



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0023

Introduced 2/25/2009, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

ILCON Art. XIII, Sec. 9

Proposes to amend the General Provisions Article of the Illinois Constitution. Creates the Compensation Review Board. Sets forth the membership of the Board. Provides that the Board shall determine the compensation for members of the General Assembly, judges, other elected constitutional officers, and certain State appointees and employees. Provides that the recommendations of the Board shall take effect only if they are approved by both houses of the General Assembly. Effective upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

LRB096 00133 HLH 10134 e

HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
SENATE CONCURRING HEREIN, that there shall be submitted to the
electors of the State for adoption or rejection at the general
election next occurring at least 6 months after the adoption of
this resolution a proposition to add Section 9 to Article XIII
of the Illinois Constitution as follows:

(ILCON Art. XIII, Sec. 9)

SECTION 9. COMPENSATION FOR CERTAIN STATE OFFICIALS

(a) There is created the Compensation Review Board as an
independent commission within the legislative branch of State
government.

The Board shall consist of 12 members, appointed 3 each by
the Speaker of the House of Representatives, the Minority
Leader of the House of Representatives, the President of the
Senate, and the Minority Leader of the Senate. Members shall be
adults and be residents of Illinois. Members may not be members
or employees or former members or employees of the judicial,
executive, or legislative branches of State government; nor may
members be persons required to be registered under the Lobbyist
Registration Act or any successor Act. Any member may be
reappointed for a consecutive term. The respective appointing

1 legislative leader may remove any such appointed member prior
2 to the expiration of his or her term on the Board for official
3 misconduct, incompetence, or neglect of duty.

4 Members shall serve without compensation but shall receive
5 an allowance for living expenses incurred in the performance of
6 their official duties in an amount per day equal to the amount
7 permitted to be deducted for such expenses by members of the
8 General Assembly under the federal Internal Revenue Code, as
9 now or hereafter amended. The rate for reimbursement of mileage
10 expenses shall be equal to the amount established from time to
11 time for members of the General Assembly.

12 The Board may, notwithstanding any other provision of this
13 Constitution, employ and fix the compensation or remuneration
14 of employees and contract for personal and professional
15 services as it considers necessary or desirable. The General
16 Assembly shall appropriate to the Commission on Government
17 Forecasting and Accountability the funds necessary to operate
18 the Board, and the Commission shall prepare and submit vouchers
19 on behalf of the Board and provide other fiscal services to the
20 Board as the Board requests and directs; but the Commission
21 shall not exercise any authority or control over the Board or
22 its employees or contractors.

23 (b) As soon as possible after this Amendment is adopted,
24 the Speaker of the House of Representatives, the Minority
25 Leader thereof, the President of the Senate, and the Minority
26 Leader thereof, shall each appoint to the Board one member to

1 serve a term not exceeding one year, one member to serve a term
2 not exceeding 2 years, and one member to serve a term not
3 exceeding 3 years, with each initial appointed member's term
4 expiring on June 30 of the appropriate year. Each successive
5 term shall be 3 years, expiring on June 30 of the appropriate
6 year. Initial and subsequent members shall serve until their
7 successors are appointed and qualified. A vacancy shall be
8 filled by the respective legislative leader by appointment for
9 the unexpired portion of the term. Members shall select one of
10 their number as chairman, who shall serve as chairman for 2
11 years.

12 (c) The Board shall meet as often as may be necessary and
13 shall determine, upon a vote requiring at least 7 affirmative
14 votes, the compensation for members of the General Assembly,
15 judges, other than the county supplement, State's attorneys,
16 other than the county supplement, other elected constitutional
17 officers of State government, and certain appointed officers of
18 State government.

19 In determining the compensation for each office, the
20 Compensation Review Board shall consider the following
21 factors:

- 22 (i) the skill required,
23 (ii) the time required,
24 (iii) the opportunity for other earned income,
25 (iv) the value of public services as performed in
26 comparable states,

1 (v) the value of such services as performed in the
2 private sector in Illinois and comparable states base on
3 the responsibility and discretion required in the office,

4 (vi) the average consumer prices commonly know as the
5 cost of living,

6 (vii) the overall compensation presently received by
7 the public officials and all other benefits received,

8 (viii) the interests and welfare of the public and the
9 financial ability of the State to meet these costs,

10 (ix) such other factors, not confined to the foregoing,
11 which are normally or traditionally taken into
12 consideration in the determination of such compensation.

13 The Board shall conduct public hearings prior to filing its
14 report. At the public hearings, the Board shall allow
15 interested persons to present their views and comments. The
16 Board may prescribe reasonable rules for the conduct of public
17 hearings, to prevent undue repetition.

18 The Board shall file an initial report with the House of
19 Representatives, the Senate, the Comptroller, and the
20 Secretary of State. Subsequent reports shall be filed therewith
21 before April 1 in each even-numbered year thereafter, stating
22 the annual salary for members of the General Assembly, other
23 elected State constitutional officers, and certain appointed
24 State officers, compensated State employees, and members of
25 certain State departments, agencies, boards, and commissions
26 whose terms begin in the next calendar year; the annual salary

1 for State's attorneys; and the annual salary for the Auditor
2 General and for Supreme Court, Appellate Court, Circuit Court,
3 and Associate judges.

4 (d) The salary recommendations of the Compensation Review
5 Board shall take effect in whole or proportionately only by
6 adoption of a resolution by a record vote of a majority of
7 members elected in each house of the General Assembly. The
8 salary recommendations of the Compensation Review Board may not
9 take effect unless each house of the General Assembly approves
10 the recommendations, in whole or proportionately, within 30
11 days after receiving them. The General Assembly may not
12 establish any statutory mechanism of any kind whereby the
13 modification of the compensation of any elected official of
14 State government takes effect without the approval of both
15 houses of the General Assembly in the form of a record vote of
16 a majority of members elected in each house. If the
17 recommendations are not so approved, or if the Board fails to
18 recommend a change in salary, the salary for the new term shall
19 be the same as the salary in effect when the previous term
20 ended.

21 (e) No modification of the salaries of any official to whom
22 these provisions apply shall take effect until and unless an
23 election at which members of the House of Representatives are
24 elected shall have occurred.

25 (f) The General Assembly shall appropriate the funds
26 necessary to pay the salaries set by the Board.

1 SCHEDULE

2 This Constitutional Amendment takes effect upon being
3 declared adopted in accordance with Section 7 of the Illinois
4 Constitutional Amendment Act.