



# LEGISLATIVE UPDATE

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*Breaking News –*

## JUDGE BLOCKS WISCONSIN ANTI-COLLECTIVE BARGAINING BILL

Today, Wisconsin Circuit Judge Maryann Sumi issued a temporary restraining order that blocks Gov. Scott Walker’s anti-collective bargaining bill from becoming law. The order was in response to Dane County District Attorney Ismael Ozanne’s lawsuit that contends the Wisconsin legislature violated the state’s open meetings act when they didn’t give the public enough notice that the committee planned to meet and vote on the bill on March 9.



## Underwood Named Head of State’s Capital Development Board

On Thursday, Jim Underwood, former IBEW Local 146 assistant business manager, was named Executive Director of the Illinois Capital Development Board (CDB) by a unanimous vote of the CDB Board.

Underwood has served as Deputy Director of CDB’s Construction Division since 2008, helping to spearhead Gov. Quinn’s *Illinois Jobs Now!* capital construction initiative. Prior to that, he was Chief Executive Officer of Illinois Correctional Industries from February 2003 to August 2008, Personnel Manager for the Department of Corrections from February 2003 to March 2004, and the Illinois Secretary of State’s Physical Services Construction Division Chief from January 2001 to January 2003. Underwood is a 33-year member of IBEW Local 146 in Decatur where he was an apprentice and journeyman wire-

man and served as assistant business manager for six years. He is a graduate of Maroa-Forsyth High School and has a BA in Labor Studies from the Antioch College, AFL-CIO George Meany Center for Labor Studies.

“I am honored to be chosen to lead the dedicated and talented team of professionals at CDB as we continue to create construction jobs and build Illinois’ future,” said Underwood.

The Capital Development Board oversees all state construction and renovation projects outside of the Department of Transportation, including design and construction of college and university facilities, museums and historic sites, health centers, state office buildings and prisons. The CDB also spearheads the state’s “Green Building” initiative to incorporate energy-saving, environmentally-friendly design elements in most state construction projects.

“James Underwood is an excellent choice to head the state’s construction department,” said Michael T. Carrigan, president of the Illinois AFL-CIO. He has the credentials and the experience, and he is an outstanding manager. The AFL-CIO is proud to have one of our own in this important position at such a critical time in our state’s economic recovery. We look forward to working with Director Underwood and his team to build Illinois.” ■



## Collins Replaces Hendon

On Thursday, Annazette Collins was sworn in as the new State Senator for the 5<sup>th</sup> District. Collins replaces retired Senator Ricky Hendon. Collins previously served 10 years in the Illinois House of Representatives for the 10<sup>th</sup> District. She was Chairperson of the Public Utilities Committee and a member of the Financial Institutions and Human Services Committees. She has an 87 percent lifetime voting record with the Illinois AFL-CIO and working families. No paperwork has been filed to fill her house seat. ■

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# G E N E R A L   A S S E M B L Y

The Illinois General Assembly completed their first deadline week on Thursday. All bills in both chambers must have passed a committee by Thursday to continue its consideration before the General Assembly. This leaves approximately 3,000 bills to be funneled through the committee process, which creates a hectic atmosphere for legislators and lobbyists alike. No further action was taken on unemployment insurance or workers' compensation this week.

Governor Quinn, a Democrat, total vetoed two job-creating bills this week. The 96<sup>th</sup> General Assembly passed two clean energy bills, SB 1927 and SB 3388. SB 1927 was for a clean coal plant called Power Holdings in Jefferson County. Construction on this plant would have begun in February 2012, creating over 1,500 union construction jobs and over 700 permanent jobs between the mine and the plant. SB 3388 was for a clean coal plant called Leucadia in Chicago. It would have been a \$3 billion project. It would have produced approximately 2,000 construction jobs, while creating a daily average of about 1,100 full-time local jobs in construction and an additional 626 jobs in supporting businesses.

