

May 26, 2010

To the Honorable Members of the Illinois Senate,
96th General Assembly:

In accordance with Article IV, Section 9(e) of the Illinois Constitution, I hereby return Senate Bill 28 with specific recommendations for change.

This bill is the product of the hard work of many parties who all share the same goals: protecting thousands of jobs, putting more people to work and maintaining Chicago's status as the convention capital of the world.

Senate Bill 28 is important progress. But more work remains to be done.

By passing this bill, the General Assembly has taken only half a step towards reforming our State's convention industry. As long as I have been Governor, my message has been clear: when it comes to reform, half measures do not suffice. The only real reform is comprehensive reform.

This bill directs the Authority to enter into certain agreements in a manner "substantially similar" to the Procurement Code. It is entirely unclear what it means to "substantially" follow the Procurement Code, and I will not tolerate ambiguity on such an important principle. How the Authority spends its funds and enters into contractual agreements is a matter of the utmost importance. We have seen all too recently the harms that can occur when transactions are carried out outside the realm of sunshine and openness. Clarity and consistency in the Authority's procurement practices are required if the taxpayers of our State are to have confidence in the operations of the Authority.

Over the past sixteen months, I have worked with the General Assembly to overhaul our State's procurement practices through landmark amendments to the Procurement Code. I am certain that the Authority will be well served by adopting these reforms. Accordingly, my recommendation is that the Authority follows the same procurement requirements that we now require throughout state government.

For the Authority to fully fuel the Illinois economy, we must also eliminate tax increases that are counter-productive to the purpose of the bill. The fundamental purpose of this bill is to preserve and expand our State's convention industry, but a tax on ground transportation services at commercial airports will do the opposite.

During these difficult economic times, it is incumbent on our elected officials to do everything possible to protect and create jobs for the citizens of Illinois. Every year thousands of conventioners gather in Chicago, shop in our stores, eat in our restaurants, and stay in our hotels. They, along with the Illinois citizens who travel through O'Hare and Midway, should not be greeted there with a doubling of this tax on ground transportation services. As Governor, I am committed to taking every step necessary to protect our taxpayers and an industry that supports some 65,000 jobs and \$8 billion in annual economic activity for the state of Illinois. However, we cannot take shortcuts that place short-term benefits ahead of long-term gains.

Though imposing a new tax levy on travelers might generate revenue in the short-term, it increases the cost of hosting conventions in our State. Chicago sits at the crossroads of the world, and those who visit from near and far must know that our State is open for business.

There are obstacles towards implementation of this bill that we must also address. Senate Bill 28 appoints a specific Trustee to effectuate the provisions of this bill and fails to provide for the removal or succession of the Trustee. This provision presents two problems. First, by naming a specific individual as a trustee, this bill violates Article IV, Section 13 of the Illinois Constitution which states that "The General

Assembly shall pass no special or local law when a general law is or can be made applicable." Second, if the Trustee was unable to serve, or if the Trustee failed to carry out his duties, no mechanism exists to protect the people of our State from a void at the Authority. This complete lack of accountability places our taxpayers at great risk. Granting the Trustee unbridled authority without oversight is not a path I am willing to pursue. My recommendations below address this gaping problem and resolve the constitutional issue.

Lastly, true reform is not only a matter of ensuring transparency in the management of the Authority, but we must also make the Authority more efficient and effective and remove the hassles that add costs to customers. In this extremely competitive industry, the Authority needs the flexibility and resources that are found in most major venues across the country, while ensuring that our highly-skilled workforce is treated fairly. Reducing the number of the Authority's work jurisdictions will allow the Authority to continue to offer service superior to that found in other large convention destinations, such as Orlando, Florida and Las Vegas, Nevada. By putting the customers first, we will also protect thousands of Illinois jobs.

I have always said that our democracy works best when people band together towards a common interest. This bill demonstrates how true that is. Republicans and Democrats, upstate and downstate, labor and business, have worked together to see that Senate Bill 28 be placed on my desk. By continuing to work together, the General Assembly can take the final steps towards ensuring this vital economic engine will save and create thousands of jobs in our State. I am confident that the members of the General Assembly will do so and accept the recommendations below.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 28, entitled "AN ACT concerning civil law." with the following specific recommendations for change:

on page 123, by replacing lines 25 and 26 with "requirements of Section 5.6 of this Act."; and

on page 124, by deleting lines 1 through 3; and

on page 133, by replacing lines 20 through 26 with

" (12) The Authority shall not recognize (i) more than a single bargaining unit for employees engaged in drayage, rigging, and related duties and (ii) more than a single bargaining unit for employees engaged in carpentry, decorating, and related duties. "; and

on page 134, by deleting lines 1 through 11; and

on page 158, line 14, by deleting "~~\$4~~ \$2" and reinserting "\$2"; and

on page 158, line 19, by deleting "~~\$18~~ \$9" and reinserting "\$9"; and

on page 158, line 20, by deleting "~~\$36~~ \$18" and reinserting "\$18"; and

on page 158, line 21, by deleting "~~\$54~~ \$27" and reinserting "\$27"; and

on page 159, line 2, by replacing "~~\$2~~ \$1" with "\$1"; and

on page 160, by deleting lines 6 through 17; and

on page 174, by replacing lines 10 through 12 with the following:

"chief executive office, whichever is longer. The Governor, with the advice and consent of the Senate, shall appoint the Trustee of the Authority who shall immediately assume all duties and powers of the Board and the chief executive officer."; and

on page 174, immediately below line 17, by inserting the following:

“(a-5) In the case of a vacancy in the office of Trustee of the Authority after the initial appointment of the Governor pursuant to subsection (a) of this Section, the Governor, with the advice and consent of the Senate, shall appoint a Trustee within 5 calendar days. If the vacancy occurs during a recess of the Senate, the Governor shall make a temporary appointment within 5 calendar days and the person shall serve until the next meeting of the Senate, when the Governor shall nominate some person to fill the office of Trustee. Any person so nominated who is confirmed by the Senate shall hold the office of Trustee during the remainder of the term as provided for in this Section.

(a-10) If the Trustee of the Authority, or the guardian of his estate and person, notifies the Governor that he is unable to perform the duties vested by law in the Trustee, then the Governor may designate some person as acting Trustee to execute and discharge those duties. When the Trustee of the Authority is prepared to resume his duties, he, or the guardian of his estate and person, shall do so by notifying the Governor.

(a-15) The Trustee of the Authority shall be subject to the Governor’s removal power provided for under Section 10 of the Article V of the Illinois Constitution.”; and

on page 175, on line 6, by replacing “a manner” with “accordance with the Illinois Procurement Code.”; and

on page 175, by deleting line 7; and

on page 184, line 1, by replacing “a manner substantially similar” with “accordance with the Illinois Procurement Code.”; and

on page 184, by deleting line 2.

With these changes, Senate Bill 28 will have my approval. I respectfully request your concurrence.

Sincerely,

Pat Quinn
Governor