

85TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 4, 1988

PRESIDENT:

The hour of one-thirty having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by Reverend Robert Weise, Our Savior's Lutheran Church, Springfield, Illinois. Reverend.

REVEREND ROBERT WEISE:

(Prayer given by Reverend Robert Weise)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Madam Secretary.

SECRETARY:

Senate Journal of Tuesday, April 26th, 1988 and Wednesday, April 27th, 1988.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approve...approval of the Journals of...Thursday, April 18th and Tuesday, May 3rd, in the year 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Any discussion? If not, all in favor indicate by saying Aye.

All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Carroll, chairman of the Committee on Appropriations I, reports Senate Bills Noed. 1628, 1741, 1745, 1749, 1777 and 2271 Do Pass.

And Senate Bills Noed. 1657, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1742, 1743, 1744, 1746, 1747, 1748, 1750, 1776, 1778, 1779, 1835, 1836, 1902, 2021, 2022 and 2151 Do Pass as Amended.

Senator Jones, chairman of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bills Noed. 1869, 1873, 2052 and 2238 Do Pass.

Senate Bills Noed. 1558, 1955, 2011, 2049, 2167 and 2256 Do Pass as Amended.

And Senate Bills Noed. 2062 and 2180 Do Not Pass.

PRESIDENT:

Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Point of personal privilege...

PRESIDENT:

State your point, sir.

SENATOR MADIGAN:

Thank you, Mr. President. Visiting with me this week on the Floor are two students from Washington High School in...in Washington, Illinois, Miss Becky Strawbridge and Mr. Damon Jones. Like...

PRESIDENT:

Would our guests please stand and be recognized. Welcome to Springfield. Committee reports.

SECRETARY:

Senator O'Daniel, chairman of the Committee on Agriculture and Conservation, reports Senate Bills Noed. 1701, 1814, 1954, 2035 and 2145 Do Pass.

And Senate Bills Noed. 1868 and 2012 Do Pass as Amended.

PRESIDENT:

Senator Jacobs, for what purpose do you arise, sir?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR JACOBS:

Last November there was an article that appeared in my newspaper that was a little bit derogatory about the fact that I had reached the age of fifty. It is my understanding today that you are at the age of fifty-one today, Mr. President. Is that correct?

PRESIDENT:

Over the hill, we call it, yes, thank you, very much.

SENATOR JACOBS:

Well, I think we should give you a...a...a hand for at least reaching that age.

PRESIDENT:

Thank you, very much. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Happy birthday.

PRESIDENT:

Thank you, sir.

SENATOR WATSON:

I also would like to rise on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR WATSON:

Today is Centralia Day here in Springfield and a group from Centralia is here, they're not necessarily in the Chamber but they're probably within hearing distance, but they

brought also candy bars that are made in the 55th District, Payday. I took them over to House and told them since they voted down our pay commission increase that this will be the payday we'll have for this year. But, anyway, they were made...by Hollywood Brand Candies in Centralia. So, I hope you enjoy them and if you didn't get one, we might have an extra one here. Thank you.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

I, too, want to wish you a very happy birthday filled with good health, happiness and prosperity, and I want to tell everyone you're the only Irish looking...that I know.

PRESIDENT:

Thank you. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

On a point of personal privilege, also, on that same order of business, Mr. President. It is also another birthday of our distinguished colleague, a very, very, very powerful chairman of one of our local, important committees of the Senate. It's my understanding that Arthur Berman is age fifty-three today and we want to express our...happy birthday to Art Berman.

PRESIDENT:

Senator Berman, happy birthday. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Also on purpose...on privilege to add to that, Senator

Demuzio stole most of it, but I think it's appropriate, Senator Watson, that we...to the chairman of the...of the...or the sponsor of the bill that created the pay commission, that we give him the Payday bar...noting that it is a nut bar and add to Senators Rock and Senator Berman, the Attorney General of the state whose birthday is fifty today, Neil Hartigan celebrating his fiftieth birthday, joining with other illustrious people like W. Clemmon Stone and Chuckie Swyvie. Happy birthday to all.

PRESIDENT:

Thank you. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I'm instructed to ask concurrence of the Senate, to-wit:

House Bills 2931, 3055, 3114, 3136, 3284, 3312, 3395, 3408, 3415, 3442.

I have a like Message...with regard to House Bill 3448.

And a like Message with regard to House Bills 3449, 3455, 3489, 3541, 3587 and 3653.

