



ILLINOIS CHAMBER  
OF COMMERCE

*2015–2016*  
*Legislative Ratings*

## ***Chamber Ratings Reflect Active Legislative Sessions, Breadth of Chamber's Pro-Business Agenda***

The Chamber's biannual legislative ratings reflect a unique 99th General Assembly, as a Republican governor took over for the first time in twelve years. While much of the news coming out of Springfield was over the budget battle, the General Assembly did approve several measures that move Illinois towards reform for both state government and the business climate. Positive measures such as unemployment insurance reform and a constitutional amendment to create a "lockbox" for transportation revenues.

Yet, they also include frustratingly counterproductive measures - such as votes on raising the minimum wage and placing a 3% income tax surcharge on small businesses making over \$1 million - that continue to send employers mixed messages about the direction of our state. However, on a positive note, not one bill the Illinois Chamber of Commerce opposed became law during the 99<sup>th</sup> General Assembly.

Legislators that received the highest ratings this year demonstrated a commitment to employer issues but they also demonstrated a serious commitment to government reforms that are vital to turning our state and our economy around.

### ***About the Illinois Chamber of Commerce Legislative Ratings***

The ratings are based on legislators' votes on the key business legislation of the 99<sup>th</sup> General Assembly as determined by staff and the Chamber's Government Affairs Committee. The votes in the Senate and House are selected based on their impact on the business community.

None of the bills used in this General Assembly's ratings were weighted, as there were an adequate number of legislation voted on during this General Assembly.

Legislators were given a positive mark (+) on their scorecard for bills that they voted in favor with the Illinois Chamber and were given a negative mark (-) on their scorecard for bills in which they voted against the Illinois Chamber.

Legislators who voted present on a bill in which the Illinois Chamber supported were also given a negative mark (-) on their scorecard. Contrary, legislators who voted present on a bill in which the Illinois Chamber opposed, were given a positive mark (+) on their scorecard.

Legislators who were absent (A) or not voting (NV) on a bill were given a negative mark (-) on their scorecard.

Legislators who were either not a member at the time of the vote (NA) or were excused from their absence (E) during the vote were not counted towards or against their final score. Members who did not meet the required amount of votes were not given a score (NE).

In cases where more than one roll call was taken on a bill, the vote that best demonstrates support for employers' vital interests was chosen. If employers are to change the culture in Springfield, they must educate themselves on the record of their representatives and hold them accountable for it.

## *The 2015-2016 Champions of Free Enterprise*

The Illinois Chamber of Commerce is proud to recognize legislators that have made special contributions in the defense of free enterprise, and the furtherance of economic opportunities for Illinoisans. Legislators with Illinois Chamber ratings averaging 85% or better over the previous two General Assemblies have demonstrated their commitment to legislation that frees the entrepreneurial spirit and qualify for the award. The Chamber would also like to thank several freshmen legislators who provided outstanding voting records in their first two years in office. However, the Chamber would like to recognize only one legislator from each chamber serving their first two years in office with the Outstanding Freshman Legislator award. Freshmen scoring above 85% will be eligible for the awards given in the 100<sup>th</sup> General Assembly. The Champions of Free Enterprise Awards are given biennially.

### **Senate Award Winners**

Senator Pamela Althoff  
 Senator Tim Bivins  
 Senator Mike Connelly  
 Senator Kyle McCarter  
 Senator Karen McConnaughay  
 Senator Matt Murphy  
 Leader Christine Radogno

*Outstanding Freshman Legislator  
 Senator Dan McConchie*

### **House Award Winners**

Representative Patricia Bellock	Representative David McSweeney
Representative Dan Brady	Representative Charles Meier
Representative Adam Brown	Representative Thomas Morrison
Representative John Cavaletto	Representative Robert Pritchard
Representative Tom Demmer	Representative David Reis
Leader Jim Durkin	Representative Ron Sandack
Representative Mike Fortner	Representative Keith Sommer
Representative Norine Hammond	Representative Joe Sosnowski
Representative David Harris	Representative Ed Sullivan
Representative Chad Hays	Representative Michael Tryon
Representative Jeanne Ives	Representative Michael Unes
Representative Dwight Kay	Representative Barbara Wheeler
Representative David Leitch	

