



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB6723

by Rep. Jim Durkin - Ronald A. Wait - William B. Black - Tom Cross

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Compensation Review Act. Provides that the compensation of all officials and employees whose compensation is determined under the Act is frozen at the dollar amount in effect on the effective date of the amendatory Act, and that dollar amount shall not change without the specific authority of the General Assembly, by law. Further provides that any cost of living adjustment previously authorized under the Act is eliminated and no longer operative after the effective date of the amendatory Act. Abolishes the Compensation Review Board. Establishes the Illinois Citizens' Accountability Review Board, consisting of 12 members appointed by the Governor, Attorney General, Secretary of State, State Comptroller, State Treasurer, legislative leaders, and Auditor General. Requires the Board to annually adopt reports recommending State officer and appointee compensation, one for judges and State's Attorneys and one for all others (now, the Compensation Review Board biennially adopts one report for all offices and positions). In order for the recommendations to become effective in whole or reduced amounts, requires the General Assembly to approve or reduce each report by resolution (now, the General Assembly must adopt a resolution disapproving or reducing the report to prevent the recommendations from taking effect). Authorizes the Board to issue a report recommending no change, which is binding and may not be revised by the General Assembly. Amends various Acts to change references from the Compensation Review Board to the Illinois Citizens' Accountability Review Board.

LRB095 22603 JAM 53009 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Salaries Act is amended by changing Sections  
5 1, 3, 3.1, 3.2, and 3.3 as follows:

6 (5 ILCS 290/1) (from Ch. 53, par. 1)

7 Sec. 1. There shall be allowed and paid an annual salary in  
8 lieu of all other salaries, fees, perquisites, benefit of  
9 compensation in any form whatsoever, to each of the officers  
10 herein named, the following respectively.

11 To the Governor, a salary set by the Illinois Citizens'  
12 Accountability Compensation Review Board, together with the  
13 use and occupancy of the executive mansion.

14 To the Lieutenant Governor, a salary set by the Illinois  
15 Citizens' Accountability Compensation Review Board.

16 To the Secretary of State, a salary set by the Illinois  
17 Citizens' Accountability Compensation Review Board.

18 To the Comptroller, a salary set by the Illinois Citizens'  
19 Accountability Compensation Review Board.

20 To the Treasurer, a salary set by the Illinois Citizens'  
21 Accountability Compensation Review Board.

22 To the Attorney General, a salary set by the Illinois  
23 Citizens' Accountability Compensation Review Board.

1 (Source: P.A. 89-657, eff. 8-14-96.)

2 (5 ILCS 290/3) (from Ch. 53, par. 3)

3 Sec. 3. Salaries of Judges of the Supreme Court. From July  
4 1, 1982 through June 30, 1983, the annual salary of each judge  
5 of the Supreme Court shall be \$66,500, to be paid out of the  
6 State Treasury. On and after July 1, 1983, the annual salary of  
7 each judge of the Supreme Court shall be \$75,000, or as set by  
8 the Illinois Citizens' Accountability ~~Compensation~~ Review  
9 Board, whichever is greater, to be paid out of the State  
10 Treasury.

11 (Source: P.A. 86-1028.)

12 (5 ILCS 290/3.1) (from Ch. 53, par. 3.1)

13 Sec. 3.1. Salaries of Judges of the Appellate Court. From  
14 July 1, 1982 through June 30, 1983, the annual salary of each  
15 judge of the Appellate Court shall be \$61,500, to be paid out  
16 of the State Treasury. On and after July 1, 1983, the annual  
17 salary of each judge of the Appellate Court shall be \$70,000,  
18 or as set by the Illinois Citizens' Accountability ~~Compensation~~  
19 Review Board, whichever is greater, to be paid out of the State  
20 Treasury.

21 (Source: P.A. 86-1028.)

22 (5 ILCS 290/3.2) (from Ch. 53, par. 3.2)

23 Sec. 3.2. Salaries of Judges of the Circuit Court. From

1 July 1, 1982 through June 30, 1983, each judge of the Circuit  
2 Court shall receive and be paid out of the State Treasury an  
3 annual salary of \$57,500. On and after July 1, 1983, each judge  
4 of the Circuit Court shall receive and be paid out of the State  
5 Treasury an annual salary of \$65,000, or an amount set by the  
6 Illinois Citizens' Accountability ~~Compensation~~ Review Board,  
7 whichever is greater. The judges of the Circuit Court in the  
8 Judicial Court constituted by the First Judicial District and  
9 in other Judicial circuits composed of a single county shall  
10 each be paid by the county in which their circuit lies an  
11 additional salary of \$500 per year. Such additional salary  
12 shall be paid in installments by the County Clerk, at the end  
13 of each half month, by drawing a warrant therefor in favor of  
14 each of the judges on the County Treasurer who shall pay the  
15 same on presentation properly endorsed.

16 The judges of Circuit Courts, other than those of the  
17 Circuit Court in the Judicial Court constituted by the First  
18 Judicial District and those in any other Judicial circuit  
19 composed of a single county, shall each be paid out of the  
20 State Treasury an additional salary of \$500 per year.

21 The counties in each Judicial circuit, other than the  
22 Circuit Court in the Judicial Court constituted by the First  
23 Judicial District and any Judicial circuit composed of a single  
24 county, shall reimburse the State Treasury for each additional  
25 \$500 salary paid to judges of their Circuit Courts. The sums to  
26 be paid by the counties in each such circuit shall be computed

1 by the Supreme Court and shall be apportioned among those  
2 counties in accordance with their respective populations  
3 compared with the total population of all counties within the  
4 same circuit. The population of each county shall be determined  
5 by the last federal census immediately preceding such  
6 reimbursement. Each county shall pay its portion of  
7 reimbursement not later than the last day of March in the year  
8 immediately following such additional salary payment by the  
9 State.

10 (Source: P.A. 86-1028; 86-1447.)

11 (5 ILCS 290/3.3) (from Ch. 53, par. 3.3)

12 Sec. 3.3. Salaries of Associate Judges of the Circuit  
13 Court.

14 (a) In Judicial Circuits each associate judge shall be paid  
15 out of the State Treasury an annual salary as follows: from  
16 July 1, 1982 through June 30, 1983, \$52,500; on and after July  
17 1, 1983, \$60,000, or an amount set by the Illinois Citizens'  
18 Accountability ~~Compensation~~ Review Board, whichever is  
19 greater. In such judicial circuits which are composed of a  
20 single county, each associate judge shall be paid by the county  
21 in which such circuit lies an additional salary of \$500 per  
22 year. Such additional salary shall be paid in installments by  
23 the County Clerk, at the end of each half month, by drawing a  
24 warrant therefor in favor of each of the associate judges on  
25 the County Treasurer who shall pay the same on presentation

1 properly endorsed.

2 (b) In the Judicial Circuit constituted by the First  
3 Judicial District, each associate judge shall be paid out of  
4 the State Treasury an annual salary as follows: from July 1,  
5 1982 through June 30, 1983, \$52,500; on and after July 1, 1983,  
6 \$60,000, or an amount set by the Illinois Citizens'  
7 Accountability Compensation Review Board, whichever is  
8 greater. In addition to this annual amount, each such associate  
9 judge shall be paid by the county in which such Circuit lies,  
10 an additional salary of \$500 per year. Such additional salary  
11 shall be paid in installments by the County Clerk, at the end  
12 of each half month, by drawing a warrant therefor in favor of  
13 each of the judges on the County Treasurer who shall pay the  
14 same on presentation properly endorsed.

15 Associate judges, other than those of the Circuit Court in  
16 the Judicial Court constituted by the First Judicial District  
17 and those in any other Judicial circuit composed of a single  
18 county, shall each be paid out of the State Treasury an  
19 additional salary of \$500 per year.

20 The counties in each Judicial circuit, other than the  
21 Circuit Court in the Judicial Court constituted by the First  
22 Judicial District and any Judicial circuit composed of a single  
23 county, shall reimburse the State Treasury for each additional  
24 \$500 salary paid to associate judges of their Circuit Courts.  
25 The sums to be paid by the counties in each such circuit shall  
26 be computed by the Supreme Court and shall be apportioned among

1 those counties in accordance with their respective populations  
2 compared with the total population of all counties within the  
3 same circuit. The population of each county shall be determined  
4 by the last federal census immediately preceding such  
5 reimbursement. Each county shall pay its portion of  
6 reimbursement not later than the last day of March in the year  
7 immediately following such additional salary payment by the  
8 State.

9 (Source: P.A. 86-1028; 86-1447.)

10 Section 10. The Illinois Public Labor Relations Act is  
11 amended by changing Section 5 as follows:

12 (5 ILCS 315/5) (from Ch. 48, par. 1605)

13 Sec. 5. Illinois Labor Relations Board; State Panel; Local  
14 Panel.

15 (a) There is created the Illinois Labor Relations Board.  
16 The Board shall be comprised of 2 panels, to be known as the  
17 State Panel and the Local Panel.

18 (a-5) The State Panel shall have jurisdiction over  
19 collective bargaining matters between employee organizations  
20 and the State of Illinois, excluding the General Assembly of  
21 the State of Illinois, between employee organizations and units  
22 of local government and school districts with a population not  
23 in excess of 2 million persons, and between employee  
24 organizations and the Regional Transportation Authority.

1           The State Panel shall consist of 5 members appointed by the  
2 Governor, with the advice and consent of the Senate. The  
3 Governor shall appoint to the State Panel only persons who have  
4 had a minimum of 5 years of experience directly related to  
5 labor and employment relations in representing public  
6 employers, private employers or labor organizations; or  
7 teaching labor or employment relations; or administering  
8 executive orders or regulations applicable to labor or  
9 employment relations. At the time of his or her appointment,  
10 each member of the State Panel shall be an Illinois resident.  
11 The Governor shall designate one member to serve as the  
12 Chairman of the State Panel and the Board.

13           Notwithstanding any other provision of this Section, the  
14 term of each member of the State Panel who was appointed by the  
15 Governor and is in office on June 30, 2003 shall terminate at  
16 the close of business on that date or when all of the successor  
17 members to be appointed pursuant to this amendatory Act of the  
18 93rd General Assembly have been appointed by the Governor,  
19 whichever occurs later. As soon as possible, the Governor shall  
20 appoint persons to fill the vacancies created by this  
21 amendatory Act.

22           The initial appointments under this amendatory Act of the  
23 93rd General Assembly shall be for terms as follows: The  
24 Chairman shall initially be appointed for a term ending on the  
25 4th Monday in January, 2007; 2 members shall be initially  
26 appointed for terms ending on the 4th Monday in January, 2006;



1 one member shall be initially appointed for a term ending on  
2 the 4th Monday in January, 2005; and one member shall be  
3 initially appointed for a term ending on the 4th Monday in  
4 January, 2004. Each subsequent member shall be appointed for a  
5 term of 4 years, commencing on the 4th Monday in January. Upon  
6 expiration of the term of office of any appointive member, that  
7 member shall continue to serve until a successor shall be  
8 appointed and qualified. In case of a vacancy, a successor  
9 shall be appointed to serve for the unexpired portion of the  
10 term. If the Senate is not in session at the time the initial  
11 appointments are made, the Governor shall make temporary  
12 appointments in the same manner successors are appointed to  
13 fill vacancies. A temporary appointment shall remain in effect  
14 no longer than 20 calendar days after the commencement of the  
15 next Senate session.

16 (b) The Local Panel shall have jurisdiction over collective  
17 bargaining agreement matters between employee organizations  
18 and units of local government with a population in excess of 2  
19 million persons, but excluding the Regional Transportation  
20 Authority.

21 The Local Panel shall consist of one person appointed by  
22 the Governor with the advice and consent of the Senate (or, if  
23 no such person is appointed, the Chairman of the State Panel)  
24 and two additional members, one appointed by the Mayor of the  
25 City of Chicago and one appointed by the President of the Cook  
26 County Board of Commissioners. Appointees to the Local Panel

1 must have had a minimum of 5 years of experience directly  
2 related to labor and employment relations in representing  
3 public employers, private employers or labor organizations; or  
4 teaching labor or employment relations; or administering  
5 executive orders or regulations applicable to labor or  
6 employment relations. Each member of the Local Panel shall be  
7 an Illinois resident at the time of his or her appointment. The  
8 member appointed by the Governor (or, if no such person is  
9 appointed, the Chairman of the State Panel) shall serve as the  
10 Chairman of the Local Panel.

11 Notwithstanding any other provision of this Section, the  
12 term of the member of the Local Panel who was appointed by the  
13 Governor and is in office on June 30, 2003 shall terminate at  
14 the close of business on that date or when his or her successor  
15 has been appointed by the Governor, whichever occurs later. As  
16 soon as possible, the Governor shall appoint a person to fill  
17 the vacancy created by this amendatory Act. The initial  
18 appointment under this amendatory Act of the 93rd General  
19 Assembly shall be for a term ending on the 4th Monday in  
20 January, 2007.

21 The initial appointments under this amendatory Act of the  
22 91st General Assembly shall be for terms as follows: The member  
23 appointed by the Governor shall initially be appointed for a  
24 term ending on the 4th Monday in January, 2001; the member  
25 appointed by the President of the Cook County Board shall be  
26 initially appointed for a term ending on the 4th Monday in

1 January, 2003; and the member appointed by the Mayor of the  
2 City of Chicago shall be initially appointed for a term ending  
3 on the 4th Monday in January, 2004. Each subsequent member  
4 shall be appointed for a term of 4 years, commencing on the 4th  
5 Monday in January. Upon expiration of the term of office of any  
6 appointive member, the member shall continue to serve until a  
7 successor shall be appointed and qualified. In the case of a  
8 vacancy, a successor shall be appointed by the applicable  
9 appointive authority to serve for the unexpired portion of the  
10 term.

11 (c) Three members of the State Panel shall at all times  
12 constitute a quorum. Two members of the Local Panel shall at  
13 all times constitute a quorum. A vacancy on a panel does not  
14 impair the right of the remaining members to exercise all of  
15 the powers of that panel. Each panel shall adopt an official  
16 seal which shall be judicially noticed. The salary of the  
17 Chairman of the State Panel shall be \$82,429 per year, or as  
18 set by the Illinois Citizens' Accountability Compensation  
19 Review Board, whichever is greater, and that of the other  
20 members of the State and Local Panels shall be \$74,188 per  
21 year, or as set by the Illinois Citizens' Accountability  
22 Compensation Review Board, whichever is greater.

23 (d) Each member shall devote his or her entire time to the  
24 duties of the office, and shall hold no other office or  
25 position of profit, nor engage in any other business,  
26 employment, or vocation. No member shall hold any other public

1 office or be employed as a labor or management representative  
2 by the State or any political subdivision of the State or of  
3 any department or agency thereof, or actively represent or act  
4 on behalf of an employer or an employee organization or an  
5 employer in labor relations matters. Any member of the State  
6 Panel may be removed from office by the Governor for  
7 inefficiency, neglect of duty, misconduct or malfeasance in  
8 office, and for no other cause, and only upon notice and  
9 hearing. Any member of the Local Panel may be removed from  
10 office by the applicable appointive authority for  
11 inefficiency, neglect of duty, misconduct or malfeasance in  
12 office, and for no other cause, and only upon notice and  
13 hearing.

14 (e) Each panel at the end of every State fiscal year shall  
15 make a report in writing to the Governor and the General  
16 Assembly, stating in detail the work it has done in hearing and  
17 deciding cases and otherwise.

18 (f) In order to accomplish the objectives and carry out the  
19 duties prescribed by this Act, a panel or its authorized  
20 designees may hold elections to determine whether a labor  
21 organization has majority status; investigate and attempt to  
22 resolve or settle charges of unfair labor practices; hold  
23 hearings in order to carry out its functions; develop and  
24 effectuate appropriate impasse resolution procedures for  
25 purposes of resolving labor disputes; require the appearance of  
26 witnesses and the production of evidence on any matter under

1 inquiry; and administer oaths and affirmations. The panels  
2 shall sign and report in full an opinion in every case which  
3 they decide.

4 (g) Each panel may appoint or employ an executive director,  
5 attorneys, hearing officers, mediators, fact-finders,  
6 arbitrators, and such other employees as it may deem necessary  
7 to perform its functions. The governing boards shall prescribe  
8 the duties and qualifications of such persons appointed and,  
9 subject to the annual appropriation, fix their compensation and  
10 provide for reimbursement of actual and necessary expenses  
11 incurred in the performance of their duties.

12 (h) Each panel shall exercise general supervision over all  
13 attorneys which it employs and over the other persons employed  
14 to provide necessary support services for such attorneys. The  
15 panels shall have final authority in respect to complaints  
16 brought pursuant to this Act.

17 (i) The following rules and regulations shall be adopted by  
18 the panels meeting in joint session: (1) procedural rules and  
19 regulations which shall govern all Board proceedings; (2)  
20 procedures for election of exclusive bargaining  
21 representatives pursuant to Section 9, except for the  
22 determination of appropriate bargaining units; and (3)  
23 appointment of counsel pursuant to subsection (k) of this  
24 Section.

25 (j) Rules and regulations may be adopted, amended or  
26 rescinded only upon a vote of 5 of the members of the State and

1 Local Panels meeting in joint session. The adoption, amendment  
2 or rescission of rules and regulations shall be in conformity  
3 with the requirements of the Illinois Administrative Procedure  
4 Act.

5 (k) The panels in joint session shall promulgate rules and  
6 regulations providing for the appointment of attorneys or other  
7 Board representatives to represent persons in unfair labor  
8 practice proceedings before a panel. The regulations governing  
9 appointment shall require the applicant to demonstrate an  
10 inability to pay for or inability to otherwise provide for  
11 adequate representation before a panel. Such rules must also  
12 provide: (1) that an attorney may not be appointed in cases  
13 which, in the opinion of a panel, are clearly without merit;  
14 (2) the stage of the unfair labor proceeding at which counsel  
15 will be appointed; and (3) the circumstances under which a  
16 client will be allowed to select counsel.

17 (1) The panels in joint session may promulgate rules and  
18 regulations which allow parties in proceedings before a panel  
19 to be represented by counsel or any other representative of the  
20 party's choice.

21 (m) The Chairman of the State Panel shall serve as Chairman  
22 of a joint session of the panels. Attendance of at least 2  
23 members of the State Panel and at least one member of the Local  
24 Panel, in addition to the Chairman, shall constitute a quorum  
25 at a joint session. The panels shall meet in joint session at  
26 least annually.

1 (Source: P.A. 93-509, eff. 8-11-03.)

2 Section 15. The State Officials and Employees Ethics Act is  
3 amended by changing Sections 20-5 and 25-5 as follows:

4 (5 ILCS 430/20-5)

5 Sec. 20-5. Executive Ethics Commission.

6 (a) The Executive Ethics Commission is created.

7 (b) The Executive Ethics Commission shall consist of 9  
8 commissioners. The Governor shall appoint 5 commissioners, and  
9 the Attorney General, Secretary of State, Comptroller, and  
10 Treasurer shall each appoint one commissioner. Appointments  
11 shall be made by and with the advice and consent of the Senate  
12 by three-fifths of the elected members concurring by record  
13 vote. Any nomination not acted upon by the Senate within 60  
14 session days of the receipt thereof shall be deemed to have  
15 received the advice and consent of the Senate. If, during a  
16 recess of the Senate, there is a vacancy in an office of  
17 commissioner, the appointing authority shall make a temporary  
18 appointment until the next meeting of the Senate when the  
19 appointing authority shall make a nomination to fill that  
20 office. No person rejected for an office of commissioner shall,  
21 except by the Senate's request, be nominated again for that  
22 office at the same session of the Senate or be appointed to  
23 that office during a recess of that Senate. No more than 5  
24 commissioners may be of the same political party.

