

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

122nd Legislative Day

June 9, 1982

Speaker Ryan: "The House will be in order, and the Members will please be in their seats. The Chaplain for today is Father Eugene Costa from the Cathedral of the Immaculate Conception Church of Springfield, Illinois. Father Costa."

Father Costa: "Let us pray. God, Our Father, you are the source of all wisdom. Fill us with Your wisdom and with all knowledge. Guide us in making decisions that are right and just. May Your peace and Your love rule in our hearts and in our lives. We pray through Christ Our lord. Amen."

Speaker Ryan: "Thank you, Father. We will be led in the Pledge today by Representative Capparelli."

Capparelli: "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. Take the record, Mr. Clerk. With 175 Members answering the Roll, a quorum of the House is present. Representative Brummer, for what purpose do you seek recognition?"

Brummer: "Yes, Mr. Speaker, my name appears as the Sponsor on Senate Bill 1606. That is a very important Bill dealing with unemployment insurance. It could cost the employer or community a loss of federal funds in excess of \$600,000,000 a year. I have been advised that that Bill will not be called in Rules Committee with me as the Sponsor. I do not want to jeopardize the passage of this very important Bill; and therefore, I would ask that my name be removed so that this Bill can move forward and my sponsorship not be a hindrance to the passage of that legislation."

Speaker Ryan: "Do you want to remove yourself as the Sponsor, Representative. Is that what I understand?"

Brummer: "Yes, that is correct."

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Speaker Ryan: "Alright, the record will so indicate. Representative Friedrich, would you come to the podium, please? Committee Reports."

Clerk Leone: "Representative Epton, Chairman from the Committee on Insurance, to which the following Bills or Resolutions were referred, action taken June 9, 1982 and reported the same back with the following recommendations: 'do pass Consent Calendar' Senate Bill 1581. Representative Huskey, Chairman from the Committee on Motor Vehicles, to which the following Bills were referred, action taken June 9, 1982 and reported the same back with the following recommendations: 'do pass' Senate Bill 1558; 'do pass as amended' Senate Bill 1559."

Speaker Ryan: "For purposes of a special introduction, Representative Irv Smith in the Chair."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is with a great deal of pleasure that we introduce our County Fair Queen for 1982 from Springfield, Illinois, Miss Vickie Johnson. Vickie."

Johnson: "Thank you. Good afternoon. It is not often a girl of my age has the opportunity to address the Legislature. For this, I am very honored. Last January, I was selected Miss Illinois County Fair, an opportunity which will allow me to officially welcome county fair enthusiasts throughout the state. This summer I will be traveling throughout Illinois visiting county fairs. Each county fair will influence my life in a special way. More than 4.5 million people attend Illinois county fairs annually, both for the purposes of competition and to simply enjoy themselves. At this time, I would like to extend to you a special invitation to attend the county fair in your district. In your mailbox, we have given each of you a pass with which you will be able to attend any county fair in the state free of charge.

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The Illinois Association of Agricultural Fairs along with the Division of Fairs and Horseracing under the Department of Agriculture and myself wish to thank you for your support in county fairs. Now I would like to say how much I have enjoyed meeting so many of you at the legislative breakfast last March and at the Festival of Festivals just a few weeks ago. I am looking forward to meeting many more of you tonight at the Agriculture barbecue out at the fairgrounds. Don't worry about the rain. The banquet will be held tonight inside the Exhibition Building out at the fairgrounds, so come early and have fun. Thank you."

Oblinger: "A brief word before I introduce our other guest. There are a whole number of you who always say, 'Where do the agricultural premiums funds go?'. This is where they go, and I think you all would agree that Vickie deserves it all. I would like to introduce to you now Mr. Jim Walsh, who is President of the County Fair Association from Carmi, Illinois."

Walsh: "Thank you. Ladies and Gentlemen of the House of Representatives...Hi, Bob. Thank you for letting me appear here today before you. We have a list of all the county fairs in your packet that we have for you, and then we have a brochure that we have in this packet telling you what we do with the money that you appropriate, how many...the attendance that we've had at these fairs, and I think that you will find that interesting. Please accept these passes...or pass as an invitation to attend any and all county fairs in the State of Illinois. Thanks again for your support in the past. Be looking forward to working with you in the future. Thank you."

Oblinger: "Thank you very much."

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

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Smith: "Thank you, Mr. Speaker. I want to note the passing of a great..."

Speaker Ryan: "Just a minute, Representative. Would the Members please be in their seats? And all unauthorized people please leave the floor. Mr. Doorkeeper, there is a lot of commotion on the floor, a lot of people that don't belong here. Let's clear the floor. Proceed, Representative."

Smith: "Thank you, Mr. Speaker. I would like to, at this time, note the passing of a great athlete, a great American, a friend of boys for over 50 years, a hero to many of us. We finally remembered him from the 1948 World Series when the playing manager of that Cleveland Indian Team was Lou Boudreau. It was just a year ago at this time on May 21, that this House passed a Resolution honoring Sachel Paige who, at that time, was Vice President of the Springfield Red Birds. I simply want to put into the record Sachel's rules for the good life, which I think it followed with service all very well, and I shall read them: number one, avoid fried foods, cause it angers up the blood; two, if your stomach disputes you, lay down and passify it with cool thoughts; three, keep the juices flowing by jangling around gently as you move; four, go very light on vices such as carrying on in society. The social ramble just ain't restful. Five, avoid running at all times; and six, don't ever look back. Something may be gaining. Well, we're afraid maybe Sachel did look back, but he lived a good life. And those of us in Springfield and those of us in Illinois are proud of him, and I was very proud to have known him. Thank you."

Speaker Ryan: "Thank you, Representative. On the Calendar... Representative Friedrich, for what purpose do you seek recognition?"

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Friedrich: "Mr. Speaker, we have a Bill that needs to get out of Rules Committee, and I would like to ask for unanimous consent to have a Rules Committee meeting while the Legislature is in Session, and I would like to have that meeting in the Speaker's Office for consideration of Senate Bill 1606 only, and I would like to ask for unanimous consent. I have checked with Representative Getty, and I believe he has no objection."

Speaker Ryan: "Representative Madigan, do you seek recognition on this issue? Madigan."

Madigan: "Mr...Mr. Speaker, could we have just a couple of minutes on that?"

Speaker Ryan: "On Representative Friedrich's Motion?"

Madigan: "On the Gentleman's Motion. Yes."

Speaker Ryan: "Certainly. Representative Madigan, do you seek recognition?"

Madigan: "I have no objection to the Gentleman's Motion."

Speaker Ryan: "The Gentleman from Marion, Representative Friedrich, has asked leave to suspend the appropriate rules to have Senate Bill 1606 heard immediately in the Rules Committee and would also like to have leave to suspend the rules so the Committee can meet immediately in the Speaker's Office. Are there any objections? Hearing none, leave is granted, and the Rules meeting will convene immediately in the Speaker's Office. Is that right, Representative Friedrich? On the Calendar on page three under the Order of Speaker's Table appears House Resolution #18, Representative Davis. Out of the record. House Resolution #71, Representative Telcser. Read the Bill...Resolution."

Clerk Leone: "House Resolution 71 proposes to amend House Rule 54 pertaining to radio, television and photographs."

Speaker Ryan: "Are there any Amendments?"

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Clerk Leone: "Amendment #1, Klemm."

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

Greiman: "Mr. Speaker, I have been requested by the requisite number of Members on the Democratic side for a Democratic Conference immediately."

Speaker Ryan: "I didn't hear you, Representative."

Greiman: "Request for a Democratic Conference, at this point, immediately before the consideration of the pending business."

Speaker Ryan: "Certainly. Representative Madigan, for what purpose do you seek recognition?"

Madigan: "For the same request, Mr. Speaker."

Speaker Ryan: "You want two conferences? Just a minute, we'll get you a room, Representative. 118, Representative. How much time are you going to need?"

Greiman: "Perhaps a half hour to forty-five minutes. Forty-five minutes, probably, Mr. Speaker."

Speaker Ryan: "1:30, is that good enough?"

Greiman: "1:30 would be okay."

Speaker Ryan: "The Democrats will have a con...the Democrats will meet in conference in room 118 immediately, and the House will reconvene. Representative Flinn, for what purpose do you seek recognition?"

Flinn: "Well, I wonder where the anti-ERA Democrats were going to be meeting at?"

Speaker Ryan: "The Democrats have asked for a conference in room 118 immediately. The House will stand in recess till 1:30 this afternoon. The House will be in order. The Members will be in their chairs. All unauthorized people will please leave the floor. On page three...when we left for conference we broke on page three on the Order of Speaker's Table, House Resolution #71. I think you had read an

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Amendment. Is that right, Mr. Clerk?"

Clerk Leone: "Amendment #1, Klemm, amends House Resolution 71 by deleting lines four through 19 on page one and inserting there...in lieu thereof the following."

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

Vinson: "Mr. Speaker, as I read the Resolution under consideration, and as I read the Amendment, it'd seem to me that the Amendment to the Resolution is not germane. It would seem to me that the substance of the Amendment is totally unrelated to the substance...is the Amendment printed or distributed, Mr. Speaker?"

Speaker Ryan: "Has the Amendment been printed and distributed? No, it has not, Representative."

Vinson: "Well, then I'll withdraw my objection on that and..."

Speaker Ryan: "It was just filed. It was just filed. Pardon?"

Vinson: "I'll withdraw my objection on germaneness for this point, and just make that objection. It can't be considered if it's not printed and distributed on the Members' desks."

Speaker Ryan: "Representative Telcser."

Telcser: "Well, Mr. Speaker, will you take that out of the record then, since it hasn't been printed or distributed?"

Speaker Ryan: "House Resolution 71, out of the record. House Resolution 72, Representative Telcser."

Clerk Leone: "House Resolution 72 proposes to add House Rule 32.1, State Mandates."

Speaker Ryan: "Is there any Amendments?"

Clerk Leone: "Amendment #1, Currie, amends House Resolution 72 by inserting after the last line of the Resolution the following."

Speaker Ryan: "The Lady from Cook, Representative Currie, on Amendment #1."

