

REGULAR SESSION

FEBRUARY 7, 1979

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of 9:30 having arrived, the Senate will come
3. to the order. The prayer will be by the Reverend Eugene A.
4. Frost, the Cherry Hills Baptist Church, Springfield, Illinois.

5. REVEREND FROST:

6. (Prayer given by Reverend Frost)

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Reading of the Journal. Senator Johns.

9. SENATOR JOHNS:

10. Mr. President, I move that reading and approval of the
11. Journal of Tuesday, February the 6th, in the year 1979 be
12. postponed pending arrival of the printed Journal.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. You heard the motion. Those in favor indicate by saying
15. Aye. Those opposed. The Ayes have it. It will be so ordered.
16. Committee reports.

17. SECRETARY:

18. Senator Donnewald, Chairman of the Committee on Assignment
19. of Bills, reports the following Senate Bills have been assigned
20. to committee: Education and...Elections and Reapportionment -
21. Senate Bills 77, 78, 79 and 80; Executive - Senate Bill 83;
22. Insurance and Licensed Activities - Senate Bills 81 and 84;
23. Public Health, Welfare and Corrections - Senate Bill 82;
24. Revenue - Senate Bill 85.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The Senate will stand at ease for a few minutes to allow
27. the membership to introduce bills to the Secretary's Desk.
28. Introduction of bills.

29. SECRETARY:

30. Senate Bill 86 introduced by Senators Berman, Shapiro,
31. Geo-Karis and others.

32. (Secretary reads title of bill)

33. Senate Bill 87 introduced by Senators Grotberg, Maragos,

1. Berning and Demuzio.
2. (Secretary reads title of bill)
3. Senate Bill 88 introduced by Senator Knuppel.
4. (Secretary reads title of bill)
5. Senate Bill 89 introduced by the same sponsor.
6. (Secretary reads title of bill)
7. Senate Bill 90 introduced by Senator Shapiro, Weaver, Philip
8. and Walsh.
9. (Secretary reads title of bill)
10. Senate Bill 91 introduced by Senator Berning.
11. (Secretary reads title of bill)
12. Senate Bill 92 introduced by Senators Regner, Shapiro,
13. Weaver and others.
14. (Secretary reads title of bill)
15. Senate Bill 93 introduced by Senators Hall and Donnewald.
16. (Secretary reads title of bill)
17. Senate Bill 94 introduced by Senators Graham, Shapiro,
18. Becker and Schaffer.
19. (Secretary reads title of bill)
20. Senate Bill 95 introduced by Senators Maragos, Regner,
21. Daley and others.
22. (Secretary reads title of bill)
23. Senate Bill 96 introduced by Senators Graham and Becker.
24. (Secretary reads title of bill)
25. Senate Bill 97 introduced by Senators Sangmeister, Donnewald,
26. Rock and others.
27. (Secretary reads title of bill)
28. Senate Bill No. 98 introduced by the same sponsors.
29. (Secretary reads title of bill)
30. 1st reading of the foregoing bills.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Resolutions. Senator Donnewald's.
33. SECRETARY:

58 16
7/7/11

1. Senate Joint Resolution No. 10 offered by Senator
2. Donnewald.

3. (Secretary reads SJR No. 10)

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Donnewald.

6. SENATOR DONNEWALD:

7. Yes, Mr. President and members of the Senate. I would
8. now move that the rules be suspended for the immediate
9. consideration of the resolution.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. You heard the motion. All those in favor indicate by
12. saying Aye. Those opposed. The Ayes have it.

13. SENATOR DONNEWALD:

14. I now move...

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The rules are suspended.

17. SENATOR DONNEWALD:

18. ...for the adoption of the...the Adjournment Resolution,
19. which would bring us back Wednesday, February the 14th at
20. 12:00 o'clock noon.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. You've all heard the motion. Those in favor indicate by
23. saying Aye. Those opposed. The Ayes have it, the motion is
24. adopted. Now on the Calendar on the Order of 3rd reading, we
25. have Senate Bill 16. Senator Regner.

26. SENATOR REGNER:

27. Mr. President, I understand there is an amendment that
28. Senator Knuppel wishes to offer, so I'd like to ask leave
29. to return Senate Bill 16 to the Order of 2nd reading for the
30. offering of an amendment.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. You've heard the motion. Is leave granted? Leave is
33. granted. Senate Bill 16 is now on the Order of 2nd reading.

