



SUBSTANCE

ILLINOIS MECHANICAL & SPECIALTY CONTRACTORS ASSOCIATION

SUMMER 2024



IMSCA LEADERSHIP

PRESIDENT



S.J. Peters has served as Executive Director of the PCA of Greater Chicago (Plumbing Contractors Association) covering 17 counties in and around Chicago since 2006. He is a Trustee on the Plumbers Local 130 UA Pension & Welfare Trust Funds in Northern Illinois. Peters previously spent 15 years as VP/Communications Director for the *United Food & Commercial*

Workers Intl. Union (UFCW Locals 881 & 1546) in Chicagoland. S.J. is a Board Trustee for the UAC (*Union Affiliated Contractors of the National Plumbing-Heating-Cooling Contractors – PHCC*); and an Officer (Secretary) for CISCO (*Construction Industry Service Corporation*). He also spent a decade on the board of the *Plumbing Contractors of America* – an enhanced service division of the MCAA (*Mechanical Contractors Association of America*). A graduate of Loyola University and an Illinois native raised in Brookfield, S.J.'s career began in mass communications. After working on-air at major market radio stations, he next served for 2 years as Communications Director for the *Central Educational Network* (PBS-Midwest Region).

VICE PRESIDENT



Karsten Pawlik is Vice President of Operations at Alpine Demolition Services, LLC (Alpine), a position he has held for the past 20 years. Alpine is a selective, structural and infrastructure demolition company serving primarily the Chicagoland Area. Karsten has degrees in Civil Engineering from the University of Florida and a MBA from Northern Illinois

University. Karsten is past president at ASA Chicago, former board member of Fox Valley AGC and a current board member at the National Demolition Association.

TREASURER



Todd Byxbe is the Vice President of Miller Engineering Company located in Rockford, IL where he has been employed for nearly 30 years. Todd serves on the Board of Directors for the Sheet Metal and Air Conditioning Contractors National Association (SMACNA National). In addition, Todd serves as SMACNA National Midwest Political Liaison where he is

responsible for meeting with US Senators and Representatives to achieve continued growth for the construction industry and the advancement and influence of SMACNA.

SECRETARY



Tammy Rich Stimson loves being a part of a 2nd generation family-owned business. Over her 27-year tenure at G.A. Rich & Sons, Inc., Tammy has been presented with many opportunities to grow both in the business and in leadership roles with the Illinois Plumbing Heating Cooling Contractors (ILPHCC). Tammy started her career as an assistant project manager/estimator and bid runner. Over the years, she has worn many hats

and held various positions such as Safety Director, Lead Estimator, and Chief Financial Officer; currently serving as the President of G.A. Rich & Sons, Inc. Working in a family-owned business has allowed her to be involved in PHCC at the local, state & national levels, including serving as Illinois' first woman president. Her service to the industry earned her the Larry Dore Member of the Year Award in 2011. Tammy also has a passion for serving others and does so through various organizations in her community. Her commitment to community service earned her the 25 Women in Leadership Award in 2013.

SPECIAL COUNSEL



James T. Rohlffing is a partner in the national law firm of Saul Ewing LLP, where he is a member of the firm's Construction Practice Group. He represents subcontractors and other participants in the construction industry in resolving legal disputes and protecting his clients' rights. He is editor of the highly-acclaimed and comprehensive treatise *Illinois Construction Law Manual*, published by Thomson Reuters. Mr.

Rohlffing is special counsel as well as the past president of IMSCA, the largest organization for subcontractors in Illinois. He is an active member of the ABA Construction Forum, the Society of Illinois Construction Attorneys (SOICA), the Chicago Bar Association's Construction Law committee, and the Association of Subcontractors and Affiliates of Chicago. He has drafted and assisted in passing Illinois legislation critical to the Illinois construction industry and he has testified on construction law issues before committees of the Illinois Legislature.

EXECUTIVE DIRECTOR



As IMSCA's Executive Director, **Ryan Roth** manages the day to day operations of IMSCA and works closely with IMSCA's lobbying team to represent the interests of the sub-contracting industry at the Illinois State Capitol. Ryan received his Bachelor's and Master's of Arts Degrees in Political Science from the University of Illinois at Springfield. Since 2009 Ryan has worked for the Illinois legislature, state agencies and associations in the fields of transportation, design, and construction.

