

IN THE
CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Plaintiff,)	
)	
v.)	15 CH 10243
)	
LESLIE GEISSLER MUNGER, in her capacity)	
as Comptroller of the State of Illinois,)	
)	
Defendant.)	

AGREED INTERIM ORDER

This cause having come before the Court on Plaintiff's Verified Motion for Temporary Restraining Order and Preliminary Injunction, the parties and intervenors being in agreement, and the Court being duly advised in the premises,

IT IS HEREBY ORDERED THAT:

Defendant Leslie Geissler Munger, in her official capacity as Comptroller of the State of Illinois, in the absence of enacted annual appropriations statutes for Fiscal Year 2016, is authorized to and shall process Fiscal Year 2016 certified payment vouchers for:

- a. All continuing appropriations, including but not limited to the continuing appropriations listed in the attached Exhibit A;
- b. All non-appropriated funds;
- c. Operations of the judicial branch, at the level paid as of June 30, 2015,

including but not limited to the operations listed in the attached Exhibit B; and

- d. Obligations and expenses required by consent decrees, including but not limited to payments for all services, programs, vendors, contractors and ~~State personnel~~ at the level paid as of June 30, 2015, that are necessary to comply with the consent decrees and any implementation plans approved thereunder, including but not limited to the consent decrees listed in the attached Exhibit C.

SO ORDERED

Dated: _____

Judge

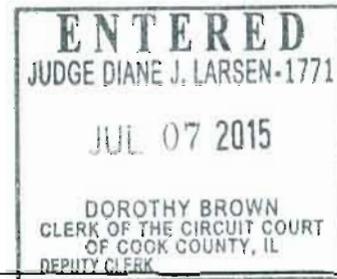


EXHIBIT A - CONTINUING APPROPRIATIONS STATUTES

- Debt Service: Repayment of principal and interest for all general obligation debt of the state pursuant to various statutes, including 30 ILCS 330/14, 16 and 20, as well as:
 - Metropolitan Civic Center Support Act (30 ILCS 355/13)
 - Illinois Private Activity Bond Allocation Act (30 ILCS 425/10, 11, and 15)
 - Capital Development Bond Act of 1972 (30 ILCS 420/9)
 - School Construction Bond Act (30 ILCS 390/9)
 - Illinois Coal and Energy Development Bond Act (20 ILCS 1110/13)
 - Transportation Bond Act (30 ILCS 415/7)

- State Pensions Continuing Appropriation Act: Contributions for the 5 state-funded retirement systems are backed by a continuing appropriation pursuant to 40 ILCS 15.

- Local Tax Funds: Taxes that are shared with local governments, or taxes that are locally-imposed but collected by the state Department of Revenue, are subject to a continuing appropriation, pursuant to a number of statutes, including:
 - County and Mass Transit District Fund (30 ILCS 105/6z-20)
 - Downstate Public Transportation Fund (30 ILCS 740/2-3)
 - Personal Property Tax Replacement Fund (30 ILCS 115/12)
 - Local Government Distributive Fund (30 ILCS 115/1)
 - Local Government Tax Fund (30 ILCS 105/6z-18)

- The Regional Transportation Authority Act, 70 ILCS 3615/4.09(b)(1), provides a continuing appropriation for payments from the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund to the Regional Transportation Authority.

- Tax Refunds: Amounts segregated for tax refunds are subject to a continuing appropriation pursuant to a number of statutes, including:
 - Income Tax Refund Fund (35 ILCS 5/901)
 - Corporate Franchise Tax Refund Fund (805 ILCS 5/15.97)
 - Estate Tax Refund Fund (35 ILCS 405/13)
 - Insurance Premium Tax Refund Fund (215 ILCS 5/412)

- Illinois Tax Increment Fund: In some instances, certain tax increment financing (TIF) districts received a portion of state sales tax receipts generated in the district and these payments were subject to a continuing appropriation pursuant to 30 ILCS 105/6z-16.

- Reciprocal Tax Agreements: The reciprocal payments made under agreements that the Department of Revenue enters into with other states are subject to a continuing appropriation pursuant to 35 ILCS 717/5-10.