*Outstanding Freshman Legislator  
 Representative Avery Bourne*

## ***Legislation Used for the Champions of Free Enterprise***

### **HJRCA 26 (Madigan) – Small Business Income Tax Increase**

Provides an additional 3% income tax shall be imposed on individual's income that is greater than \$1 million for the taxable year. The collected revenue from the tax is to be distributed to school districts on a per pupil basis. This proposed amendment would hurt successful small business owners and drive more wealth out of Illinois.

*Chamber Position:* OPPOSED

*House 3<sup>rd</sup> Reading:* [68-47-0](#)

*Senate Vote:* NA

*Outcome:* Failed in the House

### **HJRCA 36 (Phelps/Haine) – Lockbox Amendment**

Transportation lockbox constitutional amendment. This is a proposed constitutional amendment that would end Road Fund diversions by preventing any money from being removed from the Road Fund for any purpose other than transportation. As written, this proposed constitutional amendment would prevent any future revenue collected by transportation assets from being spent on any other agencies or programs. As a result of this, transportation investment will be predictable, allowing businesses to plan investments long term.

*Chamber Position:* SUPPORT – **Chamber Initiative**

*House 3<sup>rd</sup> Reading:* [98-4-2](#)

*Senate 3<sup>rd</sup> Reading:* [55-0-0](#)

*Outcome:* Adopted in Both Houses

### **HJRCA 58 (Franks/Steans) – Redistricting Reform**

This proposed constitutional amendment would completely remove the General Assembly and the governor from the redistricting process by establishing an eight-person commission selected by the Illinois Supreme Court. Both the chief justice and the most senior justice who is not affiliated with the same political party as the chief justice would choose eight commissioners. If the commission does not submit an agreed map, then the same two justices will select a ninth commissioner. The amendment would require fifteen open hearings and all records regarding the work of the commission are available to the public.

*Chamber Position:* SUPPORT

*House 3<sup>rd</sup> Reading:* [105-7-0](#)

*Senate Vote:* NA

*Outcome:* Senate Subcommittee on Constitutional Amendments

### **HB 580 (Welch/Harmon) – Arbitration Bill**

HB 580 would have removed the governor from contract negotiations with the public sector unions and replaced by a group of un-elected, third-party arbitrators

*Chamber Position:* OPPOSED

*House 3<sup>rd</sup> Reading:* [67-46-2](#)

*Senate 3<sup>rd</sup> Reading:* [38-17-0](#)

*Outcome:* Motion to Veto Lost in House [68-49-1](#)

### **[HB 1285 \(Hoffman/Link\) – Unemployment Insurance Reform](#)**

A top priority for the business community has been to clarify a definition of “misconduct” in the Unemployment Insurance Act, and while this compromise plan will inject common sense into how egregious circumstances that result in an employee’s termination, it is not a touchdown in the Chamber’s eyes. This compromise also eliminates an increase of \$470 million that was to occur in 2016 without any legislative action.

*Chamber Position:* SUPPORT

*House Concurrence:* [110-0-0](#)

*Senate 3<sup>rd</sup> Reading:* [58-0-0](#) Third Reading

*Outcome:* P.A. 99-0488

### **[HB 1287 \(Madigan/Cullerton\) – Democrats’ Workers’ Compensation Proposal](#)**

The amendments encompass a prior Democrats’ workers’ compensation proposal. It does not move the needle forward and could lead to higher workers’ compensation costs for the business community.

- HA#4: regulates workers’ compensation insurance premiums
- HA#5: codifies the “any cause standard” and “traveling employee” definition established by the Illinois Courts
- HA#6: for benefits in connection with repetitive or cumulative injury resulting from employment with more than one employer, the employer liable for award or its insurer is entitled to contributions or reimbursement from each of the employee’s prior employers or insurers
- HA#7: requires Department of Insurance collection of self-insured data and creates a workers’ compensation insurance premium task force.