There was an attempt to attack our public employees this week. The attempt was to attach an amendment to HB 3628 that would have exempted THOUSANDS of employees from the coverage of the Illinois Public Labor Relations Act. Labor viewed this attempt as "Governor Walker Lite" in its Wisconsin style of eliminating collective bargaining rights. Under the language offered, state employees would have been unable to collectively bargain if they have some administrative responsibility for the way state policies are carried out. This could cover any state employee. Labor remained unified and was successful this week in stopping the amendment. We anticipate another attempt when the General Assembly returns. We will not back down from the fight.

The Illinois General Assembly is taking a week off. Both chambers will return at noon on Tuesday, March 29.

## **HB 1513 – Wage Garnishment**

Rep. Dugan (D – Kankakee)

### **NEUTRAL**

Amends the Illinois Wage Payment and Collection Act. Provides that municipalities with populations of less than 500,000 may make deductions from employee wages or final compensation for an excess payment made by the municipality after notice to the employee and an opportunity to be heard. Provides that prior to any such deduction, the municipality shall certify that (i) the employee has been afforded a hearing, conducted by the municipality, to dispute the debt, and (ii) the employee has received notice of a wage deduction and opportunity for a hearing.

*3/16/11 – Passed House Labor Committee 13-0-0. Second Reading.*

## **HB 1576 – Firefighter Hiring**

Rep. Dugan (D – Kankakee)

### **SUPPORT**

Creates a standardized hiring process for firefighters across the state. Allows local governments to continue the current hiring process at the local level. Sets forth minimum testing requirements for firefighter hiring to ensure only the most qualified candidates are chosen for this very important profession. Creates a statewide hiring list administered under

the Office of the State Fire Marshal and gives local governments the OPTION to hire firefighters from this list. Exempts the City of Chicago.

*3/15/11 – Passed House Cities and Villages 6-5-0. Second Reading.*

## **HB 1656 – Third Party Contracts**

Rep. Bellock (R – Westmont)

### **Monitor**

Amends the Administration Article of the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services and the Department of Human Services are authorized to contract with third-party, nongovernmental entities for administrative functions related to medical assistance applicant eligibility determinations and ongoing caseload support. Effective July 1, 2011.

*3/16/11 – Passed House Human Services 11-0-0. Second Reading.*

## **HB 1937 – Food Handling**

Rep. Mayfield (D – Waukegan)

### **Monitor**

Amends the Food Handling Regulation Enforcement Act. Provides that an individual with a contagious disease who works in a business establishment dealing in the sale of food items must disclose the disease to his or her employer. Provides that the employer may not ter-

minate the employee due to receiving the information, but must take reasonable precaution to protect the public.

*3/16/11 – Passed House Human Services 11-0-0. Second Reading.*

## **HB 3014 – Picketing**

Rep. Brauer (R – Springfield)

### **OPPOSE**

Amends the Criminal Code of 1961 concerning the offense of disorderly conduct at a funeral or memorial service. Increases, from 200 to 500 feet of any ingress or egress of the funeral site, the distance in which specified conduct is prohibited.

*3/17/11 – Passed House Jud II 7-0-0. Second Reading.*

## **HB 3107 – Gaming**

Rep. Lang (D – Skokie)

### **NEUTRAL**

The legislation would increase the number of racetracks in Illinois from 10 to 16, and racetracks could expand their slots. The revenue generated, which the sponsor Lou Lang did not have a hard number estimate of, would be put towards capital projects and pay down existing debt. Lang testified there were 40,000 jobs at racetracks in Illinois and this would help keep them.

the legislation contains tax

*(Continued on page 3)*

incentives for casinos, cutting the table tax in half. Furthermore, racinos may not be licensed until 2,000 video gaming sites are in place.

**3/17/11 – Passed House Executive 6-5-0. Second Reading.**

#### **HB 3137 – FOIA Public Employees**

Rep. Eddy (R – Hutsonville)

##### **SUPPORT**

Amends the Freedom of Information Act. Exempts the following types of information from disclosure: the date of birth of public employees, medical and health information of public employees, the names of applicants for public employment, applications for public employment, recommendations and opinions regarding the qualification of public employment applicants, investigative notes of public employees, and outlines or drafts of oral statements, presentations, or remarks.

