



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5296

by Rep. Bill Mitchell

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/20-15  
30 ILCS 605/7.3

from Ch. 127, par. 133b10.3

Amends the State Officials and Employees Ethics Act and the State Property Control Act. Requires the Executive Ethics Commission to adopt rules for the use of and travel on State aircraft that supersede any such rules applicable to the executive branch of State government adopted by the State's various travel control boards or the Travel Regulation Council. Provides that 3 executive aircraft and 2 helicopters owned by the State and not designated for emergency use are surplus property and must be sold by a competitive sealed bid method (now, a transferable airplane may be disposed of only if (i) it is no longer needed, (ii) it will not be used as a trade-in, and (iii) a public university or college offering aviation-related instruction or training has not listed its need for an airplane). Requires that the sale proceeds be deposited into the General Revenue Fund. Effective immediately.

LRB098 17960 OMW 53085 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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

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

6 (5 ILCS 430/20-15)

7 Sec. 20-15. Duties of the Executive Ethics Commission. In  
8 addition to duties otherwise assigned by law, the Executive  
9 Ethics Commission shall have the following duties:

10 (1) To promulgate rules governing the performance of  
11 its duties and the exercise of its powers and governing the  
12 investigations of the Executive Inspectors General. It is  
13 declared to be in the public interest, safety, and welfare  
14 that the Commission adopt emergency rules under the  
15 Illinois Administrative Procedure Act to initially perform  
16 its duties under this subsection.

17 (2) To conduct administrative hearings and rule on  
18 matters brought before the Commission only upon the receipt  
19 of pleadings filed by an Executive Inspector General and  
20 not upon its own prerogative, but may appoint special  
21 Executive Inspectors General as provided in Section 20-21.  
22 Any other allegations of misconduct received by the  
23 Commission from a person other than an Executive Inspector

1 General shall be referred to the Office of the appropriate  
2 Executive Inspector General.

3 (3) To prepare and publish manuals and guides and,  
4 working with the Office of the Attorney General, oversee  
5 training of employees under its jurisdiction that explains  
6 their duties.

7 (4) To prepare public information materials to  
8 facilitate compliance, implementation, and enforcement of  
9 this Act.

10 (5) To submit reports as required by this Act.

11 (6) To the extent authorized by this Act, to make  
12 rulings, issue recommendations, and impose administrative  
13 fines, if appropriate, in connection with the  
14 implementation and interpretation of this Act. The powers  
15 and duties of the Commission are limited to matters clearly  
16 within the purview of this Act.

17 (7) To issue subpoenas with respect to matters pending  
18 before the Commission, subject to the provisions of this  
19 Article and in the discretion of the Commission, to compel  
20 the attendance of witnesses for purposes of testimony and  
21 the production of documents and other items for inspection  
22 and copying.

23 (8) To appoint special Executive Inspectors General as  
24 provided in Section 20-21.

25 (9) To adopt rules for the executive branch of State  
26 government for the use of and travel on State aircraft. The

1       Commission's rules shall supersede any rules for the use of  
2       and travel on State aircraft applicable to the executive  
3       branch of State government adopted by the State's various  
4       travel control boards or the Travel Regulation Council.

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

6       Section 10. The State Property Control Act is amended by  
7       changing Section 7.3 as follows:

8       (30 ILCS 605/7.3) (from Ch. 127, par. 133b10.3)

9       Sec. 7.3. The Administrator shall have charge of all  
10      transferable property and shall have authority to take  
11      possession and control of such property in order to transfer or  
12      assign any such property to any other State agency that has  
13      need or use for such property or to dispose of said property in  
14      accordance with Section 7 of this Act.

15      Notwithstanding any other provision of law to the contrary,  
16      3 executive aircraft and 2 helicopters owned by the State, as  
17      selected by the Administrator and not designated for emergency  
18      use under a plan developed pursuant to Section 3.120 of the  
19      Emergency Medical Services (EMS) Systems Act, are deemed  
20      surplus and shall be sold by the Administrator as soon as  
21      possible after the effective date of this amendatory Act of the  
22      98th General Assembly using a competitive sealed bid method of  
23      sale. Proceeds from the sale of those aircraft and helicopters  
24      shall be deposited into the General Revenue Fund.

1       ~~The Administrator may not dispose of a transferable~~  
2       ~~airplane by sale until he or she determines that (i) the agency~~  
3       ~~no longer has a need for the airplane, (ii) the airplane will~~  
4       ~~not be used as a trade-in on another aircraft, and (iii) no~~  
5       ~~public university or college in Illinois that offers courses in~~  
6       ~~aviation, flight training, or other subjects involving~~  
7       ~~knowledge of the workings of an airplane has listed the need~~  
8       ~~for an airplane as provided in this Section.~~

9       Responsible officers shall periodically report all  
10       transferable property at locations under their jurisdictions  
11       to the Administrator. The Administrator shall review such  
12       reports and arrange for physical examination of said property  
13       if necessary to determine if said items of transferable  
14       property should be transferred to another State agency,  
15       transferred to a central warehouse, or disposed of. The  
16       Administrator shall advise responsible officers of the results  
17       of these reviews as necessary.

18       The staff under the jurisdiction of the Administrator shall  
19       review as necessary State agencies' inventories for potential  
20       items of transferable property. If in the opinion of the  
21       Administrator's staff, any property appears to be  
22       transferable, the Administrator shall notify the responsible  
23       officer of his determination. The executive head of the agency  
24       holding the property in question may appeal the determination  
25       in writing to the Administrator.

26       The Administrator will review the determination in

1 accordance with rules and procedures established pursuant to  
2 Section 5 of this Act.

3 The Administrator shall maintain lists of transferable  
4 property and of State agency needs for such property and will  
5 transfer where appropriate listed transferable property to  
6 agencies listing their needs for such property as detailed by  
7 their responsible officers. ~~The Administrator must give~~  
8 ~~priority for transfer of an airplane, that is not to be used as~~  
9 ~~a trade in, to a public university or college in Illinois that~~  
10 ~~offers courses in aviation, flight training, or other subjects~~  
11 ~~involving knowledge of the workings of an airplane and that has~~  
12 ~~listed the need for an airplane.~~

13 (Source: P.A. 91-432, eff. 1-1-00.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.