

Goaded Senate President Punts on Pension Reform

Written by Rich Miller
Sunday, 02 June 2013 17:01

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I told my newsletter subscribers several weeks ago that, without a doubt, if Senate President John Cullerton caved in to House Speaker Michael Madigan on pension reform, Cullerton's legacy as Madigan's junior partner would be forever sealed.

The two men have battled for months over the proper way to proceed. Cullerton has said that the state Constitution requires that public workers and retirees be given a set of options before their pension benefits can be reduced. Madigan has said that idea doesn't save enough money, and he has looked for the most cost savings possible. With the pension system at \$100 billion in unfunded liability and taxpayer costs rising by about a billion dollars a year, this has become the most important state fiscal issue of our time. It has to be resolved.

I ran into Madigan not long after I wrote that stuff about Cullerton's possible cave. "Rich, you're not helping," he said to me.

I told him that I wasn't here to help. It's not that I'm here to screw things up, either, I explained, but I just felt I had to call things as I saw them. Besides, I said, it was true. Cullerton has so forcefully argued in favor of his own, more-likely-constitutional pension-reform plan that I didn't see how he could walk himself back and still save face. And neither did anyone else I knew.

Several days later, after Madigan killed Cullerton's concealed-carry bill by plucking off two Senate votes, I ran into Madigan at a Springfield restaurant. I told him that Cullerton was in the building with some of his members. Maybe, I teased Madigan, he could go tell the Senate president how he was gonna kill another one of Cullerton's bills. "Rich, you're not helping" was

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Madigan's reply.

Last week, a higher-up in the governor's office reached out to me and asked me if I would please, pretty please with sugar on top not rile up Cullerton on pension reform again before the spring session's final adjournment. They wanted cooler heads to prevail. They needed Cullerton to calm down and find a way out of this impasse.

But after the Senate killed Madigan's pension-reform bill on a vote of 16-42 (seven fewer "yes" votes than a similar bill had received earlier in the month), Madigan told the *Chicago Sun-Times* that the roll call showed "a lack of leadership" in the Senate.

So who's "not helping" now? How the heck did an attack such as that move the ball forward? How did that keep things calm?

Pressure built on Cullerton to just adjourn his chamber and announce that the Senate had completed its job by sending the House a union-backed pension-reform bill. Madigan has played that game before with the budget, so some demanded that Cullerton give Madigan a taste of his own medicine on pension reform.

Nobody ever figured that Cullerton would actually do that, however. The Senate president has tried mightily to avoid the often disastrous House-versus-Senate feuds that plagued his predecessor Emil Jones – feuds that at times so undermined Jones that he couldn't function.

Cullerton remained mostly on the high road, but nothing got done. He dismissed Madigan's direct and seemingly personal attack, saying he just figured that Madigan was "disappointed" in the Senate's roll call. He adjourned his chamber on the last night of session without demanding that Madigan pass the Senate's pension-reform bill.

Cullerton had been planning to pass at least one of three pension-reform bills that the House sent the Senate back in March. Two – a cap on pensionable income at the Social Security cap and a House bill to cut annual pension cost-of-living increases – were both under consideration.

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The idea, apparently, was to get something to the Illinois Supreme Court to see if any pension-benefit changes could get court sanction.

But Representative Elaine Nekritz, Madigan's point person on pension reform and the sponsor of those two pension bills, told me that the bills on their own would be clearly unconstitutional and that she would urge the Illinois courts to reject them if either was signed into law. The individual pension reforms had to be included in a larger package, she said, to make the case that state "police powers" had to be used to solve the funding crisis.

Cullerton dropped the whole idea after I told my subscribers what Nekritz said.

I guess maybe I didn't help. But that ain't my job.

Rich Miller also publishes Capitol Fax (a daily political newsletter) and CapitolFax.com.