1. SECRETARY:

2. Amendment No. 1 offered by Senator Knuppel.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. ...following you. I thought you were still on resolution.
7. The amendment that I offer, in effect, cuts in half the amount
8. of money that's to be appropriated under Senate Bill 16. I
9. have the feeling that this is a new program. That undoubtedly
10. there is room for some improvement in how we handle child...abuse
11. cases, but it seems to me it's like a sailor going in after he's
12. had his terminal leave pay and that we're appropriating too much
13. money to get a program started. My father used to tell me that
14. if he sent...he had three sons, that if he sent one guy to do
15. the job he...one son to do the job, he had a man. If he sent
16. two he had a half a man. If he sent three, he didn't have
17. anybody at all. And I think here, they're asking for enough money
18. to finance three hundred social workers in the area of child
19. abuse. Now, I've been a practicing attorney for some thirty
20. years and I've handled several child neglect cases. And generally
21. speaking what happens is they end up with a prosecution, makes
22. more work for the state's attorneys and the judges. You...the
23. people you're gonna get when you hire that many, you're going
24. to exhaust the supply rather rapidly and the people you're going
25. to get are newly graduated people with shiny new degrees and not
26. one damn bit of experience. And I can tell you, raising children
27. is no easy problem and I've been guilty of child abuse a couple
28. of times raising my own. When I found out my son was smoking
29. pot last summer, I busted him right in the chops. And I know
30. another father that found out when his son had gotten too many
31. drugs, he beat the hell out of him, he was black and blue. No-
32. body ever got a licking like that kid got and as far as I know
33. neither one of them has touched it since. Now, I just say to

1. you that I've seen Children and Family Services newly graduated
2. interneers, I'll call them, in small towns. And when you need
3. them on the weekend and that's when child abuse happens, you
4. can't find them because they're young people, they're single
5. and they're shackled up, that's the way they do it today. You
6. know, they do it in college and they do it someplace else. You
7. try to find one of them on a Sunday morning when somebody shows
8. up with a kid that's beat up and see what kind of luck you have.
9. And generally speaking, they've been a waste of time. Now, some
10. of the older people do the job. So I'm just saying here, let's
11. send one man to do what the Department of Children and Family
12. Services think they need two to do and it'll be like my dad.
13. You send one boy, you got a man, you send two boys, you got a
14. half a man. All this does is just cut the appropriation in
15. about half and I think that it...it's a start of a new program.
16. I think the people gave us a mandate last fall that we were
17. to cut expenses, that we were to scrutinize new programs very
18. seriously and that we should be very niggardly with how we
19. spend our money. And five million dollars is not a small piece
20. of change

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The press has asked leave to take some still photos.
23. Is leave granted? Leave is granted. Senator...Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. Mr. President, I rise in
26. opposition to this amendment. I think Senator Knuppel is
27. absolutely correct when he says that...several of the things
28. that he said. I don't know about why they are not available,
29. I won't try to address that, but I know that there are not
30. sufficient social workers available to be able to handle the
31. calls that come in from the various agencies, doctors, hospitals,
32. police or whatever in the dealing with child abuse, that's why
33. we have the bill. Because probably what has happened is that

1. child abuse is not much more prevalent now than it has been in
2. the past, it's just with the strengthening of the law, that we
3. have made in the last few years, we're getting it reported a lot
4. more often. And as a result, we are hoping to be able to stop
5. this. The law requires that when there is a reported case that
6. the Department of Children and Family Services get a representative
7. to that home within twenty-four hours. With their case load that
8. they have now, there simply is no way that they can do that.
9. Sometimes it's as much as three or four days or a week or two
10. weeks before they get there. That's why the bill is being presented.
11. We heard this same bill or this same concept last November or
12. December in the Appropriations Committee when it was, at that
13. time, considered to be a dire emergency that we get this program
14. started. The director, in fact, went ahead and somewhere between
15. seventy and one hundred employees were either...were...were...were...
16. promoted or were, I guess the more proper term, the better term,
17. would be, hired, with the idea that this money was going to be
18. available because the Governor has given his full weight and
19. support to this concept. Then we got into a defugility, as
20. you recall, on January the 10th in the House and they saw fit
21. not to pass the bill that we had already passed. And so we
22. asked that this new bill be reintroduced or be introduced, rather,
23. the first day of the new Legislative Session of the new Legislature
24. and we would bypass committee and go ahead and address the
25. problem that now arises. I also agree with Senator Knuppel in
26. that I consider myself a fiscal conservative. I consider myself
27. one who is opposed to the start up of new programs because they
28. happen to appeal to a bleeding heart somewhere, but bleeding
29. children don't fall into that category in my mind. And so
30. therefore, I think, we ought to oppose this amendment and
31. get this bill over to the House where, I believe, there are now
32. sufficient...votes to pass it immediately and let the director
33. go ahead full steam ahead with implementing the hiring of these

