

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

6/1/2004

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? The invocation today will be given by Samuel W. Hale, Jr., Pastor of Zion Missionary Baptist Church, Springfield, Illinois.

PASTOR SAMUEL W. HALE, JR.:

(Prayer by Pastor Samuel W. Hale, Jr.)

PRESIDING OFFICER: (SENATOR HALVORSON)

Please remain standing for the Pledge. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary. Senator Haine.

SENATOR HAINE:

Madam President, I move that the reading and approval of the Journal of Monday, May 31, in the year 2004, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 2 to House Bill 714, Senate Amendment 2 to House Bill 731, Senate Amendment 1 to House Bill 944, and a Motion to Concur with House Amendment 1 to Senate Bill 184, all Be Adopted.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, reports Motion to Concur with House Amendment 1 to Senate Bill 2499 and House Amendments 1, 2, 4, 5 and 6 to Senate Bill 3007, all Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Message from the Governor.

SECRETARY HAWKER:

Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs. February 26, 2004.

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Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR D. SULLIVAN:

Thank you, Madam President. I'm glad to see my microphone's working this morning. I guess it wasn't -- there was some malfunction last night, I guess.

PRESIDING OFFICER: (SENATOR HALVORSON)

Yes, there was.

SENATOR D. SULLIVAN:

But today I know none of us really want to be here, but is one of our colleagues' birthdays. If we can please welcome -- or, wish Senator Dillard happy birthday. And there's cake in the well.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, Senator Dillard. You must be awfully special. There are two cakes for you. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Well, I'd also like to make an announcement, and that is that my seatmate, Mattie Hunter, turned twenty-one today. So, happy birthday to Mattie Hunter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, Mattie. In fact, if you ask Senator Dillard nicely, he might share one of his two cakes with you. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Madam President. Just a point of order.

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PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ROSKAM:

Well, I noticed, Madam President, that with you in the Chair, there's sort of -- in contrast to last night, kind of a beauty and the beast strategy. I also noticed that..

PRESIDING OFFICER: (SENATOR HALVORSON)

Flattery will get you everywhere.

SENATOR ROSKAM:

I've been told that the presiding officer from last night has invoked his right to remain silent. So, my question to you is, based on the legislative drive-by shooting that happened, can you explain to me what the purpose was? It seems to me there could be one of three purposes. Either it is the Majority Party doing what psychologists call acting out, which is just a desperate cry for help, and if that's so, we're -- we're happy to help. That's got to be the first thing. Or you were trying to help the freshman Senators really feel like statesmen, 'cause I know they -- they felt good about last night. Or it was trying to set the tone for bipartisanship that is now necessary for us to get through these next few troubled weeks. And could you just -- 'cause I know the presiding officer from last night is sticking to his constitutional right to remain silent, but could you -- could you give us some -- some insight as to the purpose of last night?

PRESIDING OFFICER: (SENATOR HALVORSON)

Well, thank you, Senator Roskam. As you know, I can't speak for the Senate President from last night. Today's a new day and I feel the Chair should not engage in that sort of debate. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Madam President, if I could come to the Podium and make a presentation, I'd appreciate it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Absolutely.

SENATOR CULLERTON:

And ask Senator Hendon and Bomke to come to the Podium as well. Thank you very much. As you may recall, the Senate softball game -- the Senate and the House softball game occurred

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a few weeks ago. We were surprisingly competitive. Senator Hendon is our most valuable player and our coach. And our tradition has been for the Senate to collect some money and give it to a local charity. And we've done that, of course, and Senator Bomke's district is the recipient. And we collected -- we collected cash. And we have actual cash that I've been holding for a number of weeks now. So, I want the recipient to make sure that she counts it and make sure that there's ten dollars per Senator there. So we have fifty-nine -- five hundred and ninety dollars. Fifty-nine of us gave ten dollars. We're here with Kathleen Heyworth, who's from Mini O'Beirne's Crisis Nursery. We're going to make this presentation of five hundred and ninety dollars to her. And I'd like to have Kathleen come up and say a few words about the nursery and tell us what they do. Kathleen.