PRESIDENT:

If I can have your attention, we are obviously under some time constraint since the committees will be meeting. We do, however, intend to deal with House bills on 3rd reading, 1685. So, I would ask the members who are being visited by constituents in their office to please get to the Floor. We will do House bills 1st reading. If you'll turn to page 7 on the Calendar, we'll do House bills 1st and then the sponsor has requested a second reading of the constitutional amendment and then we will go to the Order of House Bills 3rd Reading. With leave of the Body, in the middle of page 7...on the Order of House Bills 1st Reading, Madam Secretary.

SECRETARY:

House Bill 1374 offered by Senators Degnan, J. E. Joyce and Madigan.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

A point of...a point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR HOLMBERG:

I have with me in the President's Gallery the eighth grade class from St. Peter's School in Rockford and I'd like you to welcome them to Springfield.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. On the bottom of page 7, on the Order of Constitutional Amendments 2nd Reading is HJR...House Joint Resolution Constitutional Amendment No. 6. Madam Secretary, read the resolution, please.

SECRETARY:

House Joint Resolution Constitutional Amendment No. 6.

(Secretary reads HJRCA #6)

2nd reading of the amendment.

PRESIDENT:

Senate Resolution Constitutional Amendment 6 has now been read a second time. Are there any amendments, Madam Secretary?

SECRETARY:

There are no amendments.

PRESIDENT:

3rd reading. Turn to...the middle of page 7...(machine cutoff)...leave of the Body, we'll move to the Order of House Bills 3rd Reading. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

A point of...point of personal privilege.

PRESIDENT:

Can we take the staff conferences off the Floor. Senator DeAngelis.

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DeANGELIS:

I have with me as my guest seated on our Senate Floor the budget director of the State of Lombardia in Italy, Doctor Giacomo Stoppini, and I would like for the Body to recognize him.

PRESIDENT:

Doctors, please stand and be recognized. Welcome to Springfield.

SENATOR DeANGELIS:

He indicated that if we run short on money, they'll send us some over.

PRESIDENT:

Doctor, please stay around, we're going to start talking about this in a few minutes. On the Order of House Bills 3rd Reading is House Bill 1685, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you recall on Thursday, there was some discussion on this bill. We have agreed to allow the bill to come back to 2nd for purpose of amendment. I do have a technical clean-up amendment. I understand that there may be some

other offers of amendments which...with which I will vehemently disagree, but we have always allowed them that opportunity. I would ask leave that the House be...that the bill be brought back from 3rd reading to the Order of 2nd Reading for purpose of amendment.

PRESIDENT:

All right, Senator Carroll seeks leave of the Body to return House Bill 1685 to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1685, Madam Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 5.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 5 does basically three things, two of which are technical in nature to clean up mistakes of language in earlier amendments, Amendment 2 and Amendment 4, which were drafted incorrectly and then does something in the changes we made to the Department of Mental Health. As you'll recall, we took out of the major amendment by a secondary amendment the transfers that Mental Health had asked for because of our concern with the Personal Services line. The department has indicated that they do need monies in these other lines as they had indicated in committee. We are still opposed to taking them out of Personal Services. We are still opposed to changing the staff/patient ratio maybe to a level that would put the institutions in jeopardy of certification. So, in lieu thereof, we are suggesting additional general revenues be...allocated to these other lines so that the Personal Services lines remains untouched, yet things like Food and Utilities can also be paid. I would

move adoption of Amendment No. 5.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 5 to House Bill 1685. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 5 is adopted. Are there further amendments, Madam Secretary?

SECRETARY:

Amendment No. 6 offered by Senators Maitland and Etheredge.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, Mr. President and members of the Senate. Senate Amendment No. 6 to House Bill 1685 deals with Medicaid reimbursement. First point, it would place thirty million dollars in a Hardship line item that could be paid immediately to those providers who are suffering extreme difficulty because of the delay in...in payment and that would be effective immediately and would be ready to provide those providers immediately with aid in the event that...the condition that they're in is...is irreversible. Secondly, will place approximately one hundred and fifty-one million dollars in a position to be available for spending immediately after July 1 to attempt to resolve the serious crisis we're facing with this state's hospitals and nursing homes. The purpose of doing this, of course, is the Governor has indicated that the chances are very good that given the way this money now resides in the bill, we'll probably be forced to take it out. It's allowed to be released only after July 1. It will speed up by approximately three weeks the time in which this money will be available to the health care provider. I think this is a very critical amendment and I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 6 to House Bill 1685. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. With permission, I would first like to ask some questions then speak to the amendment. Well,...