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

Amendment #1 to House Resolution 72 is the...the rules change that all of us have been waiting for, those of us who support the Equal Rights Amendment, and those of us who don't, particularly those of us who believe that there ought to be appropriate, responsible and reasonable procedures for ratifying Federal Constitutional Amendments in the State of Illinois, have been looking forward to this opportunity for well more than a year and a half during the 82nd General Assembly. My Amendment would provide that the...that the vote requirement in this House for Federal Constitutional Amendments, not for State Constitutional Amendments, but for Federal Constitutional Amendments, would be a Constitutional Majority, 89 Members, the Majority of those elected to the House rather than the 107 that is provided in the temporary rules. It is fairly clear from any study of constitutional amending procedures that, although there is some language in the Illinois State Constitution about appropriate requirements for ratifications of Federal Amendments, that language is deliberately phrased so that to the extent that it is in conflict with the federal amending procedure, it should not apply. Court rulings in the case of Dyer versus Blair, and Attorney General opinions make it absolutely clear that a State Constitution is no place for the decision what kind of Majority is appropriate for amending Federal Constitutional Amendments. That is why this rule...proposal is before us today. Illinois managed very well, and so did the United States Constitution, during the first 100 years of this state when either a simple or a Constitutional Majority requirement was in place. The 107, three-fifths rule came in in 1972. It is a rule that has stood in the way, an obstacle to ratification to a

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particular Constitutional Amendment, the Equal Rights Amendment. It has no place in the state, and it has no place when it comes to the question what kinds of procedures are appropriate. I am opposed to hasty, whimsical change in the basic document of governance that is the United States Constitution. I am sure that everybody in this chamber would agree, but I would strongly argue that a Constitutional Majority requirement in the State of Illinois is exactly the kind of requirement that would bar hasty, whimsical change, and yet hold open the possibility that there could ever, someday, be any Amendment in the basic document that is the United States Constitution at all. Only a handful of states have any kind of extraordinary Majority requirement, five in number. Ours is almost the most stringent of these. If Illinois' three-fifths rule had been in effect in 1789 when the Constitution was first adopted, the 13 colonies would never have ratified that document. We would never have had a Constitution to worry about amending today. If all of the states in this Union adopted our procedures for ratifying Federal Constitutional Amendments, the possibility of any Amendment to that document, I think, would go out the window. There will be those who, looking to the farthest ranges of 1982 in the State of Illinois, would say, 'Fine'. I think the founding fathers, the framers of the United States Constitution were right and showed foresight when they recognized that there should be the possibility of Amendment in that document, when they created a process for constitutional change. I am glad there was a chance to adopt the first ten Amendments to the Constitution to insure freedom of speech, to insure freedom of religion. I am delighted there was an opportunity to adopt the 14th, 15th and 16th Amendments and thus end slavery. I am

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grateful that there was an opportunity in this country to give women the right to vote, and I am not prepared, as a matter of procedure, to think that we here, in 1982, should be deciding that the way to amend the Constitution, if adopted, generally would prevent any kind of possibility...I'm sorry, 13th, 14th and 15th...any kind of possibility of federal constitutional change. The Governor yesterday, when he gave us his...his reasons for not explaining to us where he stands on the rules changed, talked, in a sense, out of several sides of his mouth. He said the merits of the Equal Rights Amendment should not determine procedures for ratifying Federal Constitutional Amendments. I would agree with him. I think the issue of the procedure for ratification is separate and should be separated from the issue of whatever Amendment is on the table. I am a supporter of the Equal Rights Amendment, but I am a supporter of sensible, reasonable amending processes for the Federal Constitution, and I will...I am urging this House to adopt Amendment #1 to House Resolution 72 today, and I am here to say that whatever Amendment is before this House any time that I serve as a Representative of the people who sent me here, I will continue to support this principle, a Democratic principle, a principle that is about Majority rule, a principle that invokes the potential for constitutional change; and yet, given the requirements in the Federal Congress and the requirements for three-quarters of the states across the nation must adopt a constitutional change, protects that document from hasty, unreasonable, not-well-thought-through proposals. So I would move adoption of Amendment #1 to House Resolution 72."

Speaker Ryan: "Is there any discussion? Representative Vinson."

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

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House. Resolution 72 is a Resolution which would add to the temporary rules of the House a provision regarding the State Mandates Act. Representative Currie's Amendment #1 to the Resolution deals with something in Rule 42 totally unrelated to State Mandates or to anything else in Rule 32. And for those reasons, I would ask you to rule that her Amendment to the Resolution is non-germane."

Speaker Ryan: "I will give you that ruling in a...in a little bit here, Representative Vinson, as soon as the Parliamentarian checks it out. And while he is checking it out, Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I rise in support of this Amendment. Whether you support the Equal Rights Amendment or not, you ought to support this Amendment. But certainly you should if you support the Equal Rights Amendment, because it is now being used as a tool to defeat the Equal Rights Amendment to require this extraordinary three-fifths Majority. As Representative Currie pointed out, the Illinois Supreme Court, excuse me, the Federal District Court, in Dyer versus Blair, said that the three-fifths requirement in our Illinois Constitution is not valid when it is used to apply to Amendments to the United States Constitution. It is entirely appropriate that the Illinois Constitution requires a three-fifths Majority to change the Illinois Constitution. Nobody says it should be easy to change Constitutions. However, the extraordinary Majority requirements are built in, were very carefully built in by the drafters of the United States Constitution. And Thomas Jefferson, in commenting on that, said, 'When an extraordinary Majority is expected, we say that it is expected; and in all other cases, a simple Majority is required'. And the United States Constitution says that when Amendments are being considered to that

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Constitution, two-thirds of the Members of the United States House of Representatives, two-thirds of the Members of the United States Senate must approve the proposed Amendment before it can even be submitted to the states. And then three-fourths of the states must approve it before it can become part of the United States Constitution, period. Thomas Jefferson said that when it is not specified, a simple Majority is expected. And it is very clear that it never entered the minds of the drafters of the United States Constitution that any state, given this impressive, important federal power, would dare to impose anything more than some kind of simple Majority on the process. And, in fact, that is our history in Illinois, using some kind of simple Majority. Sometimes, it has not even been as much as the simple Constitutional Majority that we are asking for in this Amendment, the Constitutional Majority of those elected. On the 20th Amendment to the United States Constitution, the Illinois House ratified, on a voice vote - it was a Majority in the opinion of the Speaker who was in the Chair at the time - and some of the other Amendments have been ratified by a simple Majority of those voting. So this is the history of Illinois, the history of our country that the simple Majority is all that is required to ratify Federal Constitutional Amendments. That is what this Amendment would do that we are considering right now, and I ask for your support."

Speaker Ryan: "Is there further discussion? Representative Deuster. Representative John Dunn, the Gentleman from Macon."

Dunn: "Thank you, Mr. Speaker. I certainly wouldn't want to presume what the ruling of the Chair would be, but I am curious, just in the event the Amendment is ruled out of

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order or not germane, when can we expect an opportunity to vote on the question of whether a simple Majority or an extraordinary Majority is required to ratify Federal Constitutional Amendments, and when can we expect a vote in this Chamber on the Equal Rights Amendment itself?"

Speaker Ryan: "The Gentleman from DuPage, Representative Hudson."

Hudson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It seems to me that some, at least, of what we have heard to date about the three-fifths Majority rule simply flies in the face of fact, as best we can adjudge it. I would suggest, from my readings, that no court has ever ruled that the three-fifths provision is unconstitutional. In Dyer versus Blair, Judge John Paul Stevens, who now sits on the U.S. Supreme Court, stated that, and I quote, 'If the framers of the U.S. Constitution had intended to require the State Legislators to act by simple Majority, we think they would have said so explicitly. We find no principled reason for holding that a simple Majority, rather than any of the super Majority hybrids that have emerged since Article V was adopted, is the one mandated by the U.S. Constitution'. Now, it seems to me, Ladies and Gentlemen of the House, that contained in those words is the substance of this matter. If, indeed, we do agree, as a result of that case, that it is up to the Chamber here to set its own rules in this regard, I can find no real prevailing argument that comes down on the side of reducing this requirement to a simple Majority. The facts simply do not support that contention, even using the case that the proponents of a simple Majority like to use. It has always seemed to me that the framers of the Constitution recognized the necessity of an extra Majority vote when it came to amending the Constitution of the United States; and in so recognizing that, they provided several provisions.

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After all, it takes a two-thirds vote in Congress to put an Amendment of this kind out to the people for ratification. It requires three-fourths of the states - which certainly is a super Majority vote - three-fourths of the states to ratify an Amendment to the Constitution. We recognize this when we're amending our own State Constitution, we require a super Majority vote. And if we were to go through the statutes, we would find, in case after case, requirements recommending a super Majority, and always with the presumption that those were necessary, in certain situations, to protect the people against capricious and arbitrary...arbitrary change: change made perhaps without due consideration; change made in haste which, of course, we can hardly argue to be the case after ten years in this situation. But those are the reasons roughly. It has always seemed to me that the State of Illinois and our Legislature is completely within its bound of reason to sustain its three-fifths rule, and I would urge and I would suggest that...I think if we're all honest here and search our consciences, we will find that the reason the pressures are now being exerted to drop this requirement to a simple Majority is this particular measure. I have told my friends who have asked me that I don't care what the measure is that would seek to amend our federal charter. It matters not to me whether it is an Amendment pertaining to abortion, which I have supported; whether it is an Amendment calling for a balanced budget, which I have supported. I care not what the Amendment is, but as a matter of principle, I deeply believe that our citizens should be guarded against, as I have said before, unwise perhaps, hasty or capricious change when it comes to that sacred document, the Federal Constitution of the United States. I would urge that each and every one of you search

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your consciences on this matter and prepare yourselves to uphold the three-fifths rule, which I think is a protection for our citizens, many of whom are crying to us, and they are pleading with us to preserve the protections of which I speak. So I will close, Ladies and Gentlemen and my colleagues all, for whom I have the greatest respect, simply to think this matter over carefully and ponder it. Because if we drop this to a simple Majority, I assure you we're setting a precedent that we may well regret in the days to come. So, my friends, I urge you from the depth of my heart to consider it carefully and to resist any change in the direction of a simple Majority rule on this or any other issue that affects our Federal or State Constitution. I thank you."

Speaker Ryan: "The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to point out on the germaneness question, while you're still considering it, that the way we're doing business this year is really quite unusual. If you look on page three, you see many Motions relating to the rules. What you do not find is a Motion that embodies all the rules, which is the common way in which rules have been adopted by this chamber in the past. I suggest that the reason that..."

Speaker Ryan: "Just a minute, Representative. Representative Birkinbine, for what purpose do you seek recognition?"

Birkinbine: "Thank you, Mr. Speaker. I think Representative Bowman is not speaking to the Amendment. He's speaking to rules in general."

Speaker Ryan: "Your point is well taken. Proceed, Representative."