1. new social workers and support staff to stop the child abuse...
2. the child abuse problem we have in this state. Thank you, Mr.
3. President.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Regner.

6. SENATOR REGNER:

7. Well, Mr. President and members of the Senate, I too rise
8. in opposition to this amendment. I certainly can't say it
9. any better than Senator Buzbee did, what the problem is. Now
10. last fall when the bill originally passed, it passed the Senate
11. without a dissenting vote. It got messed up in the House.
12. The child abuse problem certainly hasn't been resolved in
13. any better manner than it was, since then the director has
14. informed us, as Senator Buzbee said, that we have hired some
15. seventy to a hundred people and have incurred many other
16. operational expenses that we did indicate to the department
17. that they should go ahead and do. And I certainly think we
18. should pass the bill as originally introduced, get on with
19. the business, and go forward to resolving the problem of
20. child abuse in the State of Illinois and I would urge a
21. negative vote on this amendment.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Thank you, Mr. President, members of the Senate. I can't
26. for the life of me see how anybody can be in opposition to this
27. amendment to Senate Bill 16. Now let's look back, last fall
28. there came an emergency measure to appropriate some 5.1 million
29. dollars to the Department of Children and Family Services to
30. increase the staff by some three hundred personnel so that they
31. could investigate the increased number of child abuse cases
32. being reported. They were increased...number of child abuse
33. cases being reported because we had passed legislation requiring
34. a stiffer reporting procedure. It doesn't necessarily mean

1. there are more child abuse cases today than there were ten
2. years ago, it means more are reported today. Well now
3. that was last fall, now we didn't pass that 5.1 million
4. dollar appropriation and it was for FY '79. We're talking
5. about that last fall and now. We're not talking about
6. FY '80. Now, here it is, February and we're asking for
7. the same amount of money that we asked for last fall. Now,
8. stop and think, there's no way that you could possibly give
9. 5.1 million dollars to the Department of Children and Family
10. Services. There's no way that the Department of Children
11. and Family Services could go out and hire three hundred
12. new social workers and put them into a program in FY '79
13. to spend this money. Even Senator Chew couldn't spend
14. 5.1 million dollars between now and the end of FY '79.
15. Now, stands to reason, if you're going to have any bill come
16. out of here that's going to fund this program, and I'll talk
17. on the bill when it gets up on 3rd reading, the merits of
18. whether or not we should get into this. But I can't under-
19. stand the likes for me how anybody could object to cutting
20. in half the appropriation of a 5.1 million dollar. Now, I
21. went to see what the staff analysis would be on Senate Bill 16,
22. there is none. So you have to go back to the previous bill
23. that we had last year and I think that was Senate Bill 1884.
24. And you can't appropriate the same money in February, 1979,
25. for Fiscal '79 that you were appropriating last year back
26. in November, you appropriate half the amount. And Senator
27. Regner, if you want your bill in proper form, Senator Knuppel
28. gave you the proper amendment. And then when we get it up
29. on 3rd reading, I think we ought to debate whether it even
30. should pass at half the figure of what you originally intro-
31. duced it. But this is nothing but the old Washington reflex,
32. where you pick up a bundle of money and you throw it out
33. through State government and you're going to solve a problem.

1. This is not the answer and I want to tell you right now the
2. projection for Department of Children and Family Services
3. for this particular program in FY '80 is nine million dollars.
4. So, hang on to your hats, if you're talking fiscal responsibility
5. like you did during the campaign, and you came back here and
6. you did a one step, two step, now you're getting into a fox
7. trot.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. I join in support of this
12. amendment, if for no other reason that we need the attention
13. of the Department of Children and Family Services. I dare
14. say that there's not a member in here that can truly say
15. that that department in the past has been responsive to
16. our request and answers that we seek on various cases. To
17. give them this money, carte blanche, so to speak, will leave
18. them not needing us, so to speak, in this program. I think
19. it will make them accountable, I think it will make them
20. perform better and I think it will make them realize that
21. we're not always going to give them a blank check. They
22. need to be held accountable, they need to be responsive,
23. and I support this amendment.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Knuppel may close
26. the debate.

