



FILED
EXECUTIVE DEPARTMENT
APR 09 2009
IN THE OFFICE OF
SECRETARY OF STATE

EXECUTIVE ORDER

NUMBER 10 (2009)

EXECUTIVE ORDER PROTECTING THE INTEGRITY OF STATE BOARDS AND COMMISSIONS

WHEREAS, Illinois has hundreds of Boards and Commissions which serve a variety of regulatory, licensing, public safety, education, and finance purposes, and which are comprised of members who serve with and without compensation; and

WHEREAS, the Governor and State Officers under his direction have the authority to appoint members to these various Boards, Commissions, Councils, and other similar bodies (collectively "Boards and Commissions"); and

WHEREAS, an appointment process for Boards and Commissions that is accessible, transparent, and accountable increases the opportunity for any qualified individual, regardless of social status, economic standing, or relationship, to apply for membership on a Board or Commission; and

WHEREAS, this Administration is committed to enhancing the opportunities for citizens to serve on Boards and Commissions by increasing the amount of available information regarding vacancies, and streamlining and standardizing the application process; and

WHEREAS, it is critically important that members of Boards and Commissions discharge their duties in a manner that best serves the health, safety, and welfare of the people of Illinois, and that they do so in a manner unencumbered by any conflict of interest or appearance of any conflict of interest; and

WHEREAS, this Administration is committed to ensuring the integrity of the decision-making processes of Boards and Commissions by enhancing the transparency of Board and Commission proceedings, and creating revolving-door prohibitions on former members of Boards and Commissions once they conclude their service;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, hereby order the following:

I. Requirements Applicable to All Board and Commission Appointments

- A. The Office of Executive Appointments within the Office of the Governor shall create and maintain a centralized online repository for the posting of information relating to Boards and Commissions, including Board and Commission members, their terms, expired terms, and current vacancies. In addition, the repository shall describe the duties and responsibilities of membership on Boards and Commissions, and shall provide instructions on how to apply for such membership.
- B. The Office of Executive Appointments shall ensure that applications for all Board and Commission appointments by the Governor are uniform and available online to any individual interested in applying for a vacancy on a Board or Commission.

II. Requirements Applicable to Certain Board and Commission Appointments

- A. This Section II shall apply to individuals seeking appointment or reappointment by the Governor to any Board or Commission comprised of members whose appointment or reappointment to office is subject to confirmation by the Illinois Senate and who:

- 1) Are regularly compensated for their services; or
 - 2) Have authority under State law to regulate the business or activities of individuals, private entities or public bodies¹; or
 - 3) Have authority under State law to issue or approve professional licenses; or
 - 4) Have authority under State law to conduct any arbitration, adjudication, or administrative or quasi-judicial proceeding, or to review the decisions of such proceedings; or
 - 5) Have authority under State law to award grants.
- B. This Section II shall also apply to individuals seeking appointment or reappointment by the Governor to Boards or Commissions that have responsibility over State retirement funds, including, but not limited to, the State Employees' Retirement System of Illinois, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the Illinois State Board of Investments, the Governing Boards of State Universities, and the Board of Higher Education.
- C. Following the effective date of this Executive Order, any individual seeking gubernatorial appointment or reappointment to a Board or Commission subject to this Section II shall agree in writing and in a form prescribed by the Office of Executive Appointments that he or she will not, for a period of one year after termination of his or her service on the Board or Commission, accept employment with, or perform any compensated services for, a person or entity (or any of its affiliates) as to which the individual participated, during a period of one year prior to his or her termination, in a Board or Commission (i) award of a contract over \$25,000; or (ii) regulatory, adjudicatory, quasi-adjudicatory, investment, or licensing decision. The requirements of this section may be waived by the Executive Ethics Commission. The waiver may be granted upon a showing that the prospective employment or relationship did not affect the decisions referred to in this section.
- D. Following the effective date of this Executive Order, any individual seeking gubernatorial appointment or reappointment to a Board or Commission subject to this Section II shall agree in writing and in a form prescribed by the Office of Executive Appointments that he or she will not lobby or represent any person or entity (or any of its affiliates) before that Board or Commission for a period of one year after termination of service thereon.
- E. Following the effective date of this Executive Order, any individual seeking gubernatorial appointment or reappointment to a Board or Commission subject to this Section II shall submit to the Illinois Secretary of State's Office a fully executed Statement of Economic Interest and a Disclosure of Appointee Interest in State Contracts form. Such forms completed by members of Boards and Commission are public records subject to disclosure under the Freedom of Information Act..

III. Transparency in Board and Commission Proceedings

- A. Any Board or Commission that, on or after the effective date of this Executive Order, maintains a website and a full-time information technology staff shall make any available audio or video recordings of each regular or special open meeting available on its website for public viewing for a period of at least two years after the date of such meeting.
- B. Any Board or Commission that, on or after the effective date of this Executive Order, maintains a website shall make any available minutes of each regular or special open meeting available on its website for a period of at least two years after the date of such meeting.
- C. Any Board or Commission that, on or after the effective date of this Executive Order, maintains a website shall regularly update its webpage to include upcoming meeting dates and agendas.

IV. Savings Clause

Nothing in this Executive Order shall be construed to contravene any state or federal law.

V. Severability

If any provision of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

¹ This provision does not apply to Boards or Commissions that serve as purely advisory bodies and that, as such, have no authority to issue binding decisions with respect to any third-parties.

VI. Effective Date

This Executive Order shall become effective April 9, 2009.



PAT QUINN
Governor

Issued by Governor: April 9, 2009
Filed with Secretary of State: April 9, 2009

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