

ILLINOIS CENTURY NETWORK

ICN Policy Committee Ethics Officer

Submitted for: Information

Summary: This item provides information that requires each Board / Committee to designate an Ethics Officer.

Action Requested: None

ILLINOIS CENTURY NETWORK

ICN Policy Committee Ethics Officer

The Ethics Act requires that each Board/Committee has a designated Ethics Officer. Debra Matlock is the Ethics Officer for Central Management Services and will serve as Ethics Officer for the Illinois Century Network Policy Committee. Her contact information is listed below;

Debra Matlock, General Counsel and Ethics Officer
Department of Central Management Services
100 West Randolph Street, JRTC-Suite 4-500
Chicago, Illinois 60601
312-814-2322
Debra.matlock@illinois.gov

Following is language relating to Ethics Officer responsibilities, designation and related requirements.

Designation Process

The process by which Ethics Officers for State agencies, departments, boards and commissions are named is prescribed within the State Officials and Employees Ethics Act (5 ILCS 430/20-23), which states,

“Each officer and the head of each State agency under the jurisdiction of the Executive Ethics Commission shall designate an Ethics Officer for the office or the State Agency.”

Furthermore, the State Officials and Employees Ethics Act defines (in part) a "State Agency" as:

“... all officers, boards, commissions and agencies created by the Constitution, whether in the executive or legislative branch; all officers, departments, boards, commissions, agencies, institutions, authorities, public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), and bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government (including community college districts) and their officers, school districts, and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor...”

Therefore, for the purposes of the Ethics Act, with few exceptions, most State boards, commissions, authorities, etc. are State agencies. Furthermore, it is reasonable to interpret the Ethics Act as requiring, in the case of a State board or commission, that the head of the board or commission (i.e., its chairperson) designate an Ethics Officer.

Responsibilities of Ethics Officers

In designating an Ethics Officer, it is important that one consider the responsibilities of the position. The Ethics Act states that Ethics Officers shall:

“(1) act as liaisons between the State agency and the appropriate Executive Inspector General and between the State agency and the Executive Ethics Commission;

(2) review statements of economic interests and disclosure forms of officers, senior employees, and contract monitors before they are filed with the Secretary of State; and

(3) provide guidance to officers and employees in the interpretation and implementation of this Act, which the officer or employee may in good faith rely upon. Such guidance shall be based, wherever possible, upon legal precedent in court decisions, opinions of the Attorney General, and the findings and opinions of the Executive Ethics Commission.”

In addition to the responsibilities outlined in the Ethics Act, in practice and as liaisons to the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG), Ethics Officers, for agencies, boards and commissions under the OEIG’s jurisdiction, are largely responsible for the administrative functions related to their agency’s implementation of State employee ethics training.

Written Notification Requirements Related to the Designation of Ethics Officers

Under rules established by the Executive Ethics Commission (Ill. Adm. Code Sec. 1620.830) written notification of each State agency’s Ethics Officer must be provided to both the Executive Ethics Commission and the appropriate Executive Inspector General, within 10 days after the replacement of any Ethics Officer. It is currently recommended that such notifications with respect to Ethics Officers for agencies under the jurisdiction of the Office of Executive Inspector General for the Agencies of the Illinois Governor be addressed as follows:

James A. Wright
Executive Inspector General
Office of Executive Inspector General
for the Agencies of the Illinois Governor
32 W. Randolph, Suite 1900
Chicago, Illinois 60601

Chad Fornoff
Executive Director
Executive Ethics Commission
401 S. Spring Street
403 William Stratton Building
Springfield, Illinois 62706