



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6894

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

New Act

Creates the Gubernatorial Employee Salary Cap Act. Provides that no Governor's Office employee may receive an aggregate salary increase in any State fiscal year that exceeds the lesser of (i) 3% or (ii) the percentage increase in the Consumer Price Index for the calendar year immediately preceding the calendar year in which the first day of that State fiscal year occurs. Defines a Governor's Office employee as (i) any person who is employed in the Office of the Governor or the Governor's Office of Management and Budget in a position that is not subject to any of the jurisdictions of the Illinois Personnel Code or (ii) any official or employee of an executive branch State agency working under the direction and control of the Governor in a position for which he or she was appointed by the Governor with the advice and consent of the Senate. Provides that, if an executive branch employee under the direction and control of the Governor is promoted to an existing position or a newly created position as a Governor's Office employee, then for the duration of the State fiscal year, the employee may not receive an aggregate salary increase over the employee's salary on the last business day immediately preceding the effective date of the promotion that exceeds the lesser of (i) 3% or (ii) the percentage increase in the Consumer Price Index for the calendar year immediately preceding the calendar year in which the first day of that State fiscal year occurs. Provides that the limitations on salary increases apply only during a period of budget emergency. Provides that the Act does not apply to any salary increases granted (i) before the effective date of the Act or (ii) during any period of a State fiscal year when a budget emergency is not in effect. Effective immediately.

LRB096 23281 HLH 42631 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 1. Short title. This Act may be cited as the
5 Gubernatorial Employee Salary Cap Act.

6 Section 5. Limitations on salary increases.
7 Notwithstanding any other provision of law, during a period of
8 budget emergency, as defined in Section 15 of this Act, no
9 Governor's Office employee may receive an aggregate salary
10 increase in any State fiscal year that exceeds the lesser of
11 (i) 3% or (ii) the percentage increase in the Consumer Price
12 Index for All Urban Consumers, as published by the Bureau of
13 Labor Statistics of the U.S. Department of Labor for the
14 calendar year immediately preceding the calendar year in which
15 the first day of that State fiscal year occurs. For the
16 purposes of this Act, the term "Governor's Office employee"
17 means (i) any person who is employed in the Office of the
18 Governor or the Governor's Office of Management and Budget in a
19 position that is not subject to any of the jurisdictions of the
20 Illinois Personnel Code or (ii) any official or employee of an
21 executive branch State agency working under the direction and
22 control of the Governor in a position for which he or she was
23 appointed by the Governor with the advice and consent of the

1 Senate. The term "Governor's Office employee" also includes
2 individuals who are employed in the Office of the Governor or
3 the Governor's Office of Management and Budget but are paid
4 from an appropriation of any other executive branch State
5 agency pursuant to an interagency agreement.

6 Section 10. Applicability of cap to promotions. During a
7 period of budget emergency, as defined in Section 15 of this
8 Act, if any executive branch employee under the direction and
9 control of the Governor is promoted to an existing position as
10 a Governor's Office employee, then for the duration of the
11 State fiscal year, the employee may not receive an aggregate
12 salary increase over the employee's salary on the last business
13 day immediately preceding the effective date of the promotion
14 that exceeds the lesser of (i) 3% or (ii) the percentage
15 increase in the Consumer Price Index for All Urban Consumers,
16 as published by the Bureau of Labor Statistics of the U.S.
17 Department of Labor for the calendar year immediately preceding
18 the calendar year in which the first day of that State fiscal
19 year occurs. Except as otherwise provided by law or by joint
20 resolution of the General Assembly, if any executive branch
21 employee under the direction and control of the Governor is
22 promoted to a newly created position as a Governor's Office
23 employee, then the employee may not receive, for the duration
24 of the State fiscal year, an aggregate salary increase over the
25 employee's salary on the last business day immediately

1 preceding the effective date of the promotion that exceeds the
2 lesser of (i) 3% or (ii) the percentage increase in the
3 Consumer Price Index for All Urban Consumers, as published by
4 the Bureau of Labor Statistics of the U.S. Department of Labor
5 for the calendar year immediately preceding the calendar year
6 in which the first day of that State fiscal year occurs.

7 Section 15. Period of budget emergency. This Act applies
8 only during a period of budget emergency. For purposes of this
9 Act, a period of budget emergency commences on (i) the date
10 determined by the Business Cycle Dating Committee of the
11 National Bureau of Economic Research to be the beginning date
12 of a recession or (ii) the date of the public announcement by
13 the Business Cycle Dating Committee of the beginning date of a
14 recession, whichever is later. The period of budget emergency
15 shall continue, for purposes of this Act, for either (i) the
16 6-month period following the date selected by the Business
17 Cycle Dating Committee as the date the recession has ended or
18 (ii) the date of the public announcement by the Business Cycle
19 Dating Committee of the ending date of the recession, whichever
20 occurs later. This Act does not apply to any salary increase
21 granted (i) before the effective date of this Act or (ii)
22 during any period of a State fiscal year when a budget
23 emergency is not in effect.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.