

1 AMENDMENT TO HOUSE BILL 3183

2 AMENDMENT NO. _____. Amend House Bill 3183 on page 1, in
3 line 6, before "15-186.1", by inserting "15-159,"; and
4 on page 1, in line 7, before "as", by inserting "and adding
5 Section 15-159.1"; and

6 on page 40, after line 4, by inserting the following:

7 "(40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)
8 Sec. 15-159. Board created.

9 (a) A board of trustees constituted as provided in this
10 Section shall administer this System. The board shall be
11 known as the Board of Trustees of the State Universities
12 Retirement System.

13 (b) Until July 1, 1995, the Board of Trustees shall be
14 constituted as follows:

15 Two trustees shall be members of the Board of Trustees of
16 the University of Illinois, one shall be a member of the
17 Board of Trustees of Southern Illinois University, one shall
18 be a member of the Board of Trustees of Chicago State
19 University, one shall be a member of the Board of Trustees of
20 Eastern Illinois University, one shall be a member of the
21 Board of Trustees of Governors State University, one shall be
22 a member of the Board of Trustees of Illinois State

1 University, one shall be a member of the Board of Trustees of
2 Northeastern Illinois University, one shall be a member of
3 the Board of Trustees of Northern Illinois University, one
4 shall be a member of the Board of Trustees of Western
5 Illinois University, and one shall be a member of the
6 Illinois Community College Board, selected in each case by
7 their respective boards, and 2 shall be participants of the
8 system appointed by the Governor for a 6 year term with the
9 first appointment made pursuant to this amendatory Act of
10 1984 to be effective September 1, 1985, and one shall be a
11 participant appointed by the Illinois Community College Board
12 for a 6 year term, and one shall be a participant appointed
13 by the Board of Trustees of the University of Illinois for a
14 6 year term, and one shall be a participant or annuitant of
15 the system who is a senior citizen age 60 or older appointed
16 by the Governor for a 6 year term with the first appointment
17 to be effective September 1, 1985.

18 The terms of all trustees holding office under this
19 subsection (b) on June 30, 1995 shall terminate at the end of
20 that day or as otherwise required by law and the Board shall
21 thereafter be constituted as otherwise provided in this
22 Section ~~subsection-(e)~~.

23 (c) Beginning July 1, 1995, the Board of Trustees shall
24 be constituted as follows:

25 The Board shall consist of 9 trustees appointed by the
26 Governor. Two of the trustees, designated at the time of
27 appointment, shall be participants of the System. Two of the
28 trustees, designated at the time of appointment, shall be
29 annuitants of the System who are receiving retirement
30 annuities under this Article. The 5 remaining trustees may,
31 but need not, be participants or annuitants of the System.

32 The term of office of trustees appointed under this
33 subsection (c) shall be 6 years, beginning on July 1.
34 However, of the initial trustees appointed under this

1 subsection (c), 3 shall be appointed for terms of 2 years, 3
 2 shall be appointed for terms of 4 years, and 3 shall be
 3 appointed for terms of 6 years, to be designated by the
 4 Governor at the time of appointment.

5 A vacancy in a trustee position created under this
 6 subsection (c) ~~on---the---board--of--trustees~~ caused by
 7 resignation, death, expiration of term of office, or other
 8 reason shall be filled by a qualified person appointed by the
 9 Governor for the remainder of the unexpired term.

10 Trustees in a trustee position created under this
 11 subsection (c) ~~(other-than-the-trustees-incumbent-on-June-30,~~
 12 ~~1995)~~ shall continue in office until their respective
 13 successors are appointed and have qualified, except that a
 14 trustee appointed to one of the participant positions shall
 15 be disqualified immediately upon the termination of his or
 16 her status as a participant and a trustee appointed to one of
 17 the annuitant positions shall be disqualified immediately
 18 upon the termination of his or her status as an annuitant
 19 receiving a retirement annuity.

20 (c-1) Beginning July 1, 2004, the Board of Trustees
 21 shall consist of the 9 trustees appointed under subsection
 22 (c) plus 4 elected trustees who shall be elected as provided
 23 in this subsection (c-1) and Section 15-159.1.

24 One of the elected trustees shall be a participant of the
 25 System nominated and elected by the participants of the
 26 System who are employees of the University of Illinois.

27 One of the elected trustees shall be a participant of the
 28 System nominated and elected by the participants of the
 29 System who are employees of Northern Illinois University,
 30 Illinois State University, or Southern Illinois University.