LEGISLATIVE
REPRESENTATION
FOR OVER 2,000
CONSTRUCTION
EMPLOYERS

IMSCA STAFF AND OFFICERS:

Ryan Roth, Executive Director
Jim Rohlfsing, Special Counsel
S.J. Peters, President
Karsten Pawlik, Vice President
Todd Byxbe, Treasurer
Tammy Rich-Stimson, Secretary

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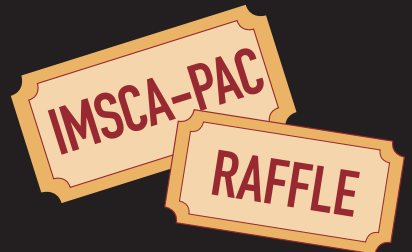


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By S.J. Peters, IMSCA President

STAYING THE COURSE FOR IMSCA MEMBERS: LOBBY DAY 2024

Nearly 40 attendees were present for the opening meeting, speaker presentations, and preparation for our visits inside the State Capital at IMSCA’s Lobby Day on April 30 in Springfield, IL. The annual event for 2024 can be summed up in one phrase: “Let us continue.” Our objectives remain the same: to educate and seek the support of lawmakers for legislation benefiting signatory contractors affiliated with IMSCA’s member associations, while speaking in a unified voice on behalf of our employer leaders in the union construction industry throughout our state.

However, not everything has stayed the same since last year. Changes in 2024 have included welcoming our new Executive Director: Ryan Roth; IMSCA members gathering at a different venue from our previously longstanding site (this time it was the State House Inn, due to the closing of the Sangamo Club); and subsequently also moving the location of our closing reception to Arlington’s. Holding our annual lobbying event during an election year may have led to a more ‘low-key’ atmosphere (as is typical), but yet again, IMSCA provided our

member organizations with a vibrant forum to communicate our priorities to our elected Illinois representatives.

Following the directives of our Legislative Committee, key issues for discussion with lawmakers included HB 4317 (an IMSCA Bill) which proved successful. Due to its passage, going forward, Mechanic’s Lien communications are allowed to be verified by additional delivery means other than solely via USPS Certified Mail. Secondly, the Illinois’ Capital Program earned IMSCA’s support through its overdue funding for the



From PCA of Greater Chicago & CISCO (from left): IMSCA President S.J. Peters; contractors Paul Aleck and Tammy Rich-Stimson; from CISCO Dan Allen and Jennifer Rice; and contractors Rick Kuhn and Kelly Castrogiovanni.



IMSCA Executive Director Ryan Roth (Frontline Co.) welcomed Lobby Day attendees and provided a legislative recap.

state’s horizontal infrastructure in addition to long-neglected financial resources for vertical infrastructure. And third, the “impressive-at-first-glance” but *realistically impractical* initiative that aimed to modify our state’s procurement laws by deliberately awarding bid preferences to Illinois contractors who source materials from Illinois providers was dropped with IMSCA’s backing. All three of our key legislative goals for this year’s event were therefore met.

Our Lobby Day opened with our regular meeting, which included an abbreviated but standard addressing of IMSCA business along with a detailed legislative recap by Ryan Roth (of Frontline Co.). We then heard from Tim Patrick, Construction Administrator for the Illinois Capital Development Board (CDB), who as our keynote speaker provided an informative, insightful and interesting overview of the agency and concluded with a Q&A and comment session.

A discussion on various efforts to ban natural gas as an energy source followed.



Dan Flynn (Neil Flynn & Associates) coached the IMSCA members prior to their visit to the Capital.

Chicago and some surrounding suburbs have inched in the direction of adopting such a ban, with the Village of Oak Park already instituting such measures for new construction. The Chicago City Council has seriously debated the issue recently, and it was noted that several construction labor union officials have testified on its potential impact. As a result, a growing number of city alderpersons are now seeking more factual data and expert guidance before agreeing to move further on this endeavor for Chicago. Significantly, it was also made clear that IMSCA – in accordance with its By-Laws and past practice – will take no position on



From NECA (from left): Trevor Krieg and Tom Morton; and IMSCA General Counsel Jim Rohlfling (Saul Ewing, LLP)

this matter unless all affiliated associations unanimously concur. This discussion (listed as an agenda item in advance) was purely informational. Furthermore, since several like-minded taskforce groups have emerged to oppose the natural gas ban push, there clearly are suitable alternatives to IMSCA’s involvement at this time.