27. SENATOR KNUPPEL:

28. Well I'm...I'm glad for the support that I've heard from
29. this Floor and I can tell you, as a practicing attorney, that
30. some of the things Senator Johns has said with respect to
31. the responsiveness of Children and Family Services. And then
32. you say about somebody is supposed to attend to one of these
33. calls within twenty-four hours and as I tell you, you generally
get these calls on Sunday morning and I don't know where you're

1. going to find these people. I've tried to do it. I had a
2. family that was in...that had some problems and we thought
3. we had the problems all worked out and then the first thing
4. you know here comes another government agency, Citizens Action
5. Program, three women, one...they were afraid for one of them
6. to come into my office alone, three of them come in together
7. and said, what's happening with this family? And I said we
8. went into court, we gave them to Children and Family Services
9. to supervise, they said Children and Family Services hasn't
10. been there since they...you were in court, that was nine
11. months ago. And they closed the office that was taking care
12. of them and transferred it into Logan County. Before I got
13. somebody from Children and Family Services in there, I had
14. to go back to some of the older people in Children and
15. Family Services and it was transferred from Lincoln down to
16. Beardstown. Now that's how much help they were. And when
17. I tried to find them on Sunday morning, I'm telling you that
18. I called their apartments, their personal apartment, and they
19. weren't there. They were out of town. I couldn't find any-
20. body. Now, you're spending money, when does children and
21. family abuse, when is it going to happen. Ninety percent
22. of it is going to happen from two causes, mentally...people
23. who are mentally deranged and the second one is alcohol.
24. And when do people drink too much, most of the time it's
25. on weekends and the other thing I said is true, you're not
26. going to find experienced, qualified, degreed people in the
27. numbers you're talking about. And we're going to have another
28. appropriation through here in just a couple of months. We
29. shouldn't tell any agency by passing this that they can come
30. in here in light of what the people said last fall at the poll,
31. with a blank check and we're going to sign it.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. The question is shall Amendment No. 1 to Senate Bill 16

1. be adopted. Those in favor indicate by saying Aye. Those
2. opposed vote No. There will be a roll call, Senator. Those
3. in favor vote Aye, those opposed vote No. The voting is
4. open. Open the rolls. What's wrong...here...Have all voted
5. who wished? Take the record. On this question the Ayes are
6. 8, the Nays are 38 and the amendment is defeated. Any
7. further amendments?
8. SECRETARY:
9. No further amendments.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. 3rd reading. Since the amendment wasn't adopted, Senator
12. Regner is recognized.
13. SENATOR REGNER:
14. Well, Mr. President and members of the Senate. This is
15. a bill that's been discussed and over and over again, in the
16. Senate and also in the House. We all know what it's about.
17. It's to provide additional programing to prevent child abuse
18. here in Illinois and I'd urge a favorable roll call.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. The Secretary will read the bill.
21. SECRETARY:
22. Senate Bill 16.
23. (Secretary reads title of bill)
24. 3rd reading.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Graham.
27. SENATOR GRAHAM:
28. Mr. President and members of the Senate. Some sixteen
29. years ago the man that sponsored the bill that started the
30. Department of Children and Family Services was sitting about
31. in this seat here, Senator John Meyer from Danville. Maybe
32. it's the end seat and Senator Peters was sitting here. Well,
33. I think that bill came in at fifty-nine million dollars and