KATHLEEN HEYWORTH:

(Remarks by Kathleen Heyworth)

PRESIDING OFFICER: (SENATOR HALVORSON)

With leave of the Body, we will be going to page 24, Conference Committee Reports. Madam Secretary, do you have on file a conference committee report on House Bill 599?

SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 599.

PRESIDING OFFICER: (SENATOR HALVORSON)

Chair recognizes Senator Shadid.

SENATOR SHADID:

Thank -- thank you, Madam President. House Bill 599 -- Conference Committee Report No. 1 on House Bill 599 amends the Downstate Firefighters Article of the Pension Code to provide a three-percent compounded annual increase in the annuities of surviving children, a surviving spouse annuity of a hundred percent of the monthly retirement annuity of the deceased firefighter. This conference committee report represents an agreement between the Firefighters Union and the Illinois Municipal League. The surviving spouse benefit is one that the downstate police have had for over twenty years. So this is a very important piece of legislation not only for the men and women who served as firefighters, but also their families. This also includes an increase in the employee contribution of all

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active firefighters of one percent of their salary. And I would be glad to try to answer any questions, if you have, on this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. A point of order.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR ROSKAM:

Madam President, Senate Rule 8-4(b) says that no conference committee report may be considered by the Senate unless it has been first reproduced and distributed on the Members' desks for one full Session day. I don't think that's happened and I would respectfully request that the rule be complied with and that this bill be taken out of the record.

PRESIDING OFFICER: (SENATOR HALVORSON)

One moment, Senator. Okay? Senator Roskam, we believe that the report was filed yesterday electronically. Today is another day. So we should be okay. Or, we are okay. Is there any discussion on Senator Shadid's bill? Senator Brady.

SENATOR BRADY:

Thank you, Mr. -- Madam President. We heard this bill in committee yesterday. It's a -- a good bill. We signed the conference committee report and I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator Shadid, it's my understanding that there is an exception to the tax cap in this bill. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

I don't -- that is correct, sir. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Shadid, to close.

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SENATOR SHADID:

Yes. Madam President, thank you very much. And what I want to do is thank the folks on the other side of the aisle to allow us to get this passed, because it's desperately needed for the survivors of the firemen who die in the line of duty or who pass away. So, I appreciate that very much, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 599. All those in favor will vote Aye. 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, there are 47 Yeas, 8 Nays, 2 voting Present. The Senate does adopt Conference Committee Report on House Bill 599, and the bill, having received the required three-fifths constitutional majority, is declared passed. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Madam President, I would like to thank Senator William Haine, who coordinated the Democrat's veterans for the midnight service that we had. And I want to thank Senator Cullerton, Senator Haine, Senator Munoz, Senator Viverito, who were the four veterans from the Democrats. And I want to thank Senator Peterson, Senator Sieben and Senator John Jones, and -- and also, I want to congratulate Ray Soden for being with the World War II veterans in their new park in Washington, a memorable experience of over two hundred thousand who saw it. And it's too bad that some of the media that I watched were -- were saying only ten thousand. There were over two hundred thousand people. There was thousands and thousands. Brought back many memories from World War II, for those of us who are from World War II. So I just want to thank, again, all the gentlemen who spoke yesterday for the World War II memorial service.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. We also want to add you to that list of congratulations. Congratulations to everybody. We would also like to welcome Senator Soden back. And congratulations on all your accomplishments. It's nice to have you back, Senator. Many, many thanks. Senator Soden.