1           The terms of the initial commissioners shall commence upon  
2 qualification. Four initial appointees of the Governor, as  
3 designated by the Governor, shall serve terms running through  
4 June 30, 2007. One initial appointee of the Governor, as  
5 designated by the Governor, and the initial appointees of the  
6 Attorney General, Secretary of State, Comptroller, and  
7 Treasurer shall serve terms running through June 30, 2008. The  
8 initial appointments shall be made within 60 days after the  
9 effective date of this Act.

10           After the initial terms, commissioners shall serve for  
11 4-year terms commencing on July 1 of the year of appointment  
12 and running through June 30 of the fourth following year.  
13 Commissioners may be reappointed to one or more subsequent  
14 terms.

15           Vacancies occurring other than at the end of a term shall  
16 be filled by the appointing authority only for the balance of  
17 the term of the commissioner whose office is vacant.

18           Terms shall run regardless of whether the position is  
19 filled.

20           (c) The appointing authorities shall appoint commissioners  
21 who have experience holding governmental office or employment  
22 and shall appoint commissioners from the general public. A  
23 person is not eligible to serve as a commissioner if that  
24 person (i) has been convicted of a felony or a crime of  
25 dishonesty or moral turpitude, (ii) is, or was within the  
26 preceding 12 months, engaged in activities that require



1 registration under the Lobbyist Registration Act, (iii) is  
2 related to the appointing authority, or (iv) is a State officer  
3 or employee.

4 (d) The Executive Ethics Commission shall have  
5 jurisdiction over all officers and employees of State agencies  
6 other than the General Assembly, the Senate, the House of  
7 Representatives, the President and Minority Leader of the  
8 Senate, the Speaker and Minority Leader of the House of  
9 Representatives, the Senate Operations Commission, the  
10 legislative support services agencies, and the Office of the  
11 Auditor General. The jurisdiction of the Commission is limited  
12 to matters arising under this Act.

13 (e) The Executive Ethics Commission must meet, either in  
14 person or by other technological means, at least monthly and as  
15 often as necessary. At the first meeting of the Executive  
16 Ethics Commission, the commissioners shall choose from their  
17 number a chairperson and other officers that they deem  
18 appropriate. The terms of officers shall be for 2 years  
19 commencing July 1 and running through June 30 of the second  
20 following year. Meetings shall be held at the call of the  
21 chairperson or any 3 commissioners. Official action by the  
22 Commission shall require the affirmative vote of 5  
23 commissioners, and a quorum shall consist of 5 commissioners.  
24 Commissioners shall receive compensation in an amount equal to  
25 the compensation of members of the State Board of Elections and  
26 may be reimbursed for their reasonable expenses actually

1 incurred in the performance of their duties.

2 (f) No commissioner or employee of the Executive Ethics  
3 Commission may during his or her term of appointment or  
4 employment:

5 (1) become a candidate for any elective office;

6 (2) hold any other elected or appointed public office  
7 except for appointments on governmental advisory boards or  
8 study commissions or as otherwise expressly authorized by  
9 law;

10 (3) be actively involved in the affairs of any  
11 political party or political organization; or

12 (4) actively participate in any campaign for any  
13 elective office.

14 (g) An appointing authority may remove a commissioner only  
15 for cause.

16 (h) The Executive Ethics Commission shall appoint an  
17 Executive Director. The compensation of the Executive Director  
18 shall be as determined by the Commission or by the Illinois  
19 Citizens' Accountability Compensation Review Board, whichever  
20 amount is higher. The Executive Director of the Executive  
21 Ethics Commission may employ and determine the compensation of  
22 staff, as appropriations permit.

23 (Source: P.A. 93-617, eff. 12-9-03.)

24 (5 ILCS 430/25-5)

25 Sec. 25-5. Legislative Ethics Commission.

1 (a) The Legislative Ethics Commission is created.

2 (b) The Legislative Ethics Commission shall consist of 8  
3 commissioners appointed 2 each by the President and Minority  
4 Leader of the Senate and the Speaker and Minority Leader of the  
5 House of Representatives.

6 The terms of the initial commissioners shall commence upon  
7 qualification. Each appointing authority shall designate one  
8 appointee who shall serve for a 2-year term running through  
9 June 30, 2005. Each appointing authority shall designate one  
10 appointee who shall serve for a 4-year term running through  
11 June 30, 2007. The initial appointments shall be made within 60  
12 days after the effective date of this Act.

13 After the initial terms, commissioners shall serve for  
14 4-year terms commencing on July 1 of the year of appointment  
15 and running through June 30 of the fourth following year.  
16 Commissioners may be reappointed to one or more subsequent  
17 terms.

18 Vacancies occurring other than at the end of a term shall  
19 be filled by the appointing authority only for the balance of  
20 the term of the commissioner whose office is vacant.

21 Terms shall run regardless of whether the position is  
22 filled.

23 (c) The appointing authorities shall appoint commissioners  
24 who have experience holding governmental office or employment  
25 and may appoint commissioners who are members of the General  
26 Assembly as well as commissioners from the general public. A

1 commissioner who is a member of the General Assembly must  
2 recuse himself or herself from participating in any matter  
3 relating to any investigation or proceeding in which he or she  
4 is the subject. A person is not eligible to serve as a  
5 commissioner if that person (i) has been convicted of a felony  
6 or a crime of dishonesty or moral turpitude, (ii) is, or was  
7 within the preceding 12 months, engaged in activities that  
8 require registration under the Lobbyist Registration Act,  
9 (iii) is a relative of the appointing authority, or (iv) is a  
10 State officer or employee other than a member of the General  
11 Assembly.

12 (d) The Legislative Ethics Commission shall have  
13 jurisdiction over members of the General Assembly and all State  
14 employees whose ultimate jurisdictional authority is (i) a  
15 legislative leader, (ii) the Senate Operations Commission, or  
16 (iii) the Joint Committee on Legislative Support Services. The  
17 jurisdiction of the Commission is limited to matters arising  
18 under this Act.

19 (e) The Legislative Ethics Commission must meet, either in  
20 person or by other technological means, monthly or as often as  
21 necessary. At the first meeting of the Legislative Ethics  
22 Commission, the commissioners shall choose from their number a  
23 chairperson and other officers that they deem appropriate. The  
24 terms of officers shall be for 2 years commencing July 1 and  
25 running through June 30 of the second following year. Meetings  
26 shall be held at the call of the chairperson or any 3

1 commissioners. Official action by the Commission shall require  
2 the affirmative vote of 5 commissioners, and a quorum shall  
3 consist of 5 commissioners. Commissioners shall receive no  
4 compensation but may be reimbursed for their reasonable  
5 expenses actually incurred in the performance of their duties.

6 (f) No commissioner, other than a commissioner who is a  
7 member of the General Assembly, or employee of the Legislative  
8 Ethics Commission may during his or her term of appointment or  
9 employment:

10 (1) become a candidate for any elective office;

11 (2) hold any other elected or appointed public office  
12 except for appointments on governmental advisory boards or  
13 study commissions or as otherwise expressly authorized by  
14 law;

15 (3) be actively involved in the affairs of any  
16 political party or political organization; or

17 (4) actively participate in any campaign for any  
18 elective office.

19 (g) An appointing authority may remove a commissioner only  
20 for cause.

21 (h) The Legislative Ethics Commission shall appoint an  
22 Executive Director subject to the approval of at least 3 of the  
23 4 legislative leaders. The compensation of the Executive  
24 Director shall be as determined by the Commission or by the  
25 Illinois Citizens' Accountability Compensation Review Board,  
26 whichever amount is higher. The Executive Director of the

1 Legislative Ethics Commission may employ, subject to the  
2 approval of at least 3 of the 4 legislative leaders, and  
3 determine the compensation of staff, as appropriations permit.  
4 (Source: P.A. 93-617, eff. 12-9-03; 93-685, eff. 7-8-04.)

5 Section 20. The Election Code is amended by changing  
6 Section 1A-6.1 as follows:

7 (10 ILCS 5/1A-6.1) (from Ch. 46, par. 1A-6.1)

8 Sec. 1A-6.1. The chairman of the State Board of Elections  
9 shall preside at all meetings of the Board, except that the  
10 vice chairman shall preside at any meeting when the chairman is  
11 absent. The salary of the chairman shall be \$25,000 per year,  
12 or as set by the Illinois Citizens' Accountability Compensation  
13 Review Board, whichever is greater, and the salary of the  
14 vice-chairman shall be \$20,000 per year, or as set by the  
15 Illinois Citizens' Accountability Compensation Review Board,  
16 whichever is greater. The salary of the other Board members  
17 shall be \$15,000 per year, or as set by the Illinois Citizens'  
18 Accountability Compensation Review Board, whichever is  
19 greater. Each member shall be reimbursed for actual expenses  
20 incurred in the performance of his duties.

21 (Source: P.A. 83-1177.)

22 Section 25. The Secretary of State Merit Employment Code is  
23 amended by changing Section 8a as follows:

1 (15 ILCS 310/8a) (from Ch. 124, par. 108a)

2 Sec. 8a. Terms, compensation. Members of the Merit  
3 Commission shall be initially appointed as follows:

4 (1) One member to serve for 2 years and until his successor  
5 is appointed;

6 (2) One member to serve for 4 years and until his successor  
7 is appointed; and

8 (3) One member to serve for 6 years and until his successor  
9 is appointed.

10 Thereafter, members of the Commission shall be appointed by  
11 the Secretary of State for six year terms with the advice and  
12 consent of the Senate.

13 A member of the Commission shall be appointed as Chairman  
14 by the Secretary of State for a two-year term. The Secretary of  
15 State may appoint the Chairman for consecutive terms.

16 The Secretary of State may appoint a person to fill a  
17 vacancy occurring prior to the expiration of a six year term  
18 for the remainder of the unexpired term with the advice and  
19 consent of the Senate.

20 The salary of the Chairman of the Commission shall be  
21 \$10,000 per annum or an amount set by the Illinois Citizens'  
22 Accountability ~~Compensation~~ Review Board, whichever is  
23 greater, and other members of the Commission shall be paid  
24 \$7,500 per annum or an amount set by the Illinois Citizens'  
25 Accountability ~~Compensation~~ Review Board, whichever is

1 greater. They shall be entitled to reimbursement for necessary  
2 traveling and other official expenditures necessitated by  
3 their official duties.

4 (Source: P.A. 84-440.)

5 Section 30. The Civil Administrative Code of Illinois is  
6 amended by changing Sections 5-310, 5-315, 5-320, 5-325, 5-330,  
7 5-335, 5-340, 5-345, 5-350, 5-355, 5-360, 5-362, 5-365, 5-370,  
8 5-375, 5-380, 5-385, 5-390, 5-395, 5-400, 5-405, 5-410, 5-415,  
9 and 5-420 as follows:

10 (20 ILCS 5/5-310) (was 20 ILCS 5/9.21)

11 Sec. 5-310. In the Department on Aging. The Director of  
12 Aging shall receive an annual salary as set by the Governor  
13 from time to time or as set by the Illinois Citizens'  
14 Accountability ~~Compensation~~ Review Board, whichever is  
15 greater.

16 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
17 eff. 6-28-01.)

18 (20 ILCS 5/5-315) (was 20 ILCS 5/9.02)

19 Sec. 5-315. In the Department of Agriculture. The Director  
20 of Agriculture shall receive an annual salary as set by the  
21 Governor from time to time or as set by the Illinois Citizens'  
22 Accountability ~~Compensation~~ Review Board, whichever is  
23 greater.



1           The Assistant Director of Agriculture shall receive an  
2 annual salary as set by the Governor from time to time or as  
3 set by the Illinois Citizens' Accountability Compensation  
4 Review Board, whichever is greater.

5           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
6 eff. 6-28-01.)

7           (20 ILCS 5/5-320) (was 20 ILCS 5/9.19)

8           Sec. 5-320. In the Department of Central Management  
9 Services. The Director of Central Management Services shall  
10 receive an annual salary as set by the Governor from time to  
11 time or an amount set by the Illinois Citizens' Accountability  
12 ~~Compensation~~ Review Board, whichever is greater.

13           Each Assistant Director of Central Management Services  
14 shall receive an annual salary as set by the Governor from time  
15 to time or an amount set by the Illinois Citizens'  
16 Accountability ~~Compensation~~ Review Board, whichever is  
17 greater.

18           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
19 eff. 6-28-01.)

20           (20 ILCS 5/5-325) (was 20 ILCS 5/9.16)

21           Sec. 5-325. In the Department of Children and Family  
22 Services. The Director of Children and Family Services shall  
23 receive an annual salary as set by the Governor from time to  
24 time or as set by the Illinois Citizens' Accountability

1 ~~Compensation~~ Review Board, whichever is greater.

2 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
3 eff. 6-28-01.)

4 (20 ILCS 5/5-330) (was 20 ILCS 5/9.18)

5 Sec. 5-330. In the Department of Commerce and Economic  
6 Opportunity. The Director of Commerce and Economic Opportunity  
7 shall receive an annual salary as set by the Governor from time  
8 to time or as set by the Illinois Citizens' Accountability  
9 ~~Compensation~~ Review Board, whichever is greater.

10 The Assistant Director of Commerce and Economic  
11 Opportunity shall receive an annual salary as set by the  
12 Governor from time to time or as set by the Illinois Citizens'  
13 Accountability ~~Compensation~~ Review Board, whichever is  
14 greater.

15 (Source: P.A. 94-793, eff. 5-19-06.)

16 (20 ILCS 5/5-335) (was 20 ILCS 5/9.11a)

17 Sec. 5-335. In the Department of Corrections. The Director  
18 of Corrections shall receive an annual salary as set by the  
19 Governor from time to time or as set by the Illinois Citizens'  
20 Accountability ~~Compensation~~ Review Board, whichever is  
21 greater.

22 The Assistant Director of Corrections - Adult Division  
23 shall receive an annual salary as set by the Governor from time  
24 to time or as set by the Illinois Citizens' Accountability

1 ~~Compensation~~ Review Board, whichever is greater.

2 (Source: P.A. 94-696, eff. 6-1-06.)

3 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

4 Sec. 5-340. In the Department of Employment Security. The  
5 Director of Employment Security shall receive an annual salary  
6 of as set by the Governor from time to time or an amount set by  
7 the Illinois Citizens' Accountability ~~Compensation~~ Review  
8 Board, whichever is greater.

9 Each member of the Board of Review shall receive \$15,000.

10 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
11 eff. 6-28-01.)

12 (20 ILCS 5/5-345) (was 20 ILCS 5/9.15)

13 Sec. 5-345. In the Department of Financial Institutions.  
14 The Director of Financial Institutions shall receive an annual  
15 salary as set by the Governor from time to time or as set by the  
16 Illinois Citizens' Accountability ~~Compensation~~ Review Board,  
17 whichever is greater.

18 The Assistant Director of Financial Institutions shall  
19 receive an annual salary as set by the Governor from time to  
20 time or as set by the Illinois Citizens' Accountability  
21 ~~Compensation~~ Review Board, whichever is greater.

22 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
23 eff. 6-28-01.)

1 (20 ILCS 5/5-350) (was 20 ILCS 5/9.24)

2 Sec. 5-350. In the Department of Human Rights. The Director  
3 of Human Rights shall receive an annual salary as set by the  
4 Governor from time to time or as set by the Illinois Citizens'  
5 Accountability Compensation Review Board, whichever is  
6 greater.

7 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
8 eff. 6-28-01.)

9 (20 ILCS 5/5-355) (was 20 ILCS 5/9.05a)

10 Sec. 5-355. In the Department of Human Services. The  
11 Secretary of Human Services shall receive an annual salary as  
12 set by the Governor from time to time or such other amount as  
13 may be set by the Illinois Citizens' Accountability  
14 Compensation Review Board, whichever is greater.

15 The Assistant Secretaries of Human Services shall each  
16 receive an annual salary as set by the Governor from time to  
17 time or such other amount as may be set by the Illinois  
18 Citizens' Accountability Compensation Review Board, whichever  
19 is greater.

20 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
21 eff. 6-28-01.)

22 (20 ILCS 5/5-360) (was 20 ILCS 5/9.10)

23 Sec. 5-360. In the Department of Insurance. The Director of  
24 Insurance shall receive an annual salary as set by the Governor

1 from time to time or as set by the Illinois Citizens'  
2 Accountability ~~Compensation~~ Review Board, whichever is  
3 greater.

4 The Assistant Director of Insurance shall receive an annual  
5 salary as set by the Governor from time to time or as set by the  
6 Illinois Citizens' Accountability ~~Compensation~~ Review Board,  
7 whichever is greater.

8 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
9 eff. 6-28-01.)

10 (20 ILCS 5/5-362)

11 Sec. 5-362. In the Department of Juvenile Justice. The  
12 Director of Juvenile Justice shall receive an annual salary as  
13 set by the Governor from time to time or as set by the Illinois  
14 Citizens' Accountability ~~Compensation~~ Review Board, whichever  
15 is greater.

16 (Source: P.A. 94-696, eff. 6-1-06.)

17 (20 ILCS 5/5-365) (was 20 ILCS 5/9.03)

18 Sec. 5-365. In the Department of Labor. The Director of  
19 Labor shall receive an annual salary as set by the Governor  
20 from time to time or as set by the Illinois Citizens'  
21 Accountability ~~Compensation~~ Review Board, whichever is  
22 greater.

23 The Assistant Director of Labor shall receive an annual  
24 salary as set by the Governor from time to time or as set by the

1 Illinois Citizens' Accountability Compensation Review Board,  
2 whichever is greater.

3 The Chief Factory Inspector shall receive \$24,700 from the  
4 third Monday in January, 1979 to the third Monday in January,  
5 1980, and \$25,000 thereafter, or as set by the Illinois  
6 Citizens' Accountability Compensation Review Board, whichever  
7 is greater.

8 The Superintendent of Safety Inspection and Education  
9 shall receive \$27,500, or as set by the Illinois Citizens'  
10 Accountability Compensation Review Board, whichever is  
11 greater.

12 The Superintendent of Women's and Children's Employment  
13 shall receive \$22,000 from the third Monday in January, 1979 to  
14 the third Monday in January, 1980, and \$22,500 thereafter, or  
15 as set by the Illinois Citizens' Accountability Compensation  
16 Review Board, whichever is greater.

17 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
18 eff. 6-28-01.)

19 (20 ILCS 5/5-370) (was 20 ILCS 5/9.31)

20 Sec. 5-370. In the Department of the Lottery. The Director  
21 of the Lottery shall receive an annual salary as set by the  
22 Governor from time to time or an amount set by the Illinois  
23 Citizens' Accountability Compensation Review Board, whichever  
24 is greater.

25 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,

1 eff. 6-28-01.)

2 (20 ILCS 5/5-375) (was 20 ILCS 5/9.09)

3 Sec. 5-375. In the Department of Natural Resources. The  
4 Director of Natural Resources shall continue to receive the  
5 annual salary set by law for the Director of Conservation until  
6 January 20, 1997. Beginning on that date, the Director of  
7 Natural Resources shall receive an annual salary as set by the  
8 Governor from time to time or the amount set by the Illinois  
9 Citizens' Accountability Compensation Review Board, whichever  
10 is greater.

