read within its definition of reading, I hereby request that that matter be read right now."

Speaker Peters: "Well, Representative Madigan, the Chair will indicate to you that this matter will be resolved before we end up leaving for the day, and I would respectfully suggest that a...a suggestion, well meaning and well put by you, demanding that the Chair move to a particular order of business, has to be put in a...other kind of way, and I would suggest that for all our long-range concerns and interests, that we just take a minute or two to reflect

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very quietly and get this situation resolved, find out where the Resolution is at, make the proper inquiry, and get it settled before we leave today, and have less heated tempers, because all of us are going to church tonight. Representative Madigan, further inquiry, Sir?"

Madigan: "Have we been ordered to church tonight?"

Speaker Peters: "No, but that's where I'm going."

Madigan: "I have an addition to make..."

Speaker Peters: "I'm sorry. I didn't hear you, Sir."

Madigan: "I have an additional inquiry to add to the several inquiries that I have submitted to you for transmission to Speaker Ryan."

Speaker Peters: "Proceed, Sir."

Madigan: "And the addition is, very simply, what is he afraid of?"

Speaker Peters: "We'll...I'll add that as a footnote to your statement here. Representative Hoxsey, for what purpose do you seek recognition?"

Hoxsey: "Yes, Mr. Speaker. Leave of the House to table House Bill 1941, now in Counties and Townships Committee."

Speaker Peters: "The Lady asks leave to table House Bill 1941. Is leave granted? Leave is granted. Representative Reilly, for what purpose do you seek recognition?"

Reilly: "The Human Services Subcommittee of the House Appropriation Committee meeting, because of the number of witnesses, has been changed from 122A or B, whichever it was, to the House Floor, and we will meet on the House Floor at 4:00, whenever we officially declare 4:00 to be."

Speaker Peters: "Representative Telcser? Representative Telcser? Would you come to the podium, please? Other business? Is there any other business? All right. Two quick items while we get this settled, here. Committee Reports."

Clerk Leone: "Representative Friedrich, Chairman from the

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Committee on Rules, reported the following Bills were returned on Emergency Bills, pursuant to House Rule 27-C(3), by the Committee on Rules. Action taken April 28, 1982, and placed in the Committee on Assignment. Exempt House Bills 2116, 2117, 2118, 2119, 2120, 2122, 2132, 2134, 2156, 2234, 2242, 2369, 2389, 2482, 2524, 2536, 2557, 2558, 2574, 2599, 2601, 2628, 2639. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, an adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution 76, adopted by the Senate April 28, 1982, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1251 and 1259 passed the Senate April 28, 1982, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, the passage of which I am asked...asked....instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1260, 1274, 1298, and 1330 passed the Senate April 28, 1982, Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit;..."

Speaker Peters: "The Chair would announce to the Members that the

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2:00 Committees, the...the Committees scheduled for 2:00 will meet at 4:30, or immediately after adjournment here. The...4:00 Committees will be scheduled to meet at 5:30. Now, Representative Reilly, if you can figure out how to have a 2:00 and 4:00 Committee meet all at the same time, it's fine with me. Fine, if Representative...if you can figure out how to do that, you're...I mean...the...the Members are advised and the Chairmen are advised to use their ingenuity. Representative Sandquist, for purpose of an inquiry."

Sandquist: "Yes, I'd just like to say, Registration and Regulation...I...I...my understanding, Counties and Townships is in the room before us, and they will not take that full hour, so if you get there before 5:30, we can start and get it done."

Speaker Peters: "Any further announcements? Representative Cullerton, for an announcement?"

Cullerton: "No, I have a question of the Chair."

Speaker Peters: "I...hold the question. Any announcements? Representative DiPrima."

DiPrima: "Yes, Sir, Mr. Speaker, I would like to notify everybody once again..."

Speaker Peters: "Give the Gentleman your attention, please."

DiPrima: "...That on Wednesday, May 5, that's a week from today, at the Sheraton...Sheraton Inn, 3090 Stevenson Drive, the Combined Veterans are having a legislative dinner. Now, what I would like...if you haven't sent in your...for your reservation, give me your name, and this way I can turn the names in."

Speaker Peters: "Further announcements, Representative Hudson."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Notification to all Members of the Higher Education Committee. Now, we are to meet this afternoon in room C-1.

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This meeting will follow on the heels of the Elections Committee, that presumably will be in the same room at 4:30, but I have been assured by their Chairman that it will probably be a short meeting. So, my notice to the Members of the Higher Education Committee is to be on hand at 5:00, let's say, or shortly thereafter, so that we can proceed with our meeting just as soon as possible. Thank you."

Speaker Peters: "Representative Winchester, for an announcement."

Winchester: "Thank you, Mr. Chairman. The Elections Committee will meet at 4:30, immediately upon adjournment, in room C-1. We have only three Bills. If we're there, I think we can hear those Bills within 30 minutes, and then we can be out of...out of Committee, so if all the Members, Democrat and Republican, of Elections Committee will immediately go to C-1, I think we can conduct our business very quickly."

