



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3697

by Rep. John D. Anthony

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Public Labor Relations Act, the State Officials and Employees Ethics Act, the Election Code, the Secretary of State Merit Employment Code, the Civil Administrative Code of Illinois, the Personnel Code, the State Police Act, the Property Tax Code, the Metropolitan Transit Authority Act, the Illinois Educational Labor Relations Act, the Liquor Control Act of 1934, the Coal Mining Act, the Illinois Horse Racing Act of 1975, the Toll Highway Act, the Court of Claims Act, and the Human Rights Act. Decouples compensation for members of the Executive Ethics Commission from compensation for members of the State Board of Elections. Provides for terms of office beginning on and after the effective date of this Act, no member of the following bodies is eligible to receive compensation for their service: the Illinois Public Labor Relations Board, the State Board of Elections, the Secretary of State Merit Commission, the Department of Employment Security Board of Review, the State Mining Board, the State Police Merit Board, the Civil Service Commission, the Property Tax Appeal Board, the Chicago Transit Authority, the Illinois Educational Labor Relations Board, the Illinois Liquor Control Commission, the Miners' Examining Board, the Illinois Racing Board, the State Toll Highway Authority Board of Directors, the Court of Claims, and the Human Rights Commission. Effective immediately.

LRB098 14310 OMW 48999 b

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 Illinois Public Labor Relations Act is
5 amended by changing Section 5 as follows:

6 (5 ILCS 315/5) (from Ch. 48, par. 1605)

7 Sec. 5. Illinois Labor Relations Board; State Panel; Local
8 Panel.

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

12 (a-5) The State Panel shall have jurisdiction over
13 collective bargaining matters between employee organizations
14 and the State of Illinois, excluding the General Assembly of
15 the State of Illinois, between employee organizations and units
16 of local government and school districts with a population not
17 in excess of 2 million persons, and between employee
18 organizations and the Regional Transportation Authority.

19 The State Panel shall consist of 5 members appointed by the
20 Governor, with the advice and consent of the Senate. The
21 Governor shall appoint to the State Panel only persons who have
22 had a minimum of 5 years of experience directly related to
23 labor and employment relations in representing public

1 employers, private employers or labor organizations; or
2 teaching labor or employment relations; or administering
3 executive orders or regulations applicable to labor or
4 employment relations. At the time of his or her appointment,
5 each member of the State Panel shall be an Illinois resident.
6 The Governor shall designate one member to serve as the
7 Chairman of the State Panel and the Board.

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

17 The initial appointments under this amendatory Act of the
18 93rd General Assembly shall be for terms as follows: The
19 Chairman shall initially be appointed for a term ending on the
20 4th Monday in January, 2007; 2 members shall be initially
21 appointed for terms ending on the 4th Monday in January, 2006;
22 one member shall be initially appointed for a term ending on
23 the 4th Monday in January, 2005; and one member shall be
24 initially appointed for a term ending on the 4th Monday in
25 January, 2004. Each subsequent member shall be appointed for a
26 term of 4 years, commencing on the 4th Monday in January. Upon

1 expiration of the term of office of any appointive member, that
2 member shall continue to serve until a successor shall be
3 appointed and qualified. In case of a vacancy, a successor
4 shall be appointed to serve for the unexpired portion of the
5 term. If the Senate is not in session at the time the initial
6 appointments are made, the Governor shall make temporary
7 appointments in the same manner successors are appointed to
8 fill vacancies. A temporary appointment shall remain in effect
9 no longer than 20 calendar days after the commencement of the
10 next Senate session.

11 (b) The Local Panel shall have jurisdiction over collective
12 bargaining agreement matters between employee organizations
13 and units of local government with a population in excess of 2
14 million persons, but excluding the Regional Transportation
15 Authority.

16 The Local Panel shall consist of one person appointed by
17 the Governor with the advice and consent of the Senate (or, if
18 no such person is appointed, the Chairman of the State Panel)
19 and two additional members, one appointed by the Mayor of the
20 City of Chicago and one appointed by the President of the Cook
21 County Board of Commissioners. Appointees to the Local Panel
22 must have had a minimum of 5 years of experience directly
23 related to labor and employment relations in representing
24 public employers, private employers or labor organizations; or
25 teaching labor or employment relations; or administering
26 executive orders or regulations applicable to labor or

1 employment relations. Each member of the Local Panel shall be
2 an Illinois resident at the time of his or her appointment. The
3 member appointed by the Governor (or, if no such person is
4 appointed, the Chairman of the State Panel) shall serve as the
5 Chairman of the Local Panel.

