

Government Relations Update

The following update attempts to capture the state's direction into 2011 and gauge both parties' position moving forward. There are several cited sources and lay opinion. Finally, the report is divided into: Post-General Election, Veto session, and IAFP's issues and activities.

Post-General Election: The Illinois Legislative Research Unit publication "First Reading" has info on new members. Please go to their website to see the Nov 2010 publication:

<http://www.ilga.gov/commission/lru/Nov2010FirstRdg.pdf>

From Rich Miller of Capitol Fax:

The House has 18 "lame ducks" who are not returning next year. Some of them said yesterday that they could be open to voting for a tax hike, despite their past opposition. Many in both parties will be looking for jobs or other opportunities once their terms expire, so it's still possible that something could be put together in January, before the new General Assembly is sworn in. As of now, though, none of the lame ducks I spoke with had been contacted by anyone about that possibility. ... House Speaker Michael Madigan reiterated that he won't move an income tax hike unless the Republicans are on board. So far, though, that's not happening. Madigan said that climbing out of the state's deficit hole would take three to five years and require an "increase in revenues" and reductions in spending. But he said that would have to be a bipartisan effort and claimed he wasn't sure it could be done right now.

More from Capitol Fax: A big question has puzzled some political observers since the election: How did so many congressional Republicans win their uphill races while state legislative Republicans lost theirs? Did people really vote for Republicans for Congress and Democrats for the state legislature? The Senate Republicans took a look at precinct-level voting results and concluded what people like myself have suspected all along: The answer mostly lies in how the district maps were drawn.

For instance, the 11th Congressional District shares 101 precincts with the 40th Senate District - which is about half of the 40th. Republican Adam Kinzinger beat incumbent Congresswoman Debbie Halvorson by a wide margin, but Democratic state Sen. Toi Hutchinson soundly defeated Republican Adam Baumgartner. How could this happen? If you take a look at the actual results, Kinzinger and Baumgartner received almost the exact same vote totals in those 101 precincts. Kinzinger received 21,352 votes and Baumgartner took 21,136. The rest of the Halvorson/Kinzinger congressional district was far more Republican and the rest of the Hutchinson/Baumgartner district was far more Democratic.

The same holds true for Rauschenberger's race. Rauschenberger outperformed Republican congressional winner Joe Walsh by about 1,400 votes in the precincts the two candidates shared, and outdid GOP congressional winner Randy Hultgren by about 1,200 votes. Senate GOP candidate Suzi Schmidt outperformed both Walsh and Republican congressional winner Bob Dold. Like everything else, there are exceptions. Democratic Sen. AJ Wilhelmi's tea party opponent Cedra Crenshaw underperformed fellow Republican Adam Kinzinger by about 2,000 votes. Wilhelmi was a super-strong candidate and Crenshaw was not.

Veto Session: The House adjourned on Wed., Dec 1st and has added January 3rd at 3 pm and January 4 thru 7 for the 96th House to be in Session. While the Senate is still in session on Thursday, Dec 2nd and has added January 5 & 6 for the 96th session. They may also be in on Monday or Tuesday before the 97th GA is sworn in on January 12, 2011. Although the Senate added its days to deal with anything the House throws at them, Senate President Cullerton would not predict that any tax increase or other major legislation would make it to his chamber.

IAFP's Issues and Activites: In the last two months, the following has transpired:

- three Healthcare Implementation Council hearings
- two new Medicaid committees created – one in the House and one in the Senate
- a call for comments on the Health Insurance Exchange
- a call for comments to the Chronic Disease Prevention and Health Promotion Task Force

All testimony is attached.

New Medicaid Committees: Republicans believe their national mandate to stall/repeal healthcare reform and oppose any tax hikes will carry in IL despite their minority status. Their tact is already working with regard to the tax increase and they've added an additional caveat: they will not even consider voting for a tax increase or address the pension borrowing issue without reforms in both Medicaid and workers compensation. To that end, a new Medicaid Committee in both the House and Senate was formed. Committee members are looking specifically for ways to reduce Medicaid costs and create a more efficient system in Illinois with the charge to issue report/recommendations by Jan. 3rd. The Republicans will hone in on the impending "cost" of health care reform, as a way to argue for more cuts now while the Democrats' main task is to address the current budget and create a narrative that will help them get Republican support or at least defend themselves if they vote for higher taxes. However, by making the committees bipartisan, the Democrats may have handed their leverage over to the Republicans and now face having to support some type of "reforms" in order to avoid the perception that this whole exercise is a waste of time, energy and resources. That's the complication here -- the committees are related to getting revenues enacted. Illinois needs those revenues and a stable state budget in order to implement strong healthcare reform.