PRESIDENT:

Sponsor...sponsor indicates he'll yield, Senator Carroll.

SENATOR CARROLL:

...Senator Maitland, as I understand it, you are now establishing a shortfall of one hundred eighty-one million five hundred thousand. Is that correct? Because if you take the hundred and fifty-one you are suggesting for next fiscal year and the thirty, you're up to one eighty-one instead of the one fifty-nine or less that we had heard before. Is the shortfall this morning greater than we knew it to have been last Thursday?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, it remains the same.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Then by way of question, why the change? One fifty-nine is one fifty-nine is one fifty-nine. By simple math, one fifty-one and thirty is not one fifty-nine.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, I...I think it's...it depends on what you describe as...as being shortfall. As you know, in the thirty million dollar...at least I think you probably know

that some of that money comes from some other line items, line items that we have determined cannot be expended in this fiscal year. It is my understanding that there is approximately five million dollars more than what there would have been last...last Friday.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

...I think, Senator Maitland, once anybody reviews the transcript, it makes no sense at all what you're saying, but let's talk then about what lines you're taking it from. You are taking it from Project Chance, you are taking it from Extended Day Care, two areas that were told to us to be critical to the success of the state, Project Chance, a major thrust of the Department of Public Aid and the day care that went with it, including the fights last year about other cuts in day care where Extended Day Care was so essential. You are now saying that either we have not been doing our job in Project Chance and Extended Day Care or we no longer need the money there. Is that where two of the transfers are coming from?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator Carroll, and I...I...I really, you know, it...it does make sense what I told you. I told you exactly what you just told me back, so it must make sense. The fact of the matter is, these line items cannot be expended down and, again, there is slightly over five million dollars more money than there was in the bill as it was before us last Friday.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I would suggest to you there's thirty but I'm not sure why and I haven't heard a good answer why we are not doing our job in day care...Extended Day Care, particularly in Project Chance and Extended Day Care, but I see within the transfers that you're giving about fifteen million dollars to the dentists but not accommodating any of the other lines other than to create a lump sum. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, let me just, you know...we can...we can dispute or praise whatever the department has done, that doesn't change the situation as we know it today. The fact of the matter is the money will not spend between now and...and July 1 and it's...it's perfectly clear in what we're trying to do here, put into a line item where we can assist and that's what we're attempting to do.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Let me then...now...let me try to then speak to the approach that the Republican side is saying. And let me just say at the beginning, I don't agree, I think it's a drastic error, I think it's a mistake for the General Assembly and I think once again we are jeopardizing the health and safety of the citizens of Illinois. For us to say that Project Chance is doomed to failure is a mistake, but the department is saying that, either they didn't have the caseload, they don't want the caseload or they won't spend for the caseload, but that's the fact. Somewhere along the line this wonderful idea had no chance. It particularly has no chance with the day-care component because that's where it is now being suggested we stop the flow to spend it somewhere else. Now maybe we have to stop some flows and spend elsewhere, but

then let's look at what we're doing. Suddenly now we're hearing that it might be as much as a hundred and eighty-one million dollars. I don't know what the number is, it's quite clear they don't either; but what we do know is there is little, if any, intent to use what monies may be available to maintain an adequate delivery of health care in this state. We have been told by the department time and again that there is at least one hundred and fifty-nine million dollars of bills that we owe to providers of life sustaining care that we have no intention, prior to today, of paying. We are not giving these people interest if they go borrow, because if the bills are not processed even...even the sixty-day interest clock does not begin to run. So, we say to them, borrow or close, we'll see no relief from the State of Illinois, do what you must, just don't ask us to pay our bills. We have seen hospitals close. We are seeing pharmacies close, and think about this for a minute, you have around this state neighborhood pharmacies, a small portion of their clientele utilizing the state but that portion being significant to them paying their rent and the state says, wait till next year, wait till next year, wait till next year and then they close; and what happens to the majority of their customers who have prescriptions there, who are not on any type of aid who find themselves without the ability to obtain lifesaving medication because we wouldn't pay our bills? Shame on us. What this says is, we don't owe it. Oh, next year we'll get around to it. Yes, we'll have a small emergency, twenty percent maybe, maybe, maybe. Whose criteria? Who knows? Who knows? Even if the money came in, we're not going to spend it. Even if the income were available, we're not going to pay our bills. Shame on us. We should create the system that allows these bills to be processed. If the money is there, pay them, we owe it; if it's not, sobeit, but for us, as a General Assembly, to tie the hands of the executive branch,

though they want to be tied, so that people close their doors, hospitals, nursing homes, pharmacists, shame on us. This is a terrible way to go. Stand up to our obligation. If the cash is there, use it. This says even if the cash is there, you can't use it. Shame on you.