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

16 The initial appointments under this amendatory Act of the
17 91st General Assembly shall be for terms as follows: The member
18 appointed by the Governor shall initially be appointed for a
19 term ending on the 4th Monday in January, 2001; the member
20 appointed by the President of the Cook County Board shall be
21 initially appointed for a term ending on the 4th Monday in
22 January, 2003; and the member appointed by the Mayor of the
23 City of Chicago shall be initially appointed for a term ending
24 on the 4th Monday in January, 2004. Each subsequent member
25 shall be appointed for a term of 4 years, commencing on the 4th
26 Monday in January. Upon expiration of the term of office of any

1 appointive member, the member shall continue to serve until a
2 successor shall be appointed and qualified. In the case of a
3 vacancy, a successor shall be appointed by the applicable
4 appointive authority to serve for the unexpired portion of the
5 term.

6 (c) Three members of the State Panel shall at all times
7 constitute a quorum. Two members of the Local Panel shall at
8 all times constitute a quorum. A vacancy on a panel does not
9 impair the right of the remaining members to exercise all of
10 the powers of that panel. Each panel shall adopt an official
11 seal which shall be judicially noticed. The salary of the
12 Chairman of the State Panel shall be \$82,429 per year, or as
13 set by the Compensation Review Board, whichever is greater,
14 until the expiration of the term of office in which the
15 Chairman is serving on the effective date of this amendatory
16 Act of the 98th General Assembly; thereafter, the Chairman
17 shall serve without compensation. The and that of the other
18 members of the State and Local Panels shall be \$74,188 per
19 year, or as set by the Compensation Review Board, whichever is
20 greater, until the expiration of the terms of office in which
21 the members are serving on the effective date of this
22 amendatory Act of the 98th General Assembly; thereafter, the
23 members shall serve without compensation.

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

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

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

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

1 witnesses and the production of evidence on any matter under
2 inquiry; and administer oaths and affirmations. The panels
3 shall sign and report in full an opinion in every case which
4 they decide.

5 (g) Each panel may appoint or employ an executive director,
6 attorneys, hearing officers, mediators, fact-finders,
7 arbitrators, and such other employees as it may deem necessary
8 to perform its functions. The governing boards shall prescribe
9 the duties and qualifications of such persons appointed and,
10 subject to the annual appropriation, fix their compensation and
11 provide for reimbursement of actual and necessary expenses
12 incurred in the performance of their duties. The Board shall
13 employ a minimum of 16 attorneys and 6 investigators.

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

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

1 (j) Rules and regulations may be adopted, amended or
2 rescinded only upon a vote of 5 of the members of the State and
3 Local Panels meeting in joint session. The adoption, amendment
4 or rescission of rules and regulations shall be in conformity
5 with the requirements of the Illinois Administrative Procedure
6 Act.

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

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

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

1 at a joint session. The panels shall meet in joint session at
2 least annually.

3 (Source: P.A. 96-813, eff. 10-30-09.)

4 Section 10. The State Officials and Employees Ethics Act is
5 amended by changing Section 20-5 as follows:

6 (5 ILCS 430/20-5)

7 Sec. 20-5. Executive Ethics Commission.

8 (a) The Executive Ethics Commission is created.

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

1 that office during a recess of that Senate. No more than 5
2 commissioners may be of the same political party.

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

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

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

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

22 (c) The appointing authorities shall appoint commissioners
23 who have experience holding governmental office or employment
24 and shall appoint commissioners from the general public. A
25 person is not eligible to serve as a commissioner if that
26 person (i) has been convicted of a felony or a crime of

1 dishonesty or moral turpitude, (ii) is, or was within the
2 preceding 12 months, engaged in activities that require
3 registration under the Lobbyist Registration Act, (iii) is
4 related to the appointing authority, or (iv) is a State officer
5 or employee.

6 (d) The Executive Ethics Commission shall have
7 jurisdiction over all officers and employees of State agencies
8 other than the General Assembly, the Senate, the House of
9 Representatives, the President and Minority Leader of the
10 Senate, the Speaker and Minority Leader of the House of
11 Representatives, the Senate Operations Commission, the
12 legislative support services agencies, and the Office of the
13 Auditor General. The Executive Ethics Commission shall have
14 jurisdiction over all board members and employees of Regional
15 Transit Boards. The jurisdiction of the Commission is limited
16 to matters arising under this Act, except as provided in
17 subsection (d-5).

18 A member or legislative branch State employee serving on an
19 executive branch board or commission remains subject to the
20 jurisdiction of the Legislative Ethics Commission and is not
21 subject to the jurisdiction of the Executive Ethics Commission.

22 (d-5) The Executive Ethics Commission shall have
23 jurisdiction over all chief procurement officers and
24 procurement compliance monitors and their respective staffs.
25 The Executive Ethics Commission shall have jurisdiction over
26 any matters arising under the Illinois Procurement Code if the

1 Commission is given explicit authority in that Code.

2 (d-6) (1) The Executive Ethics Commission shall have
3 jurisdiction over the Illinois Power Agency and its staff. The
4 Director of the Agency shall be appointed by a majority of the
5 commissioners of the Executive Ethics Commission, subject to
6 Senate confirmation, for a term of 2 years. The Director is
7 removable for cause by a majority of the Commission upon a
8 finding of neglect, malfeasance, absence, or incompetence.

