

AFSCME Council 31

Legislative Update



March 8, 2010

Sinking Deeper in Debt – Every day brings more bad news about the consequences of the State’s inability to pay its bills. Day care centers and youth programs are being forced to shut their doors because their state funding is months overdue and they can’t borrow anymore. Direct care agencies that serve the developmentally disabled are cutting back programs and laying off employees. State universities are talking about furloughs and layoffs for employees and raising tuition for students—at U of I it could go up as much as 20%. The main drug treatment provider in the state prisons is threatening to walk away from its contract with IDOC after months of waiting to be paid. And IDOC’s attempt to get new staff hired and trained has been put in jeopardy because the department can’t get any more ammunition for weapons training because the supplier hasn’t been paid.

Just about everyone knows there’s a problem, but unfortunately not everyone is prepared to do what it takes to solve it. The only solution to the state’s fiscal woes is passage of HB 174 or a measure which would generate at least as much revenue. But last week House Minority Leader, Tom Cross, reiterated that the House Republicans will continue to block a tax increase unless he gets support for his so-called “reform” agenda, which includes, ironically, making it harder to raise new revenues by requiring a three-fifths vote for any tax increase. California requires a super-majority for tax increases and they’re in bigger trouble than Illinois.

Back to the Barricades! – This week Gov. Quinn will unveil his FY11 budget and, not surprisingly, it’s reputed to be very “pain-full”. Without a tax increase that fills the state’s \$12 billion budget hole, there’s no way to prevent devastating cuts. So it’s back to the barricades for all of us who are concerned about keeping Illinois running. More than 3,000 folks packed the Capitol Rotunda on February 17 to demand action on HB 174. But apparently the message didn’t get through. So we’re going back again—this time with a lot bigger crowd and a lot stronger message. **Mark your calendars now for**

Wednesday, April 21 when AFSCME and our allies in the Responsible Budget Coalition will be heading back to Springfield for the biggest rally ever held at the State Capitol

Pensions on the Front Burner – Elected officials, business-backed groups, and the media continue to hammer away in their attacks on public employee pensions. Senator Bill Brady, the Republican candidate for governor, is pushing legislation (**SB 3408**) to gradually eliminate the state pension system by barring new hires from participating in it. And Rep. Kevin McCarthy is once again backing a bill (**HB 5418**) that would significantly reduce pension benefits for new hires.

But there was a bit of good news on pensions this week. *Crain's Chicago Business* published an article that was picked up by several other media outlets about how well-run the Illinois Municipal Retirement Fund (IMRF) is. Most AFSCME members who work for most local units of government (cities, counties and school districts except Chicago and Cook County) are members of the IMRF. The articles pointed out that the IMRF is adequately funded because, unlike governors and state legislators who constantly shorted the SERS, local governments are required by law to regularly make the employer contributions to the IMRF—and they've actually done so.

And IMRF participants got some more good news this week. AFSCME lobbyists were successful in convincing Sen. Bill Haine to back off of legislation (SB 2984) that would have established a two-tier pension system for IMRF employees—lowering the benefits of new hires if there were any benefit reductions for new hires in SERS.

Lots of Activity – The Council 31 legislative team was in the thick of things this week as legislative committees in the House and Senate heard testimony on hundreds of bills and took action on many of them. Below is a status report on some of the bills of importance to AFSCME members.

BILLS AFSCME SUPPORTS:

Prohibit the State from cutting retiree benefits (SB 3308) – This legislation, co-sponsored by Sen. Demuzio and Sen. Bomke, would bar the State from requiring SERS retirees to pay any portion of the premium for their dental or vision benefits. **AFSCME Position:** Support. **STATUS:** In Senate Pensions and Investments Subcommittee on Pension Benefit Enhancement

Bar public access to performance evaluations (HB 5154) – This bill amends the Personnel Record Review Act to prohibit the disclosure of the performance evaluation of any public employee. In the last legislative session, the FOIA law

was revised over AFSCME's objections to make the performance evaluation of any public employee working for any jurisdiction in the state of Illinois (except for teachers) available to any citizen via a FOIA request. HB 5154 would effectively nullify that provision and keep performance evaluations confidential. **AFSCME Position:** Support. **STATUS:** Passed out of Committee; on House 2nd Reading

Provide funding for wage increases for union members in community disability agencies (SB 3291 Senate Committee Amendment #1) – This legislation would require the state to provide additional funding to enable union members in agencies providing services to individuals with developmental disabilities to receive a desperately-needed pay increase. **AFSCME Position:** Support. **STATUS:** Passed out of Committee and is on Senate 2nd Reading

Change the primary election date (SB 355) – This legislation would move the primary election from its current date of the first Tuesday in February to the third Tuesday in March. The early February date reduces voter participation because of cold weather and also makes it more difficult to challenge incumbent legislators because of the difficulty of getting a campaign off the ground over the Christmas holiday season. Changing the primary date to March will open up participation in the political process. **AFSCME Position:** Support. **STATUS:** Passed out of the Senate; in the House Elections and Campaign Reform Committee