As the morning meeting was concluding over an admittedly “casual” lunch, attorney Dan Flynn of the law firm of *Neil Flynn & Associates* (which serves as a consultant to IMSCA on lobbying matters) spoke from the podium to provide another overview of our



Tim Patrick (CDB Construction Administrator) served as the keynote speaker.

legislative priorities (as noted above) and offered practical advice for the lobby-focused meetings with the lawmakers and their staff set for that afternoon. The various member delegations then made their way to the Capital to visit the offices of the state representatives and senators, and a number of Lobby Day attendees observed a committee meeting at which several of IMSCA’s legislative priorities were officially adopted.

The joint Legislative Reception co-hosted by IMSCA and ICIC (Illinois Construction Industry Committee) marking the end of our Lobby Day (as noted above) was held nearby at Arlington’s, a local hospitality establishment. Invitations to the reception had been distributed both beforehand and throughout the day, and several lawmakers and their staff were in attendance in addition to the members and guests of both associations. While the crowd was somewhat lighter than in past years, comments about the function were positive and it appeared that everyone had an enjoyable time.

In conclusion, a special “thank you” is certainly in order for our IMSCA Lobby Day sponsors, which included: the Finishing Contractors Association of Illinois (Gold); SMACNA Greater Chicago (Silver); and Central Illinois NECA; Illinois Chapter NECA; and PCA of Greater Chicago (Bronze). We’re grateful for the support of our sponsors and to all who attended this year’s event. New ideas, constructive comments, and your ongoing involvement for next year’s Lobby Day are always welcome and appreciated. Let us continue! ■



ILLINOIS LEGISLATURE MAKES NOTICE OF MECHANICS LIEN EASIER

- By James T. Rohlfing

The Illinois legislature has expanded the methods for delivering notice of a subcontractor's mechanics lien claim to include services such as Federal Express and UPS, in recognition of changes over the last few decades in how businesses, government bodies and individuals communicate among one another. HB 4660 passed both chambers of the Illinois legislature as of May 28, 2024 and is on its way to the Governor for signature. It expands the means of serving notice of a lien, and cleans up unnecessary duplication in sections 5 and 21 of the Illinois Mechanics Lien Act, 735 ILCS 60/0.01 et seq. (the "Act").

Currently, to enforce a mechanics lien for nonpayment, an Illinois subcontractor must serve a notice of intent to lien within 90 days from when that subcontractor last provided materials or worked on the construction project, in addition to meeting the other requirements for a lien under the Act. Section 24 of the Act describes the notice requirements, including, what must be included in the notice, to whom it must be provided, and how the notice must be served on those entitled to notice. Currently, service of notice can be accomplished by:

1. Registered or certified mail, with return receipt requested and limited to addressee only; or
2. Personal service on the owner, agent, or architect and the lending agency, if known.

WISE – WORKPLACE INITIATIVES AND STRATEGIES FOR EMPLOYERS

KEY ILLINOIS EMPLOYMENT LAW CHANGES

TAKING EFFECT JULY 1, 2024

By Alexander L. Reich

On July 1, 2024, three ordinances went into effect that will alter critical employment laws for Cook County and Chicago businesses. These three ordinances are: (1) the Chicago Paid Leave and Paid Sick and Safe Leave Ordinance, (2) the One Fair Wage Ordinance, and (3) the Cook County’s Minimum Wage Ordinance. To ensure compliance and avoid potential penalties, employers operating in Chicago must familiarize themselves with these requirements and take appropriate action. Here is what you need to know.

Chicago Paid Leave and Paid Sick and Safe Leave Ordinance

This ordinance mandates that all employers provide eligible employees with two buckets of paid leave they can use for various purposes. Specifically, the ordinance requires that eligible employees receive: (1) up to five days of paid time off (that can be used for any reason), and (2) five days of paid sick and safe leave (that can be used for qualifying reasons). Eligible employees must accrue at least one hour of paid leave and one hour of paid sick and safe leave for every 35 hours worked. Additionally, employers must allow employees to carry over up to 16 hours of unused paid leave (unless leave is frontloaded) and up to 80 hours of unused sick and safe leave. Employers are not required to pay out sick and safe leave upon separation of employment, whereas payout of paid leave depends on the size of the employer.