9 (2) In case of a vacancy in the office of Director of the
10 Illinois Power Agency during a recess of the Senate, the
11 Executive Ethics Commission may make a temporary appointment
12 until the next meeting of the Senate, at which time the
13 Executive Ethics Commission shall nominate some person to fill
14 the office, and any person so nominated who is confirmed by the
15 Senate shall hold office during the remainder of the term and
16 until his or her successor is appointed and qualified. Nothing
17 in this subsection shall prohibit the Executive Ethics
18 Commission from removing a temporary appointee or from
19 appointing a temporary appointee as the Director of the
20 Illinois Power Agency.

21 (3) Prior to June 1, 2012, the Executive Ethics Commission
22 may, until the Director of the Illinois Power Agency is
23 appointed and qualified or a temporary appointment is made
24 pursuant to paragraph (2) of this subsection, designate some
25 person as an acting Director to execute the powers and
26 discharge the duties vested by law in that Director. An acting

1 Director shall serve no later than 60 calendar days, or upon
2 the making of an appointment pursuant to paragraph (1) or (2)
3 of this subsection, whichever is earlier. Nothing in this
4 subsection shall prohibit the Executive Ethics Commission from
5 removing an acting Director or from appointing an acting
6 Director as the Director of the Illinois Power Agency.

7 (4) No person rejected by the Senate for the office of
8 Director of the Illinois Power Agency shall, except at the
9 Senate's request, be nominated again for that office at the
10 same session or be appointed to that office during a recess of
11 that Senate.

12 (e) The Executive Ethics Commission must meet, either in
13 person or by other technological means, at least monthly and as
14 often as necessary. At the first meeting of the Executive
15 Ethics Commission, the commissioners shall choose from their
16 number a chairperson and other officers that they deem
17 appropriate. The terms of officers shall be for 2 years
18 commencing July 1 and running through June 30 of the second
19 following year. Meetings shall be held at the call of the
20 chairperson or any 3 commissioners. Official action by the
21 Commission shall require the affirmative vote of 5
22 commissioners, and a quorum shall consist of 5 commissioners.
23 Commissioners shall receive compensation in an amount equal to
24 the compensation received by ~~of~~ members of the State Board of
25 Elections prior to the effective date of this amendatory Act of
26 the 98th General Assembly, unless otherwise provided, and may

1 be reimbursed for their reasonable expenses actually incurred
2 in the performance of their duties.

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

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

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

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

13 (4) advocate for the appointment of another person to
14 an appointed or elected office or position or actively
15 participate in any campaign for any elective office.

16 (g) An appointing authority may remove a commissioner only
17 for cause.

18 (h) The Executive Ethics Commission shall appoint an
19 Executive Director. The compensation of the Executive Director
20 shall be as determined by the Commission. The Executive
21 Director of the Executive Ethics Commission may employ and
22 determine the compensation of staff, as appropriations permit.

23 (i) The Executive Ethics Commission shall appoint, by a
24 majority of the members appointed to the Commission, chief
25 procurement officers and procurement compliance monitors in
26 accordance with the provisions of the Illinois Procurement

1 Code. The compensation of a chief procurement officer and
2 procurement compliance monitor shall be determined by the
3 Commission.

4 (Source: P.A. 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11;
5 97-618, eff. 10-26-11; 97-677, eff. 2-6-12.)

6 Section 15. The Election Code is amended by changing
7 Section 1A-6.1 as follows:

8 (10 ILCS 5/1A-6.1) (from Ch. 46, par. 1A-6.1)

9 Sec. 1A-6.1. The chairman of the State Board of Elections
10 shall preside at all meetings of the Board, except that the
11 vice chairman shall preside at any meeting when the chairman is
12 absent. The salary of the chairman shall be \$25,000 per year,
13 or as set by the Compensation Review Board, whichever is
14 greater, and the salary of the vice-chairman shall be \$20,000
15 per year, or as set by the Compensation Review Board, whichever
16 is greater. The chairman and vice-chairman of the Board shall
17 be paid their respective annual salaries until the expiration
18 of the terms of office in which the chairman and the
19 vice-chairman are serving on the effective date of this
20 amendatory Act of the 98th General Assembly; thereafter, the
21 chairman and vice-chairman shall serve without compensation.
22 The salary of the other Board members shall be \$15,000 per
23 year, or as set by the Compensation Review Board, whichever is
24 greater, until the expiration of the terms of office in which

1 the members are serving on the effective date of this
2 amendatory Act of the 98th General Assembly; thereafter, the
3 members shall serve without compensation. Each member shall be
4 reimbursed for actual expenses incurred in the performance of
5 his duties.