Bowman: "Mr. Speaker, I am addressing you, Sir, and if the rest of the Body wishes to listen in, that is fine. I am

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suggesting how you ought to rule in this matter; and if you are interested, I would be happy to continue. I would submit that the reason that we are considering here over a dozen Amendments to the temporary rules rather than a single rules Resolution embodying all the rules, is precisely because there was, at one time, an effort to tr...an idea that the Equal Rights Amendment Rule might be thwarted in this way. I might, then, give rise to just the sort of question that was raised by the Gentlemen from DeWitt. I would submit, Sir, that under these circumstances, in keeping with the tradition of the House, the common law tradition of the House, if you will, that this Amendment is indeed germane. It does, in fact, amend the rules, and the rules are precisely what we are considering. I would not be making this point if we were talking about HR 18, Representative Davis' Resolution, which creates the Statewide Building Code Committee, or HR 113 which calls for the Department of Children and Family Services to review the state's child care services or so forth. Clearly, under those circumstances, such Amendment would be non-germane. But the question before the House is, 'What will be the permanent rules of the House?'. This is the only opportunity, the only option that we have, we who are interested in this particular rule have. And I would urge, Mr. Speaker, that in the interest of fairness and the considering the traditions of the House, that it is perfectly within the spirit of the rules that we are...that this Amendment is being offered to the Motion by Representative Telcser regarding House Resolution 72. I urge you to rule it germane."

Speaker Ryan: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Will the Sponsor of the Amendment yield to a

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question?"

Speaker Ryan: "Representative Currie, will you yield?"

Currie: "Yes."

Speaker Ryan: "She indicates that she will."

Leinenweber: "Does your Amendment, which I do not have a copy of, limit the requirement for ratification of a Constitutional Majority just to ratification, or does it also include applications to Congress for Federal Constitutional Conventions?"

Currie: "Let me read it to you, Representative Leinenweber. 'No Constitutional Amendment Resolution shall pass, except upon an affirmative vote of 107 Members'. Now comes the added language, 'Except a Resolution to ratify a proposed Amendment to the United States Constitution, which shall pass upon an affirmative vote of 89 Members'."

Leinenweber: "Then it is your intention to retain the extraordinary three-fifths requirement for applications to Congress to convene a Constitutional Convention and only to reduce the requirement in those instances where the Legislature is to ratify proposed Amendments. Is that correct?"

Currie: "Representative, I don't believe that the two different procedures for amending the Federal Constitution are identified in our present rule. They are not identified."

Leinenweber: "No, because the...another rule, I believe, provides that applications and ratifications are to be done by Constitutional Amendment Resolution, which includes both types, and both applications for a Constitutional Convention and ratification are both specified in Article V of the United States Constitution; and, the three-fifths requirement was extended to both applications and ratifications in Article IV of...or Section 4 of Article XIV. So it is your intention not to change the

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requirement, then, for the applications?"

Currie: "Indeed. This proposal is to change the requirement for purposes of ratifying Amendments that have propo...been proposed by Congress to the states to the United States Constitution."

Leinenweber: "What is your rationale for having different vote requirements for applications for a Constitutional Convention?"

Currie: "Representative Leinenweber, I wasn't addressing the issue of applications, in part, because we have never had an experience under the 1789 Constitution with that particular method of Constitutional change. The Amendments that are presently before this Legislature, and the Amendments that have been traditionally before this Legislature have been those that have come to us from...from Congress."

Leinenweber: "I would think..."

Currie: "And it was that procedure I had in mind when I offered this rule-change Resolution."

Leinenweber: "I would beg to differ with you. I personally, along with Representative Bradley, were Sponsors of a Constitutional Amendment Joint Resolution that received, I believe, 98 or 99 votes and was declared not passed on the basis of...it did not receive the three-fifths. So, we have had experience and the same unsuccessful experience as the proponents of the Equal Rights Amendment. Mr. Speaker, if I might, I would like to address the particular Amendment. I'd like to clarify, at least, what I feel to be some inaccurate statements which have been made, particularly concerning the case in the Federal District Court of Dyer versus Blair, which has been cited as authority that our provision, Section 4 of Article XIV, is unconstitutional. I would point out that I have read that

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decision, and the Court specifically refused to issue a declaratory judgment finding Section 4 of Article XIV unconstitutional because of the fact that, in that Court's judgment, such a judgment would be merely advisory in character and beyond the Court's power to enter. So, there is no court decision that you can look to which specifically holds Section 4 of Article XIV unconstitutional. In spite of what you may have read or heard on several occasions, the Court specifically refused to so declare that provision unconstitutional. The next point I would like to address is, again, the case involving Tennessee constitutional requirement of a referendum...the popular referendum to ratify a Constit...proposed Constitutional Amendment has been cited as an authority saying that our three-fifths requirement is, therefore, unconstitutional and void. The Supreme Court, in that particular case, did hold a referendum invalid as ratification procedure because of the expressed wording of the Constitution of the United States, which specifically delegates ratification to State Legislatures or conventions in states, depending on which way Congress has opted, which, in the particular instance before us, was by ratification of the State Legislature. So, it is not within the power of the people, when drafting a State Constitution, to take from the Legislature the power to ratify. It is, however, and I think even the Dyer versus Blair case, although they did in certain language indicate they did not feel that the provision was valid, it did, however, definitely talk about the difference between the procedures. Now, there are certain procedures that the state can specify that the Legislature must follow when it does business. Now...So, the question becomes whether or not the vote requirement's procedural or substantive.

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Well, it is pretty clear, I think, if you know the difference between substance and procedure, that the substance is what you're talking about. That is the subject of ratification. The procedure is how a state goes about doing it. In our Constitution there are six or seven provisions which, I think everybody would agree, govern this Body when it debates the issue of ratification. There is a constitutional requirement of a quorum to be present for us to do business at all. There are Journal and transcript requirements when we do business. We convene on a date specified in the Constitution and continue to sit based upon that date. We have extended in the Constitution the power of the Governor to call a Special Session which could, among other things, consider the subject of ratification. We require our Sessions to be open to the public, except for extraordinary reasons. We also require or permit five Members of this Body to demand a Roll Call vote on such a thing as the Equal Rights Amendment, too. So these things are all specified in our Constitution as governing our procedures, no matter what the subject is, which would include ratification. So, it seems to me quite clear that, if the issue ever did reach the Supreme Court, that the Supreme Court would hold that a state does have the power of the Constitution...the people, when they draft their Constitution, do have the power to specify the procedures to be utilized in doing the task of ratification. The issue was discussed on the floor in the Constitutional Convention. The specific question as to the legality of the three-fifths was debated, and it was the opinion of the Committee that drafted Article IV, after considering the issue, that the extraordinary requirement of three-fifths was, indeed, constitutional and proper. They specifically wrote that into the Constitution because

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of the testimony of a State Legislator who pointed out that there was nothing in the Constitution of 1870 which would have required even more than a simple Majority of those voting on the issue being less than even possibly a quorum. So, they debated the issue. They discussed it. They wrote it in the Constitution. The people voted on it. We have taken an oath to abide by the Constitution of 1970. It is not a certainty that this provision is unconstitutional. I think, without definitive court declarations, we risk going against our oaths when we...if we went to vote for anything less than the three-fifths required by our Art...or Section 4 of Article XIV. I do resent, along with the Governor and many other of us, who have been accused of being against the Equal Rights Amendment because we refuse to go along with reducing the vote requirements for ratification of Constitutional Amendments. Now I suggest to you, you may not...those of you who, along with me, intend to support the Equal Rights Amendment, you may not agree with all of the Amendments that come down the pike later on. This was put in here by the Constitutional Convention, after debate, precisely so that Amendments would not be easily ratified. Now, the people chose this route. We're stuck with it; and, until an Amendment to the Constitution of 1970, the Illinois Amendment reducing that requirement, I feel that all of us should abide by our oaths and follow the requirements of Section 4 of Article XIV, which specifies a three-fifths of those elected to this Body."

Speaker Ryan: "Further discussion? The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker, I am in somewhat of a quandry. Poi...this is a point of information. Wonder if you could help me out. If you have the intention of declaring this non-germane, I certainly would like to ask for the

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opportunity to speak at this point. But if, on the other hand, you're determination is that it is going to be germane, I would like to wait and have an opportunity to explain my vote. I really appreciate the fact that you are giving such deep thought to this particular matter before us. I am glad that you consider it of import. But, I am just wondering if you can't give me a little hint so that I would know whether I'd like to request request recognition to speak on the Motion or not."

Speaker Ryan: "Certainly, Representative. I'd be delighted to give you a response. The Parliamentarian has now given me what he thinks is the answer to the question, and I would be more than delighted to take you out of your quandry and straightened out your mind so you're not confused anymore. It would be a pleasure, as a matter of fact, and I've got a couple other issues I'd like to do that on, too. House Resolution 72 relates to the subject matter of State Mandates, and the subject matter of the Amendment #1 to House Resolution #72 relates to the number of votes required for passage of a Federal Constitutional Amendment. Therefore, pursuant to House Rule #34 (D) on Amendments, the Amendment is not germane, and the Chair so rules. And...So Representative Vinson's point is well taken, Representative Chapman. Now, did you care to...I think maybe I ought to call on Representative Currie, inasmuch as it is her Amendment, so she can start the discussion on the germane question. Representative Currie. Unless Representative Madigan seeks...No? Okay. Representative Currie."

Currie: "Mr. Speaker, I don't...certainly don't share your...your...I would not agree with your ruling in any way, shape or form, but I would ask you at this point, Mr. Speaker, when are we going to have a chance to have a vote

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on Majority rule?"

Speaker Ryan: "Well, we can finish this question, Representative. Of course, there is always relief at your disposal if you don't...if you're not happy with the ruling of the Chair. There is a manner in which you can take that under consideration."

Currie: "Mr. Speaker, I would have hoped that by this time in the Session we could have dealt with the issue of rules for this General Assembly and have the ordinary opportunities, as Members of this House, to offer Amendments on Second Reading to any kind of rules proposal that you would care to make. You have denied us that opportunity. You deny it again today, as you have ever since the Session began January 10, 1981. I am asking you when I am going to have a chance to vote on an issue that I think critical, not only because I support ratification of the Equal Rights Amendment, but because I support responsible procedures for ratification of Federal Constitutional Amendments in the State of Illinois. That prerogative, the prerogative to vote on this issue belongs to me as a Member, sent here by the people in my district, to represent them adequately. There is no question that the present rule is inadequate, unresponsive and irresponsible. I am asking you, Mr. Speaker, - I wish Mr. Governor were here again today - when we are going to have a chance to vote on that issue."

