



# LEGISLATIVE UPDATE

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**PUBLISHED FOR LABOR ACTIVISTS BY THE ILLINOIS AFL-CIO**

**MICHAEL T. CARRIGAN**, PRESIDENT

**TIMOTHY E. DREA**, SECRETARY TREASURER

**JASON KELLER**, LEGISLATIVE DIRECTOR

The Illinois General Assembly attempted to complete their business in Springfield last week by their scheduled adjournment date of May 7. However, no consensus could be found on a budget towards the end of the week. The Senate passed a budget in the early morning hours of Friday, but the House could not come to an agreement on how to proceed. Speaker Madigan and President Cullerton told their chambers that their business was finished for the time being, and members would be called back to Springfield for completion of an FY11 budget. The Democrats have until May 31 to pass a budget with a simple majority, anytime after that date will require Republican votes. Beyond the budget, there are still many bills that were left without final passage. The deadline for final passage on many bills was extended to Friday, May 28, leading us to believe that the General Assembly will attempt to complete their work well before the Memorial Day deadline.

The General Assembly released their Veto Session calendar for this year. They will be in session November 16-18 (Tuesday-Thursday), breaking for Thanksgiving week, and return from November 30-December 2 (Tuesday-Thursday). Below you will find a listing of bills that saw action last week.

## GENERAL ASSEMBLY

### **HB 859 – Budget**

Rep. Hannig (D – Gillespie)  
Sen. Trotter (D – Chicago)

#### **Monitor**

Contained re-appropriations from last year's capital projects bills. It also contains the operating budget for FY11.

*5/7/10 – Passed Senate 31-26-0.*

*5/7/10 – Motion to concur assigned to House floor.*

### **HB 4644 – Pensions**

Rep. Poe (R – Springfield)  
Sen. Bomke (R – Springfield)

#### **SUPPORT**

Amends the IMRF Article of the Illinois Pension Code. Allows a sheriff's law enforcement employee or elected county officer to establish creditable service and earnings credit for periods of furlough beginning on or after July 1, 2009 and ending on or before June 30, 2010.

*3/3/10 – Passed House 115-0-1.*

*5/5/10 – Passed Senate 53-0-0.*

*Motion to concur assigned to House Pensions Committee.*

### **HB 4649 – Alternative Method for ICC Approval of Electric Transmission Lines**

Rep. Reitz (D – Sparta)  
Sen. Haine (D – Alton)

#### **SUPPORT**

Under current law, public utilities must obtain approval from the Illinois Commerce Commission (ICC) to construct any transmission line that has a voltage rating of 100kV or more and is longer than one mile. This legislation will retain the traditional transmission line approval process, but would also provide

an alternative procedure for transmission line approval that would require:

- the ICC to expedite its decision within 150 days of the filing, with the possibility of a 75 day extension;
- the public utility seeking approval of a transmission line to pay a \$100,000 application fee with each filing to fund additional ICC resources needed to implement the expedited process;

- the public utility to satisfy the same criteria for obtaining approval of a transmission line that exists under the state's current laws and regulations; and
- require the public utility to pay to each county in which the transmission line is constructed a one-time construction fee of \$20,000 per mile of transmission line constructed in that county.

*2/24/10 – Passed House 108-0-0.*

*4/27/10 – Passed Senate 55-0-0.*

*5/4/10 – House concurs 115-0-0.*

*Passed both chambers.*

### **HB 5514 – Roofing Contractors**

Rep. Rita (D – Blue Island)  
Sen. Martinez (D – Chicago)

#### **SUPPORT**

Amends the Illinois Roofing Industry Licensing Act. Adds that a person is guilty of identity theft, if in the course of applying for a building permit, they provide a license number of a roofing contractor who will not do the work on the project. Class 4 felony. Effective Immediately.

*3/26/10 – Passed House 86-7-0.*

*4/27/10 – Passed Senate 54-0-0.*

*5/4/10 – Motion to concur passed House. 114-2-0. Passed both chambers.*

### **HB 6065 – School Nurse/Insulin Injections**

Rep. Cross (R – Oswego)  
Sen. Steans (D – Chicago)

#### **OPPOSE**

Allows an unlicensed person in a school, without liability, to care for diabetic students including administering insulin. In essence alters state statute to replace the need for a school nurse.

