



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB3072

Introduced 11/12/2008, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

25 ILCS 120/2	from Ch. 63, par. 902
25 ILCS 120/3	from Ch. 63, par. 903
25 ILCS 120/4	from Ch. 63, par. 904
25 ILCS 120/5	from Ch. 63, par. 905

Amends the Compensation Review Act. Terminates the terms of the 12 current members of the Compensation Review Board and provides for appointment of 10 new members by the State executive branch constitutional officers (other than the Lieutenant Governor), the legislative leaders, and the Auditor General (now, appointed by the legislative leaders). Specifies additional qualifications for members and their terms. In recommending compensation, requires that the Board consider the current automatic cost-of-living adjustment. Requires that the Board evaluate all compensation factors openly at its public hearings and include its recommendations in its minutes. Requires that the Board maintain an official website and specifies its contents. Requires that the Board prepare and file a separate report with respect to each of the 3 branches of State government (now, the Board prepares and files one report). Provides that a Compensation Review Board report is effective if approved in whole or reduced by a resolution adopted by the General Assembly (now, effective unless disapproved in whole or reduced by a resolution adopted by the General Assembly). Removes an obsolete reference to the period for disapproval of the Board's initial report. Makes other changes. Effective immediately.

LRB095 22798 JAM 53232 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 Compensation Review Act is amended by
5 changing Sections 2, 3, 4, and 5 as follows:

6 (25 ILCS 120/2) (from Ch. 63, par. 902)

7 Sec. 2. Board established. ~~The There is created the~~
8 Compensation Review Board, hereinafter referred to as the
9 Board, is created as an independent commission within the
10 legislative branch of State government.

11 The Board shall consist of 10 ~~12~~ members. The terms of the
12 members serving on the effective date of this amendatory Act of
13 the 95th General Assembly are terminated. On and after the
14 effective date of this amendatory Act of the 95th General
15 Assembly, Board members shall be 7 appointed as follows: one
16 each by the Governor, the Attorney General, the Secretary of
17 State, the State Comptroller, the State Treasurer, 3 ~~each by~~
18 the Speaker of the House of Representatives, the Minority
19 Leader thereof, the President of the Senate, ~~and~~ the Minority
20 Leader thereof, and the Auditor General. Members shall be
21 adults and be residents of Illinois. Members may not be members
22 or employees or former members or employees of the judicial,
23 executive, or legislative branch ~~branches~~ of State government;

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

17 Members shall serve without compensation but shall receive
18 an allowance for living expenses incurred in the performance of
19 their official duties in an amount per day equal to the amount
20 permitted to be deducted for such expenses by members of the
21 General Assembly under the federal Internal Revenue Code, as
22 now or hereafter amended. The rate for reimbursement of mileage
23 expenses shall be equal to the amount established from time to
24 time for members of the General Assembly.

25 The Board may, without regard to the Personnel Code, employ
26 and fix the compensation or remuneration of employees and

1 contract for personal and professional services as it considers
2 necessary or desirable. The General Assembly shall appropriate
3 to the Commission on Government Forecasting and Accountability
4 the funds necessary to operate the Board, and the Commission
5 shall prepare and submit vouchers on behalf of the Board and
6 provide other fiscal services to the Board as the Board
7 requests and directs; but the Commission shall not exercise any
8 authority or control over the Board or its employees or
9 contractors.

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

11 (25 ILCS 120/3) (from Ch. 63, par. 903)

12 Sec. 3. Board terms; vacancies; chairperson. As soon as
13 possible after the effective date of this amendatory Act of the
14 95th General Assembly, the appointing authorities shall
15 appoint the Board members. As determined by lot, 3 of the
16 initial members shall serve terms of 4 years, 3 of the initial
17 members shall serve terms of 5 years, and 4 of the initial
18 members shall serve terms of 6 years. Subsequent members shall
19 serve terms of 6 years. Each member's term shall expire on June
20 30th of the appropriate year, but the member may serve until
21 his or her successor is appointed and qualified. ~~As soon as~~
22 ~~possible after the effective date of this Act, the Speaker of~~
23 ~~the House of Representatives, the Minority Leader thereof, the~~
24 ~~President of the Senate, and the Minority Leader thereof, shall~~
25 ~~each appoint to the Board one member to serve a term not~~

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

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

14 (25 ILCS 120/4) (from Ch. 63, par. 904)

15 Sec. 4. Meetings of the Board; determining compensation;
16 public hearings; reports; website. The Board shall meet as
17 often as may be necessary and shall recommend ~~determine~~, upon a
18 vote requiring at least 6 ~~7~~ affirmative votes, the compensation
19 for members of the General Assembly, judges, other than the
20 county supplement, State's attorneys, other than the county
21 supplement, the elected constitutional officers of State
22 government, and certain appointed officers of State
23 government.