Speaker Ryan: "Well, Representative...a little order. Order in the chamber, or you will be dismissed from the chamber. There will be no demonstrations from the gallery whatsoever. Representative Currie, you have asked for a vote on this Amendment and presented it to this chamber. So if we can take one thing at a time, we'll be glad to do that. Representative Hanahan, what purpose do you seek recognition?"

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Hanahan: "Well, Mr. Speaker, I am tired of the hypocrisy that I see going around here. People want to vote on this issue, and I would like to give them that opportunity. And in making a Motion to give the opportunity to these people that think they have the Majority vote, I'll give them that opportunity right here and now by moving to override the ruling of the Chair. But first I would like to say, Mr. Speaker, that...that I am happy with the rules. I am going to vote against my own Motion. I want everyone in this House to know that I am tired of listening to all the con games that are going on on this issue. So, Mr. Speaker, to stop all of this, I would like to first explain that as a Democratic Member of this House, I am very happy with the rules of this House. After all, it was a Democratic Speaker and a Democratic Majority that adopted these rules. We're working under Democratic rules, not Republican Rules, nothing that we didn't adopt. I am sick and tired of listening to my colleagues saying that somehow, these rules aren't good. These rules were good enough for Redmond. They were good enough for Madigan. They were good enough for Chapman, and they are good enough for me. I'm happy with the rules. But to stop all that crap, I'd just like to have the Speaker and the Members have an opportunity to vote on this issue on overriding the ruling of the Chair, and I so move, Mr. Speaker."

Speaker Ryan: "The Gentleman has moved to overrule the ruling of the Chair in matters of germaneness. Representative Madigan, for what purpose do you seek recognition?"

Madigan: "Mr. Speaker, to point out to you that Representative Chapman's name was used in debate and that she is seeking your recognition."

Speaker Ryan: "Oh, I see her light is on now, Representative. Representative Chapman."

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Chapman: "Mr...Mr. Speaker, thank you very much for recognizing me. My respected colleague from the County of McHenry mentioned my name in debate. He said that these rules suited me. Nothing is farther from the case. These rules do not suit me. Everyday during this Session, and as a matter fact, up until we were successful in 1975 to put on 113 votes for the ERA, every single Session I've worked to change these unfair rules, these unfair, unacceptable rules. Never before in the history of our state have we asked for an extraordinary Majority to approve an Amendment to the United States Constitution. Probably never again in the history of our state will there be a requirement that an extraordinary Majority vote to approve an Amendment to the United States Constitution. Again and again I hear people like the Gentleman from McHenry talking about putting women on pedestals. All I ask, my honored colleague from McHenry, all I ask of you is that you put women on the same level with you and do not make extraordinary requests. All we ask is a chance for Majority rule. Everytime we voted on the Equal Rights Amendment in this Legislature in both the House and the Senate, a Majority have voted for the ERA. It is simply that a higher hurdle has been set for women in this state than has been set on any other issue. So, if my respected colleague from the County of McHenry were listening, he might hear, for the first time, that what women want is a fair chance. We're not asking for privilege. We're asking for equal opportunity. We're asking for a Majority vote. And my request of you, Mr. Speaker, is when will you give us the chance to vote for the Majority to decide on this critical issue to every citizen in this nation?"

Speaker Ryan: "On the issue, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. I take..."

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Speaker Ryan: "On the question of germaneness now...I mean the Gentleman...or on the overruling of the Chair. That's the Motion that is before the chamber."

Klemm: "Alright, I want to thank you, at least, for at least having these rules called so that we can discuss them. And on the question that we're talking about, Mr. Speaker, I have introduced a Resolution, 976, that addresses both these changes and the question of the Majority rule. I was just wondering if this would be called in the Rules Committee for their discussion, Sir."

Speaker Ryan: "You'll have to check with the Rules Chairman. I'm not sure. Representative Bullock, what is your point?"

Bullock: "Inquiry of the Chair."

Speaker Ryan: "Proceed."

Bullock: "Mr. Speaker, I heard a former labor leader make a remark a few minutes ago that he is going to put forth a Motion, and that he intends to vote against the Motion. And I was wondering if the Speaker could enlighten me and others if the Gentleman's Motion is in order in light of his pronounced opposition to the very Motion that he purports?"

Speaker Ryan: "Yes, it is, Representative."

Bullock: "Could I speak to the Motion?"

Speaker Ryan: "You can speak to the Motion. Right. Proceed."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, it is not often that I disagree with a colleague of mine in the labor union. I think labor has spoken on this issue, and I would beg of my colleague, Representative Hanahan, who I have known to be fair. And he is talking to my colleague, Representative Giorgi, who I have known to be fair. I would beg of him to withdraw his Motion, to withdraw his Motion both in deference to this House so we can address the seriousness of the issue. I would beg of

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him to withdraw the Motion in deference to the people who believe very sincerely in the issue; for I believe that if he persists in the Motion which, in my estimation, is dilatory, that he will, in fact, have made a mockery. And I hope, Representative Hanahan, that this is not your intent to make mockery of this issue. I would hope that he would seriously consider withdrawing the Motion, because, obviously, there are those of us who believe very strongly on both sides of the issue. And I think for a Member of this House to propose such a sweeping Motion consistent with his pre-stated opposition to it, can only serve as a mockery of the issue, and I think the issue deserves a greater consideration than will be afforded it if this Motion is allowed to persist. And I would call upon him to withdraw the Motion."

Speaker Ryan: "The Gentleman from Cook, Representative Barr."

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It was with great interest that I listened to the Gentleman from McHenry a moment ago as he explained that these rules, for which those of us on this side of the aisle and our Party has been greatly criticized in recent days, are, in fact, the rules promulgated and perpetuated by the Democratic Party. And, Mr. Speaker, that confirmed me in the justice of my position which is that this rule ought to be changed. I was glad to hear that; and when this rule is before us for a vote on the merits, I certainly intend to vote to change this rule, because I think that is the proper position, that this rule should be changed for reasons that other speakers have well presented to us, and I'll urge others to join me in that. I also think, Mr. Speaker, that it is very important that the Members of this House, all the Members of this House, be presented with an opportunity to vote on the rules. And I am not going to

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get into a discussion of all the rules, but I think that that is something that we were elected by our constituents to do that we represent our districts here in this House, and that it is extremely important that we be given the opportunity to vote, not on Motions to overrule the Chair or other procedural devices, but to vote in a straightforward manner on Resolutions presented to us with regard to the rules, and that the Members of this House have an opportunity to vote directly, yes or no, on whether this particular rule, and perhaps other rules as well, should remain as they are in the temporary rules or whether they should be changed. And, Mr. Speaker, I urge you, I urge you, Mr. Speaker, to present to this House and give it an opportunity, at an appropriate time, to take that action and to vote squarely on Resolutions pertaining to these rules."

Speaker Ryan: "Representative Satterthwaite, the Lady from Champaign, on the Motion."

Satterthwaite: "Mr. Speaker, it has been some time since this Resolution first went on the Calendar, and I wonder if you would answer a parliamentary inquiry for me. Is it my understanding that this Resolution, the main Resolution #72, purporting to simply amend the temporary rules under which the House has been operating?"

Speaker Ryan: "What's your question, Representative?"

Satterthwaite: "The question is, do I understand that House Resolution 72 seeks simply to amend the temporary rules under which we have been operating?"

Speaker Ryan: "This is a Resolution in and of itself, Representative, House Resolution 72, that states a new rule for State Mandates."

Satterthwaite: "Adds an Amendment to the temporary rules under which the House has been operating since January of 1981."

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Right?"

Speaker Ryan: "It's an additional rule to the rules of the House, Representative."

Satterthwaite: "To the temporary rules."

Speaker Ryan: "Well, that's right. We've operated under temporary rules."

Satterthwaite: "Under which we have been operating."

Speaker Ryan: "Obviously that is right, since we don't have permanent rules. That is true."

Satterthwaite: "Then, Mr. Speaker, I reiterate the question as to when we will be able to vote on permanent rules under which the House should have been operating since January of last year. Will we be provided with a mechanism coming from the Rules Committee, I would hope, with a suggestion for how we will operate for the remainder of this Session?"

Speaker Ryan: "Well, Representative, in answer to your question, I guess, and several that have preceded you, the normal procedure and the opportunity to...for you to vote on that question will be, I guess, when it comes out of the Rules Committee. That question was put to the Rules Committee, failed to come out of the Rules Committee; and therefore, is not on the floor. And we've had that opportunity, and I suppose when and if it comes out of the Rules Committee, you'll have the opportunity to vote on it. Now, that is not the question before the House at this time. We're on a Motion to table by Representative Hanahan, and I wish you would confine your remarks to that, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I simply asked for a parliamentary inquiry for clarification as to the status of the main Resolution that is before us at this point. I think it is indicative, however, of the hard rule under which all of us have been operating this Session,

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where the Rules Committee has chosen to bring out only very partisan kinds of issues, only those issues in which the Speaker has agreement with a few Members of his Party, and the rest of the Members of this House have had to live under that tyranny for the past 18 months. It has been evident, in many ways, on the House floor that it depended on the Party of a person who was sponsoring a Bill as to whether or not the Rules Committee would choose to let a Bill out as an emergency measure this year. And, once again, we are finding that this same Rules Committee is operating in a very heavy-handed fashion to deprive the Membership of the House of an opportunity to vote on permanent rules for operation."

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

Hanahan: "Mr. Speaker, point of order. I made a Motion, and, you know, we're going through a lot of dialogue about other things in this Motion. I wish the persons who want to debate don't debate the issue of ERA and debate all the other questions and answers, but stay to the Motion of overriding the ruling of the Chair which I made."

Speaker Ryan: "Your point is well taken, Representative Hanahan. Representative Giorgi, do you seek recognition on a point of order?"

Giorgi: "Yes, Mr. Speaker."

Speaker Ryan: "Proceed, Representative."

Giorgi: "Inasmuch as we're operating under the temporary rules, I am going to steal an idea from my seat mate. Read your temporary Rule 70 and tell me if his Motion is in order."

Speaker Ryan: "I didn't understand you, Representative."

Giorgi: "Read your temporary rule of two years, #70, and see if his Motion is in order."

Speaker Ryan: "We've already stated it was in order."

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Giorgi: "Read your...read the rule...Mr. Speaker, Rule 70..."

Speaker Ryan: "I made the decision, Representative. The Motion is in order. I mean,..."