*3/26/10 – Passed the House 104-1-2.*

*4/29/10 – Passed Senate 34-8-3.*

*5/3/10 - Motion to concur in House passes 109-2-2. Passed both Chambers.*

### **HB 6349 – Illinois Preference Act**

Rep. Beiser (D – Alton)  
Sen. Sullivan (D – Rushville)

#### **SUPPORT**

The Illinois AFL-CIO has been part of a working coalition for the past three months regarding upgrading the Illinois Preference Act. There are two laws in the Illinois Legislative Compiled Statutes regarding high unemployment for workers on public work projects. One has been ruled unconstitutional and the other has been rendered unenforceable by the Illinois Supreme Court, holding employees of the Illinois Department of Labor personally liable if mistakes are made. This legislation specifies that whenever unemployment in the State of Illinois has exceeded 5% as measured by the US Bureau of Labor Statistics, public works projects must employ at least 90% Illinois workers on the project. Creates a private right of action for enforcement, with up to \$500 per day

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for a violation. Provides any interested party may file a complaint. An Illinois worker is defined as an individual who has resided in Illinois for at least 30 days. Each violation is liable for a penalty of \$1,000 per person per day, \$5,000 for a second violation and \$15,000 for a third or subsequent violation.

**3/25/10 – Passed House 107-5-0.**

**5/4/10 – Passed Senate 54-0-0.**

**Motion to concur filed and on House floor.**

**SB 28 – McPier/McCormick Place**

President Cullerton (D – Chicago)

Speaker Madigan (D – Chicago)

**OPPOSE**

Democratic Leaders pushed legislation to severely restrict work rules, jurisdiction and overtime at Chicago's McCormick Place Convention Center. The legislation superseded collective bargaining agreements and will allow convention exhibitors to do work that has historically belonged to the five unions at McCormick Place (IBEW, Steelworkers, Iron Workers, Carpenters and Teamsters).

The Illinois AFL-CIO was opposed to this legislation, because work rules should be negotiated, not legislated. The men and women who work at McPier take great pride in making it one of America's great convention destinations, and this legislation will undermine the quality of work performed.

**5/6/10 – Passed House 93-25-0.**

**5/7/10 – Passed Senate 51-6-1. Passed both chambers.**

**SB 43 – Retiree Healthcare for Chicago Transit Authority Workers**

Rep. Fritchey (D – Chicago)

Sen. Raoul (D – Chicago)

**SUPPORT**

Provides that the Retiree Health Care Trust shall be solely responsible for providing health care benefits to eligible retirees and their dependents and survivors upon the exhaustion of the account established by the Retirement Plan for Chicago Transit Authority Employees. Allows CTA retirees to be offered an HMO option at a lower cost than current 90/70% PPO coverage. Clarifies that the actions to balance long-term projected income and expenses must be implemented within 10 years of the measurement of the imbalance. Allows RHCT to provide benefits to individuals with at least 25 years of service who were hired on or before September 5, 2001. Retirees would have to be at least age 55 and have over 10 years of service to be eligible.

**5/6/10 – Passed House 74-43-0.**

**5/7/10 – Passed Senate 30-18-0.**

**Passed both chambers.**

**SB 107 – Telecom Re-write**

Sen. Bond (D – Grayslake)

Rep. McCarthy (D – Orland Park)

**SUPPORT**

Legislation to update Illinois' laws to reflect changes in broadband and mobile phone technology. Currently, the state does not regulate broadband or wireless phones. The original law dates back to 1985, and was last updated in 2001. The bill requires three inexpensive basic phone plans to be offered for those still using landline phones. But it also allows phone companies to direct more of their resources towards broadband technology. Specifies, that none of the three basic landline packages would cost more than \$20 per month, and those rates would be frozen until the Act sunsets in 2013.