1. Senator Peters was up debating Senator Meyers and he said, "I
2. want to tell you people something right now." He said, "you're
3. starting something you're not going to be able to control" and
4. he said, "you know, in a few years, we could be as much as...as
5. two or three million dollars appropriation." If Senator Peters
6. only knew what we were talking about here now, he would come
7. back and say a few things to us also. I know that to have any
8. misgivings about this kind of an appropriation under the
9. program, puts you in the category of Simon Legree. Let me tell
10. you one thing, if anybody thinks that we can spend this amount
11. of money to hire this number of new college graduates to go out
12. and take over this program, you know what we're going to do,
13. Ladies and Gentlemen of the Senate, if they do it without the
14. proper screening and the proper hiring practices and I'm afraid
15. that this might happen, we're going to provide for the Department
16. of Children and Family Services, let the inmates take over the
17. asylums. I've had some experience with this crowd and some
18. very disappointing experiences too and some of this came about
19. because they had inexperienced people doing a job or trying
20. to do a job. I want to relate to you one experience, and if
21. you'll bear with me just briefly. A family in Palatine, Illinois
22. had five adopted children. They took another child as a foster
23. ...as foster parents from a Puerto Rican family. This child
24. had a problem and the problem probably arose because of its
25. family life and child abuse and so forth. But along come one
26. of the new...one of the do-gooders in the Department of Children
27. and Family Services, one of these counselors, and said this whole
28. family of children, about five of them that had been taken away
29. from this family because of child abuse, would have to be
30. returned to their natural parents. They went to court and
31. convinced a judge in Chicago that that was the proper thing
32. to do, despite the fact that the technician from St. Luke's
33. Presbyterian Hospital was there and said, testified, with

1. the necessary...negatives taken of this...child...child's skull
2. to the point that they proved skull fracture because of child
3. abuse and still they sent these children back to their natural
4. parents, especially this one boy, and you know what happened.
5. The first weekend he got beaten up and they've got him back
6. again. It's pretty hard to convince some of these people
7. and I don't know how many people they're figuring on hiring,
8. but I'll tell you, if they go out to hire three or four hundred
9. people, there isn't that many people that they're going to be
10. able to hire with the kind of salary they're going to give out
11. that will do the job that we want. Sure I want the job done,
12. sure I do. I don't want...children beaten up, I don't want to
13. be on the side of Simon Legree neither. Do I think that a
14. problem that is now is before us and it's before us and it's
15. very evident, can be cured by throwing some more money at it,
16. if we don't know who is going to get the money? I'm not sure,
17. I'm just not sure at this point in time that we can get the
18. kind of personnel that we really need to develop this program
19. and screen it properly and I, like some of the other speakers,
20. have observed some of the inadequacies some of the people have
21. been trying to do it. And I tell you, Ladies and Gentlemen, this
22. ain't going to pass because you vote against it you're against
23. motherhood. We're going to be back in a year, we're going
24. to be back in a year when this thing has collapsed to point
25. these people haven't been doing the job we expect them to do
26. and at that point in time I want you to remember that John
27. Graham told you so and I look at this and view it with a
28. great amount of alarm.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator, as for your information, we have four more
31. speakers and in their order are Senator Knuppel, Rhoads,
32. Mitchler and Geo-Karis. Senator Knuppel.

33. SENATOR KNUPPEL:

1. Mr. President and members of the Body. I've spoken
2. already on the amendment so I'll be short. I just...I just
3. realized how difficult it is to vote against something like
4. motherhood and that's what this sounds like and it's going
5. to take you back with...with roses all around you, but Senator
6. Graham has told you, anybody that's in the field practicing
7. law that's seen some of the work these people do and some
8. of the charges they bring. When you got three hundred people
9. out there, whether the work is there or not, they're going
10. to try to find it and you're going to find some people who
11. are well-meaning, good...good intentioned parents, who just
12. have a problem of discipline who are going to be in court
13. facing these people and they're going to beat them everytime
14. they go, I tell you that. I've never lost a child...an
15. alleged child abuse case yet because of some punk kid with
16. a degree who never raised a kid, don't know what the hell
17. it's all about, coming down the road and saying this woman
18. ought not to be handling these children or something like
19. that. In fact, the first jury trial I ever had was a neglected
20. child case on the Friday before Mother's Day and I said, you
21. know, Jesus Christ himself was the only perfect person they
22. made and they crucified him. Now, sure you're going to go
23. out of here looking good, but there's a lot of you here who
24. know that what I say and what John Graham says and what
25. Senator Johns has said, that this is a rather irresponsible
26. group and we should take a little more time to make sure
27. the people we get are qualified and let the...let the program
28. grow a little more slowly rather than to overrun the field
29. is right. But we're here, all we got to do is appropriate
30. the money, we don't have to be responsible for what they do.
31. So, we'll see how many Pontius Pilates there are.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Rhoads.