Speaker Peters: "Representative McAuliffe, for an announcement. No? Any further announcements relating to Committees? Now, Reilly, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. We will meet here on the House Floor at 4:30."

Speaker Peters: "The Committee on Education?"

Reilly: "No, no. The House Human Services Appropriation Subcommittee."

Speaker Peters: "4:30 on the House Floor. Representative McAuliffe. For an announcement?"

McAuliffe: "Yeah. Mr. Speaker, Ladies and Gentlemen of the House, I would urge all Members of the House Personnel Pension and Veterans' Affairs Committee to meet at...in room 118 at 5:30 promptly, and I'm sure we'll be out of there by 6:00. We have a short agenda."

Speaker Peters: "Further announcements? None. Now, Representative Cullerton, you had an inquiry, Sir?"

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Cullerton: "Yes, I have an inquiry of the Chair. Mr. Speaker, last Thursday, Representative Telcser had a Bill that was exempted from the Rules Committee before it was read a first time. He informed us last Thursday that that was okay, it didn't have to be read a first time, because it had an LRB number. Now, Representative Madigan has submitted a Resolution that has an LRB number, and the Chair has indicated that it hasn't been read, and that's why it can't go to...Committee on Assignment. Representative Telcser's Bill was exempted from the rules. Representative Telcser's Bill was exempted from the rules."

Speaker Peters: "Excuse me, Representative. Excuse me. Excuse me, Representative. No. I...I...I don't mind you saying what you're saying, but the Chair made no statement as to whether anything was read or not read. The Chair did not make any statements. This Chair."

Cullerton: "The point is, it doesn't have to be read. It doesn't have to be read. Representative Telcser's Bill was exempted from the Rules Committee."

Speaker Peters: "I just want to correct you for the record. This Chair made no statement. Proceed."

Cullerton: "It doesn't have to be read. His Bill...his Bill was introduced and exempted from the Rules Committee before it was even read, all within a matter of hours. Representative Madigan's Bill was put in six days ago, and it hasn't been assigned to a...to the Committee on Assignments yet. And, I think if we use Representative Telcser's explanation that he gave last Thursday, as long as a Bill has an LRB number, then it doesn't have to be read a first time before it can be acted on in Committee."

Speaker Peters: "The...the Chair will take note of your arguments. Any further inquiries, announcements? Representative Telcser, if you would make the Motion and

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then hold it."

Telcser: "And then hold it?"

Speaker Peters: "Yeah, just go ahead."

Telcser: "I was going to first suggest that my colleague, Representative Cullerton, read Rule 31, to which he refers. I'm sure if he read it, he would then retract what he said. He apparently hasn't read the Rule Book. Mr. Speaker, I now move the House adjourn until Thursday, April 29, 4:30 p.m."

Speaker Peters: "All right. Now. Giving the Clerk sufficient time...Mr. Clerk? Giving the Clerk sufficient time, perfunctory time, to read in whatever Committee Reports, First Readings, or Resolutions that may not have been read, and are required to be read; before that, Representative Conti, on Agreed Resolutions."

Clerk Leone: "House Resolution...Senate Joint Resolution 71, Ryan. House Resolution 834, Matijevich - Giorgi. 835, Mulcahey. 838, Barr - Republican Leadership. 839, Van Duynes. 840, Hallock. And 841, Yourell."

Speaker Peters: "You've heard the...you've heard the Agreed Resolutions. Those in favor will signify by saying 'aye'. Opposed? In the opinion of the Chair, the 'ayes' have it and the Resolutions are adopted. First Readings."

Clerk Leone: "House Bill 2644, Collins, a Bill for an Act to add Sections to the Act concerning conveyances. First Reading of the Bill. House Resolution 828, Madigan."

Speaker Peters: "Any other...any other Resolutions?"

Clerk Leone: "House Joint Resolution 82, Hudson - Hallstrom. House Resolution 838, Catania - Sandquist."

Speaker Peters: "Excuse me...excuse me, Mr. Clerk. Representative Getty, for what purpose do you rise?"

Getty: "Well, Mr. Speaker, notwithstanding the colloquy that we have had before about 828, I just want to call your

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attention that the language of the rule is, that when it is read, it should be thereupon sent to the Committee on Assignments."

Speaker Peters: "If you'll..."

Getty: "I just...I just want to be clear that the Chair understands that, and that it's going to be, thereupon, sent to the Committee on Assignments."

Speaker Peters: "The...the Chair is full of grace today, and is well aware of the rules and will make that announcement at the conclusion of the readings by the Clerk. Proceed, Mr. Clerk."

Clerk Leone: "House Resolution 837, Mautino - Olson."

Speaker Peters: "Is that it? Committee on Assignments. Representative Telcser renews his Motion to adjourn until 4:30 p.m. Thursday. Those in favor will signify by saying 'aye'. Opposed? The 'ayes' have it, and the House is adjourned. For those who did not hear, the Chair has indicated that the House is adjourned until 4:30 p.m., Thursday afternoon. 4:30 p.m."