- Deferred Lottery Prize Winners Trust Fund: Lottery awards for individuals choosing to receive their winnings in installments are subject to a continuing appropriation pursuant to 20 ILCS 1605/27.
- Legislative operations and salaries of legislators and judges: Pursuant to 15 ILCS 20/50-22, a continuing appropriation covers the operations of the legislative branch and the salaries of General Assembly members and judges. The amount is equal to the amount of those appropriations for the immediately preceding fiscal year.
- Illinois Unemployment Insurance Trust Fund Financing Act: Pursuant to 30 ILCS 440, the Department of Employment Security the authority to issue bonds to keep the Trust Fund solvent. The Act includes a continuing appropriation to IDES for the payment of any bonded revenues and any receipts from the fund building charge used for repayment of bonds.
- Illinois Student Assistance Commission:
 - Pursuant to 110 ILCS 947/152, ISAC is authorized to generate \$50 million in state-backed debt for ISAC's Lending Arm to buy rehabilitated loans from ISAC's Guarantor Arm. The debt service on these bonds is covered by a continuing appropriation.
 - Pursuant to 110 ILCS 947/110, ISAC serves as a federal guarantor for the Federal Family Education Loan (FFEL) program. In this capacity, ISAC is obligated to buy these loans if a student defaults and a continuing appropriation gives ISAC this spending authority.
- Protest Funds: Pursuant to 30 ILCS 105/8.28, the State Treasurer and Comptroller are authorized to make required transfers from the Protest Fund to GRF.
- Ambulance revolving loan program: Pursuant to 20 ILCS 3501/825-85, there is a continuing appropriation authorizing the State Fire Marshal's Office to send money in the Ambulance Revolving Loan Fund to the Illinois Finance Authority.
- Fire truck and station revolving loan programs: Pursuant to 20 ILCS 3501/825-80 & 81, the State Fire Marshal's Office has a continuing appropriation to send money in the Fire Truck Revolving Loan Fund and the Fire Station Revolving Loan Fund to the Illinois Finance Authority.
- Agricultural Loan Guarantees: The Illinois Finance Authority is authorized to issue state guarantees for farmers' debt held by lenders and the Illinois Agricultural Loan Guarantee Fund and the Illinois Farmer and Agribusiness Loan Guarantee Fund hold money to serve as guarantee. Pursuant to 20 ILCS 3501/830-30 & 35, there is a continuing appropriation to satisfy those guarantees if needed.
- Illinois Grain Insurance Fund: Pursuant to 240 ILCS 40/25-20, the Grain Insurance Fund is subject to a continuing appropriation.

- Drug Traffic Prevention Fund: Pursuant to 725 ILCS 175/5, all funds deposited in the Drug Traffic Prevention Fund pursuant to the Narcotics Profit Forfeiture Act are subject to a continuing appropriation to the Department of State Police to be used for specific purposes.
- The Deferred Compensation Continuing Appropriation Act, 40 ILCS 10/1, provides a continuing appropriation for the purpose of making disbursements for distributions, refunds and investments in accordance with the State Employees Deferred Compensation Plan from the State Employees Deferred Compensation Plan Fund to the Department of Central Management Services.
- The State Officers and Employees Money Disposition Act, 30 ILCS 230/2e(c), provides a continuing appropriation to the Comptroller to pay refunds due to an overpayment or erroneous payment under this Act.
- The Alcoholism and Other Drug Abuse and Dependency Act, 20 ILCS 301/50-40(a), establishes a Group Home Loan Revolving Fund and provides that monies in that fund shall be continually appropriated.

Exhibit B – Judicial Operations

1. Amounts payable under Public Act 98-0679, Article 38, Sections 5, 10, 15, 20, and 25.
2. Amounts payable under Public Act 98-0679, Article 10, Section 5.

Exhibit C – Consent Decrees

1. *B.H. v. Tate*, No. 88 C 5599; *Aristotle P. v. Ryder*, No. 88 C 7919; *Burgos v. McEwen*, No. 75 C 3974; *Norman v. McEwen*, No. 89 C 1624; and *Hill v. Erickson*, No. 88 C 296 – all cover DCFS operations.
2. *Beeks v. Bradley*, No. 92 C 4204 – This decree covers: Aid to the Aged, Blind and Disabled (AABD) 305 ILCS 5 / Art. III; Temporary Assistance for Needy Families (TANF). 305 ILCS 5 / Art. IV; Medical Assistance – 305 ILCS 5 / Art. V; and Child Care Assistance Program (CCAP) – 305 ILCS 5/9A-11.
3. *Ligas v. Norwood*, No. 05-4331; *Bogard v. Bradley*, No. 88 C 2414 – covering services and programs for adults with developmental disabilities.
4. *Benson v. Blaser*, No. 80 C 2346 (obligations regarding the Community Care Program operated under the Department on Aging); similar decree in the *McCrimmon* case (Home Services Program operated under the Division of Rehabilitative Services).
5. *Williams v. Rauner*, No. 05 C 4673 – This decree covers community-based services provided to residents of Institutions for Mental Diseases who have diagnoses of serious mental illness and who have moved to community-based settings.
6. *Colbert v. Rauner*, No. 07 C 4737 – This decree covers community-based services provided to former nursing home residents in Cook County who are either mentally ill or physically disabled and are now living in community-based settings.
7. *Hampe v. Norwood*, No. 10 C 3121 – This decree covers services provided to individuals who were covered under but then aged out of the Home and Community Based Waiver for Medically Fragile and Technology Dependent Children.
8. *Jackson v. Maram*, No. 04 C 174 – This decree covers the provision of motorized wheelchairs to residents of Skilled Nursing Facilities who require such wheelchairs.
9. *Memisovski v. Wright*, No. 92 C 1982 – This decree covers all services provided to children in Cook County under the Early and Periodic Screening, Diagnostic and Treatment component of the Medicaid program.
10. *M.H. v. Monreal*, No. 12 C 8523 – This decree covers the provision of counsel to juveniles charged with parole violations.
11. *Rasho v. Walker*, No. 07 C 1298 – This decree covers mental health services provided to IDOC inmates.