



EXECUTIVE ORDER

13-04

EXECUTIVE ORDER ELIMINATING AND CONSOLIDATING BOARDS AND COMMISSIONS

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor, by an Executive Order, to reassign functions or reorganize executive agencies that are directly responsible to him to simplify the structure of the Executive Branch, to ensure efficiency, and to further achieve effectiveness; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, such an Executive Order may become effective immediately, either in part or in whole, to the extent it does not contravene a statute; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, the applicable portions of such an Executive Order that contravene a statute must be delivered to the General Assembly to be considered for up to 60 calendar days; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 1 5/3.2, provides that "Reorganization" includes (i) "the abolition of the whole or any part of any agency which does not have, or upon the taking effect of reorganization will not have, any functions" or (ii) "the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;" and

WHEREAS, this Executive Order abolishes or consolidates those entities directly responsible to the Governor whose functions are now obsolete or duplicative, whose abolition increases agency efficiency, streamlines the executive branch and dissolves inactive entities;

THEREFORE, BE IT ORDERED, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, that the following agency reorganization shall be executed:

I. ABOLITION OF BOARDS AND COMMISSIONS THAT DOES NOT CONTRAVENE STATUTE

The entities listed in this part and all accompanying administrative units, boards, councils, advisory bodies, or related entities of these agencies are abolished, effective immediately. The corresponding terms of appointed members on these entities are also terminated, and their appointed offices are subsequently abolished. Likewise, all prior Executive and Administrative Orders listed in this part are repealed, effective immediately.

- a. Abraham Lincoln Bicentennial Commission, Executive Order 06-04
- b. Governor's Agriculture Advisory Council of Farmers and Farm Families, Governor's Press Release July 22, 2003
- c. Asian Advisory Council, Governor's Press Release May 15, 2006
- d. Economic Recovery Commission, Executive Order 09-13; Executive Order 09-18

FILED
INDEX DEPARTMENT

MAR 08 2013

**IN THE OFFICE OF
SECRETARY OF STATE**

- e. Education Accountability Task Force, Governor's Press Release February 9, 2004
- f. Governor's Audit Committee, Administrative Order 06-2
- g. HIPAA Task Force, Executive Order 03-19
- h. Illinois Reform Commission, Executive Order 09-1
- i. Illinois Parent Leadership Council, Executive Order 06-10
- j. Racial Profiling Task Force, Governor's Press Release July 1, 2005
- k. Safe Games Task Force, Executive Order 04-14
- l. State Government Accountability Council, Executive Order 99-7
- m. Visual Media Task Force, Governor's Press Release May 7, 2003

II. ABOLITION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTE

The entities listed in this Part II are abolished, effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected. The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity by the following statutes, or sections of the statutes, and all rights, powers, and duties incidental to these provisions including funding mechanisms, will also be abolished. The corresponding terms of appointed members on these entities will also be terminated, and their appointed offices will be abolished. The affected enabling statutes are listed next to each board or commission:

- a. Agrichemical Facility Response Action Program Board, 415 ILCS 60/19.3
- b. Air Service Commission, 20 ILCS 3958/20
- c. Capital Punishment Reform Study Committee, 20 ILCS 3929/2
- d. Children's Savings Account Task Force, 20 ILCS 4065/15
- e. Chronic Disease Nutrition and Outcomes Advisory Commission, 20 ILCS 2310/2310-77
- f. Chronic Disease Prevention and Health Promotion Task Force, 20 ILCS 2310/2310-76
- g. Condominium Advisory Council, 765 ILCS 610/10
- h. Food Animal Institute Board, 20 ILCS 3931/15
- i. Governor's Regiment of Colonels, 20 ILCS 1805/13.5
- j. Grand Avenue Railroad Relocation Authority, 70 ILCS 1915/15
- k. Health Care Workplace Violence Prevention Task Force, 405 ILCS 90/35
- l. Health Data Task Force, 20 ILCS 2310/2310-367
- m. Illinois Disabilities Services Advisory Committee, 20 ILCS 2407/20
- n. Illinois Global Partnership, Inc. Board, 20 ILCS 3948
- o. Illinois Science and Technology Commission, 20 ILCS 605/605-1000
- p. Innovation, Intervention, and Restructuring Task Force, 105 ILCS 5/2-3.64b
- q. Illinois Local and Organic Food and Farm Task Force, 505 ILCS 84/10
- r. Illinois Thoroughbred Breeders Fund Advisory Board, 230 ILCS 5/30
- s. Physician Assistant Advisory Committee to Medical Licensing Board, 225 ILCS 95/11
- t. Risks, Assets and Needs Assessment Task Force, 730 ILCS 190/15
- u. West Cook Railroad Relocation and Development Authority, 70 ILCS 1920/10

