arise out of the employment, only if there is apparent to the rational mind upon consideration of all the circumstances, a direct causal connection between the conditions under which the work is performed and the occupational disease, and which can be seen to have followed as a natural incident of the work as a result of the exposure occasioned by the nature of the employment and which can be fairly traced to the employment as the proximate cause, and which does not come from a hazard to which workmen would have been equally exposed outside of the employment. The disease must be incidental to the character of the business and not independent of the relation of employer and employee. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence."

The Bill defines disablement as follows:

"'Disablement' means the event of becoming disabled from earning full wages at the work in which the employee was engaged when last exposed to the hazards of the occupational disease by the employer from whom he claims compensation, or equal wages in other suitable employment; and 'disability' means the state of being so incapacitated."

The Bill further provides that no compensation shall be payable for occupational diseases unless disablement occurs within one year after the last day of the last exposure to the hazards of the disease, except in cases of occupational diseases caused by the inhalation of silica dust or asbestos dust, and in such cases within three years after the last day of the last exposure.

The Bill further provides that the employer liable for compensation shall be the employer in whose employment the employe was last exposed to the hazard of the occupational disease claimed upon regardless of the length of time of such last exposure, except that in the cases of silicosis and asbestosis, the exposure during a period of less than sixty (60) days after the effective date of the Act shall not be deemed a last exposure.

The provisions relating to amounts of compensation, and to procedure are incorporated in the Bill in the same language, and by the same section numbers, as they are contained in the Illinois Workmen's Compensation Act.

The Bill, if enacted, shall take effect on October 1, 1936, and shall be administered by the Industrial Commission.

Health and Safety Bill

3. The second Bill is the Health and Safety Bill.

This Bill vests in the Industrial Commission the power to make reasonable rules to provide reasonable protection to the lives, health and safety of employes.

The power of the Industrial Commission to make rules is limited to the following purposes:

(a) The proper sanitation and ventilation of all places of employment to guard against personal injuries and diseases.

(b) The arrangement and guarding of machinery and the storing and placing of personal property to guard against personal injuries and diseases.

(c) The prevention of personal injuries and diseases by contact with any poisonous or deleterious materials, dusts, vapors, gases or fumes.

(d) The prevention of personal injuries and diseases caused by exposure to artificial atmospheric pressure.

Rules of the Industrial Commission adopted in the manner provided in the Bill shall have the force and effect of law.

This Bill would apply to all employers engaged in any occupation, business or enterprise in the State, except farmers and others engaged in farming, tillage of the soil, or stock raising, and to coal mining.

The rules adopted by the Industrial Commission must be clear, plain and intelligible, and must be uniform and general in their application.

The Bill provides that it shall not be construed as granting the Industrial Commission the power to make any rule which will require the submission of any plan, specifications, or other information concerning any proposed installation, alteration, construction, apparatus or equipment, or in any manner regulate the hours of labor of any employee in the State.

The Bill sets forth the procedure for the adoption of rules by the Industrial Commission.

The Commission may either institute proceedings on its own initiative by a resolution, or upon petition signed by five employes or five employers in a specified industry.

The Commission shall set a date for a public hearing not less than thirty days, nor more than ninety days, after the date of the passage of the resolution by the Commission, or the filing of the petition.

Notice of the hearing must be given at least thirty days prior to the date of hearing, by publication in a newspaper of general circulation and by mailing notice to any employer and to any association of employers or of employes who have filed their names and addresses with the Industrial Commission requesting notice of such hearings.

Any interested party may submit evidence at the hearing.

Upon the conclusion of the hearing, the Industrial Commission shall enter its decision in writing and send a copy of the decision to the interested parties whose names are on file with the Commission, and a certified copy of the decision shall be filed with the Secretary of State.

Within thirty days after the entry of the decision, the Industrial Commission may correct, modify or vacate the decision, rule or rules, and any person affected by the decision may object in writing, stating the specific grounds of his objection.

Any person affected by the decision, whether he participated in the proceedings or not, may file a praecipe for a writ of certiorari in the Circuit or Superior Court of the County in which the subject-matter of the hearing is situated, for review of the reasonableness or lawfulness of the decision or rules.

The Circuit or Superior Court may confirm or reverse the decision of the Commission as a whole, or may reverse and remand it as a whole, or may confirm part and reverse and remand part of the decision.

An appeal from the order of the Circuit or Superior Court may be taken to the Supreme Court within forty-five days, except as to the portions of the decision which are remanded by the Circuit or Superior Court.

The Industrial Commission may fix the date that rules or decisions adopted by it shall become effective, provided that no such decision, rule or rules shall become effective until ninety days after entry by the Industrial Commission, nor shall they be effective during the pendency of any proceeding for review or appeal, and upon termination of appeal, no decision, rule or rules shall become effective until a period of time has elapsed after the filing of the Court's Mandate equal to the period of time originally fixed by the Commission.

The Industrial Commission is required to keep a full and complete record of all proceedings, and at least once a year shall publish in printed form all of the rules in full force and effect at the time of the publication.

The enforcement of the rules is vested in the Department of Labor, with the proviso that the Industrial Commission shall not take any part in their enforcement.

The Department of Labor is given power to inspect places of employment affected by rules, subject to a proviso that whenever any secret processes are used, the owner shall furnish an affidavit that he has complied with all effective rules, which affidavit shall be accepted in lieu of inspection.

The Bill provides that the Department of Labor shall give proper notice in regard to any violation of the Act, and any person who fails or neglects to comply with any rules adopted by the Commission after due notice is given, is guilty of a misdemeanor and subject to fine.

This Bill provides for repeal of the Health, Safety and Comfort Act, to take effect July 1, 1937, and for the repeal of Section 4 of the so-called Basement Blower law, to take effect October 1, 1936.

The Bill contains an emergency clause, and is intended to take effect immediately upon its passage.

---

3. A Bill to amend Sections 7, 14, and 19 of the Workmen's Compensation Act.

The amendment to Section 7 is a result of the decision of the Supreme Court in the Moweaqua Coal Company case, 360 Ill. 104, and adds the following language to the section:

"Whenever four times the average annual earnings of the deceased employe as provided in paragraph (a) of this Section amounts to four thousand dollars and not more than four thousand four hundred dollars and