



Management Audit of Boards and Commissions

Background:

On April 4, 2022, the House of Representatives adopted House Resolution Number 677.

This resolution required that the Auditor General conduct a management audit of the State's boards and commissions. The resolution contains five determinations (see **Appendix A**).

The Governor's Office of Executive Appointments maintains a website, which contains a list of the boards and commissions to which the Governor appoints one or more members. As referenced by the resolution, auditors used the "information compiled by the Governor's Office of Executive Appointments" as the authoritative list of boards and commissions for the audit.

Key Findings:

- A total of 339 boards and commissions were identified, and we compiled information from those boards and commissions as part of this audit. Initially, a total of 366 boards and commissions were surveyed; however, 27 were eliminated from analysis for reasons such as being a duplicate board or not having any governor appointments. **Volume I** of the report summarizes information compiled from our surveys of boards and commissions and contains four recommendations to address issues identified by our analysis of that information. **Volume II** of this report contains detailed information compiled for each board or commission.
- The website maintained by the Governor's Office of Executive Appointments for the boards and commissions was not accurate and contained outdated information. Based on our review, five boards and commissions were not listed on the website that should have been listed, and 12 boards and commissions were included on the website that should not have been included.
- During the audit period of Fiscal Years 2021 and 2022, there were 101 boards and commissions that were identified as being inactive. There were seven primary reasons the boards and commissions were inactive with the most common reason being boards or commissions that did not have enough members to conduct business. If inactive boards and commissions no longer serve a purpose, they should be abolished.
- Specifically regarding the 339 boards and commissions:
 - 217 (64%) had one or more board member vacancies, and 196 (58%) reported having at least one gubernatorial appointment vacancy as of June 30, 2022.
 - As of June 30, 2022, there were 1,313 total vacancies, and of those vacancies, 839 were to be appointed by the Governor.
 - 91 (27%) reported having at least one member serving on an expired term as of June 30, 2022.
 - 206 (61%) respondents reported having some type of compensation. During Fiscal Years 2021 and 2022, the boards and commissions reported approximately \$3.35 million in total compensation expenditures. This included approximately \$1.60 million in Fiscal Year 2021 and approximately \$1.75 million in Fiscal Year 2022.
 - 202 (60%) boards and commissions reported having a meeting requirement. For these 202, 57 (28%) did not hold the required number of meetings.
 - 229 (68%) boards and commissions reported having a required work product. To test if the work products were completed as required and in a timely manner, the work products were reviewed for a sample of 55 boards and commissions. Auditors found that 11 of 55 (20%) sampled boards and commissions did not complete all of their required work products. Additionally, 14 of 55 (25%) did not complete all of the required work products in a timely manner.

Key Recommendations:

The audit report contains four recommendations directed to the Governor's Office of Executive Appointments, including:

- The Governor's Office of Executive Appointments should ensure that all boards and commissions with governor appointments are included on the appointments list and website as required by the Gubernatorial Boards and Commissions Act (15 ILCS 50). Boards and commissions that should not be included, such as those that do not require governor appointments or that were repealed, should be excluded from the list and website.
- The Governor's Office of Executive Appointments should ensure that boards and commissions that have completed their work and/or have been repealed are removed from the Governor's Office of Executive Appointments' list and website. Additionally, in consultation with relevant state agencies, the Governor's Office of Executive Appointments should review all inactive boards and commissions and make recommendations to: 1) the Governor regarding any boards and commissions created by executive order that are no longer needed and could be abolished; and 2) the General Assembly regarding any boards and commissions that could have their statutory authority repealed.
- The Governor's Office of Executive Appointments should ensure that members are appointed to boards and commissions for which the Governor has appointment authority, so the boards and commissions can fulfill their defined responsibilities. Therefore, the Governor's Office of Executive Appointments should: 1) fill vacancies in a timely manner by appointing members to boards and commissions; and 2) re-appoint members to boards and commissions or make new appointments in a timely manner, so members are not serving on expired terms.
- The Governor's Office of Executive Appointments should work with other units of the Governor's Office to improve the process for the submission of required work products by: 1) establishing procedures for the tracking, receiving, and maintenance of work products; and 2) publicizing the central email address for submitting work products.