III. CONSOLIDATION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTES:

The River Councils listed in subpart (a), below, are consolidated into a single "State of Illinois Rivers Council." The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity, and all rights, powers, and duties incidental to these provisions including funding mechanisms, are also consolidated. The

FILED
INDEX DEPARTMENT
MAR 08 2013
IN THE OFFICE OF
SECRETARY OF STATE

consolidation detailed in this Part shall be effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected:

- a. Illinois River Coordinating Council, 20 ILCS 3967/15
Mississippi River Coordinating Council, 20 ILCS 4003/10
Wabash and Ohio River Coordinating Council, 20 ILCS 4060/10
- b. The State of Illinois Rivers Council shall consist of the 21 voting members appointed by the Governor to the former councils, including 3 representing soil and water conservation districts and 18 representing local communities, not-for-profit organizations working to protect the rivers, business, agriculture, recreation, conservation, and the environment. One member shall be the Lieutenant Governor who shall serve as a voting member and as chairperson of the Council. The ex-officio agency members of the Council shall include the Director, or his or her designee, of each of the following agencies: the Department of Agriculture, the Department of Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Department of Natural Resources, the Department of Transportation, and the Historic Preservation Agency. In addition, the Council shall include: 1) the Director, or his or her designee, of the Army Corp of Engineers, the National Great River Research and Education Center (NGRREC), and the Association of Illinois Soil and Water Conservation Districts (AISWCD). Members of the Council shall meet at least quarterly, and meetings may be held in-person, by videoconference, and telephone conference at the discretion of the Chair. The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council's activities. The Office may reimburse members of the Council for travel expenses.
- c. Duties of the Council. The Council shall:
 - i. Periodically review activities and programs administered by State and federal agencies that directly impact the Illinois River Watershed, the Mississippi River, the Wabash and Ohio Rivers, and other Illinois rivers.
 - ii. Work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices;
 - iii. Work with State and federal agencies to optimize the expenditure of funds affecting the rivers and the Illinois River Watershed;
 - iv. Advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Illinois River Watershed and rivers;
 - v. Advise and make recommendations to the Governor on funds and the priority of projects;
 - vi. Encourage local communities to develop watershed management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and shall encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management, and conservation of the rivers, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and
 - vii. Help identify possible sources of additional funding for rivers and watershed management projects.

FILED
INDEX DEPARTMENT

MAR 08 2013

IN THE OFFICE OF
SECRETARY OF STATE

- d. To the extent practical, the Council shall perform its duties in accordance with the Office of the Lieutenant Governor's Integrated Management Plan for the Illinois River Watershed Technical Report (1997).
- e. State agencies represented on the Council shall provide to the Council, on request, information concerning agency programs and activities that impact the Illinois River Watershed and the rivers.

IV. CLARIFICATION AND CONFIRMATION OF ABOLISHED BOARDS

As a matter of both clarification and confirmation, the following boards and commissions have been abolished, either through statutory action or through the expiration of the General Assembly that created the board or commission by resolution for the term of that particular General Assembly.

