

A Few minutes with the Boss

By: Joseph Andalina

The pension saga continues

Everyone knows this is the gift that keeps on giving like the proverbial Aunt Martha's fruitcake that gets passed around by the relatives. Here it's the pension legislation that is passed around the House or Senate floor, hoping that reps will bite and pass something, even if you don't like the taste.

We'll have more in upcoming pieces on the various bills, but this time it's House Speaker Michael Madigan with his HJRCA0005. Earlier this month, House Personnel and Pension Committee passed this amended version of the bill introduced by the Speaker—a Democrat. It passed 9-0. The bill, in its simplicity, is below.

If approved by voters, it basically mandates that a Constitutional amendment would require a 3/5 super-majority vote of both the House and Senate before **any** future pension benefit can be approved.

An amendment was added indicating that an increase in salary will not constitute an increase in benefits. It obvious means that change in an employee's pension could not be enhanced unless a public body at the state and local level gather a 3/5's vote (a super majority rather than a simple majority).

Madigan is quoted as saying "It's very easy to vote for a bill that increases a pension benefit." "Everyone would be better served if there was a higher bar regarding pension bills." I believe that he is saying is that it is easy for a politician to vote to increase a pension benefit. He appears to want to make it harder to do so by legislating a super majority vote rather than a simple one.

Yeah, everyone but us public sector employees and unions who have lined up in opposition. Since the amendment passed, the full House and Senate must pass the bill before it can appear on a ballot in 2012.

Unless the world does end when the Mayan calendar does, it looks like this bill could pass further blocking increased pensions in the future for public service employees. Take it on the chin once again, brother.

What is unknown however is if this can open up the Constitution, it may open up a door for a myriad of other issues that our political foes could sneak in. A troublesome thought.

And I wonder how this will all affect the pensions of our legislators, or if they will voluntarily take a hit for the team also. We'll see, I guess.

Happy Spring. Have a safe Memorial Day.

Vita é Bella

Bill Status of HJRC0005 97th General Assembly**Short Description:** CONAMEND-PENSION INCREASE VOTE**House Sponsors**Rep. [Michael J. Madigan](#), [Jack D. Franks](#), [Sara Feigenholtz](#), [Karen May](#), [Elaine Nekritz](#) and [David Harris](#)**Last Action**

Date	Chamber	Action
5/11/2011	House	Placed on Calendar Order of 3rd Reading - Short Debate

ILCON Art. XIII, Sec. 5.1 new

Synopsis As Introduced

Proposes to amend the General Provisions Article of the Illinois Constitution. Provides that a bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. Provides that if the Governor vetoes such a bill, then it shall not become law unless it is passed, upon its return, by a record vote of two-thirds of the members elected to each house of the General Assembly. Provides that if the Governor returns such a bill with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly. Provides that an ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof. Provides that a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit. Effective upon being declared adopted.

House Committee Amendment No. 1

Provides that an increase in salary does not, by itself, constitute an increase in benefits. Specifies that an increase in benefits does include (i) any increase in salary resulting from the inclusion of a new category of benefits, bonuses, incentives, perquisites, or other compensation that previously was not considered a part of salary or (ii) any otherwise unusually high increase in salary.

Actions

Date	Chamber	Action
1/18/2011	House	Filed with the Clerk by Rep. Michael J. Madigan
1/18/2011	House	Read in Full a First Time
1/18/2011	House	Referred to Rules Committee
1/26/2011	House	Added Co-Sponsor Rep. Jack D. Franks
2/9/2011	House	Added Co-Sponsor Rep. Sara Feigenholtz
3/8/2011	House	Added Co-Sponsor Rep. Karen May
3/18/2011	House	Added Co-Sponsor Rep. Elaine Nekritz
4/27/2011	House	Assigned to Personnel and Pensions Committee
5/3/2011	House	House Committee Amendment No. 1 Filed with Clerk by Rep. Michael J. Madigan
5/3/2011	House	House Committee Amendment No. 1 Referred to Rules Committee
5/3/2011	House	House Committee Amendment No. 1 Rules Refers to Personnel and Pensions Committee

5/5/2011	House	House Committee Amendment No. 1 Adopted in <u>Personnel and Pensions Committee</u> ; by Voice Vote
5/5/2011	House	Do Pass as Amended / Short Debate <u>Personnel and Pensions Committee</u> ; 009-000-000
5/5/2011	House	Placed on Calendar 2nd Reading - Short Debate
5/5/2011	House	Read in Full a First Time - As Amended
5/5/2011	House	Held on Calendar Order of Second Reading - Short Debate
5/6/2011	House	Read in Full a Second Time - As Amended
5/6/2011	House	Held on Calendar Order of Second Reading - Short Debate
5/11/2011	House	Read in Full a Third Time - As Amended
5/11/2011	House	Placed on Calendar Order of 3rd Reading - Short Debate
5/12/2011	House	Added Co-Sponsor <u>Rep. David Harris</u>