11 The Assistant Director of Natural Resources shall continue  
12 to receive the annual salary set by law for the Assistant  
13 Director of Conservation until January 20, 1997. Beginning on  
14 that date, the Assistant Director of Natural Resources shall  
15 receive an annual salary as set by the Governor from time to  
16 time or the amount set by the Illinois Citizens' Accountability  
17 Compensation Review Board, whichever is greater.

18 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
19 eff. 6-28-01.)

20 (20 ILCS 5/5-380) (was 20 ILCS 5/9.04)

21 Sec. 5-380. In the Office of Mines and Minerals of the  
22 Department of Natural Resources. Each mine officer shall  
23 receive \$7,500 or the amount set by the Illinois Citizens'  
24 Accountability Compensation Review Board, whichever is

1 greater.

2 (Source: P.A. 91-239, eff. 1-1-00.)

3 (20 ILCS 5/5-385) (was 20 ILCS 5/9.25)

4 Sec. 5-385. In the Department of Nuclear Safety. The  
5 Director of Nuclear Safety shall receive an annual salary as  
6 set by the Governor from time to time or as set by the Illinois  
7 Citizens' Accountability Compensation Review Board, whichever  
8 is greater.

9 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
10 eff. 6-28-01.)

11 (20 ILCS 5/5-390) (was 20 ILCS 5/9.08)

12 Sec. 5-390. In the Department of Professional Regulation.  
13 The Director of Professional Regulation shall receive an annual  
14 salary as set by the Governor from time to time or as set by the  
15 Illinois Citizens' Accountability Compensation Review Board,  
16 whichever is greater.

17 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
18 eff. 6-28-01.)

19 (20 ILCS 5/5-395) (was 20 ILCS 5/9.17)

20 Sec. 5-395. In the Department of Healthcare and Family  
21 Services. The Director of Healthcare and Family Services shall  
22 receive an annual salary as set by the Governor from time to  
23 time or as set by the Illinois Citizens' Accountability



1 ~~Compensation~~ Review Board, whichever is greater.

2 The Assistant Director of Healthcare and Family Services  
3 shall receive an annual salary as set by the Governor from time  
4 to time or as set by the Illinois Citizens' Accountability  
5 ~~Compensation~~ Review Board, whichever is greater.

6 (Source: P.A. 95-331, eff. 8-21-07.)

7 (20 ILCS 5/5-400) (was 20 ILCS 5/9.07)

8 Sec. 5-400. In the Department of Public Health. The  
9 Director of Public Health shall receive an annual salary as set  
10 by the Governor from time to time or as set by the Illinois  
11 Citizens' Accountability ~~Compensation~~ Review Board, whichever  
12 is greater.

13 The Assistant Director of Public Health shall receive an  
14 annual salary as set by the Governor from time to time or as  
15 set by the Illinois Citizens' Accountability ~~Compensation~~  
16 Review Board, whichever is greater.

17 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
18 eff. 6-28-01.)

19 (20 ILCS 5/5-405) (was 20 ILCS 5/9.12)

20 Sec. 5-405. In the Department of Revenue. The Director of  
21 Revenue shall receive an annual salary as set by the Governor  
22 from time to time or as set by the Illinois Citizens'  
23 Accountability ~~Compensation~~ Review Board, whichever is  
24 greater.

1           The Assistant Director of Revenue shall receive an annual  
2 salary as set by the Governor from time to time or as set by the  
3 Illinois Citizens' Accountability ~~Compensation~~ Review Board,  
4 whichever is greater.

5           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 91-798,  
6 eff. 7-9-00.)

7           (20 ILCS 5/5-410) (was 20 ILCS 5/9.11)

8           Sec. 5-410. In the Department of State Police. The Director  
9 of State Police shall receive an annual salary as set by the  
10 Governor from time to time or as set by the Illinois Citizens'  
11 Accountability ~~Compensation~~ Review Board, whichever is  
12 greater.

13           The Assistant Director of State Police shall receive an  
14 annual salary as set by the Governor from time to time or as  
15 set by the Illinois Citizens' Accountability ~~Compensation~~  
16 Review Board, whichever is greater.

17           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
18 eff. 6-28-01.)

19           (20 ILCS 5/5-415) (was 20 ILCS 5/9.05)

20           Sec. 5-415. In the Department of Transportation. The  
21 Secretary of Transportation shall receive an annual salary as  
22 set by the Governor from time to time or as set by the Illinois  
23 Citizens' Accountability ~~Compensation~~ Review Board, whichever  
24 is greater.

1           The Assistant Secretary of Transportation shall receive an  
2 annual salary as set by the Governor from time to time or as  
3 set by the Illinois Citizens' Accountability Compensation  
4 Review Board, whichever is greater.

5           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
6 eff. 6-28-01.)

7           (20 ILCS 5/5-420) (was 20 ILCS 5/9.22)

8           Sec. 5-420. In the Department of Veterans' Affairs. The  
9 Director of Veterans' Affairs shall receive an annual salary as  
10 set by the Governor from time to time or as set by the Illinois  
11 Citizens' Accountability Compensation Review Board, whichever  
12 is greater.

13           The Assistant Director of Veterans' Affairs shall receive  
14 an annual salary as set by the Governor from time to time or as  
15 set by the Illinois Citizens' Accountability Compensation  
16 Review Board, whichever is greater.

17           (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
18 eff. 6-28-01.)

19           Section 35. The Personnel Code is amended by changing  
20 Section 7d as follows:

21           (20 ILCS 415/7d) (from Ch. 127, par. 63b107d)

22           Sec. 7d. Compensation. The chairman shall be paid an annual  
23 salary of \$8,200 from the third Monday in January, 1979 to the

1 third Monday in January, 1980; \$8,700 from the third Monday in  
2 January, 1980 to the third Monday in January, 1981; \$9,300 from  
3 the third Monday in January, 1981 to the third Monday in  
4 January 1982; \$10,000 from the third Monday in January, 1982 to  
5 the effective date of this amendatory Act of the 91st General  
6 Assembly; and \$25,000 thereafter, or as set by the Illinois  
7 Citizens' Accountability Compensation Review Board, whichever  
8 is greater. Other members of the Commission shall each be paid  
9 an annual salary of \$5,500 from the third Monday in January,  
10 1979 to the third Monday in January, 1980; \$6,000 from the  
11 third Monday in January, 1980 to the third Monday in January,  
12 1981; \$6,500 from the third Monday in January, 1981 to the  
13 third Monday in January, 1982; \$7,500 from the third Monday in  
14 January, 1982 to the effective date of this amendatory Act of  
15 the 91st General Assembly; and \$20,000 thereafter, or as set by  
16 the Illinois Citizens' Accountability Compensation Review  
17 Board, whichever is greater. They shall be entitled to  
18 reimbursement for necessary traveling and other official  
19 expenditures necessitated by their official duties.

20 (Source: P.A. 91-798, eff. 7-9-00.)

21 Section 40. The Military Code of Illinois is amended by  
22 changing Section 17 as follows:

23 (20 ILCS 1805/17) (from Ch. 129, par. 220.17)

24 Sec. 17. The Adjutant General and the Assistant Adjutants

1 General shall give their entire time to their military duties.  
2 The Adjutant General shall receive an annual salary as set by  
3 the Governor from time to time or as set by the Illinois  
4 Citizens' Accountability Compensation Review Board, whichever  
5 is greater, and each Assistant Adjutant General shall receive  
6 an annual salary as set by the Governor from time to time or as  
7 set by the Illinois Citizens' Accountability Compensation  
8 Review Board, whichever is greater. If set by the Governor,  
9 those annual salaries may not exceed 85% of the Governor's  
10 annual salary.

11 (Source: P.A. 91-25, eff. 6-9-99.)

12 Section 45. The State Police Act is amended by changing  
13 Section 5 as follows:

14 (20 ILCS 2610/5) (from Ch. 121, par. 307.5)

15 Sec. 5. Each member of the Board shall receive the sum of  
16 \$125 per day for each day during which he is engaged in  
17 transacting the business of the Board, or an amount set by the  
18 Illinois Citizens' Accountability Compensation Review Board,  
19 whichever is greater, and, in addition thereto, his actual  
20 traveling and other expenses necessarily incurred in  
21 discharging the duties of his office; provided, no member of  
22 the Board shall receive compensation for more than 100 days of  
23 work in any one fiscal year.

24 (Source: P.A. 83-1177.)

1 Section 50. The State Fire Marshal Act is amended by  
2 changing Section 1 as follows:

3 (20 ILCS 2905/1) (from Ch. 127 1/2, par. 1)

4 Sec. 1. There is hereby created the Office of the State  
5 Fire Marshal, hereinafter referred to as the Office.

6 The Office shall be under an executive director who shall  
7 be appointed by the Governor with the advice and consent of the  
8 Senate.

9 The executive director of the Office shall be known as the  
10 State Fire Marshal and shall receive an annual salary as set by  
11 the Governor from time to time or as set by the Illinois  
12 Citizens' Accountability ~~Compensation~~ Review Board, whichever  
13 is greater. If set by the Governor, the annual salary may not  
14 exceed 85% of the annual salary of the Governor.

15 The Office of the State Fire Marshal shall have a division  
16 that shall assume the duties of the Division of Fire  
17 Prevention, Department of Law Enforcement, and a division that  
18 shall assume the duties of Illinois Fire Protection Personnel  
19 Standards and Education Commission. Each division shall be  
20 headed by a division manager who shall be employed by the Fire  
21 Marshal, subject to the Personnel Code, and shall be  
22 responsible to the Fire Marshal.

23 (Source: P.A. 94-178, eff. 1-1-06.)

1 Section 55. The Office of Banks and Real Estate Act is  
2 amended by changing Section 1 as follows:

3 (20 ILCS 3205/1) (from Ch. 17, par. 451)

4 Sec. 1. Salary.

5 (a) The Commissioner of Banks and Trust Companies shall  
6 receive an annual salary as set by the Governor from time to  
7 time or as set by the Illinois Citizens' Accountability  
8 ~~Compensation~~ Review Board, whichever is greater, payable in  
9 equal monthly installments. The First Deputy Commissioner  
10 shall receive an annual salary as set by the Governor from time  
11 to time or as set by the Illinois Citizens' Accountability  
12 ~~Compensation~~ Review Board, whichever is greater, the other  
13 deputy commissioners shall receive an annual salary of \$38,000,  
14 or as set by the Illinois Citizens' Accountability ~~Compensation~~  
15 Review Board, whichever is greater, each payable in equal  
16 monthly installments. If set by the Governor, those annual  
17 salaries may not exceed 85% of the Governor's annual salary.

18 (b) The Commissioner of the Office of Banks and Real Estate  
19 shall receive the annual salary provided by law for the  
20 Commissioner of Banks and Trust Companies until the General  
21 Assembly or the Illinois Citizens' Accountability ~~Compensation~~  
22 Review Board establishes a salary for the Commissioner of the  
23 Office of Banks and Real Estate. The First Deputy Commissioner  
24 and Deputy Commissioners of the Office of Banks and Real Estate  
25 shall receive the annual salaries provided by law for the First

1 Deputy Commissioner and Deputy Commissioners of Banks and Trust  
2 Companies, respectively, until the General Assembly or the  
3 Illinois Citizens' Accountability Compensation Review Board  
4 establishes salaries for the First Deputy Commissioner and  
5 Deputy Commissioners of the Office of Banks and Real Estate.

6 (Source: P.A. 91-25, eff. 6-9-99.)

7 Section 60. The Illinois Emergency Management Agency Act is  
8 amended by changing Section 5 as follows:

9 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

10 Sec. 5. Illinois Emergency Management Agency.

11 (a) There is created within the executive branch of the  
12 State Government an Illinois Emergency Management Agency and a  
13 Director of the Illinois Emergency Management Agency, herein  
14 called the "Director" who shall be the head thereof. The  
15 Director shall be appointed by the Governor, with the advice  
16 and consent of the Senate, and shall serve for a term of 2  
17 years beginning on the third Monday in January of the  
18 odd-numbered year, and until a successor is appointed and has  
19 qualified; except that the term of the first Director appointed  
20 under this Act shall expire on the third Monday in January,  
21 1989. The Director shall not hold any other remunerative public  
22 office. The Director shall receive an annual salary as set by  
23 the Governor from time to time or the amount set by the  
24 Illinois Citizens' Accountability Compensation Review Board,



1       whichever is higher. If set by the Governor, the Director's  
2       annual salary may not exceed 85% of the Governor's annual  
3       salary.

4           (b) The Illinois Emergency Management Agency shall obtain,  
5       under the provisions of the Personnel Code, technical,  
6       clerical, stenographic and other administrative personnel, and  
7       may make expenditures within the appropriation therefor as may  
8       be necessary to carry out the purpose of this Act. The agency  
9       created by this Act is intended to be a successor to the agency  
10      created under the Illinois Emergency Services and Disaster  
11      Agency Act of 1975 and the personnel, equipment, records, and  
12      appropriations of that agency are transferred to the successor  
13      agency as of the effective date of this Act.

14          (c) The Director, subject to the direction and control of  
15      the Governor, shall be the executive head of the Illinois  
16      Emergency Management Agency and the State Emergency Response  
17      Commission and shall be responsible under the direction of the  
18      Governor, for carrying out the program for emergency management  
19      of this State. The Director shall also maintain liaison and  
20      cooperate with the emergency management organizations of this  
21      State and other states and of the federal government.

22          (d) The Illinois Emergency Management Agency shall take an  
23      integral part in the development and revision of political  
24      subdivision emergency operations plans prepared under  
25      paragraph (f) of Section 10. To this end it shall employ or  
26      otherwise secure the services of professional and technical

1 personnel capable of providing expert assistance to the  
2 emergency services and disaster agencies. These personnel  
3 shall consult with emergency services and disaster agencies on  
4 a regular basis and shall make field examinations of the areas,  
5 circumstances, and conditions that particular political  
6 subdivision emergency operations plans are intended to apply.

7 (e) The Illinois Emergency Management Agency and political  
8 subdivisions shall be encouraged to form an emergency  
9 management advisory committee composed of private and public  
10 personnel representing the emergency management phases of  
11 mitigation, preparedness, response, and recovery. The Local  
12 Emergency Planning Committee, as created under the Illinois  
13 Emergency Planning and Community Right to Know Act, shall serve  
14 as an advisory committee to the emergency services and disaster  
15 agency or agencies serving within the boundaries of that Local  
16 Emergency Planning Committee planning district for:

17 (1) the development of emergency operations plan  
18 provisions for hazardous chemical emergencies; and

19 (2) the assessment of emergency response capabilities  
20 related to hazardous chemical emergencies.

21 (f) The Illinois Emergency Management Agency shall:

22 (1) Coordinate the overall emergency management  
23 program of the State.

24 (2) Cooperate with local governments, the federal  
25 government and any public or private agency or entity in  
26 achieving any purpose of this Act and in implementing

1 emergency management programs for mitigation,  
2 preparedness, response, and recovery.

3 (2.5) Develop a comprehensive emergency preparedness  
4 and response plan for any nuclear accident in accordance  
5 with Section 65 of the Department of Nuclear Safety Law of  
6 2004 (20 ILCS 3310) and in development of the Illinois  
7 Nuclear Safety Preparedness program in accordance with  
8 Section 8 of the Illinois Nuclear Safety Preparedness Act.

9 (2.6) Coordinate with the Department of Public Health  
10 with respect to planning for and responding to public  
11 health emergencies.

12 (3) Prepare, for issuance by the Governor, executive  
13 orders, proclamations, and regulations as necessary or  
14 appropriate in coping with disasters.

15 (4) Promulgate rules and requirements for political  
16 subdivision emergency operations plans that are not  
17 inconsistent with and are at least as stringent as  
18 applicable federal laws and regulations.

19 (5) Review and approve, in accordance with Illinois  
20 Emergency Management Agency rules, emergency operations  
21 plans for those political subdivisions required to have an  
22 emergency services and disaster agency pursuant to this  
23 Act.

24 (5.5) Promulgate rules and requirements for the  
25 political subdivision emergency management exercises,  
26 including, but not limited to, exercises of the emergency

1 operations plans.

2 (5.10) Review, evaluate, and approve, in accordance  
3 with Illinois Emergency Management Agency rules, political  
4 subdivision emergency management exercises for those  
5 political subdivisions required to have an emergency  
6 services and disaster agency pursuant to this Act.

7 (6) Determine requirements of the State and its  
8 political subdivisions for food, clothing, and other  
9 necessities in event of a disaster.

10 (7) Establish a register of persons with types of  
11 emergency management training and skills in mitigation,  
12 preparedness, response, and recovery.

13 (8) Establish a register of government and private  
14 response resources available for use in a disaster.

15 (9) Expand the Earthquake Awareness Program and its  
16 efforts to distribute earthquake preparedness materials to  
17 schools, political subdivisions, community groups, civic  
18 organizations, and the media. Emphasis will be placed on  
19 those areas of the State most at risk from an earthquake.  
20 Maintain the list of all school districts, hospitals,  
21 airports, power plants, including nuclear power plants,  
22 lakes, dams, emergency response facilities of all types,  
23 and all other major public or private structures which are  
24 at the greatest risk of damage from earthquakes under  
25 circumstances where the damage would cause subsequent harm  
26 to the surrounding communities and residents.

1           (10) Disseminate all information, completely and  
2 without delay, on water levels for rivers and streams and  
3 any other data pertaining to potential flooding supplied by  
4 the Division of Water Resources within the Department of  
5 Natural Resources to all political subdivisions to the  
6 maximum extent possible.

7           (11) Develop agreements, if feasible, with medical  
8 supply and equipment firms to supply resources as are  
9 necessary to respond to an earthquake or any other disaster  
10 as defined in this Act. These resources will be made  
11 available upon notifying the vendor of the disaster.  
12 Payment for the resources will be in accordance with  
13 Section 7 of this Act. The Illinois Department of Public  
14 Health shall determine which resources will be required and  
15 requested.

16           (11.5) In coordination with the Department of State  
17 Police, develop and implement a community outreach program  
18 to promote awareness among the State's parents and children  
19 of child abduction prevention and response.

20           (12) Out of funds appropriated for these purposes,  
21 award capital and non-capital grants to Illinois hospitals  
22 or health care facilities located outside of a city with a  
23 population in excess of 1,000,000 to be used for purposes  
24 that include, but are not limited to, preparing to respond  
25 to mass casualties and disasters, maintaining and  
26 improving patient safety and quality of care, and

1 protecting the confidentiality of patient information. No  
2 single grant for a capital expenditure shall exceed  
3 \$300,000. No single grant for a non-capital expenditure  
4 shall exceed \$100,000. In awarding such grants, preference  
5 shall be given to hospitals that serve a significant number  
6 of Medicaid recipients, but do not qualify for  
7 disproportionate share hospital adjustment payments under  
8 the Illinois Public Aid Code. To receive such a grant, a  
9 hospital or health care facility must provide funding of at  
10 least 50% of the cost of the project for which the grant is  
11 being requested. In awarding such grants the Illinois  
12 Emergency Management Agency shall consider the  
13 recommendations of the Illinois Hospital Association.

14 (13) Do all other things necessary, incidental or  
15 appropriate for the implementation of this Act.