Failure to comply with the ordinance can result in significant penalties. Therefore, employers should update their payroll systems and employee handbooks to reflect the new accrual rates and usage policies. For more information about the Chicago Paid Leave and Paid Sick and Safe Leave Ordinance, please view our prior blog post here, but note that the ordinance was subsequently amended following our prior post.

One Fair Wage Ordinance

This ordinance phases out the subminimum wage for tipped employees over several years, beginning on July 1. The ordinance will entirely eliminate the subminimum wage by 2028, by increasing the tipped minimum wage eight percent per year.

Non-compliance with the ordinance can lead to fines and civil suits. Therefore, employers need to adjust compensation practices for tipped employees to meet the new base wage requirements.

Cook County’s Minimum Wage Ordinance

This ordinance will increase the regular minimum wage within Cook County to \$14.05 per hour worked, up from \$14.00. This new minimum wage will apply to all non-exempt employees over the

[Continued on page 8.](#)

***Alexander Reich** is a trusted litigator and advisor who focuses on employment law. He counsels employers on an array of matters involving federal and state statutes such as Title VII, Title IX, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA). Alex regularly drafts employment agreements and litigates issues relating to restrictive covenants and trade secrets. Alex defends employers in cases ranging from single employee discrimination claims to class action wage and hour matters. His practice includes cases in state and federal courts, as well as matters before administrative agencies including the Illinois Department of Human Rights (IDHR), the Equal Employment Opportunity Commission (EEOC), and the Department of Labor (DOL).*

As a business-minded advocate, Alexander counsels clients across a variety of industries on proactive compliance with employment statutes and on the development of employment policies. In addition, he assists clients with internal investigations and provides risk management training.



(continued from page 6.) ILLINOIS LEGISLATURE MAKES NOTICE OF MECHANICS LIEN EASIER

Personal service is usually impractical and service by certified mail, return receipt requested is cumbersome and often fails because the Postal Service for a myriad of reasons, is unable or otherwise fails to obtain a signed receipt for the delivered item. Many intended recipients refuse to sign or are unavailable. As national delivery services, such as Federal Express and UPS have become ubiquitous over the last few decades, laws governing notice requirements in many jurisdictions have been modernized to permit service of notices by such delivery services.

Following that trend, HB 4660 now provides that a notice of lien under the Act may be served by a “nationally recognized delivery company with tracking service.” Permitting service through a nationally recognized delivery company will ease the burden on subcontractors who must comply with the existing stringent requirement or lose their lien rights. The proposed law would also increase the likelihood that property owners will be aware of lien claims and, sharply reduce the number of mechanics liens found unenforceable because the Postal Service was unable to obtain a

signature on a green card receipt. The proposed method of service is consistent with modern business practices for delivering papers of all kinds when tracking delivery of a notice is important. The proposed amendment to the Mechanics Lien Act provides a more effective and efficient means to effect service of notices of mechanics liens for the benefit of subcontractors as well as those who are entitled to receive the notice. The proponent of the new measure, the Illinois Mechanical & Specialty Contractors Association (“IMSCA”) is hopeful that Governor Pritzker will sign the bill into law. ■

**(continued from page 7.) KEY ILLINOIS EMPLOYMENT LAW CHANGES TAKING EFFECT JULY 1, 2024**

age of 18, but the base wage for tipped employees will remain \$8.40 per hour. The minimum wage will continue to be subject to annual adjustments, with exceptions if the unemployment rate in Cook County reaches 8.5 percent.

The Cook County minimum wage remains below the Chicago minimum wage, which currently sits at \$15.00 per hour for businesses with 4-20 employees and \$15.80 for businesses with 21 or more employees. Note, however, the Chicago minimum wage will also increase on July 1, 2024 to correspond with the Consumer Price Index or 2.5 percent, whichever is lower. The new Chicago minimum wage has not yet been announced.

Failure to pay employees the new minimum wage could lead to an

investigation by the Cook County Human Rights Commission, not to mention lawsuits by aggrieved employees. Therefore, affected employers should timely update their payroll systems to reflect the new minimum wage rates.

With these three significant changes quickly approaching, it is important for Chicago employers to act now to update policies, train staff, and adjust payroll systems.