This performance audit was conducted by the staff of the Office of the Auditor General. The Governor's Office agreed with the recommendations.

Report Digest

On April 4, 2022, the House of Representatives adopted House Resolution Number 677. This resolution required the Auditor General to conduct a management audit of the State’s boards and commissions (see **Appendix A**). Our assessment of the audit determinations is shown below in **Digest Exhibit 1**. (page 1) **Volume II** of this report contains detailed information compiled for each board or commission, which addresses each of the audit determinations.

Digest Exhibit 1 ASSESSMENT OF AUDIT DETERMINATIONS

Audit Determination	Auditor Assessment
<i>The name and purpose for every known State board and commission.</i>	<ul style="list-style-type: none"> • There were a total of 339 boards and commissions that were included in the analysis. These boards and commissions were created by statutes, resolutions, and executive orders in order to serve a variety of advisory and substantive functions. Volume II provides detailed information on every board and commission. • Auditors found that the website maintained by the Governor’s Office of Executive Appointments for boards and commissions was not accurate and contained outdated information. (pages 1, 6-8)
<i>The number of appointed members and the number of vacancies and the length of the vacancies.</i>	<ul style="list-style-type: none"> • 64 percent or 217 boards and commissions had one or more board member vacancies, and 58 percent or 196 reported having at least one gubernatorial appointment vacancy as of June 30, 2022. Additionally, 27 percent or 91 boards and commissions reported having at least one member serving on an expired term as of June 30, 2022. (pages 14-15)
<i>Costs of member stipends, salaries, and per diems and expense reimbursements to members and State officials and employees for attending board and commission meetings during Fiscal Years 2021 and 2022.</i>	<ul style="list-style-type: none"> • 61 percent or 206 boards and commissions reported having some type of compensation. For Fiscal Years 2021 and 2022, boards and commissions reported \$3,354,009 in expenditures. For Fiscal Year 2021, there was \$1,602,867 in expenditures. For Fiscal Year 2022, there was \$1,751,142 in expenditures. (page 17)
<i>The date of each of the board’s or commission’s meetings during Fiscal Years 2021 and 2022 and the number of members in attendance and the number of members absent.</i>	<ul style="list-style-type: none"> • The 339 boards and commissions reported holding a total of at least 2,560 meetings during Fiscal Years 2021 and 2022. 60 percent or 202 reported being required to hold a certain number of meetings. 57 boards and commissions did not hold the required number of meetings, including 25 inactive boards and commissions. (page 18)
<i>Identification of any report or work product prepared and made available by the board or commission during Fiscal Years 2021 and 2022.</i>	<ul style="list-style-type: none"> • 68 percent or 229 boards and commissions reported having a required work product. Auditors sampled 55 boards and commissions

Digest Exhibit 1

ASSESSMENT OF AUDIT DETERMINATIONS

Audit Determination	Auditor Assessment
	and determined that 11 (20%) did not complete all of the required work product. Also, 14 (25%) did not complete all of the required work products in a timely manner. 37 (67%) boards and commissions had at least one work product that was required to be submitted to the Governor. (pages 19-21)

Source: OAG assessment of the audit determinations contained in House Resolution Number 677.

Background

The Governor’s Office of Executive Appointments (Executive Appointments) is responsible for maintaining appointment information pursuant to the Gubernatorial Boards and Commissions Act (15 ILCS 50). This Act was established by Public Act 96-543 (effective August 17, 2009) and updated by both Public Act 99-218 (effective January 1, 2016) and Public Act 100-234 (effective January 1, 2018). (page 2)

Executive Appointments Staff

Executive Appointments has three direct staff whose sole focus is on the work of appointments: the Director of Executive Appointments, the Senior Executive Appointments Associate, and the Administrative Assistant for Boards and Commissions. Other staff with responsibilities include the Deputy Director of Research and a Research Associate who provide vetting for candidates while the Deputy Chief of Staff for Executive Appointments and Constituent Affairs supervises the appointments team. There are also personnel positions directly filled by the Governor, and these positions provide oversight to the Constituent Affairs team. (pages 2-3)