**5/5/10 – Passed House 118-0-0.**

**5/6/10 – Passed Senate 59-0-0.**

**Passed both chambers.**

**SB 326 – Nursing Home Reform**

Sen. Steans (D – Chicago)

Rep. Currie (D – Chicago)

**Monitor**

Legislation is designed to overhaul nursing home regulations to ensure greater safety and quality of care in nursing homes and to provide opportunities for patients to receive care in community and home-based settings. The legislation:

- Expands the pre-admission screening process and adds a re-screening component for nursing home residents with serious mental illness to ensure individuals are provided with community options;
- Tightens criminal background checks and screenings of patients with serious mental illness;

- Requires facilities to obtain a new psychiatric rehabilitation certificate before serving residents with serious mental illness and a new behavioral management unit certificate before serving residents who pose a risk to others;
- Raises required staffing ratio to 3.8 hours of skilled care per resident per day (from 2.5 hours) and 2.5 hours of intermediate care (from 1.7) over 4 years;

- Strengthens penalties and fines to nursing homes for failing to meet standards and expands the Department of Public's Health authority to suspend, revoke or refuse to renew a facility's license;
- Doubles license fees and mandates surveyor ratios to ensure the Department of Public Health has sufficient resources for needed oversight; and

- Creates a workgroup of advocates, providers, state agencies and the Governor's office to submit a plan for a new provider assessment by November 1, 2010.

**5/6/10 – Passed House 118-0-0.**

**5/7/10 – Passed Senate 46-8-0.**

**Passed both chambers.**

**SB 642 – Public University Borrowing**

Sen. Haine (D – Alton)

Rep. Bradley (D – Marion)

**SUPPORT**

SB 642 provides authorization for the governing boards of each public university to borrow money in anticipation of receiving payments from the State of Illinois. Requires these monies to be repaid within 12 months and provides maximum limits.

**3/3/10 – Passed Senate 43-14-1.**

**5/6/10 – Passed House 87-28-2.**

**5/6/10 – Motion to concur passes the Senate 43-11-1. Passed both chambers.**

**SB 1526 – Lobbyist Registration**

Sen. Schoenberg (D – Evanston)

Rep. Currie (D – Chicago)

**Monitor**

Amends the Lobbyist Registration Act by adding to the definition of "official" - members of any board, commission, authority, or task force of the state authorized or created by state law or by executive order of the Governor. Requires any person or entity who employs or compensates another person for lobbying to register under the Act. Sets the registration fee at \$300 annually for each person and entity (was \$1,000 under PA 96-555). For 2010, reports will need to be filed by July 15, 2010 (reporting period of January 1 - June 30, 2010) and by January 15, 2011 (reporting period of July 1 to December 31, 2010). Beginning in 2011 reports will need to be filed semi-monthly; every 20th day of the month (reporting period of 1st-15th) and every 5th day of the month (reporting period prior month from 16th to the last day of the month).

**5/6/10 – Passed the House 116-1-0.**

**5/7/10 – Passed the Senate 55-0-0.**

**Passed both chambers.**

**SB 2093 – STAR Bonds**

Sen. Forby (D – Benton)

Rep. Bradley (D – Marion)

**Neutral**

Would help fund a Marion project using \$120 million in sales tax and revenue bonds to build a 400 acre, \$380 million entertainment, retail, and restaurant facility. This would redirect sales taxes generated by the stores at the proposed development and use them to pay off bonds for the projects infrastructure.

**5/7/10 – Passed House 79-36-1.**

**5/7/10 – Motion to concur in Senate Assignments.**

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**SB 2494 – Tuition Vouchers**

Sen. Meeks (D – Chicago)  
Rep. Will Davis (D – Chicago)

**OPPOSE**

Allows parents to obtain public tax vouchers paid for with tax payer money to cover the cost of private schooling. The Illinois Federation of Teachers and AFL-CIO support parental rights to send their children to private or religious schools, however, they oppose the use of public tax funds through vouchers to do so. The Illinois Constitution forbids the use of public funds for religious education. There is little to no accountability to the taxpayers in the use of voucher money.

