

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

137th Legislative Day

6/30/2004

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PRESIDENT JONES:

Will the Members who are in the Capitol or in their offices kindly come to the Floor? We're about to commence the regular Session, and substantive bills will be called for a vote. The regular Session of the 93rd General Assembly will please come to order. Will the Members kindly be at their desks? Madam Secretary, Messages -- or, Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, June 29, 2004, from the regular Session.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Mr. President, I move that the Journal just read by the Secretary be approved, unless a Member of the Senate has additions or corrections to offer.

PRESIDENT JONES:

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1971, together with House Amendment No. 1.

Passed the House, as amended, June 29, 2004.

A Message from the House by Mr. Mahoney Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 45.

Passed the House, June 29, 2004.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

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Senate Resolution 616, offered by Senator Dillard and all Members.

Senate Resolution 617, also offered by Senator Dillard and all Members.

Senate Resolution 618, offered by Senator Viverito and all Members.

Senate Resolution 619, offered by Senator Lightford and all Members.

And they're all death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports House Bill 5925 Do Pass.

PRESIDENT JONES:

WIC-TV {sic} requests permission to videotape the proceedings? Permission granted? So ordered. Senator Soden.

SENATOR SODEN:

Thank you, Mr. President, Members of the Senate. It is a pleasure for me today to welcome to Springfield Alderman Shawke and his lovely bride who are up here in the gallery. Alderman Shawke is from the 2nd District in Wood Dale, Illinois. Will you please join me in welcoming 'em to the Senate?

PRESIDENT JONES:

Will our guests in the gallery please rise and be welcomed by the Senate? On page 19 of the -- Calendar, on the Order of Concurrence, is Senate Bill 1553. On the Order of Concurrence. Madam Secretary, read the bill. Read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1553.

Motion filed by Senator del Valle.

PRESIDENT JONES:

Is there any discussion? Senator del Valle, to explain the motion.

SENATOR DEL VALLE:

Thank you, Mr. President. I move to concur with the House Amendment 1 and 2 to Senate Bill 1553. This bill contains three

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-- three Sections. The first deals with the Teachers' Retirement Insurance Program. As you know, we -- we did pass that program -- that bill out of the -- out of the Senate, but it didn't make it all the way through in the House. So, it's back before us in this bill, and it's important that we take action on this because the current program comes to an end today. Sunsets July 1st, actually. And it's a program to make sure that our retired teachers are able to get and maintain health insurance.

PRESIDENT JONES:

Pardon me a minute, Senator. Would we kindly tone those remarks down? It's very difficult to hear.

SENATOR DEL VALLE:

The second part of this bill contains agreed-to language on the teacher certification process, and the most important component of this is the extension that we grant the -- the many teachers that need the additional time to be able to meet the certification requirements that'll -- move them from initial to standard certification. And the last part of this bill is language that addresses concerns regarding the proposed changes in the school construction program. This Section in the bill basically retains the current school construction program.

PRESIDENT JONES:

Is there any -- any discussion? Any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in strong support of this motion. I want to commend the -- the sponsor and all of those that worked very diligently on all the various provisions in this bill. Senator del Valle, I -- I commend you, in particular, for the provisions in here that deal with the school construction grant program. I don't know if it's contained in these two amendments, but there are some significant provisions in the law -- that will become the law that will guard against any political influence in the determinations of which projects to fund school construction across the State. And so I really -- I think this is a wonderful piece of reform legislation. There's also some very necessary components of this legislation, first and foremost, the TRIP language and legislation that

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addresses the Teacher Retirement Insurance Plan. There's substantial changes to the certification process. We had hearings. We heard loud and clear from teachers across the State that the recertification process is a very cumbersome one and we have changed that process to make it simpler and less burdensome to teachers. We also have addressed a substitute teacher issue which was brought to us -- brought to our attention from the Cook County Regional Office of Education and the folks that are working so diligently there to serve our schools. All in all, I really strongly recommend that everybody on -- on our side of the aisle and everybody here endorse and support this legislation. Thank you.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I'd like to ask the sponsor a couple questions and then respond to the bill.

PRESIDENT JONES:

Yes, he will.

SENATOR BRADY:

Senator, I want to compliment you on various aspects of this bill. I think it's a good piece of legislation. I have some concerns on the teachers' retirement portion of the bill. I voted against it the last time it was in front of us. One of my questions to you: Our staff tells us that this cuts teachers' retirement benefits in the upcoming fiscal year, if we ever pass a budget, by over twenty-two million dollars. Would you concur with that?

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

I don't -- I don't have that figure.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Would -- would you concur that it does cut benefits and increase costs to retired teachers?

PRESIDENT JONES:

Senator del Valle.

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SENATOR DEL VALLE:

Senator, as you know that -- this program has had difficulties over the last several years from a funding standpoint, and what this is, is the product of negotiations with the teachers' unions and -- and other groups and it's for the purpose of making sure that we can save the Teachers' Retirement Insurance Program. And so, there is a schedule that's set out in the bill. Retirees will pay the following average premium increases on -- on average premiums increased in FY'03 by ten percent and by twelve percent in FY'04, but the bill calls for in FY'05, a 6.6 percent increase; FY'06, a 9.1 percent increase; and in FY'07, a 3.9 percent increase. And as you know, it calls for a GRF transfer of thirteen million dollars which will continue through FY'07. So, this is the negotiated product and it's for the purpose of making sure that teachers continue to get the coverage that they need. There's strong support for this. I've gotten lots of phone calls from retired teachers asking us when are we doing to call this bill, when are we going to get this taken care of. I don't recall getting one phone call from any retired teacher complaining about the -- the agreement here.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

Senator, one more question, then I'll respond to what you said in some other questions. Presuming this legislation passes - and with great reluctance, I intend to vote for it - there's still no money. Without a budget, there are no benefits, as I understand it, to the retired teachers. Is that correct?