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

7 Section 20. The Secretary of State Merit Employment Code is
8 amended by changing Section 8a as follows:

9 (15 ILCS 310/8a) (from Ch. 124, par. 108a)

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

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

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

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

18 Thereafter, members of the Commission shall be appointed by
19 the Secretary of State for six year terms with the advice and
20 consent of the Senate.

21 A member of the Commission shall be appointed as Chairman
22 by the Secretary of State for a two-year term. The Secretary of
23 State may appoint the Chairman for consecutive terms. The
24 Chairman may also be appointed as the Administrator responsible

1 for overseeing the Commission staff and day-to-day operations
2 of the Commission.

3 The Secretary of State may appoint a person to fill a
4 vacancy occurring prior to the expiration of a six year term
5 for the remainder of the unexpired term with the advice and
6 consent of the Senate.

7 The salary of the Chairman of the Commission shall be
8 \$10,000 per annum or an amount set by the Compensation Review
9 Board, whichever is greater, until the expiration of the term
10 of office in which the Chairman is serving on the effective
11 date of this amendatory Act of the 98th General Assembly;
12 thereafter, the Chairman shall serve without compensation.
13 Other ~~and other~~ members of the Commission shall be paid \$7,500
14 per annum or an amount set by the Compensation Review Board,
15 whichever is greater, until the expiration of the terms of
16 office in which the members are serving on the effective date
17 of this amendatory Act of the 98th General Assembly;
18 thereafter, the members shall serve without compensation. They
19 shall be entitled to reimbursement for necessary traveling and
20 other official expenditures necessitated by their official
21 duties. If the Chairman of the Commission is also appointed as
22 the Administrator of the Commission, the Chairman's salary will
23 be set by the Secretary.

24 (Source: P.A. 97-833, eff. 7-20-12.)

25 Section 25. The Civil Administrative Code of Illinois is

1 amended by changing Sections 5-340 and 5-380 as follows:

2 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

3 Sec. 5-340. In the Department of Employment Security. The
4 Director of Employment Security shall receive an annual salary
5 as set by the Compensation Review Board.

6 Each member of the Board of Review shall receive \$15,000,
7 until the expiration of the terms of office in which the
8 members are serving on the effective date of this amendatory
9 Act of the 98th General Assembly; thereafter, the members shall
10 serve without compensation.

11 (Source: P.A. 96-800, eff. 10-30-09.)

12 (20 ILCS 5/5-380) (was 20 ILCS 5/9.04)

13 Sec. 5-380. In the Office of Mines and Minerals of the
14 Department of Natural Resources. Each mine officer shall
15 receive \$7,500 or the amount set by the Compensation Review
16 Board, whichever is greater, until the expiration of the terms
17 of office in which the officers are serving on the effective
18 date of this amendatory Act of the 98th General Assembly;
19 thereafter, the officers shall serve without compensation.

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

21 Section 30. The Personnel Code is amended by changing
22 Section 7d as follows:

1 (20 ILCS 415/7d) (from Ch. 127, par. 63b107d)

2 Sec. 7d. Compensation. The chairman shall be paid an annual
3 salary of \$8,200 from the third Monday in January, 1979 to the
4 third Monday in January, 1980; \$8,700 from the third Monday in
5 January, 1980 to the third Monday in January, 1981; \$9,300 from
6 the third Monday in January, 1981 to the third Monday in
7 January 1982; \$10,000 from the third Monday in January, 1982 to
8 the effective date of this amendatory Act of the 91st General
9 Assembly; and \$25,000 thereafter, or as set by the Compensation
10 Review Board, whichever is greater, until the expiration of the
11 term of office in which the chairman is serving on the
12 effective date of this amendatory Act of the 98th General
13 Assembly; thereafter, the chairman shall serve without
14 compensation. Other members of the Commission shall each be
15 paid an annual salary of \$5,500 from the third Monday in
16 January, 1979 to the third Monday in January, 1980; \$6,000 from
17 the third Monday in January, 1980 to the third Monday in
18 January, 1981; \$6,500 from the third Monday in January, 1981 to
19 the third Monday in January, 1982; \$7,500 from the third Monday
20 in January, 1982 to the effective date of this amendatory Act
21 of the 91st General Assembly; and \$20,000 thereafter, or as set
22 by the Compensation Review Board, whichever is greater, until
23 the expiration of the terms of office in which the members are
24 serving on the effective date of this amendatory Act of the
25 98th General Assembly; thereafter, the members shall serve
26 without compensation. They shall be entitled to reimbursement

1 for necessary traveling and other official expenditures
2 necessitated by their official duties.

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

4 Section 35. The State Police Act is amended by changing
5 Section 5 as follows:

6 (20 ILCS 2610/5) (from Ch. 121, par. 307.5)

7 Sec. 5. Each member of the Board shall receive the sum of
8 \$125 per day for each day during which he is engaged in
9 transacting the business of the Board, or an amount set by the
10 Compensation Review Board, whichever is greater, and, in
11 addition thereto, his actual traveling and other expenses
12 necessarily incurred in discharging the duties of his office;
13 provided, no member of the Board shall receive compensation for
14 more than 100 days of work in any one fiscal year. The members
15 of the Board shall be entitled to receive compensation until
16 the expiration of the terms of office in which the members are
17 servng on the effective date of this amendatory Act of the
18 98th General Assembly; thereafter, the members shall serve
19 without compensation.