*Chamber Position:* OPPOSE

*House 3<sup>rd</sup> Reading:* [63-39-4](#)

*Senate Vote:* NA

*Outcome:* Senate Assignments

### **[HB 3341 \(Tryon/McConnaughay\) – Stationary Source – Ill. Clean Air Act](#)**

HB 3341, an Illinois Chamber initiative to make the Illinois Air Permit Program fully consistent with Title V in the federal Clean Air Act which excludes internal combustion engines used for transportation purposes, nonroad engines, and nonroad vehicles from the definition of "stationary source." Illinois law has long been inconsistent with the federal law, leading to situations in which businesses were told by the state regulatory agency they needed to obtain permits that were not required under federal law. This legislation removes any confusion regarding the need to obtain an air permit. Nonroad engines would still be required to comply with applicable air emission regulations.

*Chamber Position:* SUPPORT – **Chamber Initiative**

*House 3<sup>rd</sup> Reading:* [115-0-0](#)

*Senate 3<sup>rd</sup> Reading:* [59-0-0](#)

*Outcome:* P.A 99-0380

### **[HB 3438](#) (Smiddy/Koehler) – North American-Made Vehicles**

HB 3438 requires all vehicles purchased by the state of Illinois must be assembled in the United States or Canada. It limits choices available to state agencies and also drives up the cost of vehicles purchased by the state. American and Illinois manufacturers and suppliers - who sometimes provide more than half of the parts for vehicles not made in the U.S. or Canada - would be harmed by this legislation as more than 100 Illinois manufacturing companies produce parts for vehicles assembled outside the U.S.

*Chamber Position:* OPPOSE

*House 3<sup>rd</sup> Reading:* [70-42-0](#)

*Senate Vote:* NA

*Outcome:* Senate Assignments

### **[HB 3655](#) (Raoul/Zalewski) – Fantasy Gaming**

Creates the Fantasy Sports Contest Act to provide regulation of companies providing access to paid fantasy sports contests and protect Illinois consumers who play paid fantasy sports contests for prizes from unfair acts and practices that may arise in the gaming process.

*Chamber Position:* OPPOSED

*House Vote:* NA (No vote as opposed)

*Senate 3<sup>rd</sup> Reading:* [32-22-1](#)

*Outcome:* Currently in the House

### **[SB 11](#) (Lightford/Turner) – Minimum Wage Increase**

SB 11 increases the minimum wage from \$8.25 to \$9 beginning July 1, 2015 and increases it by \$0.50 each July 1 until July 1, 2019, at which point the minimum wage will be \$11. It denies home rule units except Chicago from having a higher minimum wage than the State. Creates a \$1,500 per employee income tax credit for employers with fewer than 50 employees, calculated based on the increase in the minimum wage.

*Chamber Position:* OPPOSE  
*House Vote:* NA  
*Senate 3<sup>rd</sup> Reading:* [35-18-1](#)  
*Outcome:* House Rules Committee

### **[SB 162](#) (Raoul/Madigan) – Codifies “any cause” for Workers’ Compensation**

Senate Democrat proposal that codifies the current “any cause” standard meaning an employer is responsible for 100% medical care and loss wages even if the workplace is as little as 1% the cause of the injury. No meaningful cost savings are proposed and in fact employers could experience higher workers’ compensation costs if this legislation were to become law.

*Chamber Position:* OPPOSE  
*House Vote:* NA  
*Senate 3<sup>rd</sup> Reading:* [36-19-1](#)  
*Outcome:* House Rules Committee

### **[SB 544](#) (Bush/Walsh) – Nuclear Storage Impact Fees**

The legislation would allow a municipality to establish and collect a nuclear storage impact fee, not to exceed 25% of the average annual amount of property taxes paid to the municipality by the entity that operated a nuclear facility within the boundaries of the municipality before it ceased to generate electricity. This "fee" has little to do with the cost of storage of nuclear material. Rather, it is an attempt to recoup a portion of the property taxes that were lost when the Zion nuclear plant closed.