Giorgi: "Read the appeal in Rule 70, Mr. Speaker. That is not the point. Will you please consult your temporary rules, Mr. Speaker, or shall I read it to you?"

Speaker Ryan: "Pardon...what is your point, Representative, I mean..."

Giorgi: "Alright, Mr. Speaker, Rule #70 says, 'Any six Members may move an appeal from any rule of the Chair'."

Speaker Ryan: "Are you saying the Gentleman needs six Members?"

Giorgi: "Well, I'd say that his appeal is in or...not in order, because it was made singly by himself."

Speaker Ryan: "Well, I am sure that he must have six other Members that will join him, Representative."

Giorgi: "Put them in the record."

Speaker Ryan: "They're here."

Giorgi: "Put them in the record, Mr. Clerk."

Speaker Ryan: "Put them in the record, Mr. Clerk. Stand up and be accounted for. Huskey, Vinson, Boucek, Piel, Ewing, Hudson, Dunn, McMaster. Is that enough? Cullerton, Matijevich...no? Oh, I thought that's what you fellows were talking about. Alright. Alright, is there any further discussion on the Motion? Representative Catania."

Catania: "Thank you, Mr...thank you, Mr. Speaker, it is Catania."

Speaker Ryan: "Representative Dunn, did you wish to interrupt Representative Catania on a point of some kind?"

Dunn: "Point of personal privilege, Mr. Speaker. You have indicated that Representative Dunn joins Representative Hanahan in his Motion. There are three Duns who are Members of this chamber. I am Representative John F. Dunn, and I do not join Representative Hanahan in his Motion."

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Speaker Ryan: "The record will so indicate, Representative. John Dunn is not a part of this program. Representative Catania, continue."

Catania: "Thank you, Mr. Speaker and Members of the House. What has become very clear in the last 15 minutes or so is that a lot of people on this House floor do not regard the issue that we are talking about, the Equal Rights Amendment and the means of its ratification, very seriously. There is still time, Mr. Speaker, for you to keep the promise that you made to 17 Republican women who voted for you for Speaker that you would be fair in your use of the gavel, in your treatment of the Equal Rights Amendment and the promise that you made to all of us that you would be fair. You know that in the memory of every Member here, the rules have never been treated this way. Every Member of the Illinois House has always had the opportunity, before this Session, to vote on all of the rules under which we must operate. You have denied us an opportunity to vote on Majority rule. There is still time, Mr. Speaker, for you to give us that opportunity. I suggest that the appropriate vote on this Motion, obviously made without serious intent, is a 'present' vote, and I ask everyone to join me in that and give our Speaker time to keep his promise to be fair."

Speaker Ryan: "Representative Johnson."

Johnson: "Well, Mr. Speaker, since nobody seems to be directing themselves to the Motion that is before us, and since at least two or three of the previous speakers have made a great deal of moment about your alleged unfairness in the use of the Chair, I think it is important to point out what you've really done in terms of being fair on this issue. I can't ever remember an issue, at least in the last two or three years if not my six years down here, when we convened

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a Committee of the Whole in the form we did yesterday with the courtesies that were accorded, proponents and opponents alike, to have a chance to offer their opinions on this issue the way you did on this one. We've had an opportunity to discuss the rules in a variety of forums throughout the period of discussing this issue. I think you've been more than fair in that regard. And as a matter of fact, when you talk about fairness, I don't know how much more fair you can be than what you've been today when we've given people an opportunity to flaunt the rules, to speak beyond Motions that are before us and to get every conceivable argument that could be made out on ERA, three-fifths Majority, Majority or anything else, just because you believe in being fair to the Members of this Body and to the people of the State of Illinois. And as one Member...Mr. Speaker, could I have a little order? Now they talk about points of order when they have been talking beyond the points of order in the rules of this House for the last hour. I would suggest as one Member of this House, and I think I am joined by a great deal of others, that the actions of the Speaker now and throughout this issue, have been absolutely fair, have, as a matter of fact, gone beyond the bounds of fairness and courtesy to Members on both sides of the aisle and both sides of the issue, and I, as one Member of the House, resent the accusations of Representative Catania or Catania and others who have accused you of unfairness. I congratulate you in terms of letting an issue be debated, and I think for those of you who think you haven't, they are just dead wrong, and I thank you for your courtesy in extension to the Members of the House, Mr. Speaker."

Speaker Ryan: "Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, Mr.

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Speaker, several Members of this House today have asked you a very simple question. These people have come from both sides of the aisle. They have been Democrats. They have been Republicans. They have been men, and they have been women. They have simply asked you, Mr. Speaker, as the presiding officer of this House, when do you plan to permit the Members of this House to record themselves 'yes' or 'no' on the direct question of the required vote to ratify Federal Constitutional Amendments. Some may respond that this forthcoming vote will be an opportunity for people to record themselves 'aye' or 'nay' on that particular question. I reject that argument. This vote will be a sham. The Motion that we are called upon to vote upon at this time has been offered by a long-time opponent of ERA, and he is offering this Motion simply to thwart the efforts of those who support the ratification of the Amendment. But the most important question that is offered today is the one which has been put to the Speaker of this House. He is a man who holds a very high office in this state. He holds an office that is inferior only to those who are elected in statewide elections to offices created by the Constitution of this state. Given the lofty position of your office, Mr. Ryan, we can legitimately expect that you will conduct the affairs of this chamber in a proper, efficient, intelligent fashion. We can legitimately expect that when a very sizeable segment of this Body simply asks, 'Mr. Speaker, when will we be given an opportunity to record ourselves on a direct vote for or against the rule which shall determine the number of votes to ratify Federal Constitutional Amendments?'; Mr. Speaker, we are entitled to an answer. We are entitled to good faith effort on your part to provide that opportunity and not to manipulate the rules. I have worked with these rules since the beginning

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of the Session. I was present in the Rules Committee at the time of the action of the Rules Committee which approved for consideration the Resolutions which are shown on the Calendar. The Resolutions shown on the Calendar, the work of the Republican Majority on the Rules Committee, and the strategy and direction developed by you and the Majority Leader have been designed throughout this Session to prevent a vote, a direct vote on the question of the Majority or extraordinary Majority rule for ratification of Federal Constitutional Amendments. You have used the process. You have used your Majority position. You have used your lofty office to give undue advantage to one group in this Body which has adopted a position on ERA. That is not fair. It is not proper. In my opinion, you have not served this Body well in this regard, and you have not served yourself well. And in conclusion, I simply wish to record that I shall vote 'present' on the Gentleman's Motion to overrule the Chair, because I don't think that it will be a legitimate vote on the question. And again in conclusion, Mr. Speaker, I ask, when will I, as a Member of this Body, be given an opportunity on the floor of this House to record myself 'aye' or 'no' on the question of the vote to ratify ERA?"

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I think in discussing or answering the Gentleman's remarks, I think one simply has to go back a few months to the beginning of this Session, or for those of us who have served longer than that to prior Sessions. Mr. Speaker and Members of the House, in my view, the Minority Leader is a Johnny-come-lately. I have served with him since he first came to this Assembly, and I don't happen to recall the Gentleman being such an outspoken proponent for the Equal

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Rights Amendment. It has happened as of late. And, Mr. Speaker and Members of the House, I submit to you that in the beginning of this Session when the Gentleman, as Minority Leader, found himself embroiled in this issue, he found it convenient to use this issue so as to affect other political changes in the rules which were adopted by the Members of our...of this House and the Members of the Rules Committee. And I might remind the Minority Leader that, in fact, the rules we are now operating under are, indeed, the rules which we had when his Party was the Majority Party and when he, himself, was serving as Majority Leader. The Gentleman knows full well that the Resolution to reduce the number of votes required to 89 failed in the Rules Committee. The Resolution failed. And yet to stand on the floor and continually challenge the Speaker is an empty question. The analogy to that question is a Bill that loses in Committee. If the Bill loses in Committee, when do we vote on it on the floor? Chances are we don't, because it was defeated in Committee. Now, the Gentleman knows that. But, Mr. Speaker, Members of the House, I suspect that these questions are political in nature and that...I also suggest, Mr. Speaker and Members of the House, that the political nature, which this issue is turning toward, is hurting the issue. The polarization of this issue, which has the tendency to pit one Party against the other, is wrong for the issue. And it makes no sense to take a political posture and constantly challenge the Speaker. Mr. Speaker and Members, for the last three terms, there was a Democratic Speaker, and we never had these challenges, never. Never did the Minority Leader, who was then serving as the Majority Leader, stand up and challenge Speaker Redmond, because Speaker Redmond was a Member of his Party. Mr. Speaker, Members of the House, I

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submit to you that the Minority Leader finds it convenient to use the Equal Rights Amendment to advance his own political ambitions and to advance his political leadership, and he has done very well. He's co-opted every independent, or almost every independent, on almost every issue by doing things such as he's doing today. Mr. Speaker and Members of the House, I don't know what your answer is going to be, but I think it has to be said. In my opinion, the Minority Leader is causing this issue to be so politicized that it probably or may never pass. I don't know."

Speaker Ryan: "Representative Ewell. Before your remarks, Representative Ewell, I'd like to point out that in the center aisle we have with us the Minority Leader of the Senate, Senator Philip. Welcome to the Illinois House, Senator. Nice to have you with us. Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, the progress of this House is indeed predicated upon good faith and good will. Now, it is obvious that a certain section of this Body, who happen to be the pro-ERA people, would like just a simple and honest vote on the rules and the rule changes. I suggest that when we have an announced proponent making Motions, that the Motions are not sincere, and it would not reflect legitimate vote. So, for that reason, I would make a Motion to table the Gentleman's Motion to overrule the Chair, and we can then proceed with the business of the House."

Speaker Ryan: "Have you completed, Representative Ewell? Representative Currie, do you seek recognition? Representative Ewell, you're not through?"

Ewell: "No, no. The Motion was to table the Gentleman's Motion to overrule the Chair."

Speaker Ryan: "Oh, you've made a Motion to..."

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Ewell: "That is correct."

Speaker Ryan: "...To table Representative Hanahan's Motion to overrule the Chair."

Ewell: "That is correct."

Speaker Ryan: "Representative Hanahan on that Motion."