*3/25/10 – Passed Senate 33-20-3.*

*5/5/10 – Failed in House 48-66-2.*

*Calendar order of consideration postponed.*

**SB 3047 – Health Care Implementation Task Force**

Sen. Koehler (D – Peoria)  
Rep. Flowers (D – Chicago)

**SUPPORT**

Amends the Health Care Justice Act. Changes the short title to the Health Care Justice Implementation Act of 2010. Provides that the mission goals of the Health Care Justice Implementation Task Force are to monitor the implementation of the federal health care reforms and make recommendations, to report additional reforms needed to ensure affordable health care, and to assess current programs. Contains provisions concerning reports, public hearings, and research assessments. Effective July 1, 2010.

*3/18/10 – Passed Senate 33-21-1.*

*4/29/10 – Passed House 76-41-0.*

*5/4/10 – Motion to concur in Senate passes 37-16-0.*

**SB 3089 – Navistar EDGE Tax Credit**

Sen. Raul (D – Chicago)  
Rep. Currie (D – Chicago)

**Monitor**

Senate Bill 3089 amends the Economic Development for a Growing Economy

(“EDGE”) Tax Credit to allow automobile and truck manufacturing companies to maintain and increase their jobs in Illinois. The EDGE tax credit allows employers that create or retain jobs, under certain criteria, to claim a credit against their corporate income tax liability Navistar (formerly International Harvester), one of the world’s largest manufacturers of trucks and truck engines, intends to consolidate its mid-west research and engineering operations with its international headquarters in a new facility in Lisle, Illinois. In the process, Navistar will create at least 400 new jobs (average salary \$80,000).

*5/6/10 – Passed House 117-0-0.*

*5/6/10 – Passed Senate 57-0-0.*

*Passed both chambers.*

**SB 3249 – Female/Minority Hiring**

Sen. Sandoval (D – Cicero)  
Sen. Burns (D – Chicago)

**Monitor**

Amends the State Finance Act. Prohibits the granting of state funds for capital purposes unless the grantee has certified that he or she shall comply with the business enterprise program practices of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of the Illinois Human Rights Act (applies to grants or loans above \$250,000). Requires that state grantees submit their business enterprise program plans with their grant agreements.

*3/17/10 – Passed Senate 56-0-0.*

*4/28/10 – Passed House 111-0-0.*

*5/3/10 – Motion to concur in Senate passes 46-0-0. Passed both chambers.*

**SB 3568 – Wage Payment and Collection**

Sen. Delgado (D – Chicago)  
Rep. Hernandez (D – Cicero)

**SUPPORT**

Establishes procedures for an employee who has not been paid the wages the employee is entitled by the Act to recover

by filing a claim with the Department of Labor or in a civil action, but not both.

*3/18/10 – Passed Senate 56-0-0.*

*4/28/10 – Passed House 112-1-0.*

*5/3/10 – Motion to concur passes Senate 46-2-0. Passed both chambers.*

**SB 3619 – TIF Extension**

Sen. Syverson (R – Rockford)  
Rep. Winters (R – Rockford)

**OPPOSE**

Amends the Industrial Jobs Recovery Law in the Illinois Municipal Code. Extends the authority granted to municipalities to establish redevelopment project areas and to adopt tax increment allocation financing to January 1, 2012. Does not contain protections for prevailing wage. Effective immediately.

*3/24/10 – Passed Senate 56-0-1.*

*5/5/10 – Passed House 117-0-0.*

*5/7/10 – Passed Senate on concurrence 56-0-0. Passed both chambers.*

**SB 3659 – Illiana**

Sen. Hutchinson (D – Chicago Heights)  
Rep. Currie (D – Chicago)

**Monitor**

Creates the public private partnership to construct the Illiana Expressway. The expressway is a bi-state agreement to construct a multi-lane toll highway from I-57 to I-65 in Indiana. The expressway could eventually connect I-55 near Wilmington in Will County. This will create thousands of jobs and could impact the development of Peotone airport.

*3/17/10 – Passed Senate 57-0-0.*

*5/6/10 – Passed House 116-1-0.*

*5/6/10 – Passed Senate 58-0-0. Passed both chambers.*

**ILLINOIS AFL-CIO**  
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