

August 24, 2009

To the Honorable Members of the Illinois Senate,  
96th General Assembly:

Today, I return Senate Bill 1583 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, in order for me to give unqualified support to this measure, I respectfully request the adoption of the recommendations set forth below.

Senate Bill 1583 requires the Department of Healthcare and Family Services to develop a pediatric palliative care pilot program. While I believe this is a laudable goal, during this period of unprecedented financial difficulty, we cannot create any new mandates without available revenue. Accordingly, I am conditioning this program on sufficient appropriations being available for its support.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1583, entitled "AN ACT concerning public aid.", with the following specific recommendations for change:

on page 2, line 7, by replacing "develop" with "develop, subject to appropriation,"; and

on page 2, line 14, by replacing "submit" with "submit, subject to appropriation,"; and

on page 2, line 18, by replacing "shall" with "may"; and

on page 2, line 23, by replacing "shall" with "may"; and

on page 3, line 2, by replacing "implement" with "implement, subject to appropriation,"; and

on page 3, line 16, by replacing "determine" with "determine, subject to appropriation,"; and

on page 5, line 23, by replacing "include" with "include, subject to appropriation,"; and

on page 6 by replacing line 8 with "Section 35. Included counties. Subject to appropriation, services under the pilot"; and

on page 6, line 23, by replacing "provided" with "provided, subject to appropriation,"; and

on page 7, line 12, by replacing "oversee" with "oversee, subject to appropriation,"; and

on page 7 line 16, by replacing "appoint" with "appoint, subject to appropriation,"; and

on page 8, by replacing line 7 with "(a) Subject to appropriation, the program implemented under this Act shall be"; and

on page 8, line 13, by replacing "shall" with "may"; and

on page 8, by replacing line 20 with "(c) Subject to appropriation, at the end of the 3-year pilot program, the Department"; and

on page 11, by replacing lines 15 through 26 with the following:

~~“(e) blank. (e) The Board shall advise the Department on all aspects of the Department's responsibilities under this Act, including the format and content of any rules adopted by the Department on or after the effective date of this amendatory Act of the 95th General Assembly. Any such rule or amendment to a rule proposed on or after the effective date of this amendatory Act of the 95th General Assembly, except an emergency rule adopted pursuant to Section 5-45 of the Illinois Administrative Procedure Act, that is adopted without obtaining the advice of the Board is null and void. If the Department fails to follow the advice of the Board with respect to a proposed rule or amendment to a rule, the Department shall, before adopting the”; and~~

on page 12, by replacing lines 1 through 8 with the following:

~~“rule or amendment to a rule, transmit a written explanation of the reason for its action to the Board. During its review of rules, the Board shall analyze the economic and regulatory impact of those rules. If the Board, having been asked for its advice with respect to a proposed rule or amendment to a rule, fails to advise the Department within 90 days, the proposed rule or amendment shall be considered to have been acted upon by the Board.”; and~~

on page 12, line 9, by replacing “review” with “review, subject to appropriation,”.

With these changes, Senate Bill 1583 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN  
Governor