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SENATOR SODEN:

Thank you very much, Madam President. To all my colleagues, thank you very, very much. I just want to relate to you, very briefly, my time in Washington, starting last Friday when we had an opportunity to go to the MCI Center to see a pageant put on that was done by all the military people, and it was so moving. They started out with a little house and the first thing was announced was President Roosevelt giving his talk about Pearl Harbor, and then the two young men who represented that family went to enlist. It took through all of their trials and tribulations until they came back home. With that, the big stage opened up and the Glenn Miller Band came out and played "I'll Be Seeing You". And believe me, if you -- there wasn't a dry eye in the entire audience. The next day, Saturday, you can't believe the logistics that had to be put together to put this World War II memorial dedication in -- in place. There had to be a thousand buses bringing people in from all over. The area was filled with chairs in sections, and every section had a different colored chair. There were two hundred thousand chairs put out. They went from the Monument all the way back to the Washington Monument. And all it was was a sea of people. We had some great speakers. The -- Senator Dole, who was very instrumental in bringing this World War II Monument to fruition, spoke, as well as Tom Hanks, who was one of the leaders getting the monies together on television. Then we had the -- the Wal-Mart people, which in some areas there's a little controversy these days, but they donated over two hundred thousand bottles of water that were distributed. But the most moving sight was to see the granddaughters, daughters bringing in their fathers, their grandfathers who were on crutches, wheelchairs, strollers, to bring them in to enjoy the ceremony. And it was a very enjoyable ceremony. In conclusion, we had the President of the United States, who gave a very moving talk and was given a standing ovation for his remarks. And with that, I had a chance to be interviewed on CBS with Bob Schieffer and -- who has the Sunday morning program, "Face the Nation", along with Senator John Warner. And, to me, it was the most moving and memorable day of my life. You shed tears when you think about those who you left behind, and they finally had their day.

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It took a long time. Too long. But, with that, I want to thank you, each and every one of you, for what you're doing today. And hopefully we'll hand them that baton, and all I can ask is that may God bless the young men and women who are all over the world today protecting what we call that wonderful word "freedom". Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Soden, and everybody else who has served our country so well. We -- we appreciate everything. With leave of the Body, we will be going to page 9, House Bills 3rd Reading. Senator Link. Senator Link seeks leave of this Body to return House Bill 805 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 805. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Madam President. This is an agreed-upon workmen's compensation package between business and labor. I'll go into detail more on the 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I would request a roll call on the adoption of the amendment, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin.

SENATOR CRONIN:

To speak to the amendment, if I may, please, before we take a roll call vote. I rise in careful opposition to this bill, and I urge our side of the aisle to vote No or Present. This is a bill that purports to save costs or save money for business. And I think if you look at this very carefully and you challenge some of the assumptions and the standards and you take into consideration a whole new group of fees and penalties that are included in this bill, whole new causes of actions and ways to

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recover, I think it's very clear that this bill could lead to very, very significant cost increases for the business community. I'd also like to point out that the business community was unanimously opposed to this bill a few days ago, and they miraculously changed their position based on some negotiations on unrelated matters involving tax credits and exemptions and wheeling and dealing of that sort. So, this bill, as it stands, I would argue, does not save money. And if I may, since we -- now we have a chance to debate and we have a kinder, gentler President in the Chair, we can actually talk a little bit about some merit here, or some substance. This bill, and the sponsor will tell you, saves money. There's some group that came up with an estimation based on certain assumptions that medical costs alone will save seven to ten percent of the forty-five percent overall costs that businesses incur in workers' comp that will -- that -- that's the medical cost. If you save ten percent of the forty-five percent, that's roughly five-percent savings. And I can see that there will be, indeed, a five-percent savings on the medical side. And certainly medical is a big part of the workers' comp bill that is passed on to business, but it is only part of it. Here are the cost increases that the business community negotiated with Democrats only in the room and with plaintiff lawyers. Here are the cost increases to business: Permanent partial disability rate is moved from sixty percent to sixty-six and two-thirds. That's a six-percent cost increase, thereby wiping out the five-percent savings in medical costs right there. And the list goes on. We have an aberration about accessibility. We talk about medical costs that are -- that are controlled here, but if the Commission -- the Industrial Commission determines that there's a significant limitation on access - and those of you downstate ought to be listening to this - if there's a significant limitation on access to a particular physician or doctor that wants to -- that can provide service to an injured worker, the Commission and the Chairman need only decide and set whatever fee they think is appropriate in order to gain that medical service. This bill also talks about business community must pay bills in sixty days or else they're subject to a one-percent-per-month late charge. One percent per month. It doesn't say