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

21 Section 40. The Property Tax Code is amended by changing
22 Section 7-10 as follows:

1 (35 ILCS 200/7-10)

2 Sec. 7-10. Selection of members. The members of the
3 Property Tax Appeal Board shall be qualified by virtue of 5
4 years experience and training in the field of public finance
5 administration, at least 2 years of which shall be in the field
6 of property appraisal and property tax administration. No more
7 than 3 members of the Board may be members of the same
8 political party. The Chairman of the Property Tax Appeal Board
9 shall receive \$28,000 per year, or an amount set by the
10 Compensation Review Board, whichever is greater, until the
11 expiration of the term of office in which the Chairman is
12 serving on the effective date of this amendatory Act of the
13 98th General Assembly; thereafter, the Chairman shall serve
14 without compensation. Each ~~, and each~~ other member of the Board
15 shall receive \$22,500 per year, or an amount set by the
16 Compensation Review Board, whichever is greater, until the
17 expiration of the terms of office in which the members are
18 serving on the effective date of this amendatory Act of the
19 98th General Assembly; thereafter, the members shall serve
20 without compensation.

21 Of the 5 members of the Board the terms of 2 members shall
22 expire on the third Monday in January, 1995; the term of 2
23 members shall expire on the third Monday in January, 1997; and
24 the term of one member shall expire on the third Monday in
25 January, 1999. Members shall be appointed in each odd-numbered
26 year for a 6 year term commencing on the third Monday in

1 January of such year. Each member shall serve until a successor
2 is appointed and qualified.

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

4 Section 45. The Metropolitan Transit Authority Act is
5 amended by changing Section 19 as follows:

6 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

7 Sec. 19. The governing and administrative body of the
8 Authority shall be a board consisting of seven members, to be
9 known as Chicago Transit Board. Members of the Board shall be
10 residents of the metropolitan area and persons of recognized
11 business ability. No member of the Board of the Authority shall
12 hold any other office or employment under the Federal, State or
13 any County or any municipal government except an honorary
14 office without compensation or an office in the National Guard.
15 No employee of the Authority shall hold any other office or
16 employment under the Federal, State or any County or any
17 municipal government except an office with compensation not
18 exceeding \$15,000 annually or a position in the National Guard
19 or the United States military reserves. Provided, however, that
20 the Chairman may be a member of the Board of the Regional
21 Transportation Authority. No member of the Board or employee of
22 the Authority shall have any private financial interest, profit
23 or benefit in any contract, work or business of the Authority
24 nor in the sale or lease of any property to or from the

1 Authority. The salary of each member of the initial Board shall
2 be \$15,000.00 per annum, and such salary shall not be increased
3 or diminished during his or her term of office. The salaries of
4 successor members of the Board shall be fixed by the Board and
5 shall not be increased or diminished during their respective
6 terms of office. The members of the Board shall receive
7 compensation until the expiration of the terms of office in
8 which the members are serving on the effective date of this
9 amendatory Act of the 98th General Assembly; thereafter, the
10 members shall serve without compensation. No Board member shall
11 be allowed any fees, perquisites or emoluments, reward or
12 compensation for his or her services as a member or officer of
13 the Authority aside from his or her salary or pension, but he
14 or she shall be reimbursed for actual expenses incurred by him
15 or her in the performance of his or her duties.

16 (Source: P.A. 95-968, eff. 1-1-09.)

17 Section 50. The Illinois Educational Labor Relations Act is
18 amended by changing Section 5 as follows:

19 (115 ILCS 5/5) (from Ch. 48, par. 1705)

20 Sec. 5. Illinois Educational Labor Relations Board.

21 (a) There is hereby created the Illinois Educational Labor
22 Relations Board.

23 (a-5) Until July 1, 2003 or when all of the new members to
24 be initially appointed under this amendatory Act of the 93rd

1 General Assembly have been appointed by the Governor, whichever
2 occurs later, the Illinois Educational Labor Relations Board
3 shall consist of 7 members, no more than 4 of whom may be of the
4 same political party, who are residents of Illinois appointed
5 by the Governor with the advice and consent of the Senate.

6 The term of each appointed member of the Board who is in
7 office on June 30, 2003 shall terminate at the close of
8 business on that date or when all of the new members to be
9 initially appointed under this amendatory Act of the 93rd
10 General Assembly have been appointed by the Governor, whichever
11 occurs later.