1. SENATOR RHOADS:

2. Thank you, Mr. President and members of the Senate. Of
3. all the social service agencies that the state has, this depart-
4. ment's mission is probably one of the most important ones and
5. one of the...one of the missions that I think we would all
6. like to see carried out in a...in an efficient manner. However,
7. I was in committee when former Director Kennedy testified on
8. Senate Bill 1884 and very frankly from the testimony given
9. during that committee hearing which was the only committee
10. hearing that I...that I'm aware of on this particular bill
11. in the last Session, I...I just don't think the money was
12. justified. If you'll recall, the political context was that
13. this was in reaction to a...snafu by the department in granting
14. the care of a child in Chicago to someone who had had a history
15. of child abuse and a criminal record. Frankly, the department's
16. track record is not very good. If Senator Knuppei's Amendment No. 1
17. had gone on, I might have voted for this bill just as...as an
18. act of faith, but since his amendment did not go on, I really
19. stand in opposition for two reasons. First of all because
20. the department's testimony thus far and the only testimony
21. we have, simply didn't justify the money. And secondly, I
22. think, to refer to the remarks that Senator D'Arco made
23. yesterday concerning his Juvenile Delinquency Appropriation,
24. which I opposed. I think Senator D'Arco had a very valid point
25. that we...all ought to think about very carefully. This General
26. Assembly overrode the Governor's Veto on that appropriation
27. and the money is still being held. Now, I don't think we
28. can allow that kind of behavior by the Executive Branch to go
29. on for too long without losing any legislative prerogatives
30. that we have that...that might be left. It is difficult to
31. vote against this bill because the mission of the agency is
32. so important, but I think the bill ought to be voted down
33. because they simply haven't justified the money. Thank you.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. Thank you, Mr. President, members of the Senate. I
5. think Senator Knuppel and Senator Graham stated very eloquently
6. the role of the courts in determining who should have custody
7. of a child. And throughout history, it's the courts decisions
8. that custody of the child remain with the parent. This is true
9. in whatever area government has tried to intervene in its
10. wisdom through its social workers, that they can run the family
11. better than the family itself. We are aware that there are
12. child abuse cases, but I do not believe that the Department
13. of Children and Family Services given these social workers
14. and this funding are going to solve the problem. Child abuse
15. cases come from certain circumstances in which the family lives.
16. You go back and you talk to the sheriffs of your counties or
17. to your local police and you'll find that during this period
18. of severe winter storms that crime, domestic problems and all
19. the interfamily problems have increased thousand-fold. The
20. children have been unable to go to school. Many cases they're
21. in small apartments, mother and dad both working, takes two
22. hours to get to work, two hours to get home. They're irritable,
23. they can't get outside for recreation, they're confined. And
24. you put a bunch of animals in a cage and they'll start fighting.
25. And human beings will do the same thing and this results in
26. additional child abuse cases and other problems, some of them
27. that I'm going to allude to in my remarks. This is not going
28. to solve the problem and I...I can't understand how we defeated
29. that amendment by a vote of thirty-eight to seven or thirty-
30. eight to eight. Now, let me point out to you that Jimmy Smith
31. was a ward of Department of Children and Family Services and
32. returned to the parents. The father beat that boy to death.
33. He went and got court action and he has been sentenced to
prison. That's an outstanding case and from that case emanated

1. all of this government intervention in, we are going to solve
2. child abuse. And we are going to solve it by giving money to
3. the Department of Children and Family Services, get a bunch of
4. social workers out and they're going to interview them and...and
5. solve the problem. You can't do that. The problem lies with
6. the morality of the people of the State of Illinois and the
7. nation. It has to work through the churches, through your
8. community, what you believe in. You can't change the warped
9. minds of a father or mother who will beat a child in a crib
10. until it's black and blue and has to be taken to the hospital.
11. No governmental agency could ever do that. Now I want to point
12. out to you that this funding of these three hundred additional
13. social workers, forty-four percent will go to Cook County,
14. sixteen percent to East St. Louis, in my own City of Aurora.
15. they're going to get funding for six, but they won't be
16. full time child abuse people of the Department of Children
17. and Family Services. We're going to get six new ones there
18. and they're going to take on additional case load, but they're
19. going to be working in other areas of Children and Family Services.
20. Now, I don't like that part of it and I don't like the part that
21. this is nothing but seed money although it's only 5.1 million
22. dollars, nine million dollars in FY '80 is what the projected case.
23. Now, if you're going to get into solving all the battered cases,
24. I want to point out to you that something has come to light, I've
25. done a little research on this, and there has been on some of
26. the talk shows, and it's...it's amazed me, the number of wives
27. that are battered, the number of wives that are actually raped
28. and beaten by their husbands, but under the State of Illinois
29. that's not a crime because the legal definition of rape in
30. the State of Illinois says that a rapist, according to Illinois
31. Statutes is a male person of age fourteen years and upwards
32. who has sexual intercourse with a female, not his wife, by force
33. and against her will.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator, if you'd confine your remarks to the bill and
3. not...

