



Sen. Iris Y. Martinez

Filed: 3/22/2013

09800SB0448sam001

LRB098 04668 JDS 43775 a

1 AMENDMENT TO SENATE BILL 448

2 AMENDMENT NO. _____. Amend Senate Bill 448 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 17-137, 17-138, and 17-139 as follows:

6 (40 ILCS 5/17-137) (from Ch. 108 1/2, par. 17-137)

7 Sec. 17-137. Board created. There shall be elected a Board
8 of Trustees, herein also referred to as the "Board", to
9 administer and control the Fund created by this Article. The
10 Board shall consist of 12 members, 2 of whom shall be members
11 of the Board of Education, 6 of whom shall be contributors who
12 are not administrators ~~principals~~, one of whom shall be a
13 contributor who is an administrator ~~a principal~~, and 3 of whom
14 shall be pensioners, all to be chosen as provided in this
15 Article.

16 (Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

1 (40 ILCS 5/17-138) (from Ch. 108 1/2, par. 17-138)

2 Sec. 17-138. Board membership. At the first meeting of the
3 Board of Education in November of each year, the Board of
4 Education shall appoint one of its members to serve, while a
5 member of the Board of Education, on the Board of Trustees for
6 a term of 2 years.

7 During the first week of November, ~~On the last school day~~
8 ~~of the 4th week of October of each year~~ there shall be elected
9 2 members of the Board from the teachers other than
10 administrators principals, who shall hold office for terms of 3
11 years, provided the trustee retains his or her ~~while retaining~~
12 ~~their~~ status as a teacher ~~teachers~~ other than an administrator
13 ~~principals,~~ and other members to fill any unexpired terms. ~~In~~
14 ~~the event that schools are not in session on or during the week~~
15 ~~prior to the last Friday in October, this election shall be~~
16 ~~held on the Friday of the first subsequent full week of school.~~
17 The election shall be by secret ballot, conducted in person or
18 by secure electronic ballot, and shall be held in such manner
19 as the Board by bylaws or rules shall provide. Only teachers
20 who are not administrators principals shall be eligible to vote
21 in the election.

22 During the first week of November of 1995 and every third
23 year thereafter, one contributor who is an administrator ~~a~~
24 ~~principal~~ shall be elected a member of the Board. This trustee
25 shall hold office for a term of 3 years, provided the trustee

1 retains ~~while retaining~~ his or her status as an administrator ~~a~~
2 ~~principal~~. The election shall be by mail ballot or by secure
3 electronic ballot, and only contributors who are
4 administrators ~~principals~~ shall be eligible to vote. The
5 election shall be held in the manner provided by the Board by
6 rule or bylaw.

7 During the first week of November of each odd-numbered year
8 there shall be elected 3 members of the Board from the
9 pensioners, who shall hold office for a term of 2 years while
10 retaining their status as pensioners. The election shall be by
11 mail ballot or secure electronic ballot to all service and
12 disability pensioners, and shall be held in such manner as the
13 Board by bylaws or rules shall provide.

14 All trustees, while members of the Board of Education or
15 while administrators ~~principals~~, teachers other than
16 administrators ~~principals~~, or pensioners, as the case may be,
17 shall hold their offices until their successors shall have been
18 appointed or elected and qualified by subscribing to the
19 constitutional oath of office at the immediately succeeding
20 regular meeting of the Board.

21 (Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

22 (40 ILCS 5/17-139) (from Ch. 108 1/2, par. 17-139)

23 Sec. 17-139. Board elections and vacancies.

24 (1) Contributors other than administrators ~~principals~~
25 election. Every member who is not ~~a principal~~ or an

1 administrator may vote at the election for as many persons as
2 there are trustees to be elected by the contributors who are
3 not ~~principals or~~ administrators, provided that the
4 contributor obtained that voter eligibility status on or before
5 October 1 of the election year. The name of a candidate shall
6 not be placed on ~~printed upon~~ the ballot unless he or she has
7 been assigned on a regular certificate for at least 10 years in
8 the Chicago public schools or charter schools and nominated by
9 a petition signed by not less than 200 contributors who are not
10 ~~principals or~~ administrators.

11 Petitions shall be filed with the recording secretary of
12 the Fund on or after September 15 of each year and not later
13 than October 1st of that year. No more than one candidate may
14 be nominated by any one petition. If the nominations do not
15 exceed the number of candidates to be elected, the canvassing
16 board shall declare the nominated candidates elected.
17 Otherwise, candidates receiving the highest number of votes
18 cast for their respective terms shall be declared elected. The
19 location and number of polling places shall be designated by
20 the Board. ~~The election shall be conducted by the teachers who~~
21 ~~are not principals or administrators, and the judges of the~~
22 ~~election shall be selected from the teachers who are not~~
23 ~~principals or administrators, in such manner as the board in~~
24 ~~its bylaws or rules provides.~~

25 Elections to fill vacancies on the Board shall be held at
26 the next annual election.

1 (2) Pensioners election. The name of a candidate shall not
2 be placed ~~printed~~ on the ballot unless he or she has been
3 nominated by a petition signed by not less than 100 pensioners
4 of the Fund. Petitions shall be filed with the recording
5 secretary of the Fund on or before October 1 of the
6 odd-numbered year. If the nominations do not exceed 3, the
7 mailing of ballots shall be eliminated and the nominated
8 candidates shall be declared elected. Otherwise, the 3
9 candidates receiving the highest number of votes cast shall be
10 declared elected. ~~The mailing and counting of the ballots shall~~
11 ~~be conducted by the office of the Fund with volunteer~~
12 ~~assistance from pensioners at the request of the Board.~~

13 (3) Administrators ~~Principals~~ election. The name of a
14 candidate shall not be placed ~~printed~~ on the ballot unless he
15 or she has been nominated by a petition signed by at least 25
16 contributors who are ~~principals or~~ administrators. Petitions
17 shall be filed with the recording secretary of the Fund on or
18 before October 1 of the election year. Every member who is ~~a~~
19 ~~principal or~~ an administrator may vote at the election for one
20 candidate who is a contributor who is an administrator,
21 provided that the member obtained such voter eligibility status
22 on or before October 1 of the election year ~~a principal~~. If
23 only one eligible candidate is nominated, the election shall
24 not be held and the nominated candidate shall be declared
25 elected. Otherwise, the candidate receiving the highest number
26 of votes cast shall be declared elected. ~~The mailing and~~

1 ~~counting of the ballots shall be conducted by the office of the~~
2 ~~Fund.~~

3 (4) Vacancies. The Board may fill vacancies occurring in
4 the membership of the Board elected by the ~~principals,~~
5 administrators, teachers other than ~~principals~~ or
6 administrators, or pensioners at any regular meeting of the
7 Board. The Board of Education may fill vacancies occurring in
8 the membership of the Board appointed by the Board of Education
9 at any regular meeting of the Board of Education.

10 (Source: P.A. 94-514, eff. 8-10-05.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."