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

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

26 Of the initial members appointed pursuant to this

1 amendatory Act of the 93rd General Assembly, 2 shall be
2 designated at the time of appointment to serve a term of 6
3 years, 2 shall be designated at the time of appointment to
4 serve a term of 4 years, and the other shall be designated at
5 the time of his or her appointment to serve a term of 4 years,
6 with each to serve until his or her successor is appointed and
7 qualified.

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

13 (c) The chairman shall be paid \$50,000 per year, or an
14 amount set by the Compensation Review Board, whichever is
15 greater, until the expiration of the term of office in which
16 the chairman is serving on the effective date of this
17 amendatory Act of the 98th General Assembly; thereafter, the
18 chairman shall serve without compensation. Other members of the
19 Board shall each be paid \$45,000 per year, or an amount set by
20 the Compensation Review Board, whichever is greater, until the
21 expiration of the terms of office in which the members are
22 serving on the effective date of this amendatory Act of the
23 98th General Assembly; thereafter, the members shall serve
24 without compensation. They shall be entitled to reimbursement
25 for necessary traveling and other official expenditures
26 necessitated by their official duties.

1 ~~Each member shall devote his entire time to the duties of~~
2 ~~the office, and shall hold no other office or position of~~
3 ~~profit, nor engage in any other business, employment or~~
4 ~~vocation.~~

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

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

11 (f) The Board may appoint or employ an executive director,
12 attorneys, hearing officers, and such other employees as it
13 deems necessary to perform its functions, except that the Board
14 shall employ a minimum of 8 attorneys and 5 investigators. The
15 Board shall prescribe the duties and qualifications of such
16 persons appointed and, subject to the annual appropriation, fix
17 their compensation and provide for reimbursement of actual and
18 necessary expenses incurred in the performance of their duties.

19 (g) The Board may promulgate rules and regulations which
20 allow parties in proceedings before the Board to be represented
21 by counsel or any other person knowledgeable in the matters
22 under consideration.

23 (h) To accomplish the objectives and to carry out the
24 duties prescribed by this Act, the Board may subpoena
25 witnesses, subpoena the production of books, papers, records
26 and documents which may be needed as evidence on any matter

1 under inquiry and may administer oaths and affirmations.

2 In cases of neglect or refusal to obey a subpoena issued to
3 any person, the circuit court in the county in which the
4 investigation or the public hearing is taking place, upon
5 application by the Board, may issue an order requiring such
6 person to appear before the Board or any member or agent of the
7 Board to produce evidence or give testimony. A failure to obey
8 such order may be punished by the court as in civil contempt.

9 Any subpoena, notice of hearing, or other process or notice
10 of the Board issued under the provisions of this Act may be
11 served personally, by registered mail or by leaving a copy at
12 the principal office of the respondent required to be served. A
13 return, made and verified by the individual making such service
14 and setting forth the manner of such service, is proof of
15 service. A post office receipt, when registered mail is used,
16 is proof of service. All process of any court to which
17 application may be made under the provisions of this Act may be
18 served in the county where the persons required to be served
19 reside or may be found.

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

24 (j) The Board at the end of every State fiscal year shall
25 make a report in writing to the Governor and the General
26 Assembly, stating in detail the work it has done in hearing and

1 deciding cases and otherwise.

2 (Source: P.A. 96-813, eff. 10-30-09.)

3 Section 55. The Liquor Control Act of 1934 is amended by
4 changing Section 3-9 as follows:

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

6 Sec. 3-9. Compensation of commissioners, secretary, and
7 employees. The chairman of the Commission shall receive an
8 annual salary of \$32,000 or such greater amount as may be set
9 by the Compensation Review Board until the expiration of the
10 term of office in which the chairman is serving on the
11 effective date of this amendatory Act of the 98th General
12 Assembly; thereafter, the chairman shall serve without
13 compensation. The other commissioners shall receive an annual
14 salary of \$28,000 or such greater amount as may be set by the
15 Compensation Review Board until the expiration of the terms of
16 office in which the commissioners are serving on the effective
17 date of this amendatory Act of the 98th General Assembly;
18 thereafter, the commissioners shall serve without
19 compensation. The secretary of the Commission shall receive an
20 annual salary as set by the Compensation Review Board. All
21 clerks, inspectors, and employees of the Commission shall
22 receive reasonable compensation in an amount fixed by the
23 Commission, subject to the approval in writing of the Governor.
24 (Source: P.A. 91-798, eff. 7-9-00.)

1 Section 60. The Coal Mining Act is amended by changing
2 Section 8.04 as follows:

3 (225 ILCS 705/8.04) (from Ch. 96 1/2, par. 804)

4 Sec. 8.04. Each miners' examining officer shall receive as
5 compensation for his services the sum of \$7,500 per year or
6 such greater sum as may be set by the Compensation Review
7 Board, until the expiration of the term of office in which the
8 officer is serving on the effective date of this amendatory Act
9 of the 98th General Assembly; thereafter, the officer shall
10 serve without compensation. He shall also receive his traveling
11 and other necessary expenses actually expended in the discharge
12 of his official duties. Salary and expenses of such officers
13 shall be paid monthly. All expense accounts shall be itemized
14 and verified by the examining officer receiving the same, and
15 shall be approved by the Director.