PRESIDENT:

Further discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's true that Public Aid has caused a crisis in many health care agencies in this state. It is also true...the first time that this administration to realize the fact that they need additional thirty million dollars just to cover it very briefly as far as the amount of money that they see fit to spend. Now we can appropriate the hundred and eighty-one million dollars, but you and I know that between the Bureau of the Budget and the Governor's Office, they are the final determination about the amount of money that's going to be spent in this area, as in all other areas. This is the first time that they realize that they have thirty million dollars to spend and are willing to spend it, and, yes, it can be used for physicians, dentists,...optometrists, podiatrists, chiropractors, hospital in-patient care, ambulatory care, prescribed drugs, skilled intermediate long-term care, home health care and three or four other items. Well you're realizing the fact that hospitals have closed because they just cannot continue to carry the state's responsibilities. Last week a number of doctors called me and said that they will not take any public aid patients because they can't afford to maintain that type of nonpayment for their services, and for this reason, I'm going to be supporting this amendment and I would strongly encourage you, the practical side of politics, the humane side of politics, that thirty million dollars will be spent in this area and it's

long overdue. Thank you, Mr. President.

PRESIDENT:

Further discussion? Further discussion on Amendment No. 6? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President...in a sense, I've got a question to ask first, I guess, Senator Maitland.

PRESIDENT:

Senator indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

The...the thirty million dollars for hardship payments to medical providers, is that intended to be as...I'm looking on page 7 of the bill, as the allocation would appear to make it look on page 7? What I'm trying to find out is what are the standards for who is to be a recipient of any part of the thirty million dollars? Who decides when it's going to happen and isn't it likely that it will take from now until June 30th for a bureaucracy, with all due respect to Director Duffy, to figure out who is going to be a recipient of the "hardship payment"?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Netsch, it's our understanding that...that by the time the...the payments have start...have stopped that those providers around the state that are in danger of not being able to borrow money from their bank, who are being forced to layoff people, there will be a mechanism in place by the Department of Public Aid to identify...or who will establish that criterion and will identify those individuals and be ready to assist within a couple of weeks, so it will not be a matter of months. That's the purpose of this is to get at those providers who are just absolutely not going to be able to continue unless they have money now.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

But the...the providers would be the whole pool of providers, whether they be nursing homes or hospitals or doctors or whatever, whatever and...excuse me, what you're...what you're saying is that within two weeks the department is going to be able to determine a priority list to...to be able to allocate and spend thirty million dollars for "those who need it the most" without being contested by those who are not on the first list and challenged and taken to court and a few other things?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Let's don't misunderstand, all thirty million won't be spent in the first two weeks or by the end of the second week, but we will begin to identify those individuals who cannot borrow money, for example, to stay in existence. Those who have no credit will be the first that will be considered. If you can borrow money to continue an operation until your normal payments...or till the payments come, then fine, but if you can't borrow money, if you have money from no other source, then those are the people that this odd thirty million dollars will be going to.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, I guess this is now more of a comment. That was a real question. I couldn't figure out how you were going to...to do that and I guess I'm still not entirely clear, but it seems to me that...and I believe this point probably has been suggested that it is an acknowledgement that there is more than thirty million dollars out there of providers who

are at risk, at risk of going under in one way or another, and it seems to me that...that what you are doing is to help make the case that we are trying to make which is two hundred million dollar closing balance or no, we have no right not to help those people continue in business who are doing our work. They are doing that which we need for them to do, which is to take of people who cannot take care of themselves and it's...it's insane for us to put any of them, thirty million or five hundred million, at risk by not paying their bills...on as fast a schedule as possible, even at the risk of going below the magic two hundred million on June 30th which is, as Doctor Mandeville knows, a figure...a figure that can easily be manipulated anyway on June 29th, June 30th or July 1. I really think that...that in a sense your very amendment, Senator Maitland, has made the case for those of us who say we have got to start the paper work and start paying these people as fast as we can even if it takes down the balance, and I...I think it's extremely important that we not do this, we do what we have to do, which is pay them all.