**3/17/11 – Passed House Executive 9-1-0. Second Reading.**

#### **SB 4 – Film and Edge Tax Credit**

Sen. Forby (D – Benton)

Rep. Bradley (D – Marion)

##### **Neutral**

This legislation allows Continental Tire, based in Mount Vernon, to apply for a tax credit that would be used for a \$200 million investment and the creation of 350 jobs and retaining 250 full time jobs. The investment will be used for an expansion of their existing facility. Sunsets the EDGE tax credit on December 31, 2016. **Sunsets the Film Production Services Tax Credit** five years after the effective date of the Act.

**2/17/11 – Passed the Senate 50-0-0.**

**3/17/11 – Passed the House 90-20-1. To Senate on Concurrence.**

#### **SB 21 – Cigarette Tax/Capital**

Senate President Cullerton (D – Chicago)

##### **SUPPORT**

Increases cigarette tax to raise \$1.6 billion over 5 years to be bonded and put towards capital construction. The tax would increase by \$1 a pack, and would be spread over two years. The cigarette

tax could replace video poker as a source of construction money. This legislation is in response to the pending court case before the Illinois Supreme Court, *Wirtz v. Quinn*, regarding the capital construction plan passed in 2009.

**3/16/11 – Passed Senate Executive 9-6-0. Third Reading.**

#### **SB 68 – One Day Rest in Seven**

Sen. Silverstein (D – Chicago)

##### **SUPPORT**

Amends the Illinois Human Rights and Minimum Wage Act. Provides that the employment discrimination Article and overtime provisions of the Act applies to domestic workers. Amends the One Day Rest In Seven Act. Provides that every person employed as a domestic worker shall be allowed at least 24 consecutive hours of rest in every calendar week. Domestic worker means a person employed in a home for the purpose of caring for a child, elderly person, housekeeping, or for any other domestic service purpose.

**3/16/11 – Passed Senate Labor 6-4-0. Third Reading.**

#### **SB 1322 – Capital Projects**

President Cullerton (D – Chicago)

##### **SUPPORT**

The amendment reenacts provisions of P.A. 96-34 (Capital Revenue) and of P.A. 96-38 (Capital Clean-up) that were invalidated by the Appellate Court in *Wirtz v. Quinn*. Specifically the amendment reenacts legislation pertaining to: allowing candy, health and beauty aids and certain non-alcoholic beverages (e.g., flavored teas and waters) to be taxed at the higher rate of 6.25%, and increases to various driver services fees. Restores the Illinois State Lottery to its status as an independent Department (currently, the Lottery is a division of the Department of Revenue). Provides for the Superintendent of the Lottery to be appointed by the Governor with the advice and consent of the Senate.

**3/16/11 – Passed Senate Executive 9-6-0. Third Reading.**

#### **SB 1323 – Capital Projects**

Senate President Cullerton (D – Chicago)

##### **SUPPORT**

The amendment reenacts provisions of P.A. 96-37, the FY2010 Capital Budget Implementation Act, P.A. 96-34 (Capital Revenue) and P.A. 96-38 (Capital Clean-up) that were invalidated by the Appellate Court in *Wirtz v. Quinn*, as well as makes changes to the Department of Lottery. Specifically, it reenacts language pertaining to: safety net hospitals, downstate hospitals, community health facilities, public libraries, parks, private colleges, school construction, early childhood construction, charter school construction, urban weatherization, fiber optic lines, minority participation in trades, vehicle license cost recovery fees. The amendment also adds the Department of the Lottery to the list of State agencies not subject to the Governor's executive reorganization powers. Removes references to the Department of the Lottery and the Lottery Superintendent as part of the Department of Revenue from the Civil Administrative Code and related laws.