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

17 Section 65. The Illinois Horse Racing Act of 1975 is
18 amended by changing Section 5 as follows:

19 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

20 Sec. 5. As soon as practicable following the effective date
21 of this amendatory Act of 1995, the Governor shall appoint,
22 with the advice and consent of the Senate, members to the Board

1 as follows: 3 members for terms expiring July 1, 1996; 3
2 members for terms expiring July 1, 1998; and 3 members for
3 terms expiring July 1, 2000. Of the 2 additional members
4 appointed pursuant to this amendatory Act of the 91st General
5 Assembly, the initial term of one member shall expire on July
6 1, 2002 and the initial term of the other member shall expire
7 on July 1, 2004. Thereafter, the terms of office of the Board
8 members shall be 6 years. Incumbent members on the effective
9 date of this amendatory Act of 1995 shall continue to serve
10 only until their successors are appointed and have qualified.

11 Each member of the Board shall receive \$300 per day for
12 each day the Board meets and for each day the member conducts a
13 hearing pursuant to Section 16 of this Act, provided that no
14 Board member shall receive more than \$5,000 in such fees during
15 any calendar year, or an amount set by the Compensation Review
16 Board, whichever is greater, until the expiration of the terms
17 of office in which the members are serving on the effective
18 date of this amendatory Act of the 98th General Assembly;
19 thereafter, the members shall serve without compensation.

20 Members of the Board shall also be reimbursed for all actual
21 and necessary expenses and disbursements incurred in the
22 execution of their official duties.

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

24 Section 70. The Toll Highway Act is amended by changing
25 Sections 4 and 5 as follows:

1 (605 ILCS 10/4) (from Ch. 121, par. 100-4)

2 Sec. 4. Of the directors appointed by the Governor, one
3 such director shall be appointed by the Governor as chairman
4 and shall hold office for 4 years from the date of his
5 appointment, and until his successor shall be duly appointed
6 and qualified, but shall be subject to removal by the Governor
7 for incompetency, neglect of duty or malfeasance.

8 The chairman shall preside at all meetings of the Board of
9 Directors of the Authority; shall exercise general supervision
10 over all powers, duties, obligations and functions of the
11 Authority; and shall approve or disapprove all resolutions,
12 by-laws, rules, rates and regulations made and established by
13 the Board of Directors, and if he shall approve thereof, he
14 shall sign the same, and such as he shall not approve he shall
15 return to the Board of Directors with his objections thereto in
16 writing at the next regular meeting of the Board of Directors
17 occurring after the passage thereof. Such veto may extend to
18 any one or more items contained in such resolution, by-law,
19 rule, rate or regulation, or to its entirety; and in case the
20 veto extends to a part of such resolution, by-law, rule, rate
21 or regulation, the residue thereof shall take effect and be in
22 force, but in case the chairman shall fail to return any
23 resolution, by-law, rule, rate or regulation with his
24 objections thereto by the time aforesaid, he shall be deemed to
25 have approved the same, and the same shall take effect

1 accordingly. Upon the return of any resolution, by-law, rule,
2 rate or regulation by the chairman, the vote by which the same
3 was passed shall be reconsidered by the Board of Directors, and
4 if upon such reconsideration two-thirds of all the Directors
5 agree by yeas and nays to pass the same, it shall go into
6 effect notwithstanding the chairman's refusal to approve
7 thereof.

8 The chairman shall receive a salary of \$18,000 per annum,
9 or as set by the Compensation Review Board, whichever is
10 greater, payable in monthly installments, until the expiration
11 of the term of office in which the chairman is serving on the
12 effective date of this amendatory Act of the 98th General
13 Assembly; thereafter, the chairman shall serve without
14 compensation. Additionally the chairman shall be entitled to
15 ~~together with~~ reimbursement for necessary expenses incurred in
16 the performance of his duties. The chairman shall be eligible
17 for reappointment.

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

19 (605 ILCS 10/5) (from Ch. 121, par. 100-5)

20 Sec. 5. Of the original directors, other than the chairman,
21 so appointed by the Governor, 3 shall hold office for 2 years
22 and 3 shall hold office for 4 years, from the date of their
23 appointment and until their respective successors shall be duly
24 appointed and qualified, but shall be subject to removal by the
25 Governor for incompetency, neglect of duty or malfeasance. In

1 case of vacancies in such offices during the recess of the
2 Senate, the Governor shall make a temporary appointment until
3 the next meeting of the Senate when he shall nominate some
4 person to fill such office and any person so nominated, who is
5 confirmed by the Senate, shall hold office during the remainder
6 of the term and until his successor shall be appointed and
7 qualified. The respective term of the first directors appointed
8 shall be designated by the Governor at the time of appointment,
9 but their successors shall each be appointed for a term of four
10 years, except that any person appointed to fill a vacancy shall
11 serve only for the unexpired term. Directors shall be eligible
12 for reappointment.