PRESIDENT:

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Will the Senator yield to a question?

PRESIDENT:

Senator indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator Maitland, I just have one problem. I...I think we're all in agreement that we got to pay our bills and I think that's one thing we're all looking at, but to follow up a little bit on Senator Carroll's question, if a hundred and fifty-nine million is what we need, why are we asking for thirty million more to be spent now and making it a hundred and eighty-nine million? Could we not set aside that thirty

million anyway and then come up with a hundred and twenty-nine million to make it a hundred and fifty-nine? Then I have a second problem with the July 1 date. It's my understanding if that money is not appropriated until that time that the process cannot start. Are we not then at that time asking the...the people to wait until September to get paid at that particular point?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, to the...to the first question, I'm not...I...I don't think I...I quite heard what Senator Carroll said but...but actually it seems to me that...that this is an improvement in...in total amount of revenue to health care providers over what we had before us last Friday. Admittedly, it draws down from the...the end of the year balance and everybody knows that and that's...goes without saying, that's to the...that's to the first point. The second point is, this money, this hundred and fifty-one million dollars, is being...appropriated today simply will not be spent until after July 1, but they will be able to put in place the mechanism to be ready to spend that money...July 1 without question. If we go the other way, you know, it would be...three weeks later, if it's in next year's appropriation.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

I appreciate that and that explains the...the latter part of the question, but I guess I still have a problem whenever we don't supposedly have the money and we're arguing over whether we should pay our bills or whether we shouldn't, I...I'm not sure if we're in a position to where an improvement is really what we're after. I think we're looking at...at a position to where we can pay our bills in a timely

manner and hopefully to...to retain the forty-five days that the Governor has spent us down to in that particular field, so, hopefully, you know, we can do...I don't want to get in a big argument over whether it's too much or not enough, but I think a hundred and fifty-nine million dollars, if that's what they need, that's what they need.

PRESIDENT:

All right, with leave of the Body, Channel 20, our friend, Mr. Smith, has requested permission to tape. Is leave granted?...Kelly, you'll never win a roll call. Senator Dunn, further discussion?

SENATOR TOM DUNN:

Thank you, Mr. President. May I ask the sponsor a question, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Dunn.

SENATOR TOM DUNN:

Senator Maitland, on...on page 10 where there's some five million taken out of Extended Child Care...was that part of the reform package last year?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, it was.

SENATOR TOM DUNN:

And is that unneeded money been determined now?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Absolutely cannot be spent the remainder of the fiscal year. There's no question about that.

SENATOR TOM DUNN:

Why is that?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Was a slower start when the program started and just simply cannot be expended. There was more in there that can be...than can be expended and there's no need to leave it in there.

PRESIDENT:

Any further discussion? Further discussion on Amendment No. 6? Senator Maitland, you wish to close? Question is the adoption of Amendment No. 6 to House Bill 1685. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 29 Nays and the amendment fails. Further amendments, Madam Secretary?

SECRETARY:

Amendment No. 7...

PRESIDENT:

I beg your pardon...I beg your pardon. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Mr. President, verify the negatives, please.

PRESIDENT:

That request is in order. Senator Maitland has requested a verification. Will the members be in their seats. Madam Secretary, please read the negative votes.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Luft, Marovitz, Netsch, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT:

(Machine cutoff)...Maitland, do you question the presence of any member?

SENATOR MAITLAND:

Senator O'Daniel.

PRESIDENT:

Senator O'Daniel just entered the Chamber.

PRESIDENT:

Senator Berman.

PRESIDENT:

Senator Berman is on the Floor...

SENATOR MAITLAND:

Senator Degnan.

PRESIDENT:

Senator Degnan. Senator Degnan is on the Floor, Senator Maitland.

SENATOR MAITLAND:

Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce. Senator Joyce on the Floor? Strike his name, Madam Secretary.

SENATOR MAITLAND:

Senator Luft.

PRESIDENT:

Senator Luft. Senator Luft is in his seat. (Machine cutoff)...question the presence of any...other member, Senator Maitland? Senator Hall, for what purpose do you arise, sir?

SENATOR HALL:

Well, at the proper time, I want to verify...verification of the affirmative.

PRESIDENT:

This is as proper a time as you'll find. Senator Hall has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative

vote.

SECRETARY:

Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpiel, Keats, Kustra, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDENT:

Senator Hall, do you question the presence of any member?