- a. Illinois and Midwest High-Speed Rail Commission, Senate Resolution 806 of the 96th General Assembly
- b. Illinois Part C Early Intervention Taskforce, House Joint Resolution 50 of the 97th General Assembly
- c. Illinois Ronald Reagan Centennial Commission, House Resolution 418 of the 96th General Assembly
- d. Interstate Gun Trafficking Task Force, House Joint Resolution 51 of the 96th General Assembly
- e. LEED Certification Task Force, House Joint Resolution 45 of the 96th General Assembly
- f. Medical Supplies Tax Relief Task Force, House Resolution 5 of the 94th General Assembly
- g. Parents and Community Accountability Study Committee, Senate Joint Resolution 5 of the 96th General Assembly
- h. Pension System Modernization Task Force, House Joint Resolution 65 of the 96th General Assembly
- i. School Transportation Task Force, House Joint Resolution 6 of the 96th General Assembly
- j. Task Force on Eliminating Racial Bias in Suspensions and Expulsions, Senate Joint Resolution 53 of the 96th General Assembly
- k. Task Force on Uniform Building Code, House Joint Resolution 26 of the 94th General Assembly
- l. Transatlantic Slave Trade, Commission to Study, Senate Joint Resolution 31 of the 94th General Assembly
- m. Unemployment Insurance for Contingent Academic Workers Task Force, Senate Joint Resolution 29 of the 96th General Assembly
- n. Wooded Land Assessment Task Force, House Joint Resolution 95 of the 94th General Assembly
- o. Alternate Fuels Commission, 415 ILCS 120/23
- p. Assisted Living and Shared Housing Advisory Board, 210 ILCS 9/110, abolished by Public Act 96-975
- q. Bank Examiners' Education Foundation Board of Trustees, 20 ILCS 3210, abolished by Public Act 96-1365
- r. Board of Currency Exchange Advisors, 205 ILCS 405/22.03, abolished by Public Act 97-315
- s. Board of Debt Management Service Advisors, 205 ILCS 665/15, abolished by Public Act 96-1420
- t. Carbon Capture and Sequestration Legislation Commission, 20 ILCS 5005, abolished by Public Act 96-754
- u. Community Senior Services and Resource Center Advisory Committee, 320 ILCS 60/35, abolished by Public Act 97-127
- v. Cross-Agency Medicaid Commission, 305 ILCS 5/12-4.7e

FILED
INDEX DEPARTMENT

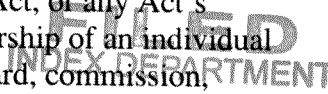
MAR 08 2013

IN THE OFFICE OF
SECRETARY OF STATE

- w. Electronic Records Advisory Board, 20 ILCS 35/30, abolished by Public Act 97-249
- x. Health Care Justice Implementation Task Force, 20 ILCS 4045/15, abolished by Public Act 97-142
- y. Human Services 211 Advisory Panel, 20 ILCS 3956/10.5
- z. Human Services 211 Collaboration Board, 20 ILCS 3956/10
- aa. Illinois Jobs for Veterans Task Force, 20 ILCS 2805/35
- bb. Instructional Mandates Task Force, 105 ILCS 5/27-1.5
- cc. Mental Health and Developmental Disabilities Medical Review Board, 405 ILCS 5/5-100A, abolished by Public Act 96-1235
- dd. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15, abolished by 96-898
- ee. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15
- ff. Military and Veterans Court Task Force, 330 ILCS 135/10
- gg. Persian Gulf War Diseases Commission, 20 ILCS 2805/2 (11), abolished by Public Act 97-127
- hh. School District Realignment and Consolidation Commission, 105 ILCS 5/11E-190
- ii. Streamlining Illinois' Educational Delivery Systems Task Force, 105 ILCS 5/3-13.5
- jj. Streamlining Illinois' Regional Offices of Education Commission, 105 ILCS 5/3A-18
- kk. Task Force on Higher Education Private Student Loans, 110 ILCS 982/20, abolished by Public Act 96-880
- ll. Task Force on Servicemember and Veterans Education, 20 ILCS 2805/30, abolished by Public Act 97-297