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whether it's simple or compound interest. That's twelve percent. We pay -- the business community pays 1.3 billion dollars annually for medical bills. In sixty days they better pay their bills or else they're going to be penalized. You know what, Ladies and Gentlemen? The State of Illinois doesn't pay their medical bills in sixty days. Does that mean the sponsor is sponsoring a bill that's going to impose a twelve-percent penalty on the State of Illinois for cases -- worker' comp cases and medical bills that aren't paid? What about local governments? You'd be voting to impose a twelve-percent penalty on local governments and State governments. I don't think the sponsor or anybody in the room, other than the plaintiff lawyers, thought about that one. On page 42 of the bill, there's a -- really an interesting provision. Since 1912 - over ninety years of history - overtime has always been excluded from the average weekly wage calculation. But today overtime is included. That affects the construction industry and seasonal workers. That's going to add significant costs to them. The bill goes on. In Section 8(d)1 of the bill, it raised the caps on rates from five hundred and fifty dollars and forty-seven cents to one thousand and nineteen dollars and seventy-three cents, a one-hundred-percent increase, Ladies and Gentlemen. The penalties - penalties - that's not factored into the expert's opinion about whether or not this will save money. He'll talk about some group that came up with some opinion based on certain assumptions. Has nothing to do with the penalty section. There's the fifty-percent penalty section for delay in payments, telling business, "You just pay. You just shut up, because this process doesn't care about you." Delay in payments without regard to the merit of the claim. And it says that the -- if you take a case before an arbitrator and they decide that they're -- that it's not compensable - it's not compensable; there's -- there's no -- it's not arising out of the -- whatever it is is not compensable - if the plaintiff, petitioner, appeals it to the Commission level and the Commission finds otherwise, they can impose penalties on the employer. And it's confirmed in the bill, because the Commission need only consider the ruling at the arbitration level. You've got the twenty-percent attorney fees, which has been in there. That's not new. But

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it's fifty percent plus twenty percent. But here's the new part that they've added: They've added a thirty-dollar-a-day penalty and they've moved the cap from twenty-five hundred dollars to sixteen thousand four hundred and twenty five dollars, meaning an employer who may not respond to the demand for payment of a bill, could be a twenty-dollar bill - and that demand could mean that the spouse of the petitioner yelled at a supervisor in a parking lot, because that's how things happen before the Industrial Commission - and a twenty-dollar bill that didn't get communicated to the employer or the HR director could cost that employer sixteen thousand four hundred and twenty-five dollars, plus the cost of litigation, attorney's fees. There's a section in here -- I could go on. Voc rehab. There's a new section.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cronin, we can debate this on 3rd Reading also.

SENATOR CRONIN:

We're not going to get to 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Any other further discussion on the amendment? Senator Luechtefeld, is it on the amendment and something that Senator Cronin hasn't already brought up?

SENATOR LUECHTEFELD:

Thank you. Obviously, this is a rather complicated issue and Senator -- Senator Cronin deals in this all the time and knows it pretty thoroughly. But I listened to -- to committee and there's this -- there's obviously a savings with regard to health care, hospitals, doctors and that sort of thing, I think you said might be - what? - six, seven, eight percent. You know, the one thing that occurred to me when I heard that, who's going to pay that? Who's going to -- who's going to get nailed for that savings? Would it be the doctors and the hospitals, or -- somebody has to pay it, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is this a question of the sponsor?