Hanahan: "Because that Motion is to my Motion, I think I am allowed to close; because, what in essence, this would be is that I'm not going to debate, I am going to appeal to my colleagues to vote 'no' on this issue based on the fact that I think we should end the charade. Either there is a vote of 89 votes here or not. And all this argument on the issue of whether or not we should adopt new rules is based on a simple parliamentary manner of voting to override the ruling of the Chair. Now, if you don't want to face that question by voting on a Motion to table, I just urge a negative vote on the Motion to table so that we could get back to the Motion of overriding the ruling on the Chair so we could simply end the charade. You know, I am sick and tired of...of people talking about political fairness when all I witness over on this side of the aisle is the arm-twisting and the political, almost bribery that is going on to support the Equal Rights Amendment. I mean, how much more unfair could happen to the Members of this General Assembly than to have outside influence interject into the...into the conscience of Members on this General Assembly and how they are going to vote. If I thought for one instant, Ladies and Gentlemen of the House, that each Member of this House would vote 'yes' or 'no' solely on his or her conscience on this issue, I would consider that fair. But each and every one of us knows what is going on and what has gone on for ten years. All the political shenanigans, all the political trickery, all the treachery of government that could ever be entered into, has entered

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into the ERA. I know Gentlemen and Ladies on this floor who have to vote for the ERA. Even though they have campaigned, even though they have sworn, even though they have promised to vote 'no', they continually are harassed by either pressures of unknown people, either by the powers that be or political leaders, that they can't vote their conscience. They must vote what the dictates are. If that is fair, I'll eat my hat. In the meantime, I ask for a 'no' vote on the Motion to table."

Speaker Ryan: "Representative Ewell."

Ewell: "Mr. Speaker, in light of all the political prevailing, I am going to withdraw that Motion to table with leave of the House."

Speaker Ryan: "The Gentleman asks leave to withdraw his Motion to table Representative Hanahan's Motion. Are there any objections? Hearing none, leave is granted. Now, Representative Kane, you've waited a long time. Proceed on Representative Hanahan's Motion."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, of all of the charades that we have had during this Session, this Motion is the most preposterous charade of all. The people of this state are not interested in the question of whether or not the Speaker is going to be overruled in some silly Motion or ruling that he makes. The Members of this House are not interested in whether or not a Speaker's ruling is going to be overridden. But the people of this state, the people of this country, the Members of this House are interested in is whether or not we are going to have an opportunity to simply vote on the very simple proposition, 'Should Federal Amendments be adopted by Majority rule?'; or, 'Should Federal Amendments be adopted by a three-fifths rule?'. And what we have right now is a ruling by the professed chief opponent to the Equal Rights Amendment, the

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Speaker, that that issue is not germane. And we have a Motion to overrule that Speaker by a Member who, on the floor of this House, called all of the proponents of the Equal Rights Amendment bra-less, brainless broads. That is what the Gentleman who made the Motion thinks of the Equal Rights Amendment. That is what we're down to here. We have a charade. And what we are asking for is the simple right of voting. And when we, as elected Members of the House of Representatives, are denied a vote, the people of this state are denied a vote. The Speaker is the candidate for Lieutenant Governor. If he should be elected Lieutenant Governor, he could very well become Governor. What is going to happen...what is going to happen when he becomes Governor?"

Speaker Ryan: "No campaign speeches here, Representative Kane."

Kane: "Is he going to rescind the opportunity of every voter in this state to vote on his reelection? That is what he is doing here. He is ending elections. He is ending voting. That is the first thing that happens on the road to dictatorship. You don't get to vote. And that is what the question is here today. It's a simple question. Are we going to be able to vote or not? Not on the question of whether a ruling is right or wrong, but on the question of whether Constitutional Amendments to the Federal Constitution should be adopted by Majority rule or by three-fifths rule. That is a serious question. Amending the Federal Constitution is a serious question. It is not something to be played around with. It is not something to be toyed with. It is not something to be smirked at. We have a federal duty here. We have a right to vote, and we should be given that vote, and we should be given that right. We've had statements by the other side of the aisle and some Members even from this side of the aisle saying,

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'Well, you know, we have considered the rules. We considered the rules last Session, or two Sessions ago or whenever. But for the first time in history of the Illinois General Assembly, the permanent rules of a Session of the General Assembly have never been called for a vote. That is the first time in history. What are the people who are manipulating this House afraid of? You're afraid of a vote? If he's afraid of a vote now, is he going to be afraid a vote on his reelection if he ever gets to the high office of Governor or Lieutenant Governor? That is the question. A vote on a question or procedural question of whether or not we're going to overrule the Chair or appeal the ruling of the Chair is nonsense. It is a stupid Motion, and I think that we ought to treat it in the manner in which it has been presented to us and vote "present".

Speaker Ryan: "Representative Collins."

Collins: "Thank you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm, for one, getting sick of the hypocrisy and cheap political shots that I hear coming from the other side from the last speaker, from the Minority Leader and from so many of you over there. You should be standing on your feet and saying to this man at the podium, he has bent over backwards to be fair to you, and you know he has. From the start...from the start of this controversy, he has waited upon the supporters of ERA to tell them...to tell him what he wanted them to do. He offered to put it in the Committee of the Whole on day one of this issue, not yesterday, from day one. And you all know, as Chairman...I am Chairman of the Assignment Committee. Under the rules, I had three days to assign this Resolution to a substantive Committee to consider this Resolution. And that is what should have been done under the rules. But by agreement on both sides of this

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question, we held it, and we waited to see what you wanted done. If I had been left, if the Committee had been left to our own devices, we could have assigned that Committee to a Committee of this House that would have heard it and would have buried it where it should have been long ago. And then after it was buried, our rules, as every one of you know, require 107 votes to take that measure from the table. That is what would have been done. That's what should have been done. But the Speaker of this House, in an attempt to be fair to every Member of this House, asked us to refrain from doing the things...the rules of this House ask us to do and tell us to do. And I stand before you and say shame on you. Those of you who are criticizing right now should be up applauding this man for the fairness with which he has treated you. And as I said at the start of this, I am sick to my stomach."

Speaker Ryan: "Representative Jones."

Jones: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, each and every Member of this House heard you when you said you would ask the Parliamentarian to rule as to the germaneness of this Amendment. Now we know, Mr. Speaker, that the ruling that you gave is not those of your own. We know that you are a great leader, Mr. Speaker, and I wish you would take apace after the Majority Leader. When the Majority Leader was in the Chair, Mr. Speaker, and Bob Blair was then the Speaker, and Bob Blair ordered the Speak...ordered the Majority Leader to make a ruling when he was in the Chair, and he rejected that ruling, Mr. Speaker. So now is the time, Mr. Speaker, for you to grow, to become a giant among men in the State of Illinois. I recall, Mr. Speaker, if you look out on the south lawn of the Capitol, gracing the Capitol lawn, there is a statue of Senator Everett Dirksen. And I recall, Mr.

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Speaker, back in 1965 when the Voting Rights Act Bill was before Congress, he was opposed to it. But then a great Democrat President urged him to support it, because he represents all the people in the State of Illinois and the United States, Mr. Speaker. You, Mr. Speaker, have an opportunity to become great in the State of Illinois, not just for one partisan group, but for each and every person residing within this state, Mr. Speaker. So I urge you to reject the ruling of the Parliamentarian and become a giant among men and women in this state. If you aspire to a higher office, Mr. Speaker, this is what you must do. You must be fair to each and every citizen of the State of Illinois as well as be fair to their Representatives in this Body, so you will be respected by us all, Mr. Speaker. So take apace after the Majority Leader there. He stood up against the Speaker then when he was ordered to make a ruling, and he knew that ruling was against the best interests of the people in this Body, and you can do the same, Mr. Speaker."

Speaker Ryan: "Representative Birkinbine."

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

Speaker Ryan: "Well, if you hold that for a minute, Representative, I think we're about done, and everybody will have their say. Would you hold that question...or that Motion please? Representative Katz, on the Motion, of course."

Katz: "Yes. Mr. Speaker, a few minutes ago you indicated that we had in the chamber today not only the...we had the Senate Minority Leader. Mr. Speaker, we not only have the Senate Minority Leader in the chamber, we have people all over the world looking at the Illinois General Assembly. We have citizens of the state here with us today. The issue

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really is no longer the simple issue as to whether you are pro-ERA or anti-ERA. I listened with great interest to the Majority Leader responding to the Minority Leader, and the one thing that was apparent from the Majority Leader and from the remarks of the Chairman of the Committee on Assignment is that this Speaker has been so generous. He has given us this, and he has given us that. And I am reminded, Mr. Speaker, of the fact that, you know, in some countries of the world they say, 'Look, I am giving you a job. I am giving you a status. I am giving you a stable society.' But the only thing they are not giving them is democracy, Mr. Speaker, a right to speak, a right to be heard. I have been in the General Assembly, Mr. Speaker, for nine terms now. There has never been an opportunity withheld from the Members of this House to vote on the floor of this House for the rules that govern this House. This is not a question of some Bill that is going to determine something else. This is the basic issue of the right of the Members of this House to have an opportunity to vote 'yes' or 'no' on the question of what Majority shall be required to adopt a Federal Constitutional Amendment. Now that has never been denied to anyone before, Mr. Speaker, and I would hope, Mr. Speaker, that you would not want to go down in the annals of Illinois history as the first Speaker in Illinois to deny the Members of this House the opportunity for the simple Democratic right to vote 'yes' or 'no'; because really, the right to vote 'yes' or 'no' is a far more important issue than whether you are pro-ERA or anti-ERA. I do not like the participation in a rigged situation, Mr. Speaker, and this is a very rigged situation. It is so devoid of fairness that the chief opponent is trying to raise an issue, the chief opponent of ERA is trying to raise an

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issue, Mr. Speaker, in order to make a point in which he is making a Motion that is a deceptive Motion. He does not believe in the Motion he is making. Certainly there must be Democrats on this House and Republicans on this House who really do not approve of treating an issue of such tremendous importance if...in this shabby way. And I would hope that, at the least, that they can vote 'present' here so that their constituents would know, first, that they were here in this chamber debating the serious issue of rules changes in the Illinois rules of the House; and second, that they did not participate in the shabby performance in which they were manipulating the rules of this House to deny the Members of this House the simple right to vote 'yes' or 'no' on the rules that come before them and that govern their procedures."

Speaker Ryan: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I am sick and tired of these political games that are being played here today with something that is so important as the equal rights to all people, be they women or be they men. That is really what is involved here, and I am tired of these political games. I've been here six years, and everytime something seems to come up to stop us from passing the Equal Rights Amendment which is so important to all of us. Well, I'm just telling you right here and now, if you think you're bearing the Equal Rights Amendment, you don't know what you're talking about; because this is something that is needed by all of the people, and it's going to be here, and it's going to come back, and it's going to pass someday. It's just too bad we have to wait too long to do it. This is for all people, men and women alike."

