

1 AN ACT in relation to 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
5 changing Section 15-159 and adding Section 15-159.1 as
6 follows:

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
23 University, one shall be a member of the Board of Trustees of
24 Northeastern Illinois University, one shall be a member of
25 the Board of Trustees of Northern Illinois University, one
26 shall be a member of the Board of Trustees of Western
27 Illinois University, and one shall be a member of the
28 Illinois Community College Board, selected in each case by
29 their respective boards, and 2 shall be participants of the
30 system appointed by the Governor for a 6 year term with the
31 first appointment made pursuant to this amendatory Act of

1 1984 to be effective September 1, 1985, and one shall be a
 2 participant appointed by the Illinois Community College Board
 3 for a 6 year term, and one shall be a participant appointed
 4 by the Board of Trustees of the University of Illinois for a
 5 6 year term, and one shall be a participant or annuitant of
 6 the system who is a senior citizen age 60 or older appointed
 7 by the Governor for a 6 year term with the first appointment
 8 to be effective September 1, 1985.

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

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

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

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

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

1 Trustees in a trustee position created under this
2 subsection (c) (~~other than the trustees incumbent on June 30,~~
3 1995) shall continue in office until their respective
4 successors are appointed and have qualified, except that a
5 trustee appointed to one of the participant positions shall
6 be disqualified immediately upon the termination of his or
7 her status as a participant and a trustee appointed to one of
8 the annuitant positions shall be disqualified immediately
9 upon the termination of his or her status as an annuitant
10 receiving a retirement annuity.

11 (c-1) Beginning July 1, 2003, the Board of Trustees
12 shall consist of the 9 trustees appointed under subsection
13 (c) plus 4 elected trustees who shall be elected as provided
14 in this subsection (c-1) and Section 15-159.1.

15 One of the elected trustees shall be a participant of the
16 System nominated and elected by the participants of the
17 System who are employees of the University of Illinois.

18 One of the elected trustees shall be a participant of the
19 System nominated and elected by the participants of the
20 System who are employees of Northern Illinois University,
21 Illinois State University, or Southern Illinois University.

22 One of the elected trustees shall be a participant of the
23 System nominated and elected by the participants of the
24 System who are employees of Chicago State University, Eastern
25 Illinois University, Governors State University, Northeastern
26 Illinois University, or Western Illinois University.

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 Illinois community colleges.

30 The term of office of trustees elected under this
31 subsection (c-1) shall be 6 years, beginning on July 1,
32 except that the initial trustees elected under this
33 subsection (c-1) shall serve for terms of 3, 4, 5, and 6
34 years, to be determined by lot at the first meeting of the

1 Board following their election.

2 Candidates for election shall be nominated by petition
3 containing the signatures and addresses of at least 100
4 participants from the applicable constituency. Petitions
5 shall be filed with the Secretary of the Board during the
6 month of January before the election. The Secretary shall
7 determine the validity of petitions of candidates by February
8 15 before the election and shall notify the candidates as to
9 whether or not their petitions have met the requirements.

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

17 If a vacancy occurs among the elected members of the
18 Board, the remaining elected members of the Board shall meet
19 for the purpose of filling the vacant position by appointing
20 a person who is eligible for nomination and election to the
21 position to serve for the remainder of the term. The meeting
22 shall be held as soon as practicable after the position
23 becomes vacant. Appointment of a person to fill a vacancy in
24 an elected trustee position requires a majority vote of the
25 elected members present at the meeting.

26 An elected trustee shall continue in office until his or
27 her successor is elected (or, in the case of a vacancy
28 occurring during a term, appointed) and has qualified, except
29 that an elected trustee shall be disqualified upon the
30 termination of his or her status as a participant.

31 (d) Each trustee must take an oath of office before a
32 notary public of this State and shall qualify as a trustee
33 upon the presentation to the the Board of a certified copy of
34 the oath. The oath must state that the person will

1 diligently and honestly administer the affairs of the
2 retirement system, and will not knowingly violate or wilfully
3 permit to be violated any provisions of this Article.

4 Each trustee shall serve without compensation but shall
5 be reimbursed for expenses necessarily incurred in attending
6 board meetings and carrying out his or her duties as a
7 trustee or officer of the System.

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

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

12 (40 ILCS 5/15-159.1 new)

13 Sec. 15-159.1. Election of trustees.

14 (a) Election of trustees shall be by mail ballot. By no
15 later than April 1 of the year of the election, the board
16 shall prepare and send ballots and ballot envelopes to the
17 persons eligible to vote as of February 1 of the year of the
18 election. The ballots shall contain the names of all
19 candidates of the constituency for which the person is
20 eligible to vote, in alphabetical order. The ballot envelope
21 shall have on the outside a form of certificate stating that
22 the person voting the ballot is a member of the specified
23 constituency and is entitled to vote.

24 (b) Persons wishing to vote shall vote the ballot and
25 place it in the ballot envelope, seal the envelope, execute
26 the certificate on the envelope, and return the ballot to the
27 System.

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

33 (d) The board shall set a day for counting ballots,

1 shall name judges and clerks of election to conduct the count
2 of ballots, and shall make any rules that may be necessary
3 for the conduct of the count.

4 (e) Candidates for the office of trustee, and employee
5 and labor organizations, shall have access, at their own
6 expense, to the System's participant mailing lists for
7 election purposes.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.