16 (Source: P.A. 93-249, eff. 7-22-03; 93-310, eff. 7-23-03;  
17 94-334, eff. 1-1-06.)

18 Section 65. The Nuclear Safety Law of 2004 is amended by  
19 changing Section 45 as follows:

20 (20 ILCS 3310/45)

21 Sec. 45. Appointment of Assistant Director. The Assistant  
22 Director shall be an officer appointed by the Governor, with  
23 the advice and consent of the Senate, and shall serve for a  
24 term of 2 years beginning on the third Monday in January of the

1 odd-numbered year, and until a successor is appointed and has  
2 qualified; except that the first Assistant Director under this  
3 Act shall be the Director of Nuclear Safety. The Assistant  
4 Director shall not hold any other remunerative public office.  
5 The Assistant Director shall receive an annual salary as set by  
6 the Governor from time to time or the amount set by the  
7 Illinois Citizens' Accountability Compensation Review Board,  
8 whichever is higher. If set by the Governor, the Assistant  
9 Director's annual salary may not exceed 85% of the Governor's  
10 annual salary.

11 (Source: P.A. 93-1029, eff. 8-25-04.)

12 Section 70. The Illinois Power Agency Act is amended by  
13 changing Section 1-70 as follows:

14 (20 ILCS 3855/1-70)

15 Sec. 1-70. Agency officials.

16 (a) The Agency shall have a Director who meets the  
17 qualifications specified in Section 5-222 of the Civil  
18 Administrative Code of Illinois (20 ILCS 5/5-222).

19 (b) Within the Illinois Power Agency, the Agency shall  
20 establish a Planning and Procurement Bureau and a Resource  
21 Development Bureau. Each Bureau shall report to the Director.

22 (c) The Chief of the Planning and Procurement Bureau shall  
23 be appointed by the Director and (i) shall have at least 10  
24 years of direct experience in electricity supply planning and

1 procurement and (ii) shall also hold an advanced degree in risk  
2 management, law, business, or a related field.

3 (d) The Chief of the Resource Development Bureau shall be  
4 appointed by the Director and (i) shall have at least 10 years  
5 of direct experience in electric generating project  
6 development and (ii) shall also hold an advanced degree in  
7 economics, engineering, law, business, or a related field.

8 (e) The Director shall receive an annual salary of \$100,000  
9 or as set by the Illinois Citizens' Accountability Compensation  
10 Review Board, whichever is higher. The Bureau Chiefs shall each  
11 receive an annual salary of \$85,000 or as set by the Illinois  
12 Citizens' Accountability Compensation Review Board, whichever  
13 is higher.

14 (f) The Director and Bureau Chiefs shall not, for 2 years  
15 prior to appointment or for 2 years after he or she leaves his  
16 or her position, be employed by an electric utility,  
17 independent power producer, power marketer, or alternative  
18 retail electric supplier regulated by the Commission or the  
19 Federal Energy Regulatory Commission.

20 (g) The Director and Bureau Chiefs are prohibited from: (i)  
21 owning, directly or indirectly, 5% or more of the voting  
22 capital stock of an electric utility, independent power  
23 producer, power marketer, or alternative retail electric  
24 supplier; (ii) being in any chain of successive ownership of 5%  
25 or more of the voting capital stock of any electric utility,  
26 independent power producer, power marketer, or alternative



1 retail electric supplier; (iii) receiving any form of  
2 compensation, fee, payment, or other consideration from an  
3 electric utility, independent power producer, power marketer,  
4 or alternative retail electric supplier, including legal fees,  
5 consulting fees, bonuses, or other sums. These limitations do  
6 not apply to any compensation received pursuant to a defined  
7 benefit plan or other form of deferred compensation, provided  
8 that the individual has otherwise severed all ties to the  
9 utility, power producer, power marketer, or alternative retail  
10 electric supplier.

11 (Source: P.A. 95-481, eff. 8-28-07.)

12 Section 75. The General Assembly Compensation Act is  
13 amended by changing Section 1 as follows:

14 (25 ILCS 115/1) (from Ch. 63, par. 14)

15 Sec. 1. Each member of the General Assembly shall receive  
16 an annual salary of \$28,000 or as set by the Illinois Citizens'  
17 Accountability ~~Compensation~~ Review Board, whichever is  
18 greater. The following named officers, committee chairmen and  
19 committee minority spokesmen shall receive additional amounts  
20 per year for their services as such officers, committee  
21 chairmen and committee minority spokesmen respectively, as set  
22 by the Illinois Citizens' Accountability ~~Compensation~~ Review  
23 Board or, as follows, whichever is greater: Beginning the  
24 second Wednesday in January 1989, the Speaker and the minority

1 leader of the House of Representatives and the President and  
2 the minority leader of the Senate, \$16,000 each; the majority  
3 leader in the House of Representatives \$13,500; 6 assistant  
4 majority leaders and 5 assistant minority leaders in the  
5 Senate, \$12,000 each; 6 assistant majority leaders and 6  
6 assistant minority leaders in the House of Representatives,  
7 \$10,500 each; 2 Deputy Majority leaders in the House of  
8 Representatives \$11,500 each; and 2 Deputy Minority leaders in  
9 the House of Representatives, \$11,500 each; the majority caucus  
10 chairman and minority caucus chairman in the Senate, \$12,000  
11 each; and beginning the second Wednesday in January, 1989, the  
12 majority conference chairman and the minority conference  
13 chairman in the House of Representatives, \$10,500 each;  
14 beginning the second Wednesday in January, 1989, the chairman  
15 and minority spokesman of each standing committee of the  
16 Senate, except the Rules Committee, the Committee on  
17 Committees, and the Committee on Assignment of Bills, \$6,000  
18 each; and beginning the second Wednesday in January, 1989, the  
19 chairman and minority spokesman of each standing and select  
20 committee of the House of Representatives, \$6,000 each. A  
21 member who serves in more than one position as an officer,  
22 committee chairman, or committee minority spokesman shall  
23 receive only one additional amount based on the position paying  
24 the highest additional amount. The compensation provided for in  
25 this Section to be paid per year to members of the General  
26 Assembly, including the additional sums payable per year to

1 officers of the General Assembly shall be paid in 12 equal  
2 monthly installments. The first such installment is payable on  
3 January 31, 1977. All subsequent equal monthly installments are  
4 payable on the last working day of the month. A member who has  
5 held office any part of a month is entitled to compensation for  
6 an entire month.

7 Mileage shall be paid at the rate of 20 cents per mile  
8 before January 9, 1985, and at the mileage allowance rate in  
9 effect under regulations promulgated pursuant to 5 U.S.C.  
10 5707(b)(2) beginning January 9, 1985, for the number of actual  
11 highway miles necessarily and conveniently traveled by the most  
12 feasible route to be present upon convening of the sessions of  
13 the General Assembly by such member in each and every trip  
14 during each session in going to and returning from the seat of  
15 government, to be computed by the Comptroller. A member  
16 traveling by public transportation for such purposes, however,  
17 shall be paid his actual cost of that transportation instead of  
18 on the mileage rate if his cost of public transportation  
19 exceeds the amount to which he would be entitled on a mileage  
20 basis. No member may be paid, whether on a mileage basis or for  
21 actual costs of public transportation, for more than one such  
22 trip for each week the General Assembly is actually in session.  
23 Each member shall also receive an allowance of \$36 per day for  
24 lodging and meals while in attendance at sessions of the  
25 General Assembly before January 9, 1985; beginning January 9,  
26 1985, such food and lodging allowance shall be equal to the

1 amount per day permitted to be deducted for such expenses under  
2 the Internal Revenue Code; however, beginning May 31, 1995, no  
3 allowance for food and lodging while in attendance at sessions  
4 is authorized for periods of time after the last day in May of  
5 each calendar year, except (i) if the General Assembly is  
6 convened in special session by either the Governor or the  
7 presiding officers of both houses, as provided by subsection  
8 (b) of Section 5 of Article IV of the Illinois Constitution or  
9 (ii) if the General Assembly is convened to consider bills  
10 vetoed, item vetoed, reduced, or returned with specific  
11 recommendations for change by the Governor as provided in  
12 Section 9 of Article IV of the Illinois Constitution.

13 If a member dies having received only a portion of the  
14 amount payable as compensation, the unpaid balance shall be  
15 paid to the surviving spouse of such member, or, if there be  
16 none, to the estate of such member.

17 (Source: P.A. 89-405, eff. 11-8-95.)

18 Section 80. The Compensation Review Act is amended by  
19 changing Sections 2, 3, 4, and 5 and by adding Sections 1.5 and  
20 5.10 as follows:

21 (25 ILCS 120/1.5 new)

22 Sec. 1.5. Compensation frozen. The compensation of all  
23 officials and employees whose compensation was determined  
24 under this Act immediately before the effective date of this

1 amendatory Act of the 95th General Assembly is frozen at the  
2 dollar amount in effect on the effective date of this  
3 amendatory Act of the 95th General Assembly, and that dollar  
4 amount shall not change without the specific authority of the  
5 General Assembly, by law. Any cost of living adjustment  
6 previously authorized under this Act is eliminated and no  
7 longer operative after the effective date of this amendatory  
8 Act of the 95th General Assembly. This Section applies  
9 notwithstanding any other law to the contrary.

10 (25 ILCS 120/2) (from Ch. 63, par. 902)

11 Sec. 2. Board established. The Compensation Review Board is  
12 abolished, and the terms of its members are terminated on the  
13 effective date of this amendatory Act of the 95th General  
14 Assembly. The Illinois Citizens' Accountability Review Board  
15 is established, ~~There is created the Compensation Review Board,~~  
16 hereinafter referred to as the Board, as an independent  
17 commission ~~within the legislative branch~~ of State government.  
18 Any reference to the Compensation Review Board in statute,  
19 rule, form, or otherwise is deemed to mean the Illinois  
20 Citizens' Accountability Review Board unless the context  
21 requires otherwise.

22 The Board shall consist of 12 members, appointed as  
23 follows: one each by the Governor, the Attorney General, the  
24 Secretary of State, the State Comptroller, the State Treasurer,  
25 ~~3 each by~~ the Speaker of the House of Representatives, the

1 Minority Leader thereof, the President of the Senate, and the  
2 Minority Leader thereof and 3 by the Auditor General. Members  
3 shall be adults and be residents of Illinois. Members may not  
4 be members or employees or former members or employees of the  
5 judicial, executive, or legislative branch ~~branches~~ of State  
6 government; members may not be annuitants with a retirement  
7 system under Article 2, 14, 15, or 18 of the Illinois Pension  
8 Code; nor may members be persons registered under the Lobbyist  
9 Registration Act. Members of the Board shall be selected from  
10 among the following, and there must be at least one member  
11 appointed from each of the following: (i) an executive of a  
12 major corporation incorporated under the laws of Illinois; (ii)  
13 a small business owner; (iii) an officer or member of a labor  
14 organization; (iv) an expert in compensation (such as an  
15 economist, human resources manager, etc.); (v) a member of a  
16 non-profit public interest organization; or (vi) a  
17 representative of the general public. Any member may be  
18 reappointed for a consecutive term. The respective appointing  
19 authority ~~legislative leader~~ may remove any such appointed  
20 member prior to the expiration of his or her term on the Board  
21 for official misconduct, incompetence, or neglect of duty.

22 Members shall serve without compensation but shall receive  
23 an allowance for living expenses incurred in the performance of  
24 their official duties in an amount per day equal to the amount  
25 permitted to be deducted for such expenses by members of the  
26 General Assembly under the federal Internal Revenue Code, as

1 now or hereafter amended. The rate for reimbursement of mileage  
2 expenses shall be equal to the amount established from time to  
3 time for members of the General Assembly.

4 The Board may, without regard to the Personnel Code, employ  
5 and fix the compensation or remuneration of employees and  
6 contract for personal and professional services as it considers  
7 necessary or desirable. The General Assembly shall appropriate  
8 to the Commission on Government Forecasting and Accountability  
9 the funds necessary to operate the Board, and the Commission  
10 shall prepare and submit vouchers on behalf of the Board and  
11 provide other fiscal services to the Board as the Board  
12 requests and directs; but the Commission shall not exercise any  
13 authority or control over the Board or its employees or  
14 contractors.

15 (Source: P.A. 94-839, eff. 6-6-06.)

16 (25 ILCS 120/3) (from Ch. 63, par. 903)

17 Sec. 3. Board terms; vacancies; chairperson. As soon as  
18 possible after the effective date of this amendatory Act of the  
19 95th General Assembly, the appointing authorities shall  
20 appoint the Board members. Each member ~~As soon as possible~~  
21 ~~after the effective date of this Act, the Speaker of the House~~  
22 ~~of Representatives, the Minority Leader thereof, the President~~  
23 ~~of the Senate, and the Minority Leader thereof, shall each~~  
24 ~~appoint to the Board one member to serve a term not exceeding~~  
25 ~~one year, one member to serve a term not exceeding 2 years, and~~

1 ~~one member to serve a term not exceeding 3 years, with such~~  
2 ~~respective appointed member's term expiring on June 30 of the~~  
3 ~~appropriate year, or until their successors are appointed and~~  
4 ~~qualified. Upon the expiration of each of the foregoing terms,~~  
5 ~~the successors of such members~~ shall serve a term for 3 years,  
6 expiring on June 30 of the appropriate year, or until a  
7 successor is ~~their successors are~~ appointed and qualified. A  
8 vacancy shall be filled by the respective appointing authority  
9 ~~legislative leader~~ and shall be for the unexpired portion of  
10 the vacant term. Members shall select one of their number as  
11 chairman who shall serve as chairman for 2 years.

12 (Source: P.A. 83-1177.)

13 (25 ILCS 120/4) (from Ch. 63, par. 904)

14 Sec. 4. Meetings of the Board; determining compensation;  
15 public hearings; reports. The Board shall meet as often as may  
16 be necessary and shall determine, upon a vote requiring at  
17 least 7 affirmative votes, the compensation for members of the  
18 General Assembly, judges, other than the county supplement,  
19 State's attorneys, other than the county supplement, the  
20 elected constitutional officers of State government, and  
21 certain appointed officers of State government.

22 In determining the compensation for each office, the  
23 Compensation Review Board shall consider the following  
24 factors:

25 (1) the amount of time required to fulfill the duties



1 of the office;

2 (2) the salaries and benefits received by other elected  
3 and appointed officials in State and local governments and  
4 by persons in comparable positions in the private sector;

5 (3) the responsibility and authority of the office;

6 (4) the cost of living; and

7 (5) the interests of the public and the financial  
8 ability of the State to meet the costs.

9 ~~(a) the skill required,~~

10 ~~(b) the time required,~~

11 ~~(c) the opportunity for other earned income,~~

12 ~~(d) the value of public services as performed in~~  
13 ~~comparable states,~~

14 ~~(e) the value of such services as performed in the~~  
15 ~~private sector in Illinois and comparable states based on~~  
16 ~~the responsibility and discretion required in the office,~~

17 ~~(f) the average consumer prices commonly known as the~~  
18 ~~cost of living,~~

19 ~~(g) the overall compensation presently received by the~~  
20 ~~public officials and all other benefits received,~~

21 ~~(h) the interests and welfare of the public and the~~  
22 ~~financial ability of the State to meet those costs, and~~

23 ~~(i) such other factors, not confined to the foregoing,~~  
24 ~~which are normally or traditionally taken into~~  
25 ~~consideration in the determination of such compensation.~~

26 The Board shall conduct public hearings prior to filing its

1 reports ~~report~~.

2 At the public hearings, the Board shall allow interested  
3 persons to present their views and comments. The Board may  
4 prescribe reasonable rules for the conduct of public hearings,  
5 to prevent undue repetition. The meetings of the Board are  
6 subject to the Open Meetings Act.

7 The Board shall propose (i) one ~~file an initial~~ report with  
8 respect to all offices and positions, except judges and State's  
9 attorneys (known as "report A") and (ii) one report with  
10 respect to judges and State's attorneys (known as "report B").  
11 No report may recommend a cost-of-living adjustment separate  
12 from the recommended annual amount of compensation. Any report  
13 may be a "no change" report in which compensation for all  
14 offices and positions covered by the report is recommended to  
15 remain at its current amount.

16 The Board shall file the reports with the House of  
17 Representatives, the Senate, the Comptroller, and the  
18 Secretary of State. ~~Subsequent reports shall be filed therewith~~  
19 before April 1 in each ~~even-numbered~~ year. Report A shall state  
20 ~~thereafter stating~~ the annual salary for all offices and  
21 positions, except judges and State's attorneys, for which the  
22 Board files reports. Report B shall state ~~members of the~~  
23 ~~General Assembly, the elected State constitutional officers~~  
24 ~~and certain appointed State officers and compensated employees~~  
25 ~~and members of certain State departments, agencies, boards and~~  
26 ~~commissions whose terms begin in the next calendar year;~~ the

1 annual salary for State's attorneys, ~~and the annual salary for~~  
2 ~~the Auditor General~~ and for Supreme Court, Appellate Court,  
3 Circuit Court, and Associate judges. If a ~~the~~ report increases  
4 the annual salary of judges, State's attorneys, or ~~and~~ the  
5 Auditor General, such increase shall take effect when the  
6 report is approved ~~as soon as the time period for disapproval~~  
7 ~~or reduction,~~ as provided in subsection (b) of Section 5, ~~has~~  
8 ~~expired.~~

9 Increases in ~~The~~ salaries recommended in a ~~the~~ report or as  
10 reduced by the General Assembly, other than for judges, State's  
11 attorneys, or ~~and~~ the Auditor General, shall take effect as  
12 provided by law.

13 When a "no change" report is filed as provided in this  
14 Section, that report is binding and may not be revised by the  
15 General Assembly.

16 (Source: P.A. 90-375, eff. 8-14-97; 91-798, eff. 7-9-00.)

17 (25 ILCS 120/5) (from Ch. 63, par. 905)

18 Sec. 5. General Assembly action.

19 (a) If the Board files a "no change" report or fails to  
20 recommend a change in salary or if the General Assembly does  
21 not approve a ~~disapproves the~~ report as provided in subsection  
22 (b), and a new term for any officer provided for in this Act  
23 begins, the salary for the new term shall be the same as the  
24 salary in effect when the previous term ended.

25 (b) The General Assembly may approve a ~~disapprove the~~

1 report of the Board, other than a "no change" report, in whole,  
2 or reduce it in whole proportionately, within 30 session days  
3 after each house of the legislature next convenes after the  
4 report is filed, by adoption of a resolution by a record vote  
5 of the majority of the members elected in each house directed  
6 to the Board. Such resolution shall be binding upon the Board.  
7 A resolution may approve or reduce no more than one report, and  
8 no more than one resolution may be adopted by a single vote.

9 ~~For the initial report filed by the Board after this Act~~  
10 ~~takes effect, the General Assembly may, by January 9, 1985,~~  
11 ~~disapprove the report of the Board in whole, or reduce it in~~  
12 ~~whole proportionately, after the report is filed, by the~~  
13 ~~adoption of a resolution by a record vote of the majority of~~  
14 ~~the members.~~

15 (Source: P.A. 83-1177.)