Commission on Government Forecasting and Accountability

Effective December 10, 2018, Public Act 100-1148 transferred all powers, duties, rights, responsibilities, personnel, assets, liabilities, and indebtedness responsibilities of the Legislative Research Unit to the Commission on Government Forecasting and Accountability (COGFA). This Public Act officially merged the two entities and created a new Research Unit at COGFA.

The Reports to the Commission on Government Forecasting and Accountability Act (25 ILCS 110) requires boards and commissions to report information to COGFA. Therefore, in addition to Executive Appointments, COGFA tracks the boards and commissions as was previously done by the Legislative Research Unit. (page 3)

Tracking Boards and Commissions

The Governor’s Office of Executive Appointments (Executive Appointments) is required to maintain a website, which contains a list of boards and commissions to which the Governor appoints one or more members. The list on the website is continuously updated. As referenced by the audit resolution, we used the “information compiled by the Governor’s Office of Executive Appointments” as the authoritative list of boards and commissions for this audit. (page 4)

Determining Population for Survey

In order to determine the population of boards and commissions to be surveyed for the audit, auditors compared the list of boards and commissions provided by Executive Appointments as of June 30, 2022, to the COGFA report. There were a total of 410 boards and commissions on either list. Of these 410 boards and commissions, 44 were determined as not needing to be surveyed for reasons such as being inactive or repealed, not being active until after the audit period, and having no governor appointments. Therefore, there were a total of **366** boards and commissions surveyed for this audit. (page 4)

Survey Distribution

To collect the information required by House Resolution Number 677, we created a survey instrument to send to the boards and commissions. Surveys were sent to all boards and commissions with at least one gubernatorial appointment. We also attached a spreadsheet to the survey to obtain additional support and detailed information related to the audit determinations. If a board or commission did not return a survey, the survey was filled out by the audit team based on publicly available information. **Volume II** to this Report contains the responses received and information summarized as a result of this survey distribution. A total of **366** boards and commissions were surveyed as a part of this review.

After surveying the 366 boards and commissions, an additional **27** boards and commissions were eliminated for analysis for reasons including: incorrectly included (such as a duplicate board, no governor appointments, or repealed), determined to be a private foundation, or incorrectly added from the COGFA list. Therefore, **339** boards and commissions were included in an analysis of the survey information received. For the 339 boards and commissions with completed surveys, the surveys were completed by the board and commission contact for 266 (78%) and by auditors for 73 (22%). Auditors completed surveys when they received a partial response from the contact, did not receive a response from the contact, or Executive Appointments was unable to provide contact information. Auditors completed the surveys based on publicly available information, such as statutes, meeting minutes, and board and commission websites. (page 6)

Appointments Website

In addition to the issues identified from the survey responses, we found the website maintained by Executive Appointments for the boards and commissions was not accurate and contained outdated information. Since the audit period was

over when the audit began, the website information was not available for the audit period’s ending date of June 30, 2022. Therefore, we compared the survey information received to the Executive Appointments website as of September 15, 2022.

We reviewed the information on the Executive Appointments website with the information received from the survey responses. Based on this review as of September 15, 2022, **five** boards and commissions were not listed on the website that should have been. Additionally, there were **12** boards and commissions that were included on the website that should not have been included. Of these 12, there were **6** boards and commissions that had their statutory authority repealed prior to or during the audit period but were still listed on the appointments website as of September 2022. (pages 6-7)

Inactive Boards and Commissions

During the audit period of Fiscal Years 2021 and 2022, there were 101 of the 390 (26%) boards or commissions reviewed that were identified as being inactive by Executive Appointments, COGFA, and/or survey responses. These included