Speaker Ryan: "Representative Matijevich on Representative

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Hanahan's Motion."

Matijevich: "Yes, Mr. Chairman, I am going to vote 'present' on this Motion, because it really comes from somebody who doesn't have his heart in what he's doing. And I would urge other Members who feel as I do to vote 'present', too. I sat here, and I listened to my Majority Leader (sic), and I thought he was very careful in not making, what I would term, a political speech. I thought he was very factual, very restrained in his remarks as to politics. And if any politics was injected to this - and I think I'm being objective in what I have heard - I think it came immediately thereafter when the Minority Leader (sic) attacked the Majority Leader's (sic) position. I don't think the Majority Leader (sic) has to take a backseat nor be called a Johnny-come-lately on the issue of the Equal Rights Amendment. As a Member of the Illinois Constitutional Convention, he supported Equal Rights for Illinois. As the Chief Sponsor of the Bill that came...the Amendment that came up a couple of years ago, let me tell every Member of this House that I got no more support from anybody, anybody in the whole State of Illinois than Mike Madigan. Believe me, he was intensely involved in the issue. So, I cannot stand here and listen to anybody attacking his involvement in the Equal Rights Amendment. And I was one who was attacked, as all of you remember, two years ago for becoming politically involved. I remember Giddy Dyer raised all kinds of heck with me, because I did something with I...which I thought was very...the right thing to do, to pass the Equal Rights Amendment. I did something that came out of my heart, not politically, but what I really meant. I said at that time, and I am going to repeat it now, and anybody can tell me I'm being political. I said, 'The Governor did absolutely

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nothing'. I said it and I meant it. I meant it. Now, if anybody can attack Mike Madigan who has done everything, can I not stand on this House and say what I mean, and then be attacked of politics? I hope not. Now, I think we ought to get to the matter of both parties passing the Equal Rights Amendment. That's important. But, when somebody stands on this House and tells me that I have to thank the Chair for the...the fairness of the Chair toward me; I can't say thank you when I've seen 100 and some Bills on the floor of the House that are Republican Bills exempted; about ten Bills that are Democratic Bills. You tell me the fairness of that. But, that has to do with what I've heard on the other side of the aisle. I turned my light off when Mike Madigan was speaking, because I thought he was speaking to the issue and being non-political. I turned my light back on when I heard...heard Art Telcser. I couldn't take it, because I knew who worked for the Amendment. I knew who didn't. I still know who's working for it, and I still know who's not. I've heard so much hypocrisy, and that's why I'm voting 'present' on this issue, on this appeal; because that is the biggest hypocrisy I've seen. Let's get rid of this and get to the heart of the matter. Do we want a three-fifths or do we want the Constitutional Majority? Get to that issue right away. You have it in your power. The Chair would have it in its power to get to it right now, but he doesn't want to do it. It's as simple as that. Anything else, I would say, would be classified as political, and I'd...I'm not going to say it. So, I would just hope you vote 'present' on this issue."

Speaker Ryan: "Now, further discussion? Representative Robbins."

Robbins: "Yesterday you heard me question the Governor. Now, you stated that he had not tried. He tried two years ago to

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get me to change my vote. He has tried this year to get me to change my vote, and my people are 70 to 80 percent against this Amendment. And I'm going to vote for my people and...but, the Governor is a Governor of the people. He stood up here and he stood for the Amendment yesterday. You go ahead and attack him, but you know that he has worked and I know he has worked. And I'm going to vote for my people, and I'm going to vote for what they believe in. And the Governor knows that we have to represent our people. We are Representatives. Thank you."

Speaker Ryan: "Representative Currie, again, on the Motion. Representative, I think you spoke once on the Motion."

Currie: "Not on this Motion, Mr. Speaker."

Speaker Ryan: "Yes, we're on...we're still on the same Motion."

Currie: "No. No. No, I didn't speak on this Motion."

Speaker Ryan: "Well, proceed. We're going to let you talk anyway."

Currie: "It was only fair, Mr. Speaker. I think Members have an opportunity to speak on Motions once during debate."

Speaker Ryan: "Proceed, Representative, we're not going to..."

Currie: "Mr. Speaker and Members of the House, the Majority Leader is properly concerned that partisan wrangling might get in the way of efforts to ratify the Equal Rights Amendment. I share his concern. I'm not interested in taking partisan pot-shots at anybody. I'm interested in ratifying equal rights for all people in this country. But, I think it's critical to correct the historical record. His suggestion was that last Session, there was no opportunity to offer an Amendment to change the rule requirements for ratifying Federal Constitutional Amendments in this chamber, a chamber governed by the Democratic Party. I was the Principal Sponsor of the rules change in that Session, and I am here to tell...to remind

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the Majority Leader and to tell the Members that I did have the opportunity to present that question when the rules were considered on Second Reading in this Body, as they traditionally have been. He asks what happens to a Bill that fails in Committee. He knows the answer. The Bill turns up as an Amendment on Second Reading to something else. Traditionally, rules Resolutions that fail in the Rules Committee have a comparable opportunity to come before the Membership when the rules are considered on Second Reading. That was the way things were done in the 81st General Assembly. They are not being handled that way by the present Speaker, by the Republican, George Ryan, in the 82nd General Assembly. I'm sorry about that, and I'm sorry that the Majority Leader seems to think that it's partisan to mention the way in which the domination of the Speaker has hurt our joint effort to ratify the Equal Rights Amendment in the State of Illinois. I was the maker of the Motion to amend House Resolution 72 that the Speaker ruled lacking in germaneness to the Resolution itself. I would have appreciated the Motion that Representative Hanahan has made to overrule the Chair, except that I'm quite aware of where that Motion came from. Not only does it come from the principal opponent of the Equal Rights Amendment in this chamber, but it comes from somebody who says when he makes the Motion that he isn't going to vote for it. The Motion has been properly described during debate as a mockery, a sham and a charade. It's all of those. In fact, Mr. Speaker and Members of the House, it's a joke. The issue that should be before this Assembly is the question how we individually vote on the rule requirements for ratifying Federal Constitutional Amendments. Mr. Speaker, you deserve to hear the question put to you one more time. When will we have that

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opportunity? Mr. Speaker, we deserve your answer. I am voting 'present' on the Motion to appeal the ruling of the Chair, and I await a response from our Speaker of the Illinois House of Representatives, George Ryan."

Speaker Ryan: "Further discussion? Representative Hanahan to close."

Hanahan: "Mr. Speaker and Members of the House, it's a joke. But, it's taken a couple of hours for this joke to be debated. A simple Motion is a joke. I listen to a Gentleman I have a lot of respect for that has served in this House nine terms with me; who served, also, as Chairman of the Rules Committee, also Chairman of the Committee to Organize...or Reorganize the House of Representatives, say that somehow rules and Constitutions aren't really important. They're jokes. Well, in a democracy, Ladies and Gentlemen, I was taught in a school in the west side of Chicago that fairness in...in a democracy means that you abide by the rules. You don't go chanting. And you don't go uprising. And you don't overturn. And you don't starve yourself to death. And you don't threaten. And you don't bribe. And you don't do all those things. At least in Presentation Grammar School, the little Catholic school I went to, they never taught us to do that. They taught us that if...if you respect the rules of a democracy that you could abide and work out, and through compromise and through understanding and reasonableness, that somehow you'll be able to survive, if you're right. But, let me take a scenario here about being right. Let's talk about being right, here. They don't want just to change this rule. They don't want to just change the Constitution. They want to change men to women and women to men, and God knows what else they want to do. Let me tell you, Ladies and Gentlemen, of some of the crazy

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things that some of the supporters are for. They happen to be for very crazy ideas that if you starve yourself to death, that somehow you're going to be intimidated into voting your conscience. Well, I...I don't understand them. They're also going to reach out to people that...to make you vote a certain way. They're going to call people all over the country and say somehow you should be influenced. You talk about fairness. You talk about democracy. Democracy is when the majority of us make up our minds in strict conscience, in an...with integrity and vote on this issue. I, under the rules...under the rules adopted by the Democratic Majority of this House last Session, that was good enough to work under those rules, have asked to vote, under those rules, for a mechanism so they could operate in a...in a society of reasonableness. After all, you would be reasonable if you appealed the ruling of a Chair that was not fair. You wouldn't hide behind a 'present' vote. What they're afraid of is that the whole country knows tonight, on the six o'clock news, that ERA is dead. That's what they are afraid to say, that ERA is dead. And tonight we're going to prove it. By supporting the Motion, you would be voting for ERA in a very reasonable manner. But, if you hide behind some sort of 'present' vote, somehow you're going to save it. Ladies and Gentlemen, you talk about hypocrisy. You talk about that this issue isn't important. You talk that two hours of your valuable time has been taken up just for the purpose of debating this Motion. Oh, no. Ladies and Gentleman, let me tell you, if the majority for ERA was truly in the majority, they'd run over you with tanks. They would run over you with bulldozers, because they know they had a true democratic majority. But, they don't have that. You see, they have to work around and squeeze and threaten and...and hantock

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and everything else. All the Members will make sure they're here, and they want to call the shots when they got the numbers, not when you have the numbers in the majority. I could just say that it isn't a facetious Motion, and, ladies and gentlemen of the press, you tell the world ERA is dead according to the Roll Call on my Motion. And I ask for a 'no' vote."

Speaker Ryan: "The question is, 'Shall the Chair be overruled?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 4 voting 'aye', 97 voting 'no', 71 voting 'present'; and the Gentleman's Motion fails, and the Chair is sustained. Representative Telcser."

Telcser: "Mr. Speaker, in view of the hour and the pending work we have yet to do, I'd like to take these Resolutions out of the record."

Speaker Ryan: "Gentleman takes the notes out of the record. Page 2, under the Order of Senate Bills Third Reading appears Senate Bill 1390, Representative Wolf or Davis. Who's going to handle this? Representative Wolf. Read the Bill."

Clerk Leone: "Senate Bill 1390, a Bill for an Act to amend an Act making certain appropriations. Third Reading of the Bill."

Speaker Ryan: "Representative Wolf, did you want to present the Bill to take care of the people that have been in the tornado in Marion, Illinois to send the funds to those people? Is that...Is that the reason on this Bill, Representative Wolf? Proceed with your Bill, Representative."