SENATOR HALL:

Senator Topinka.

PRESIDENT:

Senator Topinka was right in front of me. I'm sure she's in the phone booth.

SENATOR HALL:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen is on the Floor, Senator Hall.

SENATOR HALL:

Senator Rigney.

PRESIDENT:

Senator Rigney is in his seat...

SENATOR HALL:

Can't hardly see him.

PRESIDENT:

...where all good members should be.

SENATOR HALL:

Yeah. Well, we have somebody too. Senator Jeremiah Joyce.

PRESIDENT:

I understand. All right, the Chair will observe that Senator Jeremiah Joyce is in the Chamber. All right, the roll has been verified. On that question, the question was the adoption of Amendment No. 6, there are 29 Ayes and 29

Nays and the amendment fails. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 7.

SENATOR SCHAFFER:

Mr. President, this is a no dollar change, non-GRF amendment for the Department of Commerce and Community Affairs. It has the practical effect of allowing the reallocation of funds in the Tourism account from those counties which have not expended their money and allows the department to expend that money among the counties that are able to expend it and are able to meet the matching provisions of the law.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Schaffer, with all due respect, this was not brought to our attention, as you know. If this is the one that violates the agreement they have on how they will divide the money that have been discussed in their new appropriation as well, then, obviously, we would oppose it. There has been a formula all along. Do you want to identify which counties or whatever...but we have not seen this.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm sorry, I believe this amendment has been distributed and I was under the impression it had been discussed with all parties affected. It's my understanding, to be candid, that the County of Cook and...and not just the City of Chicago but the County of Cook has some funds that they have not been able to meet matching dollars for that are going to go unspent in this year and that the department would like the authority, which it has previously had, to reallocate those

funds. Now, obviously, if someone in the County of Cook can meet the matching funds...there may be other counties affected, I don't know, but if they can't spend the money and they haven't requested it, the department would like to be able to reallocate it to those counties that have ongoing programs and are able to...to meet the matching funds. The problem is that these tourism programs need to be funded at this point if they're to be effective during the summer tourism season, and by the time we get around to straightening it out, it won't really matter what we do, and I might add this is not GRF, this is tourism dollars. I believe the tourism industry is on board with amendment. I don't know of any opposition.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Well, I also don't think it does what you think it does 'cause it doesn't change the allocation. It still keeps the money in the over and under accounts as they were. So, I think it's of no effect whatsoever and we would oppose the amendment. I mean, it has no legal efficacy anyway because you still have the allocation by account and if not advisory, it is mandatory in the way it's been divided.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Schaffer, does anybody over there have a list of the counties that would be getting the money? We know that one county might not be, but who is going to get the money?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, presumably, every other county in the state but Cook.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, I...I don't care about presumably, I want to know, do all one hundred and one counties other than Cook meet the criteria for the tourism money?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, some of the downstate counties don't have tourism councils and you have regional councils. So, I guess I couldn't say that each county would, but certainly each county or the regional council that it belongs to would qualify for these dollars, assuming they can meet the qualifications and...and come up with the matching money. Apparently that's been the bugaboo in Cook is that they...I...haven't been able to come up with the local share. Now, I can't speak to...with great authority to the legal question that the Senate chairman just enumerated on; frankly, if he's right, then he wins either way and I see no reason not to put the amendment on.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Let me get right to the point. Is my district going to get anymore money if I vote for this amendment? I think that's what a lot of members would like to know. Very simple, either yes or no. I don't care about councils and et cetera, et cetera. There must be a list somewhere, but who's going to get the money and who isn't? Am I in or am I out?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, you're in as far as I'm concerned. To give you an honest answer, however, obviously, some tourist council...county or regional council...would have to have a program, would have to have the matching funds and then would apply and would probably get them. I can't give you a definite answer. The...the...my handlers behind me say, yes, but then...then they hedge but...because you guys have to have...have a proposal. If your county doesn't come up with a proposal, you know, we'll put the fish in the pond, all you have to do is throw the line with a hook in, you pull it out, but you got to throw the hook in.

PRESIDENT:

All right, question is the adoption of Amendment No. 7 to House Bill 1685. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, none voting Present. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 8.