*Chamber Position:* OPPOSE  
*House Vote:* NA  
*Senate 3<sup>rd</sup> Reading:* [36-20-0](#)  
*Outcome:* House Rules Committee

### **[SB 1672](#) (Rezin/Nekritz) – Air Permit Appeals Reform**

This legislation will lead to a state implemented plan that will be a significant improvement over the current PSD permitting process. The bill requires the Pollution Control Board to adopt rules for a state implemented program for Prevention of Significant Deterioration Permits - which are necessary for new plant construction or major expansions of existing facilities in attainment areas. The attainment areas in Illinois are generally our downstate communities outside the Chicago and metroeast areas of the state.

*Chamber Position:* SUPPORT – **Chamber Initiative**  
*House 3<sup>rd</sup> Reading:* [112-0-0](#)  
*Senate Concurrence:* [54-0-0](#)

Outcome: P.A. 99-0463

### **SB 1833 (Biss/Williams) – Data Security Breaches**

SB 1833 requires notification of security breaches to the Attorney General and greatly expands the data elements considered for purposes of a “breach”. One of the key concerns is, for the first time in the nation, the expansion of data elements includes the terms “geolocation” and “consumer marketing information”. These terms, along with the term “biometric data”, are vaguely defined and overly broad raising many concerns and questions as to how they will be interpreted and implemented. This bill will result in the need for companies to implement costly enhanced security obligations on data for which the unauthorized acquisition does not create a risk of identity theft or financial harm.

*Chamber Position:* OPPOSE

*House 3<sup>rd</sup> Reading:* [63-52-0](#)

*Senate Concurrence:* [34-16-1](#)

*Outcome:* Bill Dead – Amendatory Veto (HB 1260)

### **SB 2506 (Righter/Andersson) – Streamlining Employment Discrimination Investigations**

The Department of Human Rights (IDHR) will be required to close its investigation if the charge filed with IDHR is based on a litigated discrimination violation that is identical to a charge filed with a local government unit or the federal EEOC and such protection also is provided by the other governmental body.

*Chamber Position:* SUPPORT – **Chamber Initiative**

*House Vote:* NA

*Senate 3<sup>rd</sup> Reading:* [58-0-0](#)

*Outcome:* House Rules Committee

### **SB 2531 (Lightford/Welch) – Labor Representation on Economic Development Boards**

Provide that any economic development corporation or commission which receives public money must have at least two members from a labor council serve on its board or commission. Such members shall be full members with all rights and privileges and need not pay any membership fees or dues for such membership.

*Chamber Position:* OPPOSE

*House 3<sup>rd</sup> Reading:* [66-48-0](#)

*Senate 3<sup>rd</sup> Reading:* [35-18-0](#)

*Outcome:* Passed Both Houses

### **SB 2921 (Hutchinson/Zalewski) – Rescind Underpayment Penalties**



Amends the Uniform Penalty and Interest Act to automatically rescind underpayment penalties on taxpayers that are more than 95% compliant.

*Chamber Position:* SUPPORT – Chamber Initiative

*House Vote:* NA

*Senate 3<sup>rd</sup> Reading:* [58-0-0](#)

*Outcome:* Gut and Replace in House

### **[SB 2964](#) (Harmon/Hoffman) – Prevailing Wage Calculation**

SB 2964 requires the prevailing wage rate to be calculated as the rate that prevails for similar work on public works projects when the work is performed under a collective bargaining agreement or understanding between an employer and bona-fide labor organizations in a locality where 30% or more of the workers are involved.

*Chamber Position:* OPPOSED

*House 3<sup>rd</sup> Reading:* [72-40-2](#)

*Senate 3<sup>rd</sup> Reading:* [38-17-0](#)

*Outcome:* Sent to the Governor

### **[SB 3011](#) (Mulroe/Feigenholtz) – Tobacco Products +21**

Increase in minimum wage to purchase tobacco products from 18 to 21.

*Chamber Position:* OPPOSED

*House Vote:* NA

*Senate 3<sup>rd</sup> Reading:* [32-22-2](#)

*Outcome:* Currently in House