If you have any questions regarding these three key employment laws and how they may impact your company, or if you would like assistance in updating your policies, please reach out to the author or your regular Saul Ewing LLP attorney. Please note: Summer Associate, Alexandria Wilson, contributed to the writing of this article. ■

MAJOR PROCUREMENT BILL PASSES LEGISLATURE

By Ryan Roth with contributions from Neil and Daniel Flynn

Representative Jay Hoffman introduced HB 5511 as a bid preference bill on February 9, 2024 (see Executive Director’s article). By the time the legislature adjourned early on May 29th, HB 5511 had been amended to become the long anticipated procurement omnibus bill. An omnibus bill is a piece of legislation which contains changes to numerous different laws. In this case, a number of changes and additions were made to various aspects of Illinois’ procurement code. Due to the large number of subjects included in these bills, changing or altering them is difficult at best and many times impossible. Many of the initiatives in this year’s omnibus bill, however, had been in bills introduced earlier this year, but for one reason or another did not pass. Here’s a look at what was in this year’s bill, IMSCA’s efforts to improve the language for contractors, and what it means for the construction industry. A big thank you to Neil and Daniel Flynn for the final analysis of HB 5511.



Design-Build

Provides that the Capital Development Board shall establish a Progressive Design-Build Pilot Program to use the progressive design-build delivery method for up to three (3) public projects commencing prior to January 1, 2027, if determined to be in the State’s best interest. This program is repealed January 1, 2027. This was an initiative of the Capitol Development Board and was drafted with the input of design and construction professionals last summer. Progressive Design-Build brings the contractor in sooner to work with project designers in the design phase as opposed to the current process of after design is completed.

Duration of Contracts (Procurement Code)

Provides that contracts may be entered into that extend beyond the active term of the award, so long as the contract was entered into prior to the award expiration date and does not exceed 10 years.

Electronic Procurement System

Amends the Procurement Code. Provides that a State agency shall not prohibit the acceptance of bids or proposals for competitive solicitations submitted solely by an electronic procurement system as long as the electronic system integrates with that portfolio’s procurement bulletin and all other provisions of the Procurement Code are met.

Job Order Contracting

Amends the Procurement Code to authorize construction agencies to procure construction contracts via job order contracting through the use of competitive sealed bidding. Defines “job order contracting” as an indefinite quantity contract pursuant to which a contractor may perform an ongoing series of individual tasks at different facilities, locations and sites under the jurisdiction of a State construction agency. An out of state construction management firm attempted to expand the use of JOCs by going around the Illinois procurement code. IMSCA along with a broad coalition of design professionals and labor initially opposed this section of the bill for numerous reasons. From a contractor’s perspective, the proposal would have created an exemption from the responsible bidder requirements and opened the door to contractor financing of public projects. IMSCA was ultimately successful in amending this portion of the bill to make it more amenable to Illinois’ construction industry.

Curability

Amends the Procurement Code. Provides that if, during an active procurement, a violation or deficiency of the Code, rules, policies or practices promulgated by a chief procurement officer (CPO) occurs, then at the request of the State purchasing officer and agency head, the CPO may determine

that curing the violation or deficiency is in the best interest of the State. The request to cure (i) shall be in writing, (ii) include a clear description of the violation, and (iii) shall be made “only when the integrity, transparency and efficiency of the procurement can be maintained.” In making a determination, the CPO shall consider the harm to stakeholders, the value to the State in permitting the cure, and the seriousness of the violation. If a cure is permitted, the determination shall include a clear description of the action necessary to cure the violation or deficiency. Each CPO may adopt rules to implement this (curability) provision.

Joint Purchasing

Amends the Joint Purchasing Act. Provides that each CPO may authorize any governmental unit to purchase or lease supplies under a contract which has been procured under the Illinois Procurement Code by a governmental unit subject to the jurisdiction of the CPO. Prior to making the contract available to the governmental unit, the CPO shall consult with the governmental unit that is party to the contract. Requires annual reports to the General Assembly.

Amends the Joint Purchasing Act. Provides that all purchases, orders or contracts shall be awarded to the lowest responsible bidder or highest-ranked offeror as ranked by the cooperative purchasing program, or if not ranked by the cooperative purchasing program, then by the purchasing governmental unit when the purchasing governmental unit determines that the selected contract best meets the governmental unit’s needs.

Also provides that a governmental unit may purchase a supply or service that is available on contracts from multiple contractors if the governmental unit determines that the selected contract best meets the government unit’s needs. Joint purchasing is less an issue for construction contractors as it is for service providers.

