

1 SENATE JOINT RESOLUTION

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

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

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

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

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

19 RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL  
20 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF  
21 REPRESENTATIVES CONCURRING HEREIN, that there is created the  
22 Commission on Opportunity in State Public Construction, which  
23 shall consist of 17 members as follows: (i) 7 members  
24 appointed by the Governor, 2 of whom are representatives of a  
25 labor organization engaged in the building trades, 2 of whom  
26 are representatives of organizations that represent the  
27 interests of construction companies, one of whom is a  
28 representative of an organization that represents the  
29 interests of minority-owned business enterprises, one of whom  
30 is a representative of an organization that represents  
31 female-owned business enterprises, one of whom is a

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

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

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

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

30 RESOLVED, That a suitable copy of this resolution be  
31 delivered to the Governor, the Attorney General, the Director  
32 of the Capital Development Board, and the Secretary of  
33 Transportation.