16 (25 ILCS 120/5.10 new)

17 Sec. 5.10. References to compensation set by Board. Until  
18 the compensation or annual salary of an office or position (i)  
19 is re-established by the Illinois Citizens' Accountability  
20 Review Board's filing of a "no change" report as provided in  
21 this Act or (ii) is changed and the different amount takes  
22 effect as provided in this Act, any statutory reference to  
23 compensation or an annual salary as set or determined by the  
24 Illinois Citizens' Accountability Review Board continues to  
25 mean the compensation or annual salary as set or determined by

1 the Compensation Review Board. It is not the intent of this  
2 amendatory Act of the 95th General Assembly that compensation  
3 determined by the Compensation Review Board and in effect on  
4 the effective date of this amendatory Act of the 95th General  
5 Assembly becomes invalid solely by virtue of the abolishment of  
6 the Compensation Review Board.

7 Section 85. The Illinois State Auditing Act is amended by  
8 changing Section 2-14 as follows:

9 (30 ILCS 5/2-14) (from Ch. 15, par. 302-14)

10 Sec. 2-14. Salaries.

11 (a) The Auditor General shall receive an annual salary of  
12 \$76,991 or as set by the Illinois Citizens' Accountability  
13 ~~Compensation~~ Review Board, whichever is greater.

14 (b) Each Deputy Auditor General shall receive an annual  
15 salary of \$71,576 or an amount set by the Illinois Citizens'  
16 Accountability ~~Compensation~~ Review Board, whichever is  
17 greater. All changes in the salary of a Deputy Auditor General  
18 made by the Auditor General shall be subject to the approval of  
19 the Commission.

20 (c) The salaries provided for in this Act shall be paid  
21 from the State treasury on a monthly basis.

22 (Source: P.A. 87-1216; 88-504.)

23 Section 90. The Property Tax Code is amended by changing

1 Section 7-10 as follows:

2 (35 ILCS 200/7-10)

3 Sec. 7-10. Selection of members. The members of the  
4 Property Tax Appeal Board shall be qualified by virtue of 5  
5 years experience and training in the field of public finance  
6 administration, at least 2 years of which shall be in the field  
7 of property appraisal and property tax administration. No more  
8 than 3 members of the Board may be members of the same  
9 political party. The Chairman of the Property Tax Appeal Board  
10 shall receive \$28,000 per year, or an amount set by the  
11 Illinois Citizens' Accountability Compensation Review Board,  
12 whichever is greater; and each other member of the Board shall  
13 receive \$22,500 per year, or an amount set by the Illinois  
14 Citizens' Accountability Compensation Review Board, whichever  
15 is greater.

16 Of the 5 members of the Board the terms of 2 members shall  
17 expire on the third Monday in January, 1995; the term of 2  
18 members shall expire on the third Monday in January, 1997; and  
19 the term of one member shall expire on the third Monday in  
20 January, 1999. Members shall be appointed in each odd-numbered  
21 year for a 6 year term commencing on the third Monday in  
22 January of such year. Each member shall serve until a successor  
23 is appointed and qualified.

24 (Source: P.A. 84-1240; 88-455.)

1 Section 100. The Counties Code is amended by changing  
2 Sections 4-2001 and 4-3001 as follows:

3 (55 ILCS 5/4-2001) (from Ch. 34, par. 4-2001)

4 Sec. 4-2001. State's attorney salaries.

5 (a) There shall be allowed to the several state's attorneys  
6 in this State, except the state's attorney of Cook County, the  
7 following annual salary:

8 (1) Subject to paragraph (5), to each state's attorney  
9 in counties containing less than 10,000 inhabitants,  
10 \$40,500 until December 31, 1988, \$45,500 until June 30,  
11 1994, and \$55,500 thereafter or as set by the Illinois  
12 Citizens' Accountability Compensation Review Board,  
13 whichever is greater.

14 (2) Subject to paragraph (5), to each state's attorney  
15 in counties containing 10,000 or more inhabitants but less  
16 than 20,000 inhabitants, \$46,500 until December 31, 1988,  
17 \$61,500 until June 30, 1994, and \$71,500 thereafter or as  
18 set by the Illinois Citizens' Accountability Compensation  
19 Review Board, whichever is greater.

20 (3) Subject to paragraph (5), to each state's attorney  
21 in counties containing 20,000 or more but less than 30,000  
22 inhabitants, \$51,000 until December 31, 1988, \$65,000  
23 until June 30, 1994, and \$75,000 thereafter or as set by  
24 the Illinois Citizens' Accountability Compensation Review  
25 Board, whichever is greater.

1           (4) To each state's attorney in counties of 30,000 or  
2 more inhabitants, \$65,500 until December 31, 1988, \$80,000  
3 until June 30, 1994, and \$96,837 thereafter or as set by  
4 the Illinois Citizens' Accountability Compensation Review  
5 Board, whichever is greater.

6           (5) Effective December 1, 2000, to each state's  
7 attorney in counties containing fewer than 30,000  
8 inhabitants, the same salary plus any cost of living  
9 adjustments as authorized by the Illinois Citizens'  
10 Accountability Compensation Review Board to take effect  
11 after January 1, 1999, for state's attorneys in counties  
12 containing 20,000 or more but fewer than 30,000  
13 inhabitants, or as set by the Illinois Citizens'  
14 Accountability Compensation Review Board whichever is  
15 greater.

16           The State shall furnish 66 2/3% of the total annual  
17 compensation to be paid to each state's attorney in Illinois  
18 based on the salary in effect on December 31, 1988, and 100% of  
19 the increases in salary taking effect after December 31, 1988.

20           Said amounts furnished by the State shall be payable  
21 monthly from the state treasury to the county in which each  
22 state's attorney is elected.

23           Each county shall be required to furnish 33 1/3% of the  
24 total annual compensation to be paid to each state's attorney  
25 in Illinois based on the salary in effect on December 31, 1988.

26           (b) Effective December 1, 2000, no state's attorney may



1 engage in the private practice of law. However, until November  
2 30, 2000, (i) the state's attorneys in counties containing  
3 fewer than 10,000 inhabitants may engage in the practice of  
4 law, and (ii) in any county between 10,000 and 30,000  
5 inhabitants or in any county containing 30,000 or more  
6 inhabitants which reached that population between 1970 and  
7 December 31, 1981, the state's attorney may declare his or her  
8 intention to engage in the private practice of law, and may do  
9 so through no later than November 30, 2000, by filing a written  
10 declaration of intent to engage in the private practice of law  
11 with the county clerk. The declaration of intention shall be  
12 irrevocable during the remainder of the term of office. The  
13 declaration shall be filed with the county clerk within 30 days  
14 of certification of election or appointment, or within 60 days  
15 of March 15, 1989, whichever is later. In that event the annual  
16 salary of such state's attorney shall be as follows:

17 (1) In counties containing 10,000 or more inhabitants  
18 but less than 20,000 inhabitants, \$46,500 until December  
19 31, 1988, \$51,500 until June 30, 1994, and \$61,500  
20 thereafter or as set by the Illinois Citizens'  
21 Accountability Compensation Review Board, whichever is  
22 greater. The State shall furnish 100% of the increases  
23 taking effect after December 31, 1988.

24 (2) In counties containing 20,000 or more inhabitants  
25 but less than 30,000 inhabitants, and in counties  
26 containing 30,000 or more inhabitants which reached said

1 population between 1970 and December 31, 1981, \$51,500  
2 until December 31, 1988, \$56,000 until June 30, 1994, and  
3 \$65,000 thereafter or as set by the Illinois Citizens'  
4 Accountability Compensation Review Board, whichever is  
5 greater. The State shall furnish 100% of the increases  
6 taking effect after December 31, 1988.

7 (c) In counties where a state mental health institution, as  
8 hereinafter defined, is located, one assistant state's  
9 attorney shall receive for his services, payable monthly from  
10 the state treasury to the county in which he is appointed, the  
11 following:

12 (1) To each assistant state's attorney in counties  
13 containing less than 10,000 inhabitants, the sum of \$2,500  
14 per annum;

15 (2) To each assistant state's attorney in counties  
16 containing not less than 10,000 inhabitants and not more  
17 than 20,000 inhabitants, the sum of \$3,500 per annum;

18 (3) To each assistant state's attorney in counties  
19 containing not less than 20,000 inhabitants and not more  
20 than 30,000 inhabitants, the sum of \$4,000 per annum;

21 (4) To each assistant state's attorney in counties  
22 containing not less than 30,000 inhabitants and not more  
23 than 40,000 inhabitants, the sum of \$4,500 per annum;

24 (5) To each assistant state's attorney in counties  
25 containing not less than 40,000 inhabitants and not more  
26 than 70,000 inhabitants, the sum of \$5,000 per annum;

1           (6) To each assistant state's attorney in counties  
2           containing not less than 70,000 inhabitants and not more  
3           than 1,000,000 inhabitants, the sum of \$6,000 per annum.

4           (d) The population of all counties for the purpose of  
5           fixing salaries as herein provided shall be based upon the last  
6           Federal census immediately previous to the appointment of an  
7           assistant state's attorney in each county.

8           (e) At the request of the county governing authority, in  
9           counties where one or more state correctional institutions, as  
10          hereinafter defined, are located, one or more assistant state's  
11          attorneys shall receive for their services, provided that such  
12          services are performed in connection with the state  
13          correctional institution, payable monthly from the state  
14          treasury to the county in which they are appointed, the  
15          following:

16           (1) \$22,000 for each assistant state's attorney in  
17          counties with one or more State correctional institutions  
18          with a total average daily inmate population in excess of  
19          2,000, on the basis of 2 assistant state's attorneys when  
20          the total average daily inmate population exceeds 2,000 but  
21          is less than 4,000; and 3 assistant state's attorneys when  
22          such population exceeds 4,000; with reimbursement to be  
23          based on actual services rendered.

24           (2) \$15,000 per year for one assistant state's attorney  
25          in counties having one or more correctional institutions  
26          with a total average daily inmate population of between 750

1 and 2,000 inmates, with reimbursement to be based on actual  
2 services rendered.

3 (3) A maximum of \$12,000 per year for one assistant  
4 state's attorney in counties having less than 750 inmates,  
5 with reimbursement to be based on actual services rendered.

6 Upon application of the county governing authority and  
7 certification of the State's Attorney, the Director of  
8 Corrections may, in his discretion and subject to  
9 appropriation, increase the amount of salary reimbursement  
10 to a county in the event special circumstances require the  
11 county to incur extraordinary salary expenditures as a  
12 result of services performed in connection with State  
13 correctional institutions in that county.

14 In determining whether or not to increase the amount of  
15 salary reimbursement, the Director shall consider, among other  
16 matters:

17 (1) the nature of the services rendered;

18 (2) the results or dispositions obtained;

19 (3) whether or not the county was required to employ  
20 additional attorney personnel as a direct result of the  
21 services actually rendered in connection with a particular  
22 service to a State correctional institution.

23 (f) In counties where a State senior institution of higher  
24 education is located, the assistant state's attorneys  
25 specified by this Section shall receive for their services,  
26 payable monthly from the State treasury to the county in which

1 appointed, the following:

2 (1) \$14,000 per year each for employment on a full time  
3 basis for 2 assistant state's attorneys in counties having  
4 a State university or State universities with combined full  
5 time enrollment of more than 15,000 students.

6 (2) \$7,200 per year for one assistant state's attorney  
7 with no limitation on other practice in counties having a  
8 State university or State universities with combined full  
9 time enrollment of 10,000 to 15,000 students.

10 (3) \$4,000 per year for one assistant state's attorney  
11 with no limitation on other practice in counties having a  
12 State university or State universities with combined full  
13 time enrollment of less than 10,000 students.

14 Such salaries shall be paid to the state's attorney and the  
15 assistant state's attorney in equal monthly installments by  
16 such county out of the county treasury provided that the State  
17 of Illinois shall reimburse each county monthly from the state  
18 treasury the amount of such salary. This Section shall not  
19 prevent the payment of such additional compensation to the  
20 state's attorney or assistant state's attorney of any county,  
21 out of the treasury of that county as may be provided by law.

22 (g) For purposes of this Section, "State mental health  
23 institution" means any institution under the jurisdiction of  
24 the Department of Human Services that is listed in Section 4 of  
25 the Mental Health and Developmental Disabilities  
26 Administrative Act.

1 For purposes of this Section, "State correctional  
2 institution" means any facility of the Department of  
3 Corrections including adult facilities, juvenile facilities,  
4 pre-release centers, community correction centers, and work  
5 camps.

6 For purposes of this Section, "State university" means the  
7 University of Illinois, Southern Illinois University, Chicago  
8 State University, Eastern Illinois University, Governors State  
9 University, Illinois State University, Northeastern Illinois  
10 University, Northern Illinois University, Western Illinois  
11 University, and any public community college which has  
12 established a program of interinstitutional cooperation with  
13 one of the foregoing institutions whereby a student, after  
14 earning an associate degree from the community college, pursues  
15 a course of study at the community college campus leading to a  
16 baccalaureate degree from the foregoing institution (also  
17 known as a "2 Plus 2" degree program).

18 (h) A number of assistant state's attorneys shall be  
19 appointed in each county that chooses to participate, as  
20 provided in this subsection, for the prosecution of  
21 alcohol-related traffic offenses. Each county shall receive  
22 monthly a subsidy for payment of the salaries and benefits of  
23 these assistant state's attorneys from State funds  
24 appropriated to the county for that purpose. The amounts of  
25 subsidies provided by this subsection shall be adjusted for  
26 inflation each July 1 using the Consumer Price Index of the

1 Bureau of Labor Statistics of the U.S. Department of Labor.

2 When a county chooses to participate in the subsidy program  
3 described in this subsection (h), the number of assistant  
4 state's attorneys who are prosecuting alcohol-related traffic  
5 offenses must increase according to the subsidy provided in  
6 this subsection. These appointed assistant state's attorneys  
7 shall be in addition to any other assistant state's attorneys  
8 assigned to those cases on the effective date of this  
9 amendatory Act of the 91st General Assembly, and may not  
10 replace those assistant state's attorneys. In counties where  
11 the state's attorney is the sole prosecutor, this subsidy shall  
12 be used to provide an assistant state's attorney to prosecute  
13 alcohol-related traffic offenses along with the state's  
14 attorney. In counties where the state's attorney is the sole  
15 prosecutor, and in counties where a judge presides over cases  
16 involving a variety of misdemeanors, including alcohol-related  
17 traffic matters, assistant state's attorneys appointed and  
18 subsidized by this subsection (h) may also prosecute the  
19 different misdemeanor cases at the direction of the state's  
20 attorney.

21 Assistant state's attorneys shall be appointed under this  
22 subsection in the following number and counties shall receive  
23 the following annual subsidies:

24 (1) In counties with fewer than 30,000 inhabitants, one  
25 at \$35,000.

26 (2) In counties with 30,000 or more but fewer than

1           100,000 inhabitants, one at \$45,000.

2           (3) In counties with 100,000 or more but fewer than  
3           300,000 inhabitants, 2 at \$45,000 each.

4           (4) In counties, other than Cook County, with 300,000  
5           or more inhabitants, 4 at \$50,000 each.

6           The amounts appropriated under this Section must be  
7           segregated by population classification and disbursed monthly.

8           If in any year the amount appropriated for the purposes of  
9           this subsection (h) is insufficient to pay all of the subsidies  
10          specified in this subsection, the amount appropriated shall  
11          first be prorated by the population classifications of this  
12          subsection (h) and then among the counties choosing to  
13          participate within each of those classifications. If any of the  
14          appropriated moneys for each population classification remain  
15          at the end of a fiscal year, the remainder of the moneys may be  
16          allocated to participating counties that were not fully funded  
17          during the course of the year. Nothing in this subsection  
18          prohibits 2 or more State's attorneys from combining their  
19          subsidies to appoint a joint assistant State's attorney to  
20          prosecute alcohol-related traffic offenses in multiple  
21          counties. Nothing in this subsection prohibits a State's  
22          attorney from appointing an assistant State's attorney by  
23          contract or otherwise.

24          (Source: P.A. 91-273, eff. 1-1-00; 91-440, eff. 8-6-99; 91-704,  
25          eff. 7-1-00; 92-309, eff. 8-9-01.)



1 (55 ILCS 5/4-3001) (from Ch. 34, par. 4-3001)

2 Sec. 4-3001. State's attorney; assistants.

3 (a) The State's Attorney of Cook County shall be paid an  
4 annual salary of \$75,000 until December 31, 1988, \$90,000 until  
5 November 30, 1990, \$100,000 until June 30, 1994, and \$112,124  
6 thereafter or as set by the Illinois Citizens' Accountability  
7 ~~Compensation~~ Review Board, whichever is greater.

8 Such sums shall be in full payment for all services  
9 rendered by him. The State shall furnish from the State  
10 treasury 66 2/3% of such salary in effect on December 31, 1988,  
11 100% of the increases in salary taking effect after December  
12 31, 1988, and Cook County shall furnish 33 1/3% of such salary  
13 in effect on December 31, 1988. The State's Attorney of Cook  
14 County may not engage in the private practice of law.

15 (b) If Cook County chooses to participate in the subsidy  
16 program described in this subsection (b), 24 assistant state's  
17 attorneys shall be appointed for the prosecution of  
18 alcohol-related traffic offenses. Cook County shall annually  
19 receive a subsidy for the payment of the salaries and benefits  
20 of these assistant state's attorneys from State funds  
21 appropriated to Cook County for that purpose. The amount of the  
22 subsidy shall equal \$50,000 per assistant state's attorney  
23 appointed under this subsection, adjusted for inflation each  
24 July 1 using the Consumer Price Index of the Bureau of Labor  
25 Statistics of the U.S. Department of Labor. If in any year the  
26 amount appropriated for the purposes of this subsection (b) is

1 insufficient, the annual subsidy shall be reduced accordingly.

2 When and if Cook County chooses to participate in the  
3 subsidy program described in this subsection (b), the number of  
4 assistant state's attorneys who are prosecuting  
5 alcohol-related traffic offenses must increase by 24. These  
6 appointed assistant state's attorneys shall be in addition to  
7 any other assistant state's attorneys assigned to those cases  
8 on the effective date of this amendatory Act of the 91st  
9 General Assembly, and may not replace those assistant state's  
10 attorneys. Cook County assistant state's attorneys appointed  
11 and subsidized by this subsection (b) may also prosecute other  
12 types of misdemeanor cases at the direction of the Cook County  
13 State's Attorney.

14 (Source: P.A. 90-375, eff. 8-14-97; 91-273, eff. 1-1-00;  
15 91-704, eff. 7-1-00.)

16 Section 105. The Metropolitan Water Reclamation District  
17 Act is amended by changing Section 4b as follows:

18 (70 ILCS 2605/4b) (from Ch. 42, par. 323b)

19 Sec. 4b. The Governor shall appoint, by and with the advice  
20 and consent of the Senate, a State Sanitary District Observer.  
21 The term of the person first appointed shall expire on the  
22 third Monday in January, 1969. If the Senate is not in session  
23 when the first appointment is made, the Governor shall make a  
24 temporary appointment as in the case of a vacancy. Thereafter

1 the term of office of the State Sanitary District Observer  
2 shall be for 2 years commencing on the third Monday in January  
3 of 1969 and each odd-numbered year thereafter. Any person  
4 appointed to such office shall hold office for the duration of  
5 his term and until his successor is appointed and qualified.

6 The State Sanitary District Observer must have a knowledge  
7 of the principles of sanitary engineering. He shall be paid  
8 from the State Treasury an annual salary of \$15,000 or as set  
9 by the Illinois Citizens' Accountability Compensation Review  
10 Board, whichever is greater, and shall also be reimbursed for  
11 necessary expenses incurred in the performance of his duties.