Digest Exhibit 2 REASONS FOR BEING INACTIVE	
Reason	#
Not enough members to conduct business	50
Created during 2021 and 2022	32
Inactive since at least 2018	32
Repealed during the audit period	8
COVID-19	4
Subject to appropriation	3
Work completed but not repealed	3
Unable to determine	21

Note: Some of the 101 inactive boards and commissions were inactive due to multiple reasons.
Source: OAG analysis of survey responses.

boards or commissions that were later repealed or should have been included on the list from Executive Appointments. Inactive was defined as the boards and commissions not holding any meetings. There were seven primary reasons the boards and commissions were inactive, and those reasons are shown in **Digest Exhibit 2**. The most common reason was boards or commissions that did not have enough members to conduct business. Some boards and commissions were inactive due to multiple reasons. Additionally, for 21 boards and commissions, auditors were unable to determine why the board or commission was inactive.

There were 50 boards and commissions that were inactive but still authorized by statute or executive order: 47 were authorized by statute and 3 by executive order. There were also 44 boards and commissions that were partially inactive during the audit period, including 15 that were established in 2021 or 2022. All 44 partially inactive boards and commissions and 99 of the 101 inactive boards and commissions were listed on the appointments website as of September 2022. (pages 9-12)

Vacancies and Expired Terms

As required by House Resolution Number 677, information was requested on vacancies and expired terms through the distributed surveys. Information was also requested on the number of required members as well as the source for these

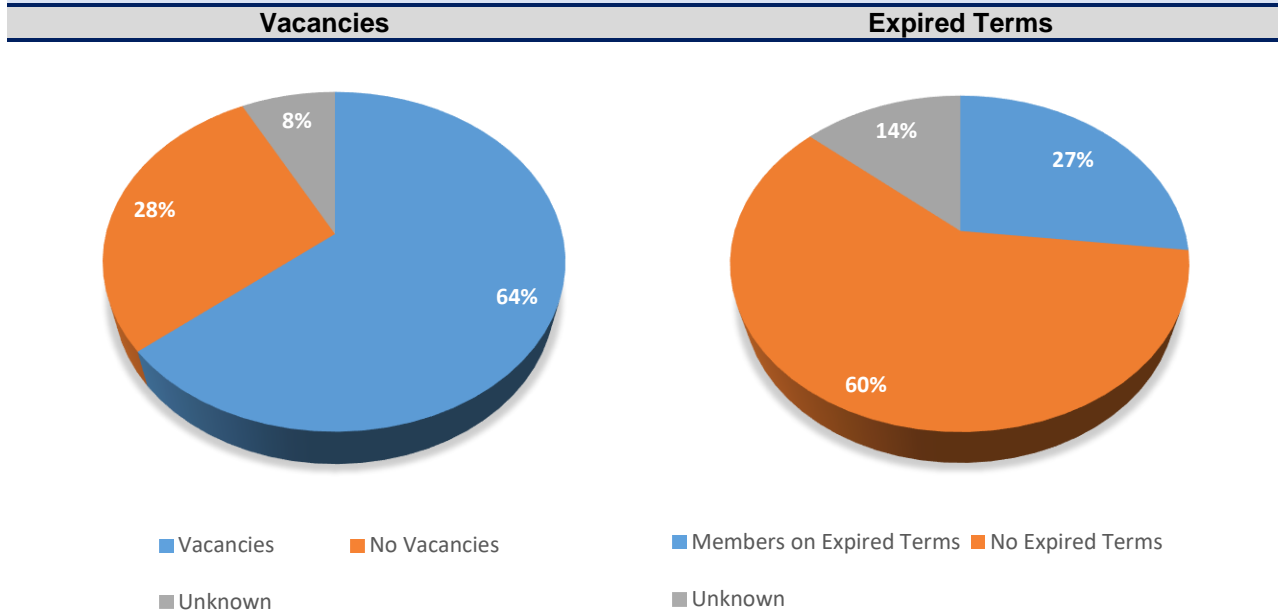
member requirements. (page 14)

Survey Results on Vacancies and Expired Terms

As shown in **Digest Exhibit 3**, there was a significant number of vacancies and expired terms occurring during the audit period. Of the **339** boards and commissions analyzed as of June 30, 2022, 217 (64%) had one or more board member vacancies, and 196 (58%) reported having at least one gubernatorial appointment vacancy. There were 1,313 total vacancies reported, and 839 of those vacancies were to be appointed by the Governor. As of June 30, 2022, 59 boards and commissions reported having 50 percent or more vacancies of the member seats with 23 having no members appointed.