Medical Practice Act: As Veto session wrapped up in Springfield, SB 2800 passed to extend the Medical Practice Act of 1987 to repeal on November 30, 2011. Gone are the days of sun-setting it for a decade.

Lay Nurse Midwives: This legislation surfaced as an amendment to a veterinary bill in the waning hours of spring session and returned during Veto session. As amended, SB 3712 allows lay midwives to dispense and administer drugs with only minimal training in pharmacology.

IAFP is strongly opposed to the bill and has voiced its concerns with the sponsor, Rep. Robyn Gabel. Briefly, our opposition is as follows:

- This bill that would allow the least trained individuals to *independently* provide one of the most critical services to Illinois women.
- Certified lay midwives would be allowed to take histories, perform physicals, provide prenatal care, dispense drugs, treat hemorrhages and other emergencies, and treat the infant and woman postpartum. All of these responsibilities are medical in nature and should only be performed by the professionals who are adequately trained to do so.
- Following licensure as a registered nurse, the nurse desiring to function as a certified nurse midwife should be certified rather than licensed as a certified nurse midwife.
- A "certified nurse midwife" title should be reserved for those who undergo specific training programs following attainment of an R.N. license.
- Certified nurse midwives should only function in an integrated practice arrangement under the direction and responsible supervision of a practicing, licensed physician qualified in maternity care.

As of Dec. 2nd, the bill was not called for a vote in the House before they adjourned. Upon the current legislative bodies' return in January, 60 votes are needed for its passage (see explanation below). Then, it goes back to the Senate for concurrence, where it already passed favorably once under the sponsorship of Sen. Haine.

Votes needed: The legislature set rules to say that during Veto Session legislation requires 3/5 (71) votes in the House and 36 votes in the Senate to pass if it is to become effective immediately (or Jan 1). If the effective date is delayed, then only a simple majority of votes in the House (60) and Senate (36) are needed. Since Jan 1 represents a new calendar year, the rules of requiring a simple majority are in play again for most legislation, even though we are still dealing with the "old" General Assembly.

Smoking in casinos exemption: Unfortunately, the state's casino owners have been pushing hard to lift the state's smoking ban at their facilities. The Illinois Coalition Against Tobacco (including IAFP) fought hard to pass a statewide bill where everyone got equal protection from secondhand smoke. According to Rich Miller of Capitol Fax, something happened on Nov. 30th which may doom the casinos' efforts:

Sen. Terry Link quietly picked up sponsorship of the House bill yesterday that lifts the smoking ban for casinos. Link is the original sponsor of the state's smoking ban and is adamantly opposed to any exemptions. It will take a three-fifths super-majority in the Senate to remove Link from the sponsorship, and that's pretty much impossible. Link is also the lead sponsor of the gaming expansion proposal, which is reportedly just a couple votes shy of passage in the Senate if the immediate effective date is removed and the three-fifths super-majority is no longer required. It's

possible, though not likely, that the boats could use the smoking ban bill as leverage. But considering Link's historical opposition and the boats' strong revulsion to gaming expansion, that may be the stuff dreams are made of. As of yesterday, gaming lobbyists and others were saying they wouldn't push for a House vote to string out members on the smoking ban legislation as long as they believed the bill was all but dead in the Senate.

Stay tuned.

IAFP's Spring Into Action: Once the House and Senate issue their calendars for the spring session of the new 97th General Assembly, dates will be selected for IAFP's Spring Into Action. In 2011, there will be three lobby days in Springfield and select in-district meetings based on new legislative member availability and volunteer leadership enthusiasm. In subsequent years, IAFP will offer only in-district meetings during election years and a combination of in-district and Springfield meetings in off-election years.

Spring Session Forecast: Chilly. A thaw is expected when the redistricting and tax hike fronts collide sometime near the end of May!