



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1356

Introduced 02/09/05, by Rep. Jack McGuire

SYNOPSIS AS INTRODUCED:

40 ILCS 5/15-159
40 ILCS 5/15-159.1 new

from Ch. 108 1/2, par. 15-159

Amends the State Universities Retirement System (SURS) Article of the Illinois Pension Code. Adds 4 elected members to the SURS Board of Trustees. Effective immediately.

LRB094 05868 AMC 35922 b

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Section 15-159 and by adding Section 15-159.1 as follows:

6 (40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)
7 Sec. 15-159. Board created.

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

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

14 Two trustees shall be members of the Board of Trustees of
15 the University of Illinois, one shall be a member of the Board
16 of Trustees of Southern Illinois University, one shall be a
17 member of the Board of Trustees of Chicago State University,
18 one shall be a member of the Board of Trustees of Eastern
19 Illinois University, one shall be a member of the Board of
20 Trustees of Governors State University, one shall be a member
21 of the Board of Trustees of Illinois State University, one
22 shall be a member of the Board of Trustees of Northeastern
23 Illinois University, one shall be a member of the Board of
24 Trustees of Northern Illinois University, one shall be a member
25 of the Board of Trustees of Western Illinois University, and
26 one shall be a member of the Illinois Community College Board,
27 selected in each case by their respective boards, and 2 shall
28 be participants of the system appointed by the Governor for a 6
29 year term with the first appointment made pursuant to this
30 amendatory Act of 1984 to be effective September 1, 1985, and
31 one shall be a participant appointed by the Illinois Community
32 College Board for a 6 year term, and one shall be a participant

1 appointed by the Board of Trustees of the University of
2 Illinois for a 6 year term, and one shall be a participant or
3 annuitant of the system who is a senior citizen age 60 or older
4 appointed by the Governor for a 6 year term with the first
5 appointment to be effective September 1, 1985.

6 The terms of all trustees holding office under this
7 subsection (b) on June 30, 1995 shall terminate at the end of
8 that day or as otherwise required by law and the Board shall
9 thereafter be constituted as otherwise provided in this Section
10 ~~subsection (c)~~.

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

13 The Board shall consist of 9 trustees appointed by the
14 Governor. Two of the trustees, designated at the time of
15 appointment, shall be participants of the System. Two of the
16 trustees, designated at the time of appointment, shall be
17 annuitants of the System who are receiving retirement annuities
18 under this Article. The 5 remaining trustees may, but need not,
19 be participants or annuitants of the System.

20 The term of office of trustees appointed under this
21 subsection (c) shall be 6 years, beginning on July 1. However,
22 of the initial trustees appointed under this subsection (c), 3
23 shall be appointed for terms of 2 years, 3 shall be appointed
24 for terms of 4 years, and 3 shall be appointed for terms of 6
25 years, to be designated by the Governor at the time of
26 appointment.

27 A vacancy in a trustee position created under this
28 subsection (c) ~~on the board of trustees~~ caused by resignation,
29 death, expiration of term of office, or other reason shall be
30 filled by a qualified person appointed by the Governor for the
31 remainder of the unexpired term.

32 Trustees in a trustee position created under this
33 subsection (c) ~~(other than the trustees incumbent on June 30,~~
34 ~~1995)~~ shall continue in office until their respective
35 successors are appointed and have qualified, except that a
36 trustee appointed to one of the participant positions shall be

1 disqualified immediately upon the termination of his or her
2 status as a participant and a trustee appointed to one of the
3 annuitant positions shall be disqualified immediately upon the
4 termination of his or her status as an annuitant receiving a
5 retirement annuity.

6 (c-1) Beginning July 1, 2006, the Board of Trustees shall
7 consist of the 9 trustees appointed under subsection (c) plus 4
8 elected trustees who shall be elected as provided in this
9 subsection (c-1) and Section 15-159.1.

10 One of the elected trustees shall be a participant of the
11 System nominated and elected by the participants of the System
12 who are employees of the University of Illinois.

13 One of the elected trustees shall be a participant of the
14 System nominated and elected by the participants of the System
15 who are employees of Northern Illinois University, Illinois
16 State University, or Southern Illinois University.

17 One of the elected trustees shall be a participant of the
18 System nominated and elected by the participants of the System
19 who are employees of Chicago State University, Eastern Illinois
20 University, Governors State University, Northeastern Illinois
21 University, or Western Illinois University.

22 One of the elected trustees shall be a participant of the
23 System nominated and elected by the participants of the System
24 who are employees of Illinois community colleges.

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

31 Candidates for election shall be nominated by petition
32 containing the signatures and addresses of at least 100
33 participants from the applicable constituency. Petitions shall
34 be filed with the Secretary of the Board during the month of
35 January before the election. The Secretary shall determine the
36 validity of petitions of candidates by February 15 before the

1 election and shall notify the candidates as to whether or not
2 their petitions have met the requirements.

3 If no more than one candidate files a valid petition for
4 election to a position, that candidate shall be declared
5 elected. If there is more than one nominee for a position, then
6 the Board shall conduct by mail a secret ballot election among
7 those persons eligible to vote for that position, in accordance
8 with Section 15-159.1 and such rules and procedures as it may
9 adopt.

10 If a vacancy occurs among the elected members of the Board,
11 the remaining elected members of the Board shall meet for the
12 purpose of filling the vacant position by appointing a person
13 who is eligible for nomination and election to the position to
14 serve for the remainder of the term. The meeting shall be held
15 as soon as practicable after the position becomes vacant.
16 Appointment of a person to fill a vacancy in an elected trustee
17 position requires a majority vote of the elected members
18 present at the meeting.

19 An elected trustee shall continue in office until his or
20 her successor is elected (or, in the case of a vacancy
21 occurring during a term, appointed) and has qualified, except
22 that an elected trustee shall be disqualified upon the
23 termination of his or her status as a participant.

24 (d) Each trustee must take an oath of office before a
25 notary public of this State and shall qualify as a trustee upon
26 the presentation to the the Board of a certified copy of the
27 oath. The oath must state that the person will diligently and
28 honestly administer the affairs of the retirement system, and
29 will not knowingly violate or wilfully permit to be violated
30 any provisions of this Article.

31 Each trustee shall serve without compensation but shall be
32 reimbursed for expenses necessarily incurred in attending
33 board meetings and carrying out his or her duties as a trustee
34 or officer of the System.

35 (e) This amendatory Act of 1995 (Public Act 89-196) is
36 intended to supersede the changes made to this Section by

1 Public Act 89-4.

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

3 (40 ILCS 5/15-159.1 new)

4 Sec. 15-159.1. Election of trustees.

5 (a) Election of trustees shall be by mail ballot. By no
6 later than April 1 of the year of the election, the board shall
7 prepare and send ballots and ballot envelopes to the persons
8 eligible to vote as of February 1 of the year of the election.
9 The ballots shall contain the names of all candidates of the
10 constituency for which the person is eligible to vote, in
11 alphabetical order. The ballot envelope shall have on the
12 outside a form of certificate stating that the person voting
13 the ballot is a member of the specified constituency and is
14 entitled to vote.

15 (b) Persons wishing to vote shall vote the ballot and place
16 it in the ballot envelope, seal the envelope, execute the
17 certificate on the envelope, and return the ballot to the
18 System.

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

24 (d) The board shall set a day for counting ballots, shall
25 name judges and clerks of election to conduct the count of
26 ballots, and shall make any rules that may be necessary for the
27 conduct of the count.

28 (e) Candidates for the office of trustee, and employee and
29 labor organizations, shall have access, at their own expense,
30 to the System's participant mailing lists for election
31 purposes.

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.