SENATOR LUECHTEFELD:

Yes -- yes, it is. I'm sorry.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

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Thank you, Senator Luechtefeld. But I -- I -- I don't think you were in the same committee when you -- said six percent, because I never even mentioned percentages yesterday. Maybe somebody from the business community did. But I didn't mention any types of percentages yesterday. But there's, you know, statistical facts that have shown -- from the insurance community that shows that this will be in medical savings a -- 6.2 to 13.7 percent savings. But, you know, yeah, it's going to change the medical provider. But it's -- what it's going to do is put certainty into medical fees schedule. What it's also going to do with the prompt payment, expedite the payment schedule to these doctors. So, you know, I -- I don't know your business background as you don't know my business background, but I know one of the biggest things in business is cash flow. And if you don't get your money for four years or five years when a case is drug out for that long, which it could be, that twenty-dollar fee or fifty-dollar fee that that doctor was going to get, that value of that dollar at the end of four or five years is lessened by a considerable amount. And with -- the one-percent penalty per month after sixty days will equate to getting that money to that doctor quicker or he will get his payment quicker right from the beginning. So, in the long run, he will probably be cash-neutral.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President. Briefly to the bill. The sponsor mentioned that this is an agreed-upon bill. I was approached this morning, as probably many of you were, by the Hospital Association and the Medical Society. They are both against this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link, to close on the amendment.

SENATOR LINK:

First of all, I said this was agreed-upon bill between business and labor, which it is. And my good colleague from DuPage County who has had these hearings in years past -- and we've been having hearings for over twenty years in trying to solve workmen's comp. We finally accomplished that, where we

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have business and labor agreeing to changes. Is there going to be cost changes in this bill? Most definitely. Is there benefits for one or another? I think there's benefits for both. But the one thing we keep forgetting about this, this is a jobs bill and this is about the employee and the worker that gets hurt on a job, to make sure they get the proper medical care, that they're not paying out of their pocket because they were injured on a job, that they had no fault of their own that they got injured. We're trying to clear this up, straighten this out so we have a strong work base in the State of Illinois. This bill, with all the things we did, will not only keep businesses in the State of Illinois, but create employment in Illinois. It will bring jobs into Illinois. It will bring employers into Illinois. The employers like this bill because they understand. And as far as the negotiation, when it was referred to the Democrats in the room, one of the things I did not do in that room was check anybody's voter's card when they came into a room. I didn't know if I was dealing with all Republicans or all Democrats or a mixed group. What I was dealing with was labor and business and getting a worked-upon bill that could be given to a benefit of the employees of the State of Illinois and the benefit to the employers of State of Illinois so that we could get people working, we could create jobs. I have heard the rhetoric for two years here that we're forcing businesses out of the State of Illinois. This job will create businesses in the State of Illinois, and I don't see how anybody could vote against it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link moves the adoption of Amendment No. 2 to House Bill 805. All those in favor will vote Aye. 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, there are 32 Yeas, 26 Nays, 1 voting Present. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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3rd Reading. Now on the Order of 3rd Reading is House Bill 805. Senator Link, do you wish to proceed? Senator Link. Oh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 805.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Madam President, I can see that cooler minds are not prevailing today and that we're forgetting about what we're here for that I got screamed about -- at -- last night that -- what we're here for. So, I would respectfully hold this bill for right now until maybe cooler heads can prevail.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. The bill will be held on 3rd Reading. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

A point of -- point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HENDON:

As you know, earlier we gave money to St. Jude for the softball game that we played against the House. And we did a great job. While on softball, you know, I brought a ball here that I pitched a no-hitter on Sunday the 23rd and someone walked away with the ball. I'm offering a one-hundred-dollar reward for the ball. If you have my softball, under the sound of my voice, one hundred dollars returned to Senator Hendon. If you're just going to keep the ball because of my celebrity status and you think one day it's going to be worth a billion dollars, at least take care of the ball. Take it out to the park every now and then, throw it around, treat it nice. I'd appreciate it.