**3/16/11 – Passed Senate 33-24-0.**

**Arrived in House.**

#### **SB 1416 – Public Labor Relations**

Minority Leader Radogno (R – Lemont)

##### **Monitor**

Amends the Illinois Public Labor Relations Act. Requires manning levels to be collectively bargained in municipalities with a population of over 1,000,000. Authorizes manning levels to be considered in the decisions of arbitration panels deciding cases that involve peace officers in municipalities with a population of over 1,000,000. Prohibits manning levels from being considered in the decisions of arbitration panels deciding cases that involve peace officers in municipalities with a population of 1,000,000 or less.

**3/16/11 – Passed Senate Executive 15-0-0. Second Reading.**

(Continued on page 4)

**SB 1821 – Carbon Dioxide Transportation and Sequestration**

Sen. Sullivan (D – Rushville)

**Monitor**

Currently, there is no identifiable permit or approval process for the construction or operation of pipelines used to transport carbon dioxide for sequestration. The purpose of this legislation is to enact a process for applying for and obtaining a certificate in good standing and a certificate of authority to construct and operate a carbon dioxide pipeline in Illinois; and to exercise eminent domain authority, pursuant to current Illinois law, only in those instances where all good faith negotiations with the landowners have been exhausted. This legislation is NOT intended to, nor does it ask the General Assembly to approve any particular project.

*3/16/11 – Passed Senate Executive 13-0-0. Second Reading.*

**SB 1826 – Employee Deferral Plan**

Sen. Schoenberg (D – Evanston)

**Monitor**

Amends the State Comptroller Act. Authorizes the State Comptroller to create, administer, manage, and operate a supplemental employee deferral plan to supplement and enhance the retirement income of employees of public school districts and community colleges.

*3/16/11 – Passed Senate Pensions Committee 10-0-0.*

*Second Reading.*

**SB 1918 – State Tech Employees**

Sen. Trotter (D – Chicago)

**OPPOSE**

Amends the Personnel Code. Provides that the technical and engineering staff (now, the technical and engineering staff providing architectural and engineering services) in the Department of Central Management Services shall be exempt

from jurisdictions A, B, and C. Effective January 1, 2012.

*3/17/11 – Passed Senate State Government 7-0-0. Second Reading.*

**SB 2279 – Teacher Pensions**

Sen. Raoul (D – Chicago)

**SUPPORT**

Amends the Downstate Teachers Article of the Illinois Pension Code. Extends the period during which an annuitant receiving a retirement annuity other than a disability retirement annuity may accept employment for up to 120 paid days or 600 paid hours in a school year without impairing his or her retirement status. Effective immediately.

*3/16/11 – Passed Senate Pensions Committee 7-1-1. Second Reading.*

**WE  
ARE  
ONE**

## An All-Illinois Week of Rallies for Workers' Rights

During the week of April 4, solidarity rallies will be held in cities all across Illinois protesting corporate interests that are waging class-warfare on working families in Wisconsin, Ohio, Indiana, Missouri and even here in Illinois.

Events will culminate on Saturday, April 9 with an all-Illinois rally in downtown Chicago. Details to follow. [Click here to download the flyer.](#)

**APRIL 4, 2011**

- Quad Cities Federation of Labor Rally, 4:30 – 6:30 PM  
Martin Luther King Center,  
Downtown Rock Island
- Decatur Trades & Labor Assembly March for Middle Class  
5:00 – 8:00 PM Decatur Central  
Park
- Kankakee Federation of  
Labor Worksite action  
Shapiro Mental Health

**APRIL 5, 2011**

- April 5 is Election Day in  
Illinois and many of our central  
labor councils and local unions  
are heavily involved with GOTV  
efforts to elect local Mayors, City  
Councils and School Boards

**APRIL 6, 2011**

- Bloomington/ Normal Trades  
& Labor Assembly Central Labor  
Council meeting open to all work-  
ing families 7:30 PM at LIUNA  
362 Hall, 2005 Cabintown Road

**APRIL 7, 2011**

- Springfield & Central Illinois  
Trades & Labor Council  
Rally, 5:00 PM @ TBD
- West Central Illinois Central  
Labor Council TBD

**APRIL 9, 2011**

- Chicago Federation of Labor  
and Illinois AFL-CIO are hosting  
a statewide rally in Chicago TBD