Bid Preferences for Illinois Businesses – Construction or Construction Related Professional Services

- Provides that the CPO shall require at the time of bid submission, and may require at any time during the contract term, that the bidder or contractor submit an affidavit confirming that the bidder or contractor is an Illinois business; and if applicable, submit an affidavit demonstrating that the bidder or contractor is eligible for a 4% bid preference under this Section.
- If a contractor who is awarded a contract through the use of a preference for Illinois businesses provided false information in order to obtain that preference, then the contractor is subject to the suspension and disciplinary procedures currently set forth in the Procurement Code.
- Changes the definition of “Illinois business” to include a foreign corporation duly authorized to transact business in Illinois at a bona fide establishment for transacting business within Illinois where it is operating, headquartered, and performing construction or construction-related professional services at least 1 year before an invitation for a bid or notice of contract opportunity is first advertised. Also clarifies that “Illinois business” does not include

any subcontractors or businesses headquartered outside of Illinois that have an affiliated entity operating in Illinois.

Business Enterprise for Minorities, Women, and Persons with Disabilities Act – Uniform Standard of Contract Goals

- Provides that the Business Enterprise Program (BEP) may establish uniform standards for calculating contract specific BEP goals for all state contracts and State construction contracts subject to this Act
- Defines “goals” as “the participation levels of certified vendors on State contracts.”
- Provides that each State agency and public institution of higher education may, in accordance with this Act, set goals concerning participation in State contracts, including State construction contracts, to which that State agency or public institution of higher education is a party.

Public-Private Partnership For Transportation Act

Expands the definition of “responsible public entity” to include “the 5 most populous counties of Illinois, as of the most recent publicly available decennial census” (currently limited to IDOT and the State Tollway Authority). (Note: A “responsible public entity” is authorized to enter into public-private partnerships for transportation projects).

Project Planning

Provides that each year, at least 30 days prior to the beginning of a “transportation agency’s” (i.e., IDOT and the State Tollway Authority only) fiscal year, IDOT and the Tollway Authority shall submit a description of potential projects that IDOT or Tollway Authority is considering under this Act to each county, municipality and metro planning organization, with respect to each project located within its boundaries. Requires that a new transportation facility developed as a project under this Act must be consistent with the regional plan then in existence of a metropolitan planning organization in whose boundaries the project is located.

Unsolicited Proposals

Provides that each transportation agency (IDOT and Tollway Authority) shall develop rules for receiving, reviewing and implementing unsolicited proposals; and shall formally propose rules within one (1) year of this legislation’s effective date. No unsolicited proposals shall be received prior to the adoption of these rules. A transportation agency shall receive unsolicited proposals no more than every 2 years for a time frame of no more than 90 days. A non-negotiable proposal review fee of \$25,000.00 shall be required for an unsolicited proposal submitted under this Act.

HB 5511 in its final form passed both houses and as of press time is on its way to the Governor’s Office. The progressive design build aspect of this bill will take effect immediately upon receiving the Governor’s signature, the remainder of the bill will take effect on Jan. 1, 2025. ■

