

STATE OF ILLINOIS
NINETY-THIRD GENERAL ASSEMBLY
SENATE

Senate Joint Resolution No. 36

Offered by Senators Collins, Martinez, Hunter,
Link and Munoz

WHEREAS, Minorities and women seeking apprenticeship and trainee opportunities in the building trades allege the existence of racial and gender discrimination in hiring on public construction contracts; and

WHEREAS, Minority-owned and female-owned companies allege that contractors on public construction projects engage in racial and gender discrimination; and

WHEREAS, The State of Illinois spends billions of dollars on public construction projects; and

WHEREAS, The State of Illinois has a compelling State interest to eliminate racial and gender discrimination in State-funded public construction programs to effect an efficient procurement process; and

WHEREAS, No State agency has undertaken a comprehensive study to determine the existence and the extent of racial and gender discrimination on public construction projects during the last 5 years; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Commission on Opportunity in State Public Construction, which shall consist of 17 members as follows: (i) 10 members appointed by the Governor, 2 of whom are representatives of a labor organization engaged in the building trades, 2 of whom are representatives of organizations that represent the interests of construction companies, one of whom is a representative of an organization that represents the

1 interests of minority-owned business enterprises, one of whom
2 is a representative of an organization that represents
3 female-owned business enterprises, one of whom is a
4 representative of an organization that advocates for the
5 civil rights of women, one of whom is a representative of an
6 organization that advocates for the civil rights of African
7 Americans, one of whom is a representative of an organization
8 that advocates for the civil rights of Hispanic Americans,
9 and one of whom is a representative of an organization that
10 advocates for the civil rights of Asian Pacific and South
11 Asian Americans; (ii) one member appointed by the President
12 of the Senate; (iii) one member appointed by the Minority
13 Leader of the Senate; (iv) one member appointed by the
14 Speaker of the House of Representatives; (v) one member
15 appointed by the Minority Leader of the House of
16 Representatives; (vi) the Attorney General or his or her
17 designee; (vii) the Director of the Capital Development Board
18 or his or her designee; and (viii) the Secretary of
19 Transportation or his or her designee, all of whom shall
20 serve without compensation but shall be reimbursed for their
21 reasonable and necessary expenses from appropriations
22 available for that purpose; the appointments shall be made
23 before September 1, 2003; the members shall elect one member
24 to serve as chairperson of the Commission; and be it further

25 RESOLVED, That the Commission shall ascertain through
26 public hearings and social-scientific research: (i) whether
27 there is a pattern of racial and gender discrimination in
28 employment on State public construction projects; (ii)
29 whether there is a pattern of racial and gender
30 discrimination in contracting on State public construction
31 projects; (iii) the extent, if any, of racial and gender
32 discrimination in employment on State public construction
33 projects; and (iv) the nature, if any, of race and
34 gender-neutral barriers to entry to employment or contracting

1 for minorities and women on State public construction
2 projects; if the Commission determines that there is racial
3 and gender-based discrimination in State public construction
4 projects, then the Commission shall develop policy
5 recommendations to remedy the racial and gender-based
6 discrimination; if the Commission determines that there are
7 race and gender-neutral barriers to minority and female
8 participation on State public construction projects, then the
9 Commission shall develop policy recommendations to reduce the
10 barriers to full participation; nothing in this resolution
11 precludes the Commission from recognizing the existence, if
12 any, of racial and gender-based discrimination or neutral
13 barriers, or both, to minority and female participation on
14 State public construction projects and developing policy
15 recommendations to address both issues; the Commission shall
16 have investigatory power pursuant to 25 ILCS 5/Act; the
17 Commission shall deliver a report of its findings, the
18 transcripts of its public hearings, and its social-scientific
19 research to the Governor and to the General Assembly by June
20 30, 2004; and be it further

21 RESOLVED, That the Capital Development Board and the
22 Department of Transportation shall provide staff assistance
23 as is reasonably required to permit the Commission to fulfill
24 its functions; the Illinois Department of Transportation is
25 authorized to receive appropriations from the General
26 Assembly to fund social-scientific research related to the
27 Commission's function; the Department of Transportation, on
28 behalf of the Commission, is authorized to contract with a
29 university, consulting firm, or other reputable research
30 organization to conduct a social-scientific study on race and
31 gender discrimination on State public construction projects;
32 and be it further

33 RESOLVED, That a suitable copy of this resolution be

1 delivered to the Governor, the Attorney General, the Director
2 of the Capital Development Board, and the Secretary of
3 Transportation.

4 Adopted by the Senate, May 29, 2003.

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President of the Senate

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Secretary of the Senate

9 Concurred in by the House of Representatives, June 1,
10 2003.

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Speaker of House of
Representatives

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Clerk of House of
Representatives