No loss of pension benefits for employees who take voluntary furloughs (SB 2474) -- This legislation, which is backed by AFSCME and the Quinn Administration pursuant to the Mediated Grievance Resolution, ensures that state employees do not lose pension credits for any furlough days which they take. **AFSCME Position:** Support. **STATUS:** Passed out of Committee and on Senate 2nd Reading

Allow state universities to borrow when state funds are delayed (SB 642) – State universities have had difficulty meeting their payrolls in recent months because of the delay in the state funding they are supposed to receive. This legislation would give the universities borrowing authority to enable them to do short-term borrowing to remain fully operational until state funding comes through. **AFSCME Position:** Support. **STATUS:** Passed Senate; in House Rules

Require legislative oversight of property transfers (HB 4744) – This bill could make it more difficult for the State to sell the Thomson Correctional Center by requiring the approval of the General Assembly for the sale or transfer of surplus real property with a fair market value of \$1 million or more. **AFSCME Position:** Support. **STATUS:** Passed House; in Senate Assignments Committee

Require safe nurse staffing levels (HB 5033) – This legislation would establish mandatory nurse staffing levels in Illinois hospitals in order to strengthen patient care and safety. It is strongly opposed by the Illinois Hospital Association. **AFSCME Position:** Support. **STATUS:** In House Human Services Committee

Prevent the State from forcing community disability agencies into Medicaid Managed Care program (HB 5086 and HB 5113) – The Quinn Administration is trying to force all community disability agencies to become part of a Medicaid managed care program administered by a private company. This plan is likely to diminish the quality of services that individuals with disabilities receive as well as driving down the wages of those who provide the services. HB 5086 would slow down this process to allow a more thorough review of the consequences, while HB 5113 would prohibit it altogether. **AFSCME Position:** Support. **STATUS:** Both bills passed out of Committee and are on House 2nd Reading

Prevent debt settlement companies from ripping off consumers (HB 4781) – Consumers often end up paying large fees and having their credit ratings damaged when they turn to debt settlement companies to help resolve credit card debt problems. This legislation, backed by State Treasurer Alexi Giannoulis and Attorney General Lisa Madigan, will cap debt settlement fees, require licensing of settlement companies, and require disclosures and warnings to consumers. **AFSCME Position:** Support. **STATUS:** In the House Consumer Protection Committee

Make Illinois' tax structure more fair (SJRCA 38, 92 and 101 and HJRCA 27) – All of these measures would open the door to fairer taxes in Illinois by initiating the process to amend the state constitution and repeal its bar to a progressive tax structure in our state. **AFSCME Position:** Support. **STATUS:** SJRCA 38 in Senate Executive Subcommittee on Constitutional Amendments; SJRCA 92 and 101 in Senate Committee on Assignments; HJRCA 27 in House Revenue and Finance Subcommittee on Income Tax

Strengthen legal protections for EMT's (HB5668) – This legislation would include EMT's and paramedics who work for local units of government under the provisions of the Firemen's Discipline Act which establishes core workplace due process rights. **AFSCME Position:** Support. **STATUS:** Passed out of Committee; on House 2nd Reading

Bills that AFSCME Opposes:

Preserve IDOC's ability to swiftly transfer inmates -- **SB 2588**, sponsored by Sen. Bill Brady, would prevent IDOC from acting swiftly to transfer inmates when violent incidents occur, instead requiring that all transfers be approved by the Prisoner Review Board. **AFSCME Position:** Oppose. **STATUS:** In Senate Executive Sub-committee on State and Local Government

Prevent cuts to pension benefits of local government employees in IMRF -- **SB 2984**, sponsored by Sen. Bill Haine, would require that any reductions in pension benefits enacted for new hires in state government would also be applied to new hires in local governments that participate in the IMRF. **AFSCME Position:** Oppose. **STATUS:** In Senate Pensions Committee. (Senator Haine has agreed to strip the bill of the language that would create a two-tier pension system in IMRF.)

Preserve tuition waivers for university employees' children -- **HB 4706**, sponsored by Rep. Dave Winters, would repeal the law that permits children of state university employees to receive a 50% tuition waiver. **AFSCME Position:** Oppose. **STATUS:** In House Higher Education Committee

Halt Tollway privatization – **SB 3482** would allow for the privatization of new or existing toll roads in Illinois. It would radically alter road planning and building in Illinois permitting private entities to construct new roads, as well as privatize existing ones. **AFSCME Position:** Oppose. **STATUS:** Passed out of Committee; on Senate 2nd Reading

Don't create further staffing problems in state government – **HB 5541**, sponsored by Rep. John Cavaletto, would impose a total hiring freeze on state government until the State is able to pay all of its vendors monies owed within 30 days of billing. Given the State's current fiscal woes, this bill would effectively paralyze state government, preventing even the most essential positions from being filled. **AFSCME Position:** Oppose. **STATUS:** In House State Government Administration Committee

Don't cut benefits for workers injured on the job – **SB 3830**, sponsored by Sen. Bill Brady, would make it easier for employers to cut off benefits for workers who suffer serious on-the-job injuries that necessitate being off work for more than two years. **AFSCME Position:** Oppose. **STATUS:** In Senate Labor Committee