EXECUTIVE DIRECTOR'S REPORT

A QUICK LOOK AT THE 2024 LEGISLATIVE SESSION



Ryan Roth,
IMSCA Executive Director

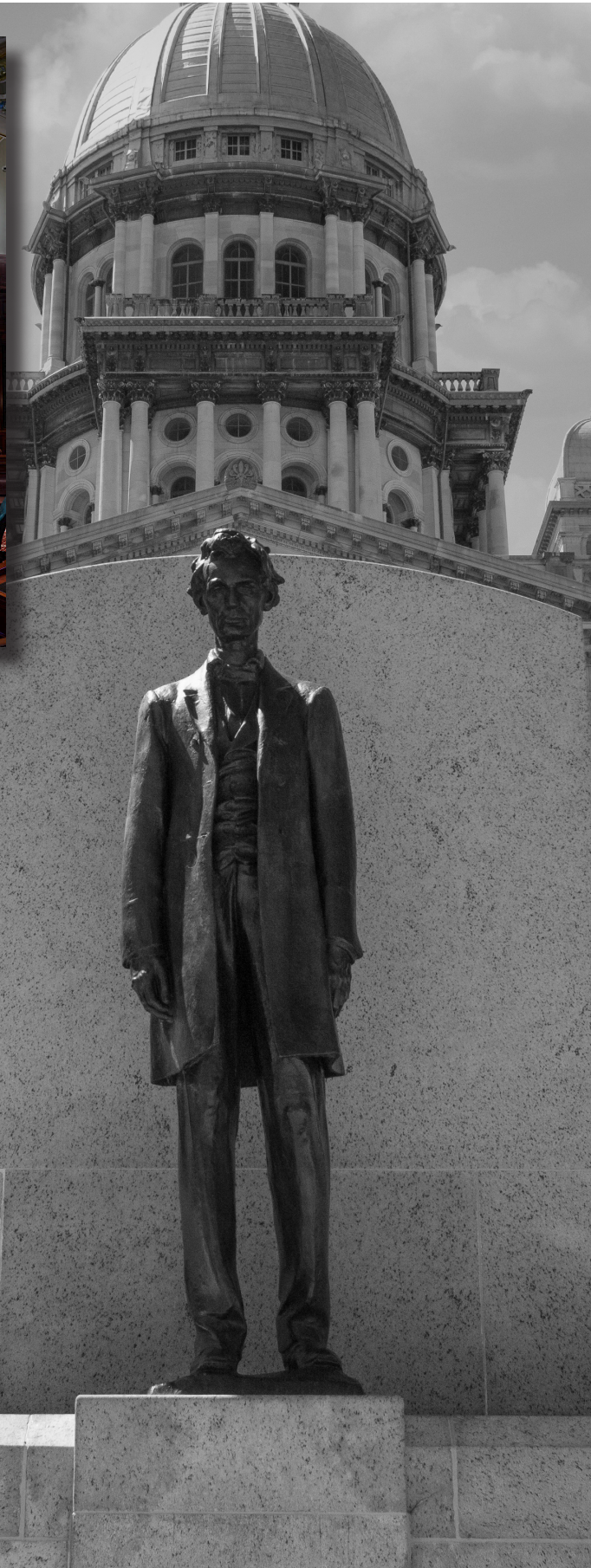
If you have any questions regarding this information, please do not hesitate to contact Ryan Roth at ryan@frontlineco.com.

I have worked in and around the Illinois legislature to varying degrees since 2009 on staff, at state agencies, at lobbying firms, and as an association professional. Without a doubt I can say that this is probably the most successful session I have experienced in that time. This year we tracked 183 bills introduced by state legislators. IMSCA was highly successful in stopping bills that were harmful to the construction industry or amending them to the point in which they were not a concern for us. While not every bill we supported passed the General Assembly in expectation of becoming law, our mechanics lien legislation passed successfully during our first bite at the apple. This success was only possible due to the team we've built with lobbyists Neil and Daniel Flynn, partnerships developed with industry and labor, your activism on lobby day, and the leadership provided by IMSCA's Executive Board and Government Affairs Committee.

Our mechanics lien bill, HB 4317 passed the House and the Senate Judiciary committee with no opposition. In the senate, it was combined with the Illinois State Bar Association's mechanics lien bill, HB 4660, and passed unanimously on May 26. Our portion of the bill now allows for a lien notice to be delivered by a third party delivery service such as FedEx or UPS. The Bar Association's portion was a text cleanup supported by IMSCA and had previously been reviewed by Special Counsel Jim Rohlffing. We recently submitted a letter to Gov. Pritzker requesting his signature on the bill.

We were successful in stopping HB 5117 which would have restricted the type of lumber that could be used in state projects and imposed fines and penalties for violations. HB 4523 stated that projects funded by special service area funds were exempt from prevailing wage, due in part to our opposition it died as well. IMSCA successfully amended HB 5511 to remove bid preferences for using Illinois materials suppliers in construction projects. This bill later became a large procurement bill that was passed at the end of session. See previous article.

Several bills supported by IMSCA were also successful this year. HB 5369 allows community colleges to accept up to 30 credit hours if a student has completed a masonry program at that institution. SB 2702 requires fire sprinkler inspectors to be employed by a firm and prevents them from doing the work freelance or working for multiple contractors. Others we supported were not as successful. SB 3608 exempted state projects from local codes and ordinances, SB 3152 would've allowed for tax deductions up to \$50,000 per year for purchase of assets for small businesses. HB 4551 required work on commercial solar and wind facilities to be performed under a project labor agreement. HB 4578 created an income tax credit for residential fire sprinkler systems. HB 5379 required projects funded by the Illinois Climate Bank to be subject



to a PLA as well. SB 2949 reduced the prejudgment interest rate for personal injury or wrongful death cases from six percent to five percent.