In addition, **91** (27%) boards and commissions reported having at least one member serving on an expired term as of June 30, 2022. There were also **46** (14%) boards and commissions where it was unknown if there were any members serving on expired terms. (pages 14-15)

Digest Exhibit 3
PERCENTAGE OF BOARDS AND COMMISSION WITH VACANCIES AND EXPIRED TERMS
 As of June 30, 2022



Note: Numbers may not add due to rounding.

Source: OAG analysis of boards and commissions surveys.

Compensation and Other Expenses

As required by House Resolution Number 677, we requested information on member stipends, salaries, per diems, and expense reimbursements to members and State officials and employees for attending board and commission meetings during Fiscal Years 2021 and 2022. For the **339** boards and commissions that

were surveyed, **206** (61%) respondents reported having some type of compensation. For three boards and commissions, auditors were unable to determine if there was any allowable compensation.

During Fiscal Years 2021 and 2022, the boards and commissions reported \$3,354,009 in total compensation expenditures over the audit period. This included \$1,602,867 in Fiscal Year 2021 and \$1,751,142 in Fiscal Year 2022. Fifteen boards and commissions that reported paying a salary did not report any expenditures because the member salaries are paid for by the Comptroller and not by the board or commission. (page 17)

Meetings and Work Products

As required by House Resolution Number 677, we requested information on the meetings held for each board and commission during the audit period and identification of any report or work product prepared and made available by the board or commission during the audit period. (page 18)

Boards and Commissions Meetings

All meeting information and related requirements were reviewed for each board or commission during the survey review process. The **339** boards and commissions reported holding a total of at least **2,560** meetings during the audit period. However, the actual number of meetings may be higher because the number of meetings was unknown for 30 boards and commissions.

Many boards and commissions were required to hold a certain number of meetings. Of the **339** boards and commission surveys analyzed, **202** (60%) reported having a meeting requirement. For these 202 with a meeting requirement, **57** (28%) did not hold the required number of meetings, including 25 inactive boards that held no meetings during the audit period. (page 18)

Required Work Products

While reviewing the work product information submitted in response to the survey, we found the boards and commissions submitted a variety of required work products. These work products included reports, such as annual reports. The survey found that **229** (68%) of the boards and commissions reported having a required work product. An additional 13 boards and commissions reported having a work product that was not required. To test if the work products were completed as required and in a timely manner, the work products were reviewed for 55 boards and commissions. Some of these work products were required annually, so they were completed for periods during the years audited, including Fiscal Year 2021 and Fiscal Year 2022.

Auditors found that **11 of 55 (20%)** of the boards and commissions did not complete all of their required work products. Additionally, **14 of 55 (25%)** of the boards and commissions did not complete all of the required work products in a timely manner.

Of the work products reviewed, **37 of 55 (67%)** had at least one work product that was required to be submitted to the Governor. Although many work products were

required to be submitted to the Governor, there was no formal process in place for tracking those work products, and the preferred method for submitting the work products was not publicized. (pages 19-21)

Audit Recommendations

The audit report contains four recommendations directed to the Governor’s Office of Executive Appointments. The Governor’s Office agreed with the recommendations. The complete response from the Governor’s Office is included in this report as **Appendix F**.

This performance audit was conducted by the staff of the Office of the Auditor General.

SIGNED ORIGINAL ON FILE

JOE BUTCHER
Division Director

This report is transmitted in accordance with Sections 3-14 and 3-15 of the Illinois State Auditing Act.

SIGNED ORIGINAL ON FILE

FRANK J. MAUTINO
Auditor General

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