12 The State Sanitary District Observer has the same right as  
13 any Trustee or the Executive Director to attend any meeting in  
14 connection with the business of The Metropolitan Sanitary  
15 District of Greater Chicago. He shall have access to all  
16 records and works of the District. He may conduct inquiries and  
17 investigations into the efficiency and adequacy of the  
18 operations of the District, including the effect of the  
19 operations of the District upon areas of the State outside the  
20 boundaries of the District.

21 The State Sanitary District Observer shall report to the  
22 Governor, the General Assembly, the Department of Natural  
23 Resources, and the Environmental Protection Agency annually  
24 and more frequently if requested by the Governor.

25 The requirement for reporting to the General Assembly shall  
26 be satisfied by filing copies of the report with the Speaker,

1 the Minority Leader and the Clerk of the House of  
2 Representatives and the President, the Minority Leader and the  
3 Secretary of the Senate and the Legislative Research Unit, as  
4 required by Section 3.1 of "An Act to revise the law in  
5 relation to the General Assembly", approved February 25, 1874,  
6 as amended, and filing such additional copies with the State  
7 Government Report Distribution Center for the General Assembly  
8 as is required under paragraph (t) of Section 7 of the State  
9 Library Act.

10 (Source: P.A. 95-923, eff. 1-1-09.)

11 Section 110. The Illinois Educational Labor Relations Act  
12 is amended by changing Section 5 as follows:

13 (115 ILCS 5/5) (from Ch. 48, par. 1705)

14 Sec. 5. Illinois Educational Labor Relations Board.

15 (a) There is hereby created the Illinois Educational Labor  
16 Relations Board.

17 (a-5) Until July 1, 2003 or when all of the new members to  
18 be initially appointed under this amendatory Act of the 93rd  
19 General Assembly have been appointed by the Governor, whichever  
20 occurs later, the Illinois Educational Labor Relations Board  
21 shall consist of 7 members, no more than 4 of whom may be of the  
22 same political party, who are residents of Illinois appointed  
23 by the Governor with the advice and consent of the Senate.

24 The term of each appointed member of the Board who is in

1 office on June 30, 2003 shall terminate at the close of  
2 business on that date or when all of the new members to be  
3 initially appointed under this amendatory Act of the 93rd  
4 General Assembly have been appointed by the Governor, whichever  
5 occurs later.

6 (b) Beginning on July 1, 2003 or when all of the new  
7 members to be initially appointed under this amendatory Act of  
8 the 93rd General Assembly have been appointed by the Governor,  
9 whichever occurs later, the Illinois Educational Labor  
10 Relations Board shall consist of 5 members appointed by the  
11 Governor with the advice and consent of the Senate. No more  
12 than 3 members may be of the same political party.

13 The Governor shall appoint to the Board only persons who  
14 are residents of Illinois and have had a minimum of 5 years of  
15 experience directly related to labor and employment relations  
16 in representing educational employers or educational employees  
17 in collective bargaining matters. One appointed member shall be  
18 designated at the time of his or her appointment to serve as  
19 chairman.

20 Of the initial members appointed pursuant to this  
21 amendatory Act of the 93rd General Assembly, 2 shall be  
22 designated at the time of appointment to serve a term of 6  
23 years, 2 shall be designated at the time of appointment to  
24 serve a term of 4 years, and the other shall be designated at  
25 the time of his or her appointment to serve a term of 4 years,  
26 with each to serve until his or her successor is appointed and

1 qualified.

2 Each subsequent member shall be appointed in like manner  
3 for a term of 6 years and until his or her successor is  
4 appointed and qualified. Each member of the Board is eligible  
5 for reappointment. Vacancies shall be filled in the same manner  
6 as original appointments for the balance of the unexpired term.

7 (c) The chairman shall be paid \$50,000 per year, or an  
8 amount set by the Illinois Citizens' Accountability  
9 ~~Compensation~~ Review Board, whichever is greater. Other members  
10 of the Board shall each be paid \$45,000 per year, or an amount  
11 set by the Illinois Citizens' Accountability Compensation  
12 Review Board, whichever is greater. They shall be entitled to  
13 reimbursement for necessary traveling and other official  
14 expenditures necessitated by their official duties.

15 Each member shall devote his entire time to the duties of  
16 the office, and shall hold no other office or position of  
17 profit, nor engage in any other business, employment or  
18 vocation.

19 (d) Three members of the Board constitute a quorum and a  
20 vacancy on the Board does not impair the right of the remaining  
21 members to exercise all of the powers of the Board.

22 (e) Any member of the Board may be removed by the Governor,  
23 upon notice, for neglect of duty or malfeasance in office, but  
24 for no other cause.

25 (f) The Board may appoint or employ an executive director,  
26 attorneys, hearing officers, and such other employees as it

1 deems necessary to perform its functions. The Board shall  
2 prescribe the duties and qualifications of such persons  
3 appointed and, subject to the annual appropriation, fix their  
4 compensation and provide for reimbursement of actual and  
5 necessary expenses incurred in the performance of their duties.

6 (g) The Board may promulgate rules and regulations which  
7 allow parties in proceedings before the Board to be represented  
8 by counsel or any other person knowledgeable in the matters  
9 under consideration.

10 (h) To accomplish the objectives and to carry out the  
11 duties prescribed by this Act, the Board may subpoena  
12 witnesses, subpoena the production of books, papers, records  
13 and documents which may be needed as evidence on any matter  
14 under inquiry and may administer oaths and affirmations.

15 In cases of neglect or refusal to obey a subpoena issued to  
16 any person, the circuit court in the county in which the  
17 investigation or the public hearing is taking place, upon  
18 application by the Board, may issue an order requiring such  
19 person to appear before the Board or any member or agent of the  
20 Board to produce evidence or give testimony. A failure to obey  
21 such order may be punished by the court as in civil contempt.

22 Any subpoena, notice of hearing, or other process or notice  
23 of the Board issued under the provisions of this Act may be  
24 served personally, by registered mail or by leaving a copy at  
25 the principal office of the respondent required to be served. A  
26 return, made and verified by the individual making such service

1 and setting forth the manner of such service, is proof of  
2 service. A post office receipt, when registered mail is used,  
3 is proof of service. All process of any court to which  
4 application may be made under the provisions of this Act may be  
5 served in the county where the persons required to be served  
6 reside or may be found.

7 (i) The Board shall adopt, promulgate, amend, or rescind  
8 rules and regulations in accordance with the Illinois  
9 Administrative Procedure Act as it deems necessary and feasible  
10 to carry out this Act.

11 (j) The Board at the end of every State fiscal year shall  
12 make a report in writing to the Governor and the General  
13 Assembly, stating in detail the work it has done in hearing and  
14 deciding cases and otherwise.

15 (Source: P.A. 93-509, eff. 8-11-03.)

16 Section 115. The Public Utilities Act is amended by  
17 changing Section 2-104 as follows:

18 (220 ILCS 5/2-104) (from Ch. 111 2/3, par. 2-104)

19 Sec. 2-104. It is declared to be the public policy of this  
20 State that the Illinois Commerce Commission established herein  
21 is a quasi-judicial body and that each commissioner shall  
22 receive an annual salary of \$39,000, or such amount as set by  
23 the Illinois Citizens' Accountability ~~Compensation~~ Review  
24 Board, whichever is greater. The chairman of the Commission



1 shall receive in addition to his salary as a commissioner an  
2 additional sum of \$8,500 per year, or an amount set by the  
3 Illinois Citizens' Accountability Compensation Review Board,  
4 whichever is greater, during such time as he shall serve as  
5 chairman.

6 (Source: P.A. 84-617.)

7 Section 120. The Small Business Utility Advocate Act is  
8 amended by changing Section 4 as follows:

9 (220 ILCS 40/4) (from Ch. 111 2/3, par. 1204)

10 Sec. 4. Small Business Utility Advocate. (a) There is  
11 created the position of Small Business Utility Advocate. The  
12 Governor shall appoint the Small Business Utility Advocate by  
13 and with the advice and consent of the Senate. In the case of a  
14 vacancy in such position during the recess of the Senate the  
15 Governor shall make a temporary appointment until the next  
16 meeting of the Senate, when the Governor shall nominate some  
17 person to fill such position; and any person so nominated and  
18 confirmed by the Senate, shall hold the Small Business Utility  
19 Advocate position during the remainder of the term and until  
20 his successor shall be appointed and qualified. The length of  
21 the term of the Advocate shall be 5 years from the first Monday  
22 of February, 1986. Each Advocate shall serve until his  
23 successor is appointed and qualified. The Governor may  
24 reappoint the same person as Advocate.

1 (b) Qualifications. Any Small Business Utility Advocate  
2 appointed pursuant to this Act shall be a resident of the State  
3 of Illinois at the time of his appointment and shall own or  
4 operate or shall have owned or operated a small business as  
5 defined by this Act. No person who is a director, officer,  
6 employee or agent or who is a member of the immediate family of  
7 a director, officer, employee or agent of any public utility is  
8 eligible to be the Small Business Utility Advocate. No person  
9 who is a director, officer, employee or agent or is a member of  
10 the immediate family of a director, officer, employee or agent  
11 of any not-for-profit organization or trade association which  
12 represents small businesses, large businesses or labor unions  
13 is eligible to be a Small Business Utility Advocate. No  
14 Advocate shall hold any elective position or office, be a  
15 candidate for any elective position or office, be a State  
16 public official, be employed by the Illinois Commerce  
17 Commission, be an active director of the Illinois Citizens  
18 Utility Board, be employed by the Illinois Citizens Utility  
19 Board, or be employed in a state government position exempt  
20 from the "Personnel Code", approved July 18, 1955 as now or  
21 hereafter amended.

22 (c) Salary. The Small Business Utility Advocate shall  
23 receive an annual salary as set by the Illinois Citizens'  
24 Accountability Compensation Review Board but in no case less  
25 than that of a commissioner, other than the Chairman, of the  
26 Illinois Commerce Commission.

1 (Source: P.A. 84-686.)

2 Section 125. The Coal Mining Act is amended by changing  
3 Section 8.04 as follows:

4 (225 ILCS 705/8.04) (from Ch. 96 1/2, par. 804)

5 Sec. 8.04. Each miners' examining officer shall receive as  
6 compensation for his services the sum of \$7,500 per year or  
7 such greater sum as may be set by the Illinois Citizens'  
8 Accountability Compensation Review Board. He shall also  
9 receive his traveling and other necessary expenses actually  
10 expended in the discharge of his official duties. Salary and  
11 expenses of such officers shall be paid monthly. All expense  
12 accounts shall be itemized and verified by the examining  
13 officer receiving the same, and shall be approved by the  
14 Director.

15 (Source: P.A. 85-1333.)

16 Section 130. The Illinois Horse Racing Act of 1975 is  
17 amended by changing Section 5 as follows:

18 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

19 Sec. 5. As soon as practicable following the effective date  
20 of this amendatory Act of 1995, the Governor shall appoint,  
21 with the advice and consent of the Senate, members to the Board  
22 as follows: 3 members for terms expiring July 1, 1996; 3

1 members for terms expiring July 1, 1998; and 3 members for  
2 terms expiring July 1, 2000. Of the 2 additional members  
3 appointed pursuant to this amendatory Act of the 91st General  
4 Assembly, the initial term of one member shall expire on July  
5 1, 2002 and the initial term of the other member shall expire  
6 on July 1, 2004. Thereafter, the terms of office of the Board  
7 members shall be 6 years. Incumbent members on the effective  
8 date of this amendatory Act of 1995 shall continue to serve  
9 only until their successors are appointed and have qualified.

10 Each member of the Board shall receive \$300 per day for  
11 each day the Board meets and for each day the member conducts a  
12 hearing pursuant to Section 16 of this Act, provided that no  
13 Board member shall receive more than \$5,000 in such fees during  
14 any calendar year, or an amount set by the Illinois Citizens'  
15 Accountability Compensation Review Board, whichever is  
16 greater. Members of the Board shall also be reimbursed for all  
17 actual and necessary expenses and disbursements incurred in the  
18 execution of their official duties.

19 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

20 Section 135. The Liquor Control Act of 1934 is amended by  
21 changing Section 3-9 as follows:

22 (235 ILCS 5/3-9) (from Ch. 43, par. 105)

23 Sec. 3-9. Compensation of commissioners, secretary, and  
24 employees. The chairman of the Commission shall receive an

1 annual salary of \$32,000 or such greater amount as may be set  
2 by the Illinois Citizens' Accountability Compensation Review  
3 Board. The other commissioners shall receive an annual salary  
4 of \$28,000 or such greater amount as may be set by the Illinois  
5 Citizens' Accountability Compensation Review Board. The  
6 secretary of the Commission shall receive an annual salary as  
7 set by the Illinois Citizens' Accountability Compensation  
8 Review Board. All clerks, inspectors, and employees of the  
9 Commission shall receive reasonable compensation in an amount  
10 fixed by the Commission, subject to the approval in writing of  
11 the Governor.

12 (Source: P.A. 91-798, eff. 7-9-00.)

13 Section 140. The Environmental Protection Act is amended by  
14 changing Sections 4 and 5 as follows:

15 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

16 Sec. 4. Environmental Protection Agency; establishment;  
17 duties.

18 (a) There is established in the Executive Branch of the  
19 State Government an agency to be known as the Environmental  
20 Protection Agency. This Agency shall be under the supervision  
21 and direction of a Director who shall be appointed by the  
22 Governor with the advice and consent of the Senate. The term of  
23 office of the Director shall expire on the third Monday of  
24 January in odd numbered years, provided that he or she shall

1 hold office until a successor is appointed and has qualified.  
2 The Director shall receive an annual salary as set by the  
3 Governor from time to time or as set by the Illinois Citizens'  
4 Accountability ~~Compensation~~ Review Board, whichever is  
5 greater. If set by the Governor, the Director's annual salary  
6 may not exceed 85% of the Governor's annual salary. The  
7 Director, in accord with the Personnel Code, shall employ and  
8 direct such personnel, and shall provide for such laboratory  
9 and other facilities, as may be necessary to carry out the  
10 purposes of this Act. In addition, the Director may by  
11 agreement secure such services as he or she may deem necessary  
12 from any other department, agency, or unit of the State  
13 Government, and may employ and compensate such consultants and  
14 technical assistants as may be required.

15 (b) The Agency shall have the duty to collect and  
16 disseminate such information, acquire such technical data, and  
17 conduct such experiments as may be required to carry out the  
18 purposes of this Act, including ascertainment of the quantity  
19 and nature of discharges from any contaminant source and data  
20 on those sources, and to operate and arrange for the operation  
21 of devices for the monitoring of environmental quality.

22 (c) The Agency shall have authority to conduct a program of  
23 continuing surveillance and of regular or periodic inspection  
24 of actual or potential contaminant or noise sources, of public  
25 water supplies, and of refuse disposal sites.

26 (d) In accordance with constitutional limitations, the

1 Agency shall have authority to enter at all reasonable times  
2 upon any private or public property for the purpose of:

3 (1) Inspecting and investigating to ascertain possible  
4 violations of this Act, any rule or regulation adopted  
5 under this Act, any permit or term or condition of a  
6 permit, or any Board order; or

7 (2) In accordance with the provisions of this Act,  
8 taking whatever preventive or corrective action, including  
9 but not limited to removal or remedial action, that is  
10 necessary or appropriate whenever there is a release or a  
11 substantial threat of a release of (A) a hazardous  
12 substance or pesticide or (B) petroleum from an underground  
13 storage tank.

14 (e) The Agency shall have the duty to investigate  
15 violations of this Act, any rule or regulation adopted under  
16 this Act, any permit or term or condition of a permit, or any  
17 Board order; to issue administrative citations as provided in  
18 Section 31.1 of this Act; and to take such summary enforcement  
19 action as is provided for by Section 34 of this Act.

20 (f) The Agency shall appear before the Board in any hearing  
21 upon a petition for variance, the denial of a permit, or the  
22 validity or effect of a rule or regulation of the Board, and  
23 shall have the authority to appear before the Board in any  
24 hearing under the Act.

25 (g) The Agency shall have the duty to administer, in accord  
26 with Title X of this Act, such permit and certification systems

1 as may be established by this Act or by regulations adopted  
2 thereunder. The Agency may enter into written delegation  
3 agreements with any department, agency, or unit of State or  
4 local government under which all or portions of this duty may  
5 be delegated for public water supply storage and transport  
6 systems, sewage collection and transport systems, air  
7 pollution control sources with uncontrolled emissions of 100  
8 tons per year or less and application of algicides to waters of  
9 the State. Such delegation agreements will require that the  
10 work to be performed thereunder will be in accordance with  
11 Agency criteria, subject to Agency review, and shall include  
12 such financial and program auditing by the Agency as may be  
13 required.

14 (h) The Agency shall have authority to require the  
15 submission of complete plans and specifications from any  
16 applicant for a permit required by this Act or by regulations  
17 thereunder, and to require the submission of such reports  
18 regarding actual or potential violations of this Act, any rule  
19 or regulation adopted under this Act, any permit or term or  
20 condition of a permit, or any Board order, as may be necessary  
21 for the purposes of this Act.

22 (i) The Agency shall have authority to make recommendations  
23 to the Board for the adoption of regulations under Title VII of  
24 the Act.

25 (j) The Agency shall have the duty to represent the State  
26 of Illinois in any and all matters pertaining to plans,



1 procedures, or negotiations for interstate compacts or other  
2 governmental arrangements relating to environmental  
3 protection.

4 (k) The Agency shall have the authority to accept, receive,  
5 and administer on behalf of the State any grants, gifts, loans,  
6 indirect cost reimbursements, or other funds made available to  
7 the State from any source for purposes of this Act or for air  
8 or water pollution control, public water supply, solid waste  
9 disposal, noise abatement, or other environmental protection  
10 activities, surveys, or programs. Any federal funds received by  
11 the Agency pursuant to this subsection shall be deposited in a  
12 trust fund with the State Treasurer and held and disbursed by  
13 him in accordance with Treasurer as Custodian of Funds Act,  
14 provided that such monies shall be used only for the purposes  
15 for which they are contributed and any balance remaining shall  
16 be returned to the contributor.

17 The Agency is authorized to promulgate such regulations and  
18 enter into such contracts as it may deem necessary for carrying  
19 out the provisions of this subsection.

20 (l) The Agency is hereby designated as water pollution  
21 agency for the state for all purposes of the Federal Water  
22 Pollution Control Act, as amended; as implementing agency for  
23 the State for all purposes of the Safe Drinking Water Act,  
24 Public Law 93-523, as now or hereafter amended, except Section  
25 1425 of that Act; as air pollution agency for the state for all  
26 purposes of the Clean Air Act of 1970, Public Law 91-604,

1 approved December 31, 1970, as amended; and as solid waste  
2 agency for the state for all purposes of the Solid Waste  
3 Disposal Act, Public Law 89-272, approved October 20, 1965, and  
4 amended by the Resource Recovery Act of 1970, Public Law  
5 91-512, approved October 26, 1970, as amended, and amended by  
6 the Resource Conservation and Recovery Act of 1976, (P.L.  
7 94-580) approved October 21, 1976, as amended; as noise control  
8 agency for the state for all purposes of the Noise Control Act  
9 of 1972, Public Law 92-574, approved October 27, 1972, as  
10 amended; and as implementing agency for the State for all  
11 purposes of the Comprehensive Environmental Response,  
12 Compensation, and Liability Act of 1980 (P.L. 96-510), as  
13 amended; and otherwise as pollution control agency for the  
14 State pursuant to federal laws integrated with the foregoing  
15 laws, for financing purposes or otherwise. The Agency is hereby  
16 authorized to take all action necessary or appropriate to  
17 secure to the State the benefits of such federal Acts, provided  
18 that the Agency shall transmit to the United States without  
19 change any standards adopted by the Pollution Control Board  
20 pursuant to Section 5(c) of this Act. This subsection (l) of  
21 Section 4 shall not be construed to bar or prohibit the  
22 Environmental Protection Trust Fund Commission from accepting,  
23 receiving, and administering on behalf of the State any grants,  
24 gifts, loans or other funds for which the Commission is  
25 eligible pursuant to the Environmental Protection Trust Fund  
26 Act. The Agency is hereby designated as the State agency for

1 all purposes of administering the requirements of Section 313  
2 of the federal Emergency Planning and Community Right-to-Know  
3 Act of 1986.

