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LRB101 14131 MST 62998 r

1 HOUSE JOINT RESOLUTION

2 WHEREAS, Section 3 of Article VIII of the Constitution of  
3 the State of Illinois provides that the General Assembly, by a  
4 vote of three-fifths of the members elected to each house,  
5 shall appoint an Auditor General; and

6 WHEREAS, Section 3 of Article VIII of the Constitution of  
7 the State of Illinois provides that the General Assembly, by a  
8 vote of three-fifths of the members elected to each house, may  
9 remove the Auditor General for cause; and

10 WHEREAS, The Senate and the House of Representatives  
11 adopted Senate Joint Resolution 35 on October 20, 2015 to  
12 appoint Frank J. Mautino as Auditor General; and

13 WHEREAS, Auditor General Frank J. Mautino's term commenced  
14 on January 1, 2016 for a term of 10 years; and

15 WHEREAS, Frank J. Mautino served as chairman of the  
16 political committee referred to as the Committee for Frank J.  
17 Mautino that was established on September 6, 1999 and closed on  
18 December 30, 2015; and

19 WHEREAS, On August 19, 2019, in *Cooke v. Illinois State*  
20 *Board of Elections, et al.*, the 4th District Appellate Court of

1 the State of Illinois determined that the Committee for Frank  
2 J. Mautino had violated paragraphs (2) and (9) of subsection  
3 (a) of Section 9-8.10 of the Election Code relating to the  
4 improper expenditure of campaign funds for personal use, and  
5 remanded the matter to the Illinois State Board of Elections to  
6 determine the fine to be imposed for those violations; and

7 WHEREAS, Auditor General Frank J. Mautino acknowledged  
8 over three years ago that there was an ongoing investigation by  
9 the United States Attorney's Office into the spending of  
10 campaign funds by the Committee for Frank J. Mautino, which  
11 investigation is ongoing; and

12 WHEREAS, Auditor General Frank J. Mautino has repeatedly  
13 refused to respond to requests for information submitted by  
14 members of the General Assembly regarding allegations of  
15 misappropriation of campaign funds and ethical concerns; and

16 WHEREAS, Auditor General Frank J. Mautino has avoided  
17 answering questions from the State Board of Elections, leaving  
18 the Board unable to determine whether the Committee for Frank  
19 J. Mautino was innocent of the charges brought against it; and

20 WHEREAS, The investigation by the United States Attorney's  
21 Office may not be concluded for months or years; and

1           WHEREAS, Taxpayers deserve and require an Auditor General  
2 beyond reproach who is not the subject of an ongoing federal  
3 investigation and who has not committed major campaign finance  
4 violations; and

5           WHEREAS, The ongoing investigations into the Committee for  
6 Frank J. Mautino and serious allegations leveled against Frank  
7 J. Mautino demonstrate his inability to conduct the Office of  
8 Auditor General in an impartial and professional manner;  
9 therefore, be it

10           RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE  
11 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
12 SENATE CONCURRING HEREIN, that Frank J. Mautino has neglected  
13 his duty to the General Assembly by refusing to respond to  
14 legislative inquiries regarding specific allegations involving  
15 misappropriation of campaign funds and ethical concerns; and be  
16 it further

17           RESOLVED, That, pursuant to Section 3 of Article VIII of  
18 the Illinois Constitution, Auditor General Frank J. Mautino  
19 shall have been afforded due process and the opportunity to  
20 appear before each chamber, prior to any vote on removal, to  
21 respond to the charges contained in this resolution; and be it  
22 further

1           RESOLVED, That, by the vote of three-fifths of the members  
2           elected to each chamber of the General Assembly pursuant to  
3           Section 3 of Article VIII of the Constitution of the State of  
4           Illinois, Frank J. Mautino is removed as Auditor General for  
5           the State of Illinois immediately; and be it further

6           RESOLVED, That, pursuant to Section 3 of Article VIII of  
7           the Illinois Constitution, Frank J. Mautino is to be removed  
8           for cause and shall be removed from office as the Auditor  
9           General of the State of Illinois.