SENATOR SCHAFFER:

Mr. President, I...I'm told that this amendment has been discussed with the chairman by Representative Cullerton. You may recall him, in the other Chamber...at dinner last night I'm told. Basically, we put an amendment on which would force the Department of Commerce and Community Affairs to allocate the two-sevenths of the horse parimutuel betting fund to the Department of Agriculture. The law originally allocated two-sevenths to DCCA for promotion of horse racing

in a generic sense and for some reason we then made them go to Ag. and they don't...Ag. doesn't really want it and DCCA has got a program.

PRESIDENT:

Senator Carroll on Amendment No. 8.

SENATOR CARROLL:

Thank you, Senator Schaffer. Yes, Senator...Representative Cullerton and I did have a discussion after which we were even all the more confused. The issue was that DCCA testified at least that the funds were going to be used for promotion of the Hambletonian, which was not the intent of Representative Cullerton's formula, and we said if it was Hambletonian, it belongs in Ag. and not in DCCA; if it is not Hambletonian, then it was part of that formula allocation. We were told specifically that it was only to be used for the Hambletonian. The formula that Senator Rock, Senator Philip really identified in Representative Cullerton's bill last year was that two-sevenths would be used for promotion of the horse racing industry and the horse breeding industry. It...this appropriation, as originally testified to, limited it for the Hambletonian which was not what I think Senator Rock or Senator Philip or Representative Cullerton had intended when they made the allocation. Can you identify for us on the record what it'll be used for, and if it is correct, I...I, of course, would then remove my opposition.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The money is clearly intended for generic...generic advertising program for the horse racing industry, does not relate to the Hambletonian; and if you'll identify the department person from DCCA who said that, we will take him out and have him horsewhipped.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

I'll give you a long list.

PRESIDENT:

Question is the adoption of Amendment No. 8 to House Bill 1685. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR WOODYARD:

To the...in the gallery to your rear, a group of young folks from Charleston, Illinois, the Show Choir, and I hope you had an opportunity over the lunch hour to...to listen to these young people perform down in the rotunda. Welcome to Springfield.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Any further amendments, Madam Secretary? Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Carroll, we wish to get to this today? All right, we'll have a little intervening business. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. You asked for intervening business and I would ask leave, if I might, to go to the Order of 2nd Reading to move along just one bill which does have a time sequence on it. I...sorry, I've not had time to talk to the other side, but it is the...the Con Con explanation bill.

PRESIDENT:

All right, with leave of the Body, Senator Netsch has requested leave to go to page 2 on the Calendar for the purpose of moving along Senate Bill 1655. Middle of the page on page 2. Without objection, leave is granted. Madam Secretary, on the Order of Senate Bills 2nd Reading is Senate Bill 1655. Read the bill, please.

SECRETARY:

Senate Bill 1655.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCYZ:

Thank you, Mr. President. I ask leave of the Body to be added as a hyphenated cosponsor with the permission of the chief sponsor to Senate Bill 1592.

PRESIDENT:

All right, gentleman seeks leave to be added as a cosponsor on Senate Bill 1592. Without objection, leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a

point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

It's my pleasure to introduce to this Assembly, this is Mary Reljic, R-E-L-J-I-C, from Lake Villa Township in my constituency and I welcome her here and ask you to welcome her. She's sitting in the back gallery.

PRESIDENT:

Will our guest please rise and be recognized. Welcome to Springfield. Madam Secretary,...on the Order of...with leave of the Body, we'll move to the Order of House Bills 3rd Reading, House Bill 1685. Read the bill, please.

SECRETARY:

(Secretary reads title of bill)

House Bill 1685.

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1685 as now amended is the supplemental appropriation for the remainder of Fiscal 1988. We believe that it now accommodates the needs of state government to get us from now through June 30th. It provides in some probably forty sections now significant amounts of money in various departments by way of transfer, utilization of federal funds and utilization of general revenue funds. Amongst the things highlighted as making sure that, for example, we have sufficient funds for child care, for substitute care in Department of Children and Family Services and...and probably most importantly, as we have been debating earlier, we have now given the authority to the state to pay the life sustaining bills involved in the Medicare-Medicaid type line,