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

Of course we have to complete the budget, but I think it's very safe to assume that this will be part of the budget. I -- I could practically guarantee it.

PRESIDENT JONES:

Senator Brady.

SENATOR BRADY:

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Thank you, Mr. President. Thank you, Senator del Valle. As I said, I agree with multiple portions of your -- of this bill. But let me just simply say we don't have a budget, for whatever reason, and I'm going to point to a lot of areas, particularly the Second Floor, on the reason we don't have a budget, and that means that teachers will...

PRESIDENT JONES:

Senator -- Senator Brady, kindly keep your remarks to the issue at hand. And if you want to editorialize or a press conference, the Blue Room is downstairs.

SENATOR BRADY:

Thank -- thank -- thank you, Mr. President. I'll -- I'll try to do that. I thought I was. But the fact of the matter is, this legislation was not negotiated with all -- wasn't negotiated with this caucus. We weren't involved. We wouldn't sit idly by and watch welfare spending increase 2.9 billion dollars while we cut teachers' retired benefits by twenty-two million dollars next year, a population of people who have worked and given their lives to educate our young children. It's absurd that we would watch that happen. It's absurd that we would watch that happen while we've seen welfare increases to the proportion we have that we can't find that twenty-two million dollars. It's absurd...

PRESIDENT JONES:

May I -- may I repeat, Senator...

SENATOR BRADY:

Yes, I'm -- Senator, I'm talking...

PRESIDENT JONES:

May I repeat: The Blue Room is on the Second Floor. If you want to have a press conference as relate to those issues, okay, but I'm not going to permit you to use this Chamber to -- to -- to -- to editorialize your beliefs on other programs. So, address -- it's not free speech. Address your remarks to the issue at hand, Senate Bill 1553.

SENATOR BRADY:

Well, let me simply say that it is an embarrassment to the people of Illinois that this bill does not contain the provisions to fund the same benefit package we had for retired teachers and we've put other priorities, whatever they may be,

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in front of that, and for that, I'm embarrassed. I will tell you that I voted against this legislation for exactly that reason. I will vote for it today because here we are at the final hour - yet, without a budget. But I will tell you that this side of the aisle is now involved in the negotiations, and we will not sit idly by as this budget comes together. We will fight for the teachers of Illinois to enhance this program so they aren't cut all twenty-two million dollars. We're going to fight to restore those benefits, and I just think it's important that everyone know that, Mr. President.

PRESIDENT JONES:

It was nice seeing you in the gym. You didn't get a workout like I did. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I stand in support of this bill. It's not an ideal bill, and -- and in reference to the comments made on the other side of the aisle, this caucus wasn't really involved in -- in the negotiations either. I think it would have been a better bill if we had been. However, we're at the last moment. Tomorrow -- or, excuse me, July 1st, teachers will be without insurance if we don't pass this bill. And it's not the -- the most fair bill in the world but it is agreed to by the Illinois Retired Teachers Association. And, therefore, I ask for your support.

PRESIDENT JONES:

This is final action. Final action. Senator del Valle, to close.

SENATOR DEL VALLE:

Well, in -- in response to Senator Brady, I'm -- I'm very concerned about the overall budget too, and I know that we're going to end up having to make some cuts in a number of agencies that are very important to -- to our districts. And so, I think there's going to be plenty of pain to spread around by the time we get done here, but I think it's important that we take action today so that we don't leave retired teachers wondering whether or not they're going to have health care coverage. So, therefore, I'm -- I'm glad that -- that you will be voting for this bill and I encourage all -- all our Members to do so.

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PRESIDENT JONES:

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1553. Those in favor, 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 56 voting Aye, no Nays -- no one -- no -- no one voting No, no one voting Present. The Senate concurs in House Amendments 1 and 2 to Senate Bill 1553, and the bill, having received the required constitutional majority, is declared passed. Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I would like to announce a Democratic Caucus immediately in your office during recess.

PRESIDENT JONES:

That's always in order. The -- the Senate will stand in recess to the call -- Senator Burzynski, it's free speech.

SENATOR BURZYNSKI:

Thank you, Mr. President. I -- I certainly do appreciate that. I'll keep my remarks very short. Just wondering. I -- you started to say we would stand at ease until call of the Chair, I believe. Are we going to do substantive action when we come back?

PRESIDENT JONES:

The reason why I said the call of the Chair, because that possibility does exist, and we will be going back into a Leaders' meeting. And if some action is needed that -- for us to take care of this afternoon, that's why I recessed it to the call of the Chair. And your Leader's on the phone, and when -- when he becomes more responsive, Senator Brady, that possibility still exists. So, the Senate stands in recess. The Senate stands in recess to the call of the Chair. But you'll be around the Capitol. There's a possibility that we may have to do something. That's the reason why I don't want to adjourn at this particular moment.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

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The regular -- the regular Session of the 93rd General Assembly will please come to order. There being no further business to come before the Senate, the special -- the regular Session of the Senate stands adjourned until the hour of 12:25, Thursday, July 1st, 2004. The Senate stands adjourned.