4. SENATOR MITCHLER:

5. I know we're in a hurry, this is the only bill we've
6. got today and we're going to get our per diem, so I'll
7. conclude my remarks. If you're going to get into solve
8. all these, let's have an appropriation then to investigate
9. the battered wives that get raped by their husbands and
10. start out on a program like that. And the Illinois Council
11. for Aging in their list of Legislative ideas for FY '80
12. pointed out the abuse of elderly people in nursing homes
13. and private homes. Do you know how many elderly people
14. get battered around in the State of Illinois by frustrated
15. mothers and fathers and...and people in their own homes
16. and in nursing homes. Let's...let's make a big appropriation
17. to that and the government can solve it.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator, confine your remarks to the bill.

20. SENATOR MITCHLER:

21. You can't solve it by this. And I'm going to ask you
22. to give a...a void vote on this because you're just throwing
23. 5.1 million down the drain. And Governor Thompson talking to
24. the educators yesterday said he doesn't have the money. Now,
25. how is he going to get 5.1 million dollars for FY '79 we're
26. talking about, Gentlemen and Ladies of the Senate, not FY '80.
27. Don't talk out of both corners of your mouth, Governor.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Mr. President and Ladies and Gentlemen of the Senate. I
32. can concur with some of the remarks made by the prior speakers
33. relative to the bundling bureaucracy and absolutely no good

1. done to help the abused children in many instances. Unfortunately
2. the prior director inherited a mess from prior administrations
3. in the Department of Children and Family Services where they
4. used to have investigators who are working on their Ph.D. degree
5. with two degrees in languages, being investigators, making their
6. salary of thirteen thousand a year so they can complete their
7. Ph.D. and leaving abused children and not even investigating
8. the further conditions or changing their conditions or their residence
9. for maybe a month or two. I have sat in many subcommittee
10. hearings with the Rape Study Committee of the House involving
11. sexually abused children. However, I am willing to cast an
12. Aye vote today because I do not think that we can sit back
13. and let children who are abused continue to be abused. Three
14. weeks ago we had a little three year old child, kicked to death.
15. I was in the hospital when the child was brought in. Now, I
16. am willing also to let the new director embark on a program
17. that he contends he will with a twenty-four hour service of
18. notice and attention to these abused cases of children and I
19. am further willing to put my neck on the block and say, okay,
20. let's give it a chance and if they don't do the job, let's
21. throw a lot of the administrative personnel out and let's
22. put the money where it should be used, to help the abused
23. children. I vote Aye.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Berning.

26. SENATOR BERNING:

27. Thank you, Mr. President and members of the Senate. I
28. rise in support of the bill, though I have a great many reservations
29. about potentials for implementation. I submit to you that, yes,
30. this appropriation probably is excessive for the time that's
31. left in the remaining Fiscal Year. However it does not have
32. to be spent by the department. Let's keep a close eye on the
33. department, but right now let's pass the bill, get it over

1. to the House and let's hope that perhaps over there they can
2. get the message more forcefully driven home to the department
3. and cut this appropriation back to where it belongs.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any further discussion? Senator Regner is.
6. recognized to close the debate.

7. SENATOR REGNER:

8. Roll call.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is shall Senate Bill 16 pass. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question the Ayes are 42, the Nays are 3,
14. those Voting Present are 4 and 10 are absent. Senate Bill 16
15. having received the constitutional majority is declared
16. passed. Leave to return to the Order of Introduction of Bills?
17. Leave is granted.