Wolf, J. J.: "Thank you, Mr. Speaker and Members of the House, Senate Bill 1390 makes the transfer within the Department of Administrative Services for their FY appropriation and

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two revolving funds. The transfers made in this Bill are within the revolving funds because of the nature of the revolving funds, and the transfers are not transfers of unexpended balances. Rather, the transfer is of unused spending authority. The transfer is to pay for imprinting revolving fund, and cannot be accomplished through the Agency's two percent transferability; and, thus, requires legislative approval. The desired 25,200 dollar transfer is greater than the two hu...two percent transfer of the transfer base. Also, the funds from the warehouse stock line cannot be transferred without legislative approval. The transfer is in the Surplus Property Utilization Funds, also requires legislative approval, because the dollar amount is in excess of the two percent transfer. This has been discussed, Mr. Speaker, with both sides of the aisle. It meets with all of our approval. It is necessary, and I would ask for the affirmative votes of the Members of this House."

Speaker Ryan: "There any discussion? On this issue, Representative Friedrich, on this question. There any discussion? Gentleman moves...No. The question is, 'Shall House...or Senate Bill 1390 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 163 voting 'aye', 1 voting 'no', 8 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1391, Representative Wolf. Read the Bill, Mr. Speaker...Mr. Clerk."

Clerk Leone: "Senate Bill 1391, a Bill for an Act to amend certain appropriation Acts. Third Reading of the Bill."

Speaker Ryan: "Representative Wolf."

Wolf, J. J.: "Thank you, Mr. Speaker, Members of the House."

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Senate Bill 1391 makes an FY'82 appropriation for the Emergency Services and Disaster Agency, makes some transfers and adds 2,513,500 dollars...513,500 dollars, of which 2,313,500 is federal and 200,000 is GRF. With the Amendment by Representative Rea and Winchester, House Amendment #1 will increase the disaster relief by an additional 325,000 in GRF for a total of 450,000 in GRF. This...Our funds are to be used in the aid of the Marion disaster victims, and will us...be specifically for pads for mobile homes, and to national guard salaries, meals and 395 man days, at eight dollars per day. This Bill is extremely necessary to aid, especially for the reasons as stated in Amendment #1. And I would ask for a 'yes' vote of all the Members of this House."

Speaker Ryan: "Is there any discussion? The question is, 'Shall Senate Bill 1391 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 160 voting 'aye', none voting 'no', 6 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1393, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1393, a Bill for an Act to amend certain appropriation Acts. Third Reading of the Bill."

Speaker Ryan: "Representative Wolf, on Senate Bill 1393."

Wolf, J. J.: "Yes, Mr. Speaker, Members of the House, this Bill, likewise, transfers...the total in this one is 44,955,700 dollars in all funds within the FY'82 appropriations of four departments. There are no new funds appropriated in this Bill. It amends the FY'82 appropriation to the Guardianship and Advocacy Commission by transferring 75,000 in GRF from Personal Services to the Guardian 'ad litem' (ad libitum sic) expenses. It also amends the FY'82

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appropriation to the Adjutant General for the Military and Naval Department, and by transferring 182,700 in GRF from various lines to Personal Services and Contractual Services. It amends the FY'82 appropriation to the Department of Mental Health and Developmental Disabilities. It transfers a total of 2,598,000, of that 2...2,550...64,000 is GRF and 34,000 is federal funds, between eight facilities. It also amends the FY'82 appropriation to the Department of Public Aid, transfers 26,900,000 dollars to the AFDC grant line; 8,200,000 to the hospital in-patient and 7,000,000 to prescribe drugs, for a total of 42.1 million dollars from various lines. The total amount, again, Mr. Speaker, 44,955,700; all transfers, no new funds. I would ask for your 'yes' votes."

Speaker Ryan: "Is there any discussion? On this question, Representative Jaffe. On this Bill?"

Jaffe: "Yeah, will the Gentleman yield for a question?"

Speaker Ryan: "Indicates that he will."

Jaffe: "Yeah, Representative Wolf, on Senate Amendment #2, deals with transfers at Dixon,Jacksonville and other centers. Does that Senate Amendment #2 - and I don't know this, that's why I'm asking it - deal at all with the closing of Dixon and the other institutions?"

Wolf, J. J.: "Mr. Speaker...Mr. Speaker, I'm very sorry that the noise level is such that I did not understand the Gentleman's question."

Speaker Ryan: "Would you repeat the question, Representative? Could we have a little order in the chamber, please? Proceed, Representative. Representative Jaffe."

Jaffe: "I...I think I have had my question answered. Thank you, Representative."

Speaker Ryan: "Now, he has his question answered."

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Representative...Representative Schneider, do you have your light on? You want to speak? No. Representative Emil Jones, did you want to be recognized, or is your light on perpetually? Now, Representative Wolf, do you care to close?"

Wolf, J. J.: "No, Mr. Speaker, unless my hyphenated Sponsor, Mr. Reilly wishes to do so. No."

Speaker Ryan: "The question is, 'Shall Senate Bill 1393 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. On this question there are 162 voting 'aye', 2 voting 'no', 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Tuerk, do you seek recognition?"

Tuerk: "Mr. Speaker, are we on the order of announcements? Because of the lateness of the hour, and the Appropriations Committee has room 114, Labor and Commerce will meet in C-1. C-1 in the Stratton Building, Labor and Commerce will meet in that room immediately after adjournment."

Speaker Ryan: "Representative Wolf, did you care to make an announcement?"

Wolf, J. J.: "Yes, Mr. Speaker. The House Appropriations Committee will meet immediately after adjournment in room 114. I would request that all Members be on time so we can begin the work."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to ask unanimous consent and leave of the House to...that Senate Bill 1606, which was passed out of Rules Committee today; that the posting Rule #18, be waived so that 1606 can be heard in Labor and Commerce at the meeting just announced by Representative Tuerk."

Speaker Ryan: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. Counties and Townships will

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meet immediately after adjournment in room D-1. And, let's all get there right away and we'll get the meeting over with quickly, I hope."

Speaker Ryan: "Representative Hudson."

Hudson: "Thank you, Mr. Speaker. The Committee on Higher Education will meet in room C-1 just as soon as the Committee on Labor and Commerce vacates those premises. I'm going to have to assume that would have to be, roughly, at 5 o'clock...5 o'clock, if you will be on hand at 5:00 or a little after. Committee on Higher Ed, room C-1, 5:00 or shortly thereafter."

Speaker Ryan: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the Revenue Committee recessed their meeting this morning, and they will be in room 1...122B immediately following adjournment, and I would encourage all Members to skip other Committees and come to Revenue."

Speaker Ryan: "What's the room number, Representative?"

Ewing: "122B."

Speaker Ryan: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, I wonder if we would have...could have permission to use the floor of the House for a committee meeting of the Veteran Affairs Commission."

Speaker Ryan: "Permission denied. Representative Barnes."

Barnes: "Mr. Speaker, I would like to postpone the Health and Family Services Committee 'til tomorrow morning at 10:00 a.m. in room 122B."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, I'm not sure that I was given leave on that Motion of mine. It was cleared with the Leadership on both sides of the aisle. All right. Did you indicate that leave was granted, Mr. Speaker?"

Speaker Ryan: "Gentleman asks leave to suspend the posting rules."

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Are there any...any objections? Hearing none, the leave is granted."

Friedrich: "Now, Mr. Speaker, I filed a Motion with respect to 1299, pursuant to a request made yesterday by, I believe, Representative McPike with regard to post...suspending the rule for the posting of Senate Bill 1299 in the Executive Committee. And I would now renew that Motion."

Speaker Ryan: "Representative McPike."

McPike: "Well, how did we get to that order of business, Mr. Speaker?"

Speaker Ryan: "I...I didn't say that we were. He had just made that Motion. Did you have a question on his Motion?"

McPike: "Well, if we're going to Motions, I..."

Speaker Ryan: "Do you object to his Motion?"

McPike: "Yes."

Speaker Ryan: "There are objections to your Motion, Representative Friedrich. Would you withdraw it, please?"

Friedrich: "Well, I would like to get...because of the timing here, obviously, I would like to get to a vote on this Motion."

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

Meyer, Ted: "Mr. Speaker, the Energy and Environment Committee will meet in room 118 immediately after adjournment. Thank you."

Speaker Ryan: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Members of the Registration/Regulation Committee, we will meet in D-1 immediately after County and Townships, and they estimate they only have a few Bills. So, it should be at 4:30; 4:30 in D-1 for Registration/Regulation."

Speaker Ryan: "Now, Representative McAuliffe."

McAuliffe: "We'll have our meeting of Pensions Personnel and

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Veteran Affairs Committee in room 118 immediately after the Energy and Environment Committee meets. So, I would assume around quarter to five. We only have three Bills. I hope everybody will be on time. We'll get out of there right away."

Speaker Ryan: "Representative Meyer, did you seek recognition? He doesn't seek recognition. There you are. See, you led me astray, Schneider. Committee Reports."

Clerk Leone: "Representative Dwight Friedrich, Chairman from the Committee on Rules reported the following Bills were determined emergency Bills, pursuant to House Rule 27(c)3 by the Committee on Rules, action taken June 9, 1982 and were placed in the Committee on Assignment: Senate Bill 1606. Representative Leinenweber, Chairman from the Committee on Judiciary I to which the following Bills were referred, action taken June 9, 1982 and reported the same back with the following recommendations: 'do pass' Senate Bill 1447; 'do pass Short Debate Calendar' Senate Bills 1488 and 1672. Representative Rigney, Chairman from the Committee on Agriculture to which the following Bills were referred, action taken June 9, 1982 and reported the same back with the following recommendations: 'do pass' Senate Bills 1212 and 1487. Rep..."

Speaker Ryan: "Representative Collins."

Collins: "Mr. Speaker, I move that the House now stand adjourned, allowing ample time for the Clerk to take care of any perfunctory business, 'til tomorrow, June 10th at the hour of 12:00 noon."

Speaker Ryan: "The Clerk doesn't need any time. The Gentleman moves that...Representative Madigan. Representative Madigan, on the Motion."

Madigan: "Yes, Mr. Speaker. Would the record show that Representative Pechous is excused today because of illness,

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and that he should have been excused..."

Speaker Ryan: "Yesterday?"

Madigan: "...yesterday because of illness."

Speaker Ryan: "The record will so indicate. Did you have anybody else, Representative?"

Madigan: "No. No, Mr. Speaker."

Speaker Ryan: "Representative Telcser, do you have any excused absences today or yesterday? All right. The Gentleman moves the House stand adjourned until the hour of 12:00 noon tomorrow. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes have it, and the House now stands adjourned."

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