



EXECUTIVE ORDER

2018-05

**EXECUTIVE ORDER REDUCING THE SIZE OF GOVERNMENT THROUGH THE
ABOLITION OF INOPERATIVE BOARDS AND COMMISSIONS**

WHEREAS, the State of Illinois has created more than 600 authorities, boards, bureaus, commissions, committees, councils, task forces, or other similar entities (“boards and commissions”) by statute or Executive Order; and

WHEREAS, many boards and commissions continue in name only, often serving no current public purpose; and

WHEREAS, many boards and commissions have been inactive for five years or more; and

WHEREAS, many boards and commissions were created for a special or temporary purpose, which they have fulfilled, and their continued existence is unnecessary, while others are redundant with other units of government; and

WHEREAS, good governance requires clean-up of the programs, entities, and bodies tasked with important governmental purposes to ensure transparency about the ongoing work of the State and to increase the efficiency of the executive branch; and

WHEREAS, Section 11 of Article V of the Constitution of the State of Illinois authorizes the Governor, by Executive Order, to reorganize executive agencies which are directly responsible to him, which includes the abolition of boards and commissions;

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 and Section 11 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

I. DEFINITIONS

As used in this Executive Order:

“Abolished Entity” means an agency designated by Exhibit A of this Executive Order to be abolished pursuant to Section II of this Executive Order as of July 1, 2018.

“Boards and Commissions” means authorities, boards, bureaus, commissions, committees, councils, task forces, and other similar entities created by statute or Executive Order and situated in the executive branch.

II. ABOLITION OF ENTITIES AND TRANSFER OF RIGHTS

1. The entities set forth on Exhibit A are abolished as of July 1, 2018, upon the taking effect of this Executive Order.

2. The rights, powers, duties, and functions vested by law in these entities by the statutes set forth on Exhibit A to this Executive Order, and all rights, powers, and duties incidental to these provisions including funding mechanisms, are also abolished as of July 1, 2018.
3. Upon the taking effect of this Executive Order, to the extent authorized by law and required to facilitate the termination of the administration of an Abolished Entity, the functions, duties, rights, responsibilities, and, to the extent they exist, books, records and unexpended balances of appropriations or funds related to each Abolished Entity shall be transferred to the Department of Central Management Services or an appropriate agency designated by the Governor's Office.
4. The corresponding terms of members appointed to the Abolished Entities are also terminated, and their appointed offices are subsequently abolished as of July 1, 2018.

III. INCONSISTENT ACTS

From the effective date of this reorganization, and as long as such reorganization remains in effect, the operation of any prior act of the General Assembly inconsistent with this reorganization is suspended to the extent of the inconsistency.

IV. SAVINGS CLAUSE

1. The rights, powers, duties, and functions of each 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 an appropriate agency designated by the Governor's Office to the extent authorized by law and necessary to effectuate the termination of affected entities' administrative affairs. Each act done in exercise of such rights, powers, duties, and functions shall have the same legal effect as if done by the Abolished Entity. Every person 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 Abolished Entity or the officers and employees of the Abolished Entity.
2. This Executive Order shall not affect any act undertaken, ratified, or cancelled or any right occurring or established or any action or proceeding commenced in an administrative, civil, or criminal case before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Department of Central Management Services or an appropriate agency designated by the Governor's Office, if necessary.
3. 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 a pertinent agency. Any rules, regulations, and other agency actions affected by the reorganization shall continue in effect. 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 of the Abolished Entities' affairs.
4. Whenever reports or notices are now required to be made or given or paper or documents furnished or served by any person in regard to the functions of the abolished entities, the same shall be made, given, furnished, or served in the same manner to the Department of Central Management Services or an appropriate agency designated by the Governor's Office.
5. Whenever any provision of any previous Executive Order or any Act provides for membership on any board or commission by a representative or designee of the Abolished Entity, the Director of the Department of Central Management Services or agency head of an appropriate agency designated by the Governor shall designate the same number of representatives or designees of that agency.
6. To the extent they exist, 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 agencies shall be delivered and transferred to the Department of Central Management Services or an appropriate agency designated by the Governor's Office, or the State Archives.

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7. To the extent they exist, any unexpended balances of any appropriations or funds, grants, donations, or other moneys available for use by the abolished agencies shall be transferred to the Department of Central Management Services or an appropriate agency designated by the Governor's Office and shall be expended for similar purposes for which the appropriations, funds, grants, or other moneys were originally made or given to those entities.
8. Although no Abolished Entity has any employees, to the extent they exist, any employees of an Abolished Entity are transferred to the Department of Central Management Services or to another appropriate agency as designated by Governor's Office. All employees engaged in the performance of a function or in the administration of a law transferred by this Executive Order are transferred to the Department of Central Management Services or to another appropriate agency as designated by Governor's Office. The status and rights of any transferred employee, the State, and its agencies under the Personnel Code and applicable collective bargaining rights or under any pension, retirement, or annuity plan shall not be affected by this reorganization.
9. This Executive Order does not contravene, and shall not be construed to contravene, any federal law, State statute (except as provided in Section III), or collective bargaining agreement.

V. FURTHER ACTION

The abolition of the entities set forth on Exhibit A does not foreclose further action by the Governor to review additional boards and commissions for abolition and to effectuate that abolition by Executive Order.

VI. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any other prior Executive Order.

VII. SEVERABILITY CLAUSE

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

VIII. FILINGS

This Executive Order shall be filed with the Secretary of State. A copy of this Executive Order shall be delivered to the Secretary of the Senate and to the Clerk of the House of Representatives and, for the purpose of preparing a revisory bill, to the Legislative Reference Bureau.

IX. EFFECTIVE DATE

Provided that neither house of the General Assembly disapproves of this Executive Order by the record vote of a majority of the members elected, this Executive Order shall take effect 60 days after its delivery to the General Assembly.



Bruce Rauner, Governor

Issued by Governor: March 30, 2018

Filed with Secretary of State: March 30, 2018

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EXHIBIT A
TO EXECUTIVE ORDER 2018-05

Abolished Entity	Statutes from which the Abolished Entity Functions Derive:
Agrichemical Facility Response Action Program Board	415 ILCS 60/19.3
Air Service Commission I-FLY	20 ILCS 3958/20, 25
Board of Aeronautical Advisors	20 ILCS 5/5-570
Commission on Children and Youth	20 ILCS 4075/15
Children's Hearing Services Advisory Committee	410 ILCS 205/7
Children's Saving Account Task Force	20 ILCS 4065/15
Children's Vision Services Advisory Committee	410 ILCS 205/7
Cord Blood Stem Cell Banks Advisory Committee	20 ILCS 2310/2310-577
Electronic Health Records Task Force	20 ILCS 3934
Family Practice Residencies Advisory Committee	110 ILCS 935/5
Grape and Wine Resources Council	235 ILCS 5/12-1
Illinois Food Systems Policy Council	20 ILCS 605/605-600(12)
Interagency Coordinating Committee on Transportation	20 ILCS 3968/15, 20
Illinois Local and Organic Food and Farm Task Force	505 ILCS 84
Manufactured Home Quality Assurance Board	430 ILCS 117/40(c)-(f)
Newborn Eye Pathology Advisory Committee	410 ILCS 223/10
Offshore Wind Energy Economic Development Task Force	20 ILCS 896/20
Revenue Commission for Community Services	405 ILCS 30/4(b)-(d)
Sorry Works! Pilot Program Committee	710 ILCS 45/410

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