PRESIDING OFFICER: (SENATOR HALVORSON)

With leave of the Body, we'll be going to page 11 on House Bills 3rd Reading. House Bill 929. Senator del Valle, do you wish to proceed? Senator del Valle seeks leave of the Body to

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return House Bill 929 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 929. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your amendment.

SENATOR DEL VALLE:

Thank you, Madam President. Floor Amendment No. 1 to House Bill 929 contains language regarding the Teachers' Retirement Insurance Program, known as the TRIP program, and also the certification of teacher and administrators. So, there's two separate components to the bill. This is agreed-to language that was put on -- on a House bill in -- or, a Senate bill in the House. It came over. We're now involved in some controversy regarding the school construction language that was attached to that Senate bill. The Senate bill is on -- on the Calendar. I have not filed a motion on that bill, and we decided to proceed to separate those issues and just proceed with an amendment here that we want to send back to the House that is clean, that addresses just the Teachers' Retirement Insurance Program and the certification program. As I said, this is to -- agreed-to language with the IEA and the -- IFT. They worked long and hard on this. The Teachers' Retirement Insurance Program did pass the Senate once already. It was caught up in the Rules Committee in the House. So, therefore, it ended up being attached to the certification program. But this is something that we need to do now. We need to act. Teachers have been waiting for us to show some direction on -- on this issue, particularly those that are -- are caught in that initial teaching certification phase. So, I ask the Members to vote for this so that we could send it back to the -- to the House so that we could bring -- bring this to a close. The Teachers' Retirement Program sunsets July 1st of 2004. I don't think we should keep retirees wondering what's going to happen to their insurance while we're here debating for the next several weeks what's going to happen with -- with the budget. And so, I'm asking the Members to separate this from our

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political battles and our battles over the budget and to keep education clean so that we could take care of our -- our teachers. This bill is all about taking care of teachers, the most important individuals in our school districts, those that are on the frontline serving our children. Our most valuable asset within the public educational system is the classroom teacher. And so, this not only takes care of the new teachers and the current teachers, it always -- also takes care of those who gave many, many years of service and are now retired and should be appreciated for the work that they've given us over the years. So, I ask for support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Bill Neff from ABC-Channel 19 requests leave to photograph the proceedings. Hearing no objection, leave is granted. Is there any discussion on the amendment? Senator Welch.

SENATOR WELCH:

Thank you. I would ask for a recorded vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle moves the adoption of Amendment No. 1 to House Bill 929. All those in favor will vote -- all 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, there are 33 Yeas, 8 Nays, 13 voting Present. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 929. Senator del Valle, do you wish to proceed? The bill will remain on 3rd Reading. Senator Welch, for what purpose do you rise?

SENATOR WELCH:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR WELCH:

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Madam President, we've passed out a memorandum to all Senators - it's sitting on your desks - which states the Senate Calendar for June. The Calendar provides for perfunctory Sessions, Monday, Wednesday, Friday, for the entire month of June subject to call of the Chair within twenty-four-hour notice should there be some resolution of the budget disagreement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 81.

Adopted by the House, May 30, 2004.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. -- Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The resolutions are adopted. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

On a point of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CROTTY:

I think as all of us leave today, and those of us that are going out those back doors, if you would turn and wish our

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Doorman, Ed Sauer, a happy birthday today, I would think he'd appreciate that. So, happy birthday, Ed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, Ed. Madam Secretary, Messages.

SECRETARY HAWKER:

Message from the President to all Members. June 1, 2004.

Attached is the Senate schedule for the month of June 2004. Please be prepared to return to the State Capitol upon twenty-four-hour notice.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. Purposes of announcement. There will...

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR BURZYNSKI:

There will be a brief Republican Caucus immediately upon adjournment in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. For the record, House Joint Resolution No. 81 was inadvertently sent to the Consent Calendar. It is actually a substantive resolution. There being no further business to come before the Senate, the Senate stands adjourned to perfunctory Session on Friday, June 4th, 2004. Senate stands adjourned.