The last week of session is always hectic and the Illinois House is known to provide political theatre rivaling the best tv dramas. This year was no exception. Organizational issues seemed to plague the House beginning in the week leading up to Memorial Day. Speaker Welch had difficulties aligning his caucus to support a budget in the days leading up to the scheduled May 24 adjournment date. This marked the first time in many years a deficit budget had been proposed and many members had not previously been in this position. On Saturday, the House lacked enough votes to pass the bonding portion of the budget leading them to adjourn until Tuesday. The chamber then began an hour late due to a mini revolt by moderate Democratic members over the size of the budget. The House then recessed to committees late Tuesday night without making the procedural moves necessary to vote on the budget early Wednesday morning. Realizing their mistake, they quickly came back into session and moved the bills. Finally, passage of the revenue portion of the budget took three separate votes and required the House to break its own rules to finally have enough votes to approve the budget. The Illinois General Assembly then adjourned the 2024 Regular session just before 5:00 a.m. on Wednesday May 29, five days after the scheduled adjournment date.

Looking ahead, the legislature will return to Springfield the weeks of November 11th and 18th for the Fall Veto Session. Election day is on November 5th, this will be the first election in many years that there will be no state-wide candidates in Illinois save for President.

Speaking of the election, the annual IMSC-PAC raffle is currently underway. Please promote to your members. Order forms are included at the end of this edition of Substance. Please return the bottom portion of the last page with a check made payable to IMSCA-PAC. Mail to IMSCA, 100 E Washington, Springfield, IL 62701. ■

SUPPORT

IMSCA-PAC

2024

RAFFLE

TODAY!

IMSCA-PAC provides your IMSCA lobbying team with the necessary tools to fight for legislation that is important to YOU as a contractor. By contributing to IMSCA-PAC, you are making your voice heard on issues that affect you and your business!

IMSCA-PAC is selling raffle tickets to win your choice of a great prize package! This raffle is for sports, travel, and outdoor enthusiasts!

\$50

PER TICKET

Multiple tickets can be purchased!

- >> **Four tickets to watch the Chicago Bears vs. the Seattle Seahawks** December 26 in the United Club. This prize also includes parking passes. (Value \$1,500)
Donated by Tom Morton, LLD Electric
- >> **\$1,500 Travel Package**
\$500 Southwest Airlines, \$500 Delta Airlines, and \$500 Hotel.com gift cards.
Donated by the Bloomington/Normal PHCC/IL PHCC
- >> **\$500 Morton's Steakhouse Gift Card**
Donated by the Bloomington/Normal PHCC/IL PHCC
- >> **\$500 Go Play Golf Gift Card**
Good at over 5,000 golf courses and other golf related activities.
Donated by the Bloomington/Normal PHCC/IL PHCC
- >> **\$500 Home Depot Gift Card**
Donated by SMACNA Greater Chicago
- >> **\$500 American Express Gift Card**
Donated by ECA Chicago
- >> **\$500 Best Buy Gift Card**
Donated by PCA of Chicago
- >> **\$250 American Express Gift Card**
Donated by Associated Steel Erectors

Choose the prize you want a chance to win!

8 winners WILL BE DRAWN

YES! I would like to support IMSCA-PAC! I want to purchase _____ tickets at \$50 each. Choose your prize package:

Bears ___ Travel ___ Morton's Steakhouse ___ Go Play Golf ___ Home Depot ___ \$500 AMEX ___ Best Buy ___ \$250 AMEX ___

The winning tickets will be drawn on September 16, 2024 You do not need to be present to win. Please make check payable to IMSCA-PAC and return, along with this form to: IMSCA, 100 E Washington St., Springfield, IL 62701. Under State Law, IMSCA-PAC can accept both corporate and personal checks. Your support is appreciated.

Name: _____

Address: _____

Company: _____ Phone: _____

If you have additional questions regarding IMSCA-PAC, please contact Ryan Roth at ryan@frontlineco.com. A copy of our report filed with the State Board of Elections is available on the Board's official website www.elections.il.gov or for purchase from the State Board of Elections, Springfield, IL. Contributions are not tax deductible.