V. SAVINGS CLAUSE:

- a. The rights, powers, duties, and functions of the entities abolished by this Executive Order shall be vested in and shall continue to be exercised by the Department of Central Management Services or any other appropriate agency to the extent necessary to effectuate the termination or winding down of affected administrative affairs. Each act done in the exercise of these rights, powers and duties shall have the same legal effect as if done by the former entities, and by the officers, members and employees of those entities.
- b. Every person or corporation shall be subject to the same obligations and duties and to the associated penalties, if any, and shall have the same rights arising from the exercise of these obligations and duties as if exercised subject to the former entities or the officers, members and employees of those entities.
- c. Every person shall be subject to the same penalty for offenses as prescribed by existing law for the same offense by any person whose powers or duties were abolished or consolidated under this Executive Order.
- d. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person or entity, then those requirements shall be waived or, if completed, then those reports and notices shall be delivered, immediately after the effective date of this Executive Order.
- e. This Executive Order shall not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause, before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Department of Central Management Services in cooperation with any other agency, if necessary.
- f. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order. These rule modifications shall coincide with, if applicable, the termination and winding down of the abolished entities' affairs.
- g. Whenever any provision of any previous Executive Order, any Act, or any Act's Section transferred by this Executive Order provides for membership of an individual from an abolished entity or their respective designee, on any board, commission,


 MAR 08 2013
 IN THE OFFICE OF
 SECRETARY OF STATE

authority, or other entity, the Director of the Department of Central Management Services or his or her designee shall serve in that place, if necessary. If more than one such individual is required by law to serve on any board, commission, authority, or other entity, then an equivalent number of representatives of the Department of Central Management Services or the Director of the Department of Central Management Services' designees shall so serve, if necessary.

- h. All employees, if any, of the abolished entities are transferred to the Department of Central Management Services. The rights of the employees, the State, and the transferring agencies under the Personnel Code or any collective bargaining agreement, or under any pension, retirement, or annuity plan, shall not be affected by this Executive Order.
- i. All personnel records, documents, books, correspondence, papers, real and personal property, and other associated items in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be delivered and transferred to the Department of Central Management Services or the State Archives, as appropriate.
- j. All pending business and affairs in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be transferred to the Department of Central Management Services for continuation, modification, winding down, or termination, as appropriate.
- k. The unexpended balances of any appropriations or funds, grants, donations, or other moneys available for use by the abolished entities shall be transferred to the Department of Central Management Services and shall be expended for similar purposes for which the appropriations, funds, grants, or other moneys were originally made or given to those entities. If those purposes are no longer feasible, then the remaining balances shall be deposited into the General Revenue Fund.

VI. SEVERABILITY:

If any provision of this Executive Order or its application to any person or circumstance is held invalid or disapproved by either house of the General Assembly by the record vote of a majority vote of the members elected, then the invalidity or disapproval of that provision or application does not affect other provisions or applications of this Executive Order that can be given effect without the invalid or disapproved provision or application.

VII. FILING:

This Executive Order shall be filed with Clerk of the House of Representatives and the Secretary of the Senate. In addition, this Executive Order shall be filed with (i) the Secretary of State for publishing in the Illinois Register and (ii) the Legislative Reference Bureau for preparation of a revisory bill effectuating these provisions.

VIII. EFFECTIVE DATE:

This Executive Order shall become effective immediately for those boards and commissions listed in Parts I and IV, above. For those boards and commissions listed in Parts II and III, above, this Executive Order shall become effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of these Parts of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected.



Pat Quinn
Governor of Illinois

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FILED
INDEX DEPARTMENT

MAR 08 2013

IN THE OFFICE OF
SECRETARY OF STATE