4 Any municipality, sanitary district, or other political  
5 subdivision, or any Agency of the State or interstate Agency,  
6 which makes application for loans or grants under such federal  
7 Acts shall notify the Agency of such application; the Agency  
8 may participate in proceedings under such federal Acts.

9 (m) The Agency shall have authority, consistent with  
10 Section 5(c) and other provisions of this Act, and for purposes  
11 of Section 303(e) of the Federal Water Pollution Control Act,  
12 as now or hereafter amended, to engage in planning processes  
13 and activities and to develop plans in cooperation with units  
14 of local government, state agencies and officers, and other  
15 appropriate persons in connection with the jurisdiction or  
16 duties of each such unit, agency, officer or person. Public  
17 hearings shall be held on the planning process, at which any  
18 person shall be permitted to appear and be heard, pursuant to  
19 procedural regulations promulgated by the Agency.

20 (n) In accordance with the powers conferred upon the Agency  
21 by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the  
22 Agency shall have authority to establish and enforce minimum  
23 standards for the operation of laboratories relating to  
24 analyses and laboratory tests for air pollution, water  
25 pollution, noise emissions, contaminant discharges onto land  
26 and sanitary, chemical, and mineral quality of water

1 distributed by a public water supply. The Agency may enter into  
2 formal working agreements with other departments or agencies of  
3 state government under which all or portions of this authority  
4 may be delegated to the cooperating department or agency.

5 (o) The Agency shall have the authority to issue  
6 certificates of competency to persons and laboratories meeting  
7 the minimum standards established by the Agency in accordance  
8 with Section 4(n) of this Act and to promulgate and enforce  
9 regulations relevant to the issuance and use of such  
10 certificates. The Agency may enter into formal working  
11 agreements with other departments or agencies of state  
12 government under which all or portions of this authority may be  
13 delegated to the cooperating department or agency.

14 (p) Except as provided in Section 17.7, the Agency shall  
15 have the duty to analyze samples as required from each public  
16 water supply to determine compliance with the contaminant  
17 levels specified by the Pollution Control Board. The maximum  
18 number of samples which the Agency shall be required to analyze  
19 for microbiological quality shall be 6 per month, but the  
20 Agency may, at its option, analyze a larger number each month  
21 for any supply. Results of sample analyses for additional  
22 required bacteriological testing, turbidity, residual chlorine  
23 and radionuclides are to be provided to the Agency in  
24 accordance with Section 19. Owners of water supplies may enter  
25 into agreements with the Agency to provide for reduced Agency  
26 participation in sample analyses.

1           (q) The Agency shall have the authority to provide notice  
2 to any person who may be liable pursuant to Section 22.2(f) of  
3 this Act for a release or a substantial threat of a release of  
4 a hazardous substance or pesticide. Such notice shall include  
5 the identified response action and an opportunity for such  
6 person to perform the response action.

7           (r) The Agency may enter into written delegation agreements  
8 with any unit of local government under which it may delegate  
9 all or portions of its inspecting, investigating and  
10 enforcement functions. Such delegation agreements shall  
11 require that work performed thereunder be in accordance with  
12 Agency criteria and subject to Agency review. Notwithstanding  
13 any other provision of law to the contrary, no unit of local  
14 government shall be liable for any injury resulting from the  
15 exercise of its authority pursuant to such a delegation  
16 agreement unless the injury is proximately caused by the  
17 willful and wanton negligence of an agent or employee of the  
18 unit of local government, and any policy of insurance coverage  
19 issued to a unit of local government may provide for the denial  
20 of liability and the nonpayment of claims based upon injuries  
21 for which the unit of local government is not liable pursuant  
22 to this subsection (r).

23           (s) The Agency shall have authority to take whatever  
24 preventive or corrective action is necessary or appropriate,  
25 including but not limited to expenditure of monies appropriated  
26 from the Build Illinois Bond Fund and the Build Illinois

1 Purposes Fund for removal or remedial action, whenever any  
2 hazardous substance or pesticide is released or there is a  
3 substantial threat of such a release into the environment. The  
4 State, the Director, and any State employee shall be  
5 indemnified for any damages or injury arising out of or  
6 resulting from any action taken under this subsection. The  
7 Director of the Agency is authorized to enter into such  
8 contracts and agreements as are necessary to carry out the  
9 Agency's duties under this subsection.

10 (t) The Agency shall have authority to distribute grants,  
11 subject to appropriation by the General Assembly, for financing  
12 and construction of municipal wastewater facilities. With  
13 respect to all monies appropriated from the Build Illinois Bond  
14 Fund and the Build Illinois Purposes Fund for wastewater  
15 facility grants, the Agency shall make distributions in  
16 conformity with the rules and regulations established pursuant  
17 to the Anti-Pollution Bond Act, as now or hereafter amended.

18 (u) Pursuant to the Illinois Administrative Procedure Act,  
19 the Agency shall have the authority to adopt such rules as are  
20 necessary or appropriate for the Agency to implement Section  
21 31.1 of this Act.

22 (v) (Blank.)

23 (w) Neither the State, nor the Director, nor the Board, nor  
24 any State employee shall be liable for any damages or injury  
25 arising out of or resulting from any action taken under  
26 subsection (s).

1           (x)(1) The Agency shall have authority to distribute  
2 grants, subject to appropriation by the General Assembly,  
3 to units of local government for financing and construction  
4 of public water supply facilities. With respect to all  
5 monies appropriated from the Build Illinois Bond Fund or  
6 the Build Illinois Purposes Fund for public water supply  
7 grants, such grants shall be made in accordance with rules  
8 promulgated by the Agency. Such rules shall include a  
9 requirement for a local match of 30% of the total project  
10 cost for projects funded through such grants.

11           (2) The Agency shall not terminate a grant to a unit of  
12 local government for the financing and construction of  
13 public water supply facilities unless and until the Agency  
14 adopts rules that set forth precise and complete standards,  
15 pursuant to Section 5-20 of the Illinois Administrative  
16 Procedure Act, for the termination of such grants. The  
17 Agency shall not make determinations on whether specific  
18 grant conditions are necessary to ensure the integrity of a  
19 project or on whether subagreements shall be awarded, with  
20 respect to grants for the financing and construction of  
21 public water supply facilities, unless and until the Agency  
22 adopts rules that set forth precise and complete standards,  
23 pursuant to Section 5-20 of the Illinois Administrative  
24 Procedure Act, for making such determinations. The Agency  
25 shall not issue a stop-work order in relation to such  
26 grants unless and until the Agency adopts precise and

1 complete standards, pursuant to Section 5-20 of the  
2 Illinois Administrative Procedure Act, for determining  
3 whether to issue a stop-work order.

4 (y) The Agency shall have authority to release any person  
5 from further responsibility for preventive or corrective  
6 action under this Act following successful completion of  
7 preventive or corrective action undertaken by such person upon  
8 written request by the person.

9 (Source: P.A. 92-574, eff. 6-26-02; 93-152, eff. 7-10-03.)

10 (415 ILCS 5/5) (from Ch. 111 1/2, par. 1005)

11 Sec. 5. Pollution Control Board.

12 (a) There is hereby created an independent board to be  
13 known as the Pollution Control Board.

14 Until July 1, 2003 or when all of the new members to be  
15 initially appointed under this amendatory Act of the 93rd  
16 General Assembly have been appointed by the Governor, whichever  
17 occurs later, the Board shall consist of 7 technically  
18 qualified members, no more than 4 of whom may be of the same  
19 political party, to be appointed by the Governor with the  
20 advice and consent of the Senate.

21 The term of each appointed member of the Board who is in  
22 office on June 30, 2003 shall terminate at the close of  
23 business on that date or when all of the new members to be  
24 initially appointed under this amendatory Act of the 93rd  
25 General Assembly have been appointed by the Governor, whichever



1 occurs later.

2 Beginning on July 1, 2003 or when all of the new members to  
3 be initially appointed under this amendatory Act of the 93rd  
4 General Assembly have been appointed by the Governor, whichever  
5 occurs later, the Board shall consist of 5 technically  
6 qualified members, no more than 3 of whom may be of the same  
7 political party, to be appointed by the Governor with the  
8 advice and consent of the Senate. Members shall have verifiable  
9 technical, academic, or actual experience in the field of  
10 pollution control or environmental law and regulation.

11 Of the members initially appointed pursuant to this  
12 amendatory Act of the 93rd General Assembly, one shall be  
13 appointed for a term ending July 1, 2004, 2 shall be appointed  
14 for terms ending July 1, 2005, and 2 shall be appointed for  
15 terms ending July 1, 2006. Thereafter, all members shall hold  
16 office for 3 years from the first day of July in the year in  
17 which they were appointed, except in case of an appointment to  
18 fill a vacancy. In case of a vacancy in the office when the  
19 Senate is not in session, the Governor may make a temporary  
20 appointment until the next meeting of the Senate, when he or  
21 she shall nominate some person to fill such office; and any  
22 person so nominated, who is confirmed by the Senate, shall hold  
23 the office during the remainder of the term.

24 Members of the Board shall hold office until their  
25 respective successors have been appointed and qualified. Any  
26 member may resign from office, such resignation to take effect

1 when a successor has been appointed and has qualified.

2 Board members shall be paid \$37,000 per year or an amount  
3 set by the Illinois Citizens' Accountability Compensation  
4 Review Board, whichever is greater, and the Chairman shall be  
5 paid \$43,000 per year or an amount set by the Illinois  
6 Citizens' Accountability Compensation Review Board, whichever  
7 is greater. Each member shall devote his or her entire time to  
8 the duties of the office, and shall hold no other office or  
9 position of profit, nor engage in any other business,  
10 employment, or vocation. Each member shall be reimbursed for  
11 expenses necessarily incurred and shall make a financial  
12 disclosure upon appointment.

13 Each Board member may employ one secretary and one  
14 assistant, and the Chairman one secretary and 2 assistants. The  
15 Board also may employ and compensate hearing officers to  
16 preside at hearings under this Act, and such other personnel as  
17 may be necessary. Hearing officers shall be attorneys licensed  
18 to practice law in Illinois.

19 The Board may have an Executive Director; if so, the  
20 Executive Director shall be appointed by the Governor with the  
21 advice and consent of the Senate. The salary and duties of the  
22 Executive Director shall be fixed by the Board.

23 The Governor shall designate one Board member to be  
24 Chairman, who shall serve at the pleasure of the Governor.

25 The Board shall hold at least one meeting each month and  
26 such additional meetings as may be prescribed by Board rules.

1 In addition, special meetings may be called by the Chairman or  
2 by any 2 Board members, upon delivery of 24 hours written  
3 notice to the office of each member. All Board meetings shall  
4 be open to the public, and public notice of all meetings shall  
5 be given at least 24 hours in advance of each meeting. In  
6 emergency situations in which a majority of the Board certifies  
7 that exigencies of time require the requirements of public  
8 notice and of 24 hour written notice to members may be  
9 dispensed with, and Board members shall receive such notice as  
10 is reasonable under the circumstances.

11 If there is no vacancy on the Board, 4 members of the Board  
12 shall constitute a quorum to transact business; otherwise, a  
13 majority of the Board shall constitute a quorum to transact  
14 business, and no vacancy shall impair the right of the  
15 remaining members to exercise all of the powers of the Board.  
16 Every action approved by a majority of the members of the Board  
17 shall be deemed to be the action of the Board. The Board shall  
18 keep a complete and accurate record of all its meetings.

19 (b) The Board shall determine, define and implement the  
20 environmental control standards applicable in the State of  
21 Illinois and may adopt rules and regulations in accordance with  
22 Title VII of this Act.

23 (c) The Board shall have authority to act for the State in  
24 regard to the adoption of standards for submission to the  
25 United States under any federal law respecting environmental  
26 protection. Such standards shall be adopted in accordance with

1 Title VII of the Act and upon adoption shall be forwarded to  
2 the Environmental Protection Agency for submission to the  
3 United States pursuant to subsections (l) and (m) of Section 4  
4 of this Act. Nothing in this paragraph shall limit the  
5 discretion of the Governor to delegate authority granted to the  
6 Governor under any federal law.

7 (d) The Board shall have authority to conduct proceedings  
8 upon complaints charging violations of this Act, any rule or  
9 regulation adopted under this Act, any permit or term or  
10 condition of a permit, or any Board order; upon administrative  
11 citations; upon petitions for variances or adjusted standards;  
12 upon petitions for review of the Agency's final determinations  
13 on permit applications in accordance with Title X of this Act;  
14 upon petitions to remove seals under Section 34 of this Act;  
15 and upon other petitions for review of final determinations  
16 which are made pursuant to this Act or Board rule and which  
17 involve a subject which the Board is authorized to regulate.  
18 The Board may also conduct other proceedings as may be provided  
19 by this Act or any other statute or rule.

20 (e) In connection with any proceeding pursuant to  
21 subsection (b) or (d) of this Section, the Board may subpoena  
22 and compel the attendance of witnesses and the production of  
23 evidence reasonably necessary to resolution of the matter under  
24 consideration. The Board shall issue such subpoenas upon the  
25 request of any party to a proceeding under subsection (d) of  
26 this Section or upon its own motion.

1 (f) The Board may prescribe reasonable fees for permits  
2 required pursuant to this Act. Such fees in the aggregate may  
3 not exceed the total cost to the Agency for its inspection and  
4 permit systems. The Board may not prescribe any permit fees  
5 which are different in amount from those established by this  
6 Act.

7 (Source: P.A. 95-331, eff. 8-21-07.)

8 Section 145. The Toll Highway Act is amended by changing  
9 Sections 4 and 5 as follows:

10 (605 ILCS 10/4) (from Ch. 121, par. 100-4)

11 Sec. 4. Of the directors appointed by the Governor, one  
12 such director shall be appointed by the Governor as chairman  
13 and shall hold office for 4 years from the date of his  
14 appointment, and until his successor shall be duly appointed  
15 and qualified, but shall be subject to removal by the Governor  
16 for incompetency, neglect of duty or malfeasance.

17 The chairman shall preside at all meetings of the Board of  
18 Directors of the Authority; shall exercise general supervision  
19 over all powers, duties, obligations and functions of the  
20 Authority; and shall approve or disapprove all resolutions,  
21 by-laws, rules, rates and regulations made and established by  
22 the Board of Directors, and if he shall approve thereof, he  
23 shall sign the same, and such as he shall not approve he shall  
24 return to the Board of Directors with his objections thereto in

1 writing at the next regular meeting of the Board of Directors  
2 occurring after the passage thereof. Such veto may extend to  
3 any one or more items contained in such resolution, by-law,  
4 rule, rate or regulation, or to its entirety; and in case the  
5 veto extends to a part of such resolution, by-law, rule, rate  
6 or regulation, the residue thereof shall take effect and be in  
7 force, but in case the chairman shall fail to return any  
8 resolution, by-law, rule, rate or regulation with his  
9 objections thereto by the time aforesaid, he shall be deemed to  
10 have approved the same, and the same shall take effect  
11 accordingly. Upon the return of any resolution, by-law, rule,  
12 rate or regulation by the chairman, the vote by which the same  
13 was passed shall be reconsidered by the Board of Directors, and  
14 if upon such reconsideration two-thirds of all the Directors  
15 agree by yeas and nays to pass the same, it shall go into  
16 effect notwithstanding the chairman's refusal to approve  
17 thereof.

18 The chairman shall receive a salary of \$18,000 per annum,  
19 or as set by the Illinois Citizens' Accountability Compensation  
20 Review Board, whichever is greater, payable in monthly  
21 installments, together with reimbursement for necessary  
22 expenses incurred in the performance of his duties. The  
23 chairman shall be eligible for reappointment.

24 (Source: P.A. 83-1177.)

25 (605 ILCS 10/5) (from Ch. 121, par. 100-5)

1           Sec. 5. Of the original directors, other than the chairman,  
2 so appointed by the Governor, 3 shall hold office for 2 years  
3 and 3 shall hold office for 4 years, from the date of their  
4 appointment and until their respective successors shall be duly  
5 appointed and qualified, but shall be subject to removal by the  
6 Governor for incompetency, neglect of duty or malfeasance. In  
7 case of vacancies in such offices during the recess of the  
8 Senate, the Governor shall make a temporary appointment until  
9 the next meeting of the Senate when he shall nominate some  
10 person to fill such office and any person so nominated, who is  
11 confirmed by the Senate, shall hold office during the remainder  
12 of the term and until his successor shall be appointed and  
13 qualified. The respective term of the first directors appointed  
14 shall be designated by the Governor at the time of appointment,  
15 but their successors shall each be appointed for a term of four  
16 years, except that any person appointed to fill a vacancy shall  
17 serve only for the unexpired term. Directors shall be eligible  
18 for reappointment.

19           In making the initial appointments of the 2 additional  
20 directors provided for by this amendatory Act of 1980, the  
21 respective terms of the 2 additional directors first appointed  
22 shall be designated by the Governor at the time of appointment  
23 in such manner that the term of one such additional director  
24 shall expire at the same time as the terms of 4 of the other  
25 directors and the term of the other additional director shall  
26 expire at the same time as the terms of 3 of the other

1 directors; thereafter the terms shall be 4 years.

2 Each such director, other than ex officio members shall  
3 receive an annual salary of \$15,000, or as set by the Illinois  
4 Citizens' Accountability ~~Compensation~~ Review Board, whichever  
5 is greater, payable in monthly installments, and shall be  
6 reimbursed for necessary expenses incurred in the performance  
7 of his duties.

8 (Source: P.A. 86-1164.)

9 Section 150. The Court of Claims Act is amended by changing  
10 Section 4 as follows:

11 (705 ILCS 505/4) (from Ch. 37, par. 439.4)

12 Sec. 4. Each judge shall receive an annual salary of:  
13 \$20,900 from the third Monday in January, 1979 to the third  
14 Monday in January, 1980; \$22,100 from the third Monday in  
15 January, 1980 to the third Monday in January, 1981; \$23,400  
16 from the third Monday in January, 1981 to the third Monday in  
17 January, 1982, and \$25,000 thereafter, or as set by the  
18 Illinois Citizens' Accountability ~~Compensation~~ Review Board,  
19 whichever is greater, payable in equal monthly installments.

20 (Source: P.A. 83-1177.)

21 Section 155. The Unified Code of Corrections is amended by  
22 changing Section 3-3-1 as follows:



1 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)  
2 Sec. 3-3-1. Establishment and Appointment of Prisoner  
3 Review Board.