18. SECRETARY:

19. Senate Bill 99.

20. (Secretary reads title of bill)

21. That...that bill was...introduced by Senator Schaffer.

22. Senate Bill 100 introduced by Senator Schaffer and Martin.

23. (Secretary reads title of bill)

24. Senate Bill 101 introduced by Senator Schaffer.

25. (Secretary reads title of bill)

26. Senate Bill 102 introduced by Senators Merlo and Rupp.

27. (Secretary reads title of bill)

28. Senate Bill 103 introduced by Senators Philip and Nimrod.

29. (Secretary reads title of bill)

30. Senate Bill 104 introduced by Senator Philip.

31. (Secretary reads title of bill)

32. Senate Bill 105...Senate Bill 105 introduced by Senator
33. Sangmeister, Shapiro, Jerome Joyce and others.

(Secretary reads title of bill)

1. Senate Bill 106 introduced by Senator Sangmeister.

2. (Secretary reads title of bill)

3. Senate Bill 107 introduced by Senator Graham.

4. (Secretary reads title of bill)

5. Senate Bill 108 introduced by Senator Schaffer and Martin.

6. (Secretary reads title of bill)

7. 1st reading of the foregoing bills.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Graham.

10. SENATOR GRAHAM:

11. They just read Senate Bill 107. This bill is pretty
12. popular in some parts of the State and it's not a Senate
13. Bill that deals with some of the problems that we've had
14. in the past with drugs and so forth, but it does provide,
15. even though FDA does not sanction it yet...provides for
16. the use of chymopapain, injection in the lower for...relief
17. in lower back pain problems that people have in...instead
18. of having to have them replaced by new discs. This system
19. works very adequately in...in Canada and we have many, many
20. people that are going to Canada to have this done because
21. they can't have it done in the United States or in the State
22. of Illinois. This is a step forward and I wanted to call
23. your attention to it because I know there are some people
24. in this Senate Body who has had some correspondence from
25. people with regard to this bill and if you want to join
26. me in the sponsorship of the Chymopapain Bill No. 107, I
27. invite you to do so at this time.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. That Bill No. is 107. Would all Senators who wish to be
30. added to the list just inform the Secretary. Resolutions.

31. SECRETARY:

32. Senate Joint Resolution No. 11, Constitutional Amendment
33. offered by Senators Washington and...Senator Washington and others.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Executive. On your desks you have Resolutions on the
3. Consent Calendar indicating Resolutions No. 24 through 35.
4. Have any objections been filed, Mr. Secretary?

5. SECRETARY:

6. No objections have been filed.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Are there any objections to these resolutions? If not,
9. we will move that these resolutions be adopted. Those in favor
10. indicate by saying Aye. Those opposed. The Ayes have it, the
11. ...Senate Resolutions 24 through 35 are adopted. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. The Committee on Rules will meet immediately after
15. the Session, which will be in about ten minutes, I guess, in
16. the President's Office. I've discussed this with Senator
17. Shapiro, the meeting should not take very long. We will return
18. pursuant to the Adjournment Resolution at the hour of noon on
19. February 14th. The Rules Committee will meet at the hour of
20. 10:00 on the 14th. Now just for purposes of the members
21. convenience, there are two elevators in the back part of the
22. Chamber. The small elevator, as of today, is closed. We have...
23. are having trouble with all those bills we passed, the Life
24. Safety Code, that elevator frankly is unsafe. It has been
25. closed. The telephone company assures me that all the phones
26. for the new office reassignments will be in place on Monday
27. so that the members should, in fact, have vacated four, five
28. and six as of Monday and as a result, as of today, that small
29. elevator is closed. So we will meet on noon on February 14th
30. and the Rules Committee will meet immediately after Session
31. today and again at 10:00 on the 14th of February.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. If there is no further business to come before the Senate...

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. Appropriations II Committee
4. will be meeting, I have five minutes to eleven, we'll be
5. meeting at...in ten minutes in Room 212 to hear Department
6. of Aging and Department of Law Enforcement. Next week, your
7. notices have already gone out about next week's Appropriations
8. meeting, we are going to be adding two bills to be heard next
9. week. One of those, I don't have the bill numbers, but one
10. of those in the Electronic Data Processing line for the
11. Department of Children and Family Services, which we. you'll
12. recall yesterday we decided to make a separate bill rather
13. than making an amendment onto the bill we just passed. The
14. second bill that we will hear deals with a supplemental
15. appropriation to the Department of Conservation. So both of
16. those bills will be heard in Appropriations II meeting next
17. week even though your notice does not so indicate, we'll
18. send out a supplemental notice. But we will be meeting ten
19. minutes after we adjourn today.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any further business to come before the Senate?
22. If there's no further business, Senator Rock moves we stand
23. adjourned pursuant to the Adjournment Resolution until Wednesday,
24. February 14th, 12:00 o'clock noon.

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