those...those lines that deal with health services, hospitals, doctors, dentists, nursing homes, pharmacists and so on. This will allow, in fact, a...an orderly process of bills to be proceeding through the system and, in my own opinion, as money is available or can be utilized, those bills can be paid. I think it is essential to the well-being of this state that we do pass the supplemental appropriation, that we do attract as many federal dollars as we can, that we do accommodate things like substitute care for Children and Family Services and provide for an orderly way of paying our bills to those who provide life sustaining medical services. I would ask for a favorable roll call on passage of House Bill 1685.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1685 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 1685 having received the required constitutional majority is declared passed. Resolutions. (Machine cutoff)...Rock, on the Order of Resolutions.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Philip and I and all members have filed a resolution memorializing the death of Harry Golden, the Sun-Times city hall reporter who was known by most of us or if not all of us. There is to be a memorial service tomorrow in the city council chamber and I would move for the suspension of the rules for the immediate consideration and adoption of Senate Resolution 1023. I will be asking a member of the city council to present that resolution during the memorial service. Harry Golden, as you know, was a unique person. His word was good and he had an affinity for accu-

racy, which I hope the press corps will take note of. He was unique and a friend to many of us and I would move to suspend the rules for the immediate consideration and adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1023. Those in favor of the motion will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution 1023. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1023 is adopted. All right, resolutions.

SECRETARY:

Senate Resolution 1026 offered by Senator Topinka.

Senate Resolution 1027 offered by President Rock.

Senate Resolution 1029 offered by Senator Ralph Dunn.

Senate Resolution 1030 offered by President Rock.

Senate Resolution 1031 offered by Senator Brookins.

Senate Resolution 1032 offered by Senator Smith, President Rock and all members.

Senate Resolution 1033 offered by Senator Carroll.

Senate Resolution 1034 offered by Senator Demuzio.

They're all congratulatory.

Senate Resolution 1035 offered by Senator Brookins. It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, thank you, Mr. President. Just to announce that the Senate Labor and Commerce Committee will be meeting immediately after Session in Room 400 and we have another committee meeting, Judiciary, that's going to be right on our tail, so I'd

like to ask all the members to be prompt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further...Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

For purpose of an announcement. Local Government Committee will convene immediately after Session. We only have two bills, so if all the members could be there, we should be in and out in a very short time so those of you who need to get to Judiciary can do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President, purpose of an announcement. This is the last day to inform all those members of the Senate who have not purchased their tickets to the Governor's Prayer Breakfast, which is next Thursday, May the 12th, with Mike Ditka at the speaker. If you wish to participate and...make sure that you have a seat for the morning at 7:30 a.m. on the 12th, I need to see...hear from you today. The...the cost is eight-fifty. Make the checks out to Governor's Prayer Breakfast and see me today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further business to come before the Senate?
Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Given the heavy committee schedule tomorrow morning, I think it's best that we will adjourn till one o'clock tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further...further business? Senator Rock has moved...Senator Mahar, for what purpose do you arise? Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I'm looking for Senator Marovitz. He was going to reschedule the...Judiciary Committee for three o'clock but we have Executive Session at two o'clock and quarter to three right now, so I'm waiting for Mr. Marovitz to tell us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'll tell it just like it is. The Judiciary Committee which recessed was going to meet at three o'clock after the Labor Committee in Room 400. Obviously, the Local Government is meeting at two o'clock and Labor is also meeting at two o'clock and...well, Executive is meeting but that's in...that's in Room 212 and that's...that doesn't involve us. Labor is going to have to meet for one hour, I...I'm told. Senator Collins is around...or rather Senator Poshard. Okay. I would...I would suggest that we meet at four o'clock...Judiciary will meet at four o'clock in Room 400 at...to reconvene its meeting. Four o'clock in Room 400 and...and if everybody gets there on time, it shouldn't take us more than forty-five minutes. We do have an agreed bill list and about eight other bills to be considered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and...Ladies and Gentlemen of the Senate. I'd like to announce that tomorrow morning at 10:00 a.m. the Committee on Public Health, Welfare and Corrections will meet in Room 400, and I'm asking that as many of you who would like to come, please come, there's going to be a visual...autovisual showing for PAPS and the people from WGN will be here. I think you'll enjoy listening to this, so I'm asking for your presence. Be there at 10:00 a.m. in the morning. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and members of the Senate. Tomorrow morning at ten o'clock, Thursday, May the 5th, Appropriation II will meet sharply at 10:00 a.m in Room 212. Ten a.m., 212, tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock has moved that the Senate stand adjourned till one...one o'clock tomorrow afternoon. Senate stands adjourned. Senator Berman, we're adjourned. Senator Berman.

SENATOR BERMAN:

Thank you. I just wanted to announce to all the members of the Education...Elementary and Secondary Education Committee, we are not meeting today at three o'clock. We finished all our work.

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SENATE
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