24 In recommending ~~determining~~ the compensation for each
25 office, the Compensation Review Board shall consider the

1 following factors:

2 (a) the skill required,

3 (b) the time required,

4 (c) the opportunity for other earned income,

5 (d) the value of public services as performed in
6 comparable states,

7 (e) the value of such services as performed in the
8 private sector in Illinois and comparable states based on
9 the responsibility and discretion required in the office,

10 (f) the average consumer prices commonly known as the
11 cost of living, and the cost-of-living adjustment
12 authorized by Senate Joint Resolution 192 of the 86th
13 General Assembly,

14 (g) the overall compensation presently received by the
15 public officials and all other benefits received,

16 (h) the interests and welfare of the public and the
17 financial ability of the State to meet those costs, and

18 (i) such other factors, not confined to the foregoing,
19 which are normally or traditionally taken into
20 consideration in the determination of such compensation.

21 The Board shall conduct public hearings prior to
22 recommending compensation and filing its reports, at which the
23 Board shall openly evaluate each criterion listed in items (a)
24 through (i) report.

25 At the public hearings, the Board shall allow interested
26 persons to present their views and comments. The Board may

1 prescribe reasonable rules for the conduct of public hearings,
2 to prevent undue repetition. The meetings of the Board are
3 subject to the Open Meetings Act, and the Board shall include
4 each compensation recommendation in its minutes.

5 The Board shall file its reports ~~an initial report~~ with the
6 House of Representatives, the Senate, the Comptroller, and the
7 Secretary of State. ~~Subsequent reports shall be filed therewith~~
8 before April 1 in each even-numbered year. A report, referred
9 to as the legislative branch report, shall include the Board's
10 recommendations for ~~thereafter stating~~ the annual salaries
11 ~~salary~~ for members of the General Assembly, the Auditor
12 General, and certain appointed officers and employees of the
13 legislative branch of State government. A report, referred to
14 as the executive branch report, shall include the Board's
15 recommendations for the annual salaries for the elected
16 executive branch State constitutional officers, ~~and~~ certain
17 executive branch appointed State officers and compensated
18 employees, and members of certain executive branch State
19 departments, agencies, boards, and commissions whose terms
20 begin in the next calendar year. A report, referred to as the
21 judicial branch report, shall include the Board's
22 recommendations for the annual salaries ~~salary~~ for State's
23 attorneys, ~~and the annual salary for the Auditor General and~~
24 ~~for~~ Supreme Court, Appellate Court, Circuit Court, and
25 Associate judges. If a ~~the~~ report recommends increasing
26 ~~increases~~ the annual salary of judges, State's attorneys, or

1 ~~and~~ the Auditor General, such increase shall take effect when
2 the report is approved ~~as soon as the time period for~~
3 ~~disapproval or reduction,~~ as provided in subsection (b) of
4 Section 5, ~~has expired.~~

5 The salaries recommended in a ~~the~~ report ~~or~~ as approved or
6 reduced by the General Assembly, other than for judges, State's
7 attorneys, and the Auditor General, shall take effect as
8 provided by law.

9 The Board shall establish and maintain an official website.
10 The website shall include, but is not limited to, postings of
11 (i) minutes of all Board meetings and (ii) notice of all
12 scheduled Board meetings, including dates, times, and
13 locations. A link to the Board's official website shall be
14 included on the official website of each executive branch
15 office, board, commission, or other entity with an official or
16 employee for whom the Compensation Review Board is required to
17 recommend compensation.

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

19 (25 ILCS 120/5) (from Ch. 63, par. 905)

20 Sec. 5. (a) If the Board fails to recommend a change in
21 salary or the General Assembly does not approve a ~~disapproves~~
22 ~~the~~ report as provided in subsection (b), and a new term for
23 any officer provided for in this Act begins, the salary for the
24 new term shall be the same as the salary in effect when the
25 previous term ended.

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

10 A salary change recommended by the Board and included in
11 one of its reports filed as provided in Section 4 shall not
12 take effect unless approved or reduced by each house of the
13 General Assembly as provided in this subsection.

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

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.