4 (a) There shall be a Prisoner Review Board independent of  
5 the Department of Corrections which shall be:

6 (1) the paroling authority for persons sentenced under  
7 the law in effect prior to the effective date of this  
8 amendatory Act of 1977;

9 (2) the board of review for cases involving the  
10 revocation of good conduct credits or a suspension or  
11 reduction in the rate of accumulating such credit;

12 (3) the board of review and recommendation for the  
13 exercise of executive clemency by the Governor;

14 (4) the authority for establishing release dates for  
15 certain prisoners sentenced under the law in existence  
16 prior to the effective date of this amendatory Act of 1977,  
17 in accordance with Section 3-3-2.1 of this Code;

18 (5) the authority for setting conditions for parole,  
19 mandatory supervised release under Section 5-8-1(a) of  
20 this Code, and determining whether a violation of those  
21 conditions warrant revocation of parole or mandatory  
22 supervised release or the imposition of other sanctions.

23 (b) The Board shall consist of 15 persons appointed by the  
24 Governor by and with the advice and consent of the Senate. One  
25 member of the Board shall be designated by the Governor to be  
26 Chairman and shall serve as Chairman at the pleasure of the

1 Governor. The members of the Board shall have had at least 5  
2 years of actual experience in the fields of penology,  
3 corrections work, law enforcement, sociology, law, education,  
4 social work, medicine, psychology, other behavioral sciences,  
5 or a combination thereof. At least 6 members so appointed must  
6 have had at least 3 years experience in the field of juvenile  
7 matters. No more than 8 Board members may be members of the  
8 same political party.

9 Each member of the Board shall serve on a full-time basis  
10 and shall not hold any other salaried public office, whether  
11 elective or appointive, nor any other office or position of  
12 profit, nor engage in any other business, employment, or  
13 vocation. The Chairman of the Board shall receive \$35,000 a  
14 year, or an amount set by the Illinois Citizens' Accountability  
15 ~~Compensation~~ Review Board, whichever is greater, and each other  
16 member \$30,000, or an amount set by the Illinois Citizens'  
17 Accountability ~~Compensation~~ Review Board, whichever is  
18 greater.

19 (c) Notwithstanding any other provision of this Section,  
20 the term of each member of the Board who was appointed by the  
21 Governor and is in office on June 30, 2003 shall terminate at  
22 the close of business on that date or when all of the successor  
23 members to be appointed pursuant to this amendatory Act of the  
24 93rd General Assembly have been appointed by the Governor,  
25 whichever occurs later. As soon as possible, the Governor shall  
26 appoint persons to fill the vacancies created by this

1 amendatory Act.

2 Of the initial members appointed under this amendatory Act  
3 of the 93rd General Assembly, the Governor shall appoint 5  
4 members whose terms shall expire on the third Monday in January  
5 2005, 5 members whose terms shall expire on the third Monday in  
6 January 2007, and 5 members whose terms shall expire on the  
7 third Monday in January 2009. Their respective successors shall  
8 be appointed for terms of 6 years from the third Monday in  
9 January of the year of appointment. Each member shall serve  
10 until his successor is appointed and qualified.

11 Any member may be removed by the Governor for incompetence,  
12 neglect of duty, malfeasance or inability to serve.

13 (d) The Chairman of the Board shall be its chief executive  
14 and administrative officer. The Board may have an Executive  
15 Director; if so, the Executive Director shall be appointed by  
16 the Governor with the advice and consent of the Senate. The  
17 salary and duties of the Executive Director shall be fixed by  
18 the Board.

19 (Source: P.A. 93-509, eff. 8-11-03; 94-165, eff. 7-11-05.)

20 Section 160. The Illinois Human Rights Act is amended by  
21 changing Section 8-101 as follows:

22 (775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

23 Sec. 8-101. Illinois Human Rights Commission) (A)  
24 Creation; Appointments. The Human Rights Commission is created

1 to consist of 13 members appointed by the Governor with the  
2 advice and consent of the Senate. No more than 7 members shall  
3 be of the same political party. The Governor shall designate  
4 one member as chairperson. All appointments shall be in writing  
5 and filed with the Secretary of State as a public record.

6 (B) Terms. Of the members first appointed, 4 shall be  
7 appointed for a term to expire on the third Monday of January,  
8 1981, and 5 (including the Chairperson) shall be appointed for  
9 a term to expire on the third Monday of January, 1983.

10 Notwithstanding any provision of this Section to the  
11 contrary, the term of office of each member of the Illinois  
12 Human Rights Commission is abolished on July 29, 1985, but the  
13 incumbent members shall continue to exercise all of the powers  
14 and be subject to all of the duties of members of the  
15 Commission until their respective successors are appointed and  
16 qualified. Subject to the provisions of subsection (A), of the  
17 9 members appointed under Public Act 84-115, effective July 29,  
18 1985, 5 members shall be appointed for terms to expire on the  
19 third Monday of January, 1987, and 4 members shall be appointed  
20 for terms to expire on the third Monday of January, 1989; and  
21 of the 4 additional members appointed under Public Act 84-1084,  
22 effective December 2, 1985, two shall be appointed for a term  
23 to expire on the third Monday of January, 1987, and two members  
24 shall be appointed for a term to expire on the third Monday of  
25 January, 1989.

26 Thereafter, each member shall serve for a term of 4 years

1 and until his or her successor is appointed and qualified;  
2 except that any member chosen to fill a vacancy occurring  
3 otherwise than by expiration of a term shall be appointed only  
4 for the unexpired term of the member whom he or she shall  
5 succeed and until his or her successor is appointed and  
6 qualified.

7 (C) Vacancies. (1) In the case of vacancies on the  
8 Commission during a recess of the Senate, the Governor shall  
9 make a temporary appointment until the next meeting of the  
10 Senate when he or she shall appoint a person to fill the  
11 vacancy. Any person so nominated and confirmed by the Senate  
12 shall hold office for the remainder of the term and until his  
13 or her successor is appointed and qualified.

14 (2) If the Senate is not in session at the time this Act  
15 takes effect, the Governor shall make temporary appointments to  
16 the Commission as in the case of vacancies.

17 (3) Vacancies in the Commission shall not impair the right  
18 of the remaining members to exercise all the powers of the  
19 Commission. Except when authorized by this Act to proceed  
20 through a 3 member panel, a majority of the members of the  
21 Commission then in office shall constitute a quorum.

22 (D) Compensation. The Chairperson of the Commission shall  
23 be compensated at the rate of \$22,500 per year, or as set by  
24 the Illinois Citizens' Accountability Compensation Review  
25 Board, whichever is greater, during his or her service as  
26 Chairperson, and each other member shall be compensated at the

1 rate of \$20,000 per year, or as set by the Illinois Citizens'  
2 Accountability ~~Compensation~~ Review Board, whichever is  
3 greater. In addition, all members of the Commission shall be  
4 reimbursed for expenses actually and necessarily incurred by  
5 them in the performance of their duties.

6 (Source: P.A. 84-1308.)

7 Section 165. The Workers' Compensation Act is amended by  
8 changing Section 13 as follows:

9 (820 ILCS 305/13) (from Ch. 48, par. 138.13)

10 Sec. 13. There is created an Illinois Workers' Compensation  
11 Commission consisting of 10 members to be appointed by the  
12 Governor, by and with the consent of the Senate, 3 of whom  
13 shall be representative citizens of the employing class  
14 operating under this Act and 3 of whom shall be representative  
15 citizens of the class of employees covered under this Act, and  
16 4 of whom shall be representative citizens not identified with  
17 either the employing or employee classes. Not more than 6  
18 members of the Commission shall be of the same political party.

19 One of the members not identified with either the employing  
20 or employee classes shall be designated by the Governor as  
21 Chairman. The Chairman shall be the chief administrative and  
22 executive officer of the Commission; and he or she shall have  
23 general supervisory authority over all personnel of the  
24 Commission, including arbitrators and Commissioners, and the

1 final authority in all administrative matters relating to the  
2 Commissioners, including but not limited to the assignment and  
3 distribution of cases and assignment of Commissioners to the  
4 panels, except in the promulgation of procedural rules and  
5 orders under Section 16 and in the determination of cases under  
6 this Act.

7 Notwithstanding the general supervisory authority of the  
8 Chairman, each Commissioner, except those assigned to the  
9 temporary panel, shall have the authority to hire and supervise  
10 2 staff attorneys each. Such staff attorneys shall report  
11 directly to the individual Commissioner.

12 A formal training program for newly-appointed  
13 Commissioners shall be implemented. The training program shall  
14 include the following:

15 (a) substantive and procedural aspects of the office of  
16 Commissioner;

17 (b) current issues in workers' compensation law and  
18 practice;

19 (c) medical lectures by specialists in areas such as  
20 orthopedics, ophthalmology, psychiatry, rehabilitation  
21 counseling;

22 (d) orientation to each operational unit of the  
23 Illinois Workers' Compensation Commission;

24 (e) observation of experienced arbitrators and  
25 Commissioners conducting hearings of cases, combined with  
26 the opportunity to discuss evidence presented and rulings

1 made;

2 (f) the use of hypothetical cases requiring the  
3 newly-appointed Commissioner to issue judgments as a means  
4 to evaluating knowledge and writing ability;

5 (g) writing skills.

6 A formal and ongoing professional development program  
7 including, but not limited to, the above-noted areas shall be  
8 implemented to keep Commissioners informed of recent  
9 developments and issues and to assist them in maintaining and  
10 enhancing their professional competence.

11 The Commissioner candidates, other than the Chairman, must  
12 meet one of the following qualifications: (a) licensed to  
13 practice law in the State of Illinois; or (b) served as an  
14 arbitrator at the Illinois Workers' Compensation Commission  
15 for at least 3 years; or (c) has at least 4 years of  
16 professional labor relations experience. The Chairman  
17 candidate must have public or private sector management and  
18 budget experience, as determined by the Governor.

19 Each Commissioner shall devote full time to his duties and  
20 any Commissioner who is an attorney-at-law shall not engage in  
21 the practice of law, nor shall any Commissioner hold any other  
22 office or position of profit under the United States or this  
23 State or any municipal corporation or political subdivision of  
24 this State, nor engage in any other business, employment, or  
25 vocation.

26 The term of office of each member of the Commission holding



1 office on the effective date of this amendatory Act of 1989 is  
2 abolished, but the incumbents shall continue to exercise all of  
3 the powers and be subject to all of the duties of Commissioners  
4 until their respective successors are appointed and qualified.

5 The Illinois Workers' Compensation Commission shall  
6 administer this Act.

7 In the promulgation of procedural rules, the determination  
8 of cases heard en banc, and other matters determined by the  
9 full Commission, the Chairman's vote shall break a tie in the  
10 event of a tie vote.

11 The members shall be appointed by the Governor, with the  
12 advice and consent of the Senate, as follows:

13 (a) After the effective date of this amendatory Act of  
14 1989, 3 members, at least one of each political party, and  
15 one of whom shall be a representative citizen of the  
16 employing class operating under this Act, one of whom shall  
17 be a representative citizen of the class of employees  
18 covered under this Act, and one of whom shall be a  
19 representative citizen not identified with either the  
20 employing or employee classes, shall be appointed to hold  
21 office until the third Monday in January of 1993, and until  
22 their successors are appointed and qualified, and 4  
23 members, one of whom shall be a representative citizen of  
24 the employing class operating under this Act, one of whom  
25 shall be a representative citizen of the class of employees  
26 covered in this Act, and two of whom shall be

1 representative citizens not identified with either the  
2 employing or employee classes, one of whom shall be  
3 designated by the Governor as Chairman (at least one of  
4 each of the two major political parties) shall be appointed  
5 to hold office until the third Monday of January in 1991,  
6 and until their successors are appointed and qualified.

7 (a-5) Notwithstanding any other provision of this  
8 Section, the term of each member of the Commission who was  
9 appointed by the Governor and is in office on June 30, 2003  
10 shall terminate at the close of business on that date or  
11 when all of the successor members to be appointed pursuant  
12 to this amendatory Act of the 93rd General Assembly have  
13 been appointed by the Governor, whichever occurs later. As  
14 soon as possible, the Governor shall appoint persons to  
15 fill the vacancies created by this amendatory Act. Of the  
16 initial commissioners appointed pursuant to this  
17 amendatory Act of the 93rd General Assembly, 3 shall be  
18 appointed for terms ending on the third Monday in January,  
19 2005, and 4 shall be appointed for terms ending on the  
20 third Monday in January, 2007.

21 (a-10) After the effective date of this amendatory Act  
22 of the 94th General Assembly, the Commission shall be  
23 increased to 10 members. As soon as possible after the  
24 effective date of this amendatory Act of the 94th General  
25 Assembly, the Governor shall appoint, by and with the  
26 consent of the Senate, the 3 members added to the

1 Commission under this amendatory Act of the 94th General  
2 Assembly, one of whom shall be a representative citizen of  
3 the employing class operating under this Act, one of whom  
4 shall be a representative of the class of employees covered  
5 under this Act, and one of whom shall be a representative  
6 citizen not identified with either the employing or  
7 employee classes. Of the members appointed under this  
8 amendatory Act of the 94th General Assembly, one shall be  
9 appointed for a term ending on the third Monday in January,  
10 2007, and 2 shall be appointed for terms ending on the  
11 third Monday in January, 2009, and until their successors  
12 are appointed and qualified.

13 (b) Members shall thereafter be appointed to hold  
14 office for terms of 4 years from the third Monday in  
15 January of the year of their appointment, and until their  
16 successors are appointed and qualified. All such  
17 appointments shall be made so that the composition of the  
18 Commission is in accordance with the provisions of the  
19 first paragraph of this Section.

20 The Chairman shall receive an annual salary of \$42,500, or  
21 a salary set by the Illinois Citizens' Accountability  
22 ~~Compensation~~ Review Board, whichever is greater, and each other  
23 member shall receive an annual salary of \$38,000, or a salary  
24 set by the Illinois Citizens' Accountability ~~Compensation~~  
25 Review Board, whichever is greater.

26 In case of a vacancy in the office of a Commissioner during

1 the recess of the Senate, the Governor shall make a temporary  
2 appointment until the next meeting of the Senate, when he shall  
3 nominate some person to fill such office. Any person so  
4 nominated who is confirmed by the Senate shall hold office  
5 during the remainder of the term and until his successor is  
6 appointed and qualified.

7 The Illinois Workers' Compensation Commission created by  
8 this amendatory Act of 1989 shall succeed to all the rights,  
9 powers, duties, obligations, records and other property and  
10 employees of the Industrial Commission which it replaces as  
11 modified by this amendatory Act of 1989 and all applications  
12 and reports to actions and proceedings of such prior Industrial  
13 Commission shall be considered as applications and reports to  
14 actions and proceedings of the Illinois Workers' Compensation  
15 Commission created by this amendatory Act of 1989.

16 Notwithstanding any other provision of this Act, in the  
17 event the Chairman shall make a finding that a member is or  
18 will be unavailable to fulfill the responsibilities of his or  
19 her office, the Chairman shall advise the Governor and the  
20 member in writing and shall designate a certified arbitrator to  
21 serve as acting Commissioner. The certified arbitrator shall  
22 act as a Commissioner until the member resumes the duties of  
23 his or her office or until a new member is appointed by the  
24 Governor, by and with the consent of the Senate, if a vacancy  
25 occurs in the office of the Commissioner, but in no event shall  
26 a certified arbitrator serve in the capacity of Commissioner

1 for more than 6 months from the date of appointment by the  
2 Chairman. A finding by the Chairman that a member is or will be  
3 unavailable to fulfill the responsibilities of his or her  
4 office shall be based upon notice to the Chairman by a member  
5 that he or she will be unavailable or facts and circumstances  
6 made known to the Chairman which lead him to reasonably find  
7 that a member is unavailable to fulfill the responsibilities of  
8 his or her office. The designation of a certified arbitrator to  
9 act as a Commissioner shall be considered representative of  
10 citizens not identified with either the employing or employee  
11 classes and the arbitrator shall serve regardless of his or her  
12 political affiliation. A certified arbitrator who serves as an  
13 acting Commissioner shall have all the rights and powers of a  
14 Commissioner, including salary.

15 Notwithstanding any other provision of this Act, the  
16 Governor shall appoint a special panel of Commissioners  
17 comprised of 3 members who shall be chosen by the Governor, by  
18 and with the consent of the Senate, from among the current  
19 ranks of certified arbitrators. Three members shall hold office  
20 until the Commission in consultation with the Governor  
21 determines that the caseload on review has been reduced  
22 sufficiently to allow cases to proceed in a timely manner or  
23 for a term of 18 months from the effective date of their  
24 appointment by the Governor, whichever shall be earlier. The 3  
25 members shall be considered representative of citizens not  
26 identified with either the employing or employee classes and

1 shall serve regardless of political affiliation. Each of the 3  
2 members shall have only such rights and powers of a  
3 Commissioner necessary to dispose of those cases assigned to  
4 the special panel. Each of the 3 members appointed to the  
5 special panel shall receive the same salary as other  
6 Commissioners for the duration of the panel.

7 The Commission may have an Executive Director; if so, the  
8 Executive Director shall be appointed by the Governor with the  
9 advice and consent of the Senate. The salary and duties of the  
10 Executive Director shall be fixed by the Commission.

11 On the effective date of this amendatory Act of the 93rd  
12 General Assembly, the name of the Industrial Commission is  
13 changed to the Illinois Workers' Compensation Commission.  
14 References in any law, appropriation, rule, form, or other  
15 document: (i) to the Industrial Commission are deemed, in  
16 appropriate contexts, to be references to the Illinois Workers'  
17 Compensation Commission for all purposes; (ii) to the  
18 Industrial Commission Operations Fund are deemed, in  
19 appropriate contexts, to be references to the Illinois Workers'  
20 Compensation Commission Operations Fund for all purposes;  
21 (iii) to the Industrial Commission Operations Fund Fee are  
22 deemed, in appropriate contexts, to be references to the  
23 Illinois Workers' Compensation Commission Operations Fund Fee  
24 for all purposes; and (iv) to the Industrial Commission  
25 Operations Fund Surcharge are deemed, in appropriate contexts,  
26 to be references to the Illinois Workers' Compensation

1 Commission Operations Fund Surcharge for all purposes.  
2 (Source: P.A. 93-509, eff. 8-11-03; 93-721, eff. 1-1-05;  
3 94-277, eff. 7-20-05.)

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4	5 ILCS 290/3	from Ch. 53, par. 3
5	5 ILCS 290/3.1	from Ch. 53, par. 3.1
6	5 ILCS 290/3.2	from Ch. 53, par. 3.2
7	5 ILCS 290/3.3	from Ch. 53, par. 3.3
8	5 ILCS 315/5	from Ch. 48, par. 1605
9	5 ILCS 430/20-5	
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11	10 ILCS 5/1A-6.1	from Ch. 46, par. 1A-6.1
12	15 ILCS 310/8a	from Ch. 124, par. 108a
13	20 ILCS 5/5-310	was 20 ILCS 5/9.21
14	20 ILCS 5/5-315	was 20 ILCS 5/9.02
15	20 ILCS 5/5-320	was 20 ILCS 5/9.19
16	20 ILCS 5/5-325	was 20 ILCS 5/9.16
17	20 ILCS 5/5-330	was 20 ILCS 5/9.18
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19	20 ILCS 5/5-340	was 20 ILCS 5/9.30
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