31 One of the elected trustees shall be a participant of the
 32 System nominated and elected by the participants of the
 33 System who are employees of Chicago State University, Eastern
 34 Illinois University, Governors State University, Northeastern

1 Illinois University, or Western Illinois University.

2 One of the elected trustees shall be a participant of the
3 System nominated and elected by the participants of the
4 System who are employees of Illinois community colleges.

5 The term of office of trustees elected under this
6 subsection (c-1) shall be 6 years, beginning on July 1,
7 except that the initial trustees elected under this
8 subsection (c-1) shall serve for terms of 3, 4, 5, and 6
9 years, to be determined by lot at the first meeting of the
10 Board following their election.

11 Candidates for election shall be nominated by petition
12 containing the signatures and addresses of at least 100
13 participants from the applicable constituency. Petitions
14 shall be filed with the Secretary of the Board during the
15 month of January before the election. The Secretary shall
16 determine the validity of petitions of candidates by February
17 15 before the election and shall notify the candidates as to
18 whether or not their petitions have met the requirements.

19 If no more than one candidate files a valid petition for
20 election to a position, that candidate shall be declared
21 elected. If there is more than one nominee for a position,
22 then the Board shall conduct by mail a secret ballot election
23 among those persons eligible to vote for that position, in
24 accordance with Section 15-159.1 and such rules and
25 procedures as it may adopt.

26 If a vacancy occurs among the elected members of the
27 Board, the remaining elected members of the Board shall meet
28 for the purpose of filling the vacant position by appointing
29 a person who is eligible for nomination and election to the
30 position to serve for the remainder of the term. The meeting
31 shall be held as soon as practicable after the position
32 becomes vacant. Appointment of a person to fill a vacancy in
33 an elected trustee position requires a majority vote of the
34 elected members present at the meeting.

1 An elected trustee shall continue in office until his or
 2 her successor is elected (or, in the case of a vacancy
 3 occurring during a term, appointed) and has qualified, except
 4 that an elected trustee shall be disqualified upon the
 5 termination of his or her status as a participant.

6 (d) Each trustee must take an oath of office before a
 7 notary public of this State and shall qualify as a trustee
 8 upon the presentation to the the Board of a certified copy of
 9 the oath. The oath must state that the person will
 10 diligently and honestly administer the affairs of the
 11 retirement system, and will not knowingly violate or wilfully
 12 permit to be violated any provisions of this Article.

13 Each trustee shall serve without compensation but shall
 14 be reimbursed for expenses necessarily incurred in attending
 15 board meetings and carrying out his or her duties as a
 16 trustee or officer of the System.

17 (e) This amendatory Act of 1995 (Public Act 89-196) is
 18 intended to supersede the changes made to this Section by
 19 Public Act 89-4.

20 (Source: P.A. 89-4, eff. 1-1-96; 89-196, eff. 7-21-95.)

21 (40 ILCS 5/15-159.1 new)

22 Sec. 15-159.1. Election of trustees.

23 (a) Election of trustees shall be by mail ballot. By no
 24 later than April 1 of the year of the election, the board
 25 shall prepare and send ballots and ballot envelopes to the
 26 persons eligible to vote as of February 1 of the year of the
 27 election. The ballots shall contain the names of all
 28 candidates of the constituency for which the person is
 29 eligible to vote, in alphabetical order. The ballot envelope
 30 shall have on the outside a form of certificate stating that
 31 the person voting the ballot is a member of the specified
 32 constituency and is entitled to vote.

33 (b) Persons wishing to vote shall vote the ballot and

1 place it in the ballot envelope, seal the envelope, execute
2 the certificate on the envelope, and return the ballot to the
3 System.

4 (c) The final date for ballot return shall be May 1, or
5 if that date falls on a Saturday, Sunday, or State holiday,
6 then the next business day. Ballots received on or before
7 that date, in a ballot envelope with a properly executed
8 certificate and properly voted, shall be valid ballots.

9 (d) The board shall set a day for counting ballots,
10 shall name judges and clerks of election to conduct the count
11 of ballots, and shall make any rules that may be necessary
12 for the conduct of the count.

13 (e) Candidates for the office of trustee, and employee
14 and labor organizations, shall have access, at their own
15 expense, to the System's participant mailing lists for
16 election purposes."