13 In making the initial appointments of the 2 additional
14 directors provided for by this amendatory Act of 1980, the
15 respective terms of the 2 additional directors first appointed
16 shall be designated by the Governor at the time of appointment
17 in such manner that the term of one such additional director
18 shall expire at the same time as the terms of 4 of the other
19 directors and the term of the other additional director shall
20 expire at the same time as the terms of 3 of the other
21 directors; thereafter the terms shall be 4 years.

22 Each such director, other than ex officio members shall
23 receive an annual salary of \$15,000, or as set by the
24 Compensation Review Board, whichever is greater, payable in
25 monthly installments, until the expiration of the term of
26 office in which the director is serving on the effective date

1 of this amendatory Act of the 98th General Assembly;
2 thereafter, the director shall serve without compensation.
3 Each director ~~and~~ shall be reimbursed for necessary expenses
4 incurred in the performance of his duties.

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

6 Section 75. The Court of Claims Act is amended by changing
7 Section 4 as follows:

8 (705 ILCS 505/4) (from Ch. 37, par. 439.4)

9 Sec. 4. Each judge shall receive an annual salary of:
10 \$20,900 from the third Monday in January, 1979 to the third
11 Monday in January, 1980; \$22,100 from the third Monday in
12 January, 1980 to the third Monday in January, 1981; \$23,400
13 from the third Monday in January, 1981 to the third Monday in
14 January, 1982, and \$25,000 thereafter, or as set by the
15 Compensation Review Board, whichever is greater, payable in
16 equal monthly installments, until the expiration of the terms
17 of office in which the judges are serving on the effective date
18 of this amendatory Act of the 98th General Assembly;
19 thereafter, the judges shall serve without compensation.

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

21 Section 80. The Illinois Human Rights Act is amended by
22 changing Section 8-101 as follows:

1 (775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

2 Sec. 8-101. Illinois Human Rights Commission) (A)
3 Creation; Appointments. The Human Rights Commission is created
4 to consist of 13 members appointed by the Governor with the
5 advice and consent of the Senate. No more than 7 members shall
6 be of the same political party. The Governor shall designate
7 one member as chairperson. All appointments shall be in writing
8 and filed with the Secretary of State as a public record.

9 (B) Terms. Of the members first appointed, 4 shall be
10 appointed for a term to expire on the third Monday of January,
11 1981, and 5 (including the Chairperson) shall be appointed for
12 a term to expire on the third Monday of January, 1983.

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

1 shall be appointed for a term to expire on the third Monday of
2 January, 1989.

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

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

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

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

25 (D) Compensation. The Chairperson of the Commission shall
26 be compensated at the rate of \$22,500 per year, or as set by

1 the Compensation Review Board, whichever is greater, during his
2 or her service as Chairperson, until the expiration of the term
3 of office in which the Chairperson is serving on the effective
4 date of this amendatory Act of the 98th General Assembly;
5 thereafter, the Chairperson shall serve without compensation.
6 Each other member of Commission ~~and each other member~~ shall be
7 compensated at the rate of \$20,000 per year, or as set by the
8 Compensation Review Board, whichever is greater, until the
9 expiration of the term of office in which the member is serving
10 on the effective date of this amendatory Act of the 98th
11 General Assembly; thereafter, the member shall serve without
12 compensation. In addition, all members of the Commission shall
13 be reimbursed for expenses actually and necessarily incurred by
14 them in the performance of their duties.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	5 ILCS 315/5	from Ch. 48, par. 1605
4	5 ILCS 430/20-5	
5	10 ILCS 5/1A-6.1	from Ch. 46, par. 1A-6.1
6	15 ILCS 310/8a	from Ch. 124, par. 108a
7	20 ILCS 5/5-340	was 20 ILCS 5/9.30
8	20 ILCS 5/5-380	was 20 ILCS 5/9.04
9	20 ILCS 415/7d	from Ch. 127, par. 63b107d
10	20 ILCS 2610/5	from Ch. 121, par. 307.5
11	35 ILCS 200/7-10	
12	70 ILCS 3605/19	from Ch. 111 2/3, par. 319
13	115 ILCS 5/5	from Ch. 48, par. 1705
14	235 ILCS 5/3-9	from Ch. 43, par. 105
15	225 ILCS 705/8.04	from Ch. 96 1/2, par. 804
16	230 ILCS 5/5	from Ch. 8, par. 37-5
17	605 ILCS 10/4	from Ch. 121, par. 100-4
18	605 ILCS 10/5	from Ch. 121, par. 100-5
19	705 ILCS 505/4	from Ch. 37, par. 439.4
20	775 ILCS 5/8-101	from Ch. 68, par. 8-101