



Rep. Jack D. Franks

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1 AMENDMENT TO SENATE BILL 738

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 738 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 1A-9 and 1A-12 as follows:

6 (10 ILCS 5/1A-9) (from Ch. 46, par. 1A-9)

7 Sec. 1A-9. The State Board of Elections shall appoint an  
8 executive director and an assistant executive director. The  
9 ~~Subject to the provisions of the "Personnel Code",~~ the annual  
10 compensation of the executive director and assistant executive  
11 director shall be determined by the Board.

12 The executive director and assistant executive director  
13 may be removed from office at any time by a vote of at least 5  
14 members of the Board. Upon any such removal a vacancy is  
15 created which shall be filled as provided for the initial  
16 appointments.

17 The Board, upon the affirmative vote of a majority of its  
18 members, may from time to time contract with technical  
19 consultants to assist it in the performance of its duties. Such  
20 technical consultants shall be compensated only under  
21 contracts which specify the duties to be performed and the  
22 compensation therefor. Except as otherwise provided in this  
23 Section, contracts with technical consultants, other than  
24 hearing officers and attorneys representing the Board in

1 litigation, shall terminate no more than 60 days after the  
2 commencement of the specified duties and may be extended once  
3 for a period of no more than 30 days upon the affirmative vote  
4 of a majority of the Board. The time limitations imposed by  
5 this Section on contracts with technical consultants shall not  
6 apply to a contract with a technical consultant for the  
7 provision of electronic data processing services in connection  
8 with the Board's performance of the duties assigned to it  
9 pursuant to paragraph (11) of Section 1A-8 or in connection  
10 with the Board's performance of the duties assigned to it  
11 pursuant to Sections 4-8, 5-7 and 6-35 concerning the  
12 furnishing of electronic data or compilations containing voter  
13 registration information to state political committees  
14 registered pursuant to the Illinois Campaign Finance Act or the  
15 Federal Election Campaign Act. No technical consultant, other  
16 than a hearing officer or an attorney engaged to represent the  
17 Board in litigation, may be compensated under more than one  
18 contract in any fiscal year.

19 (Source: P.A. 84-1026.)

20 (10 ILCS 5/1A-12) (from Ch. 46, par. 1A-12)

21 Sec. 1A-12. ~~The Subject to the provisions of the "Personnel~~  
22 ~~Code", approved July 18, 1955, as heretofore or hereafter~~  
23 ~~amended,~~ the State Board of Elections may employ, promote or  
24 discharge such additional persons as are necessary for the  
25 proper performance of its duties under this Code, including  
26 investigators, examiners and hearing officers. However,  
27 persons employed by the State Board of Elections prior to  
28 January 1, 1978 and previously certified under a merit plan  
29 adopted by the Board shall not be subject to any probationary  
30 period nor required to qualify by examination under "The  
31 Personnel Code" to continue in their positions. No employee or  
32 consultant may appear before the Board in any representative  
33 capacity within 6 months after termination of his employment or

1 contractual relationship with the Board.

2 (Source: P.A. 80-1437.)

3 Section 10. The Personnel Code is amended by changing  
4 Section 4c as follows:

5 (20 ILCS 415/4c) (from Ch. 127, par. 63b104c)

6 Sec. 4c. General exemptions. The following positions in  
7 State service shall be exempt from jurisdictions A, B, and C,  
8 unless the jurisdictions shall be extended as provided in this  
9 Act:

10 (1) All officers elected by the people.

11 (2) All positions under the Lieutenant Governor,  
12 Secretary of State, State Treasurer, State Comptroller,  
13 State Board of Education, Clerk of the Supreme Court, ~~and~~  
14 Attorney General, and State Board of Elections.

15 (3) Judges, and officers and employees of the courts,  
16 and notaries public.

17 (4) All officers and employees of the Illinois General  
18 Assembly, all employees of legislative commissions, all  
19 officers and employees of the Illinois Legislative  
20 Reference Bureau, the Legislative Research Unit, and the  
21 Legislative Printing Unit.

22 (5) All positions in the Illinois National Guard and  
23 Illinois State Guard, paid from federal funds or positions  
24 in the State Military Service filled by enlistment and paid  
25 from State funds.

26 (6) All employees of the Governor at the executive  
27 mansion and on his immediate personal staff.

28 (7) Directors of Departments, the Adjutant General,  
29 the Assistant Adjutant General, the Director of the  
30 Illinois Emergency Management Agency, members of boards  
31 and commissions, and all other positions appointed by the  
32 Governor by and with the consent of the Senate.

1           (8) The presidents, other principal administrative  
2 officers, and teaching, research and extension faculties  
3 of Chicago State University, Eastern Illinois University,  
4 Governors State University, Illinois State University,  
5 Northeastern Illinois University, Northern Illinois  
6 University, Western Illinois University, the Illinois  
7 Community College Board, Southern Illinois University,  
8 Illinois Board of Higher Education, University of  
9 Illinois, State Universities Civil Service System,  
10 University Retirement System of Illinois, and the  
11 administrative officers and scientific and technical staff  
12 of the Illinois State Museum.

13           (9) All other employees except the presidents, other  
14 principal administrative officers, and teaching, research  
15 and extension faculties of the universities under the  
16 jurisdiction of the Board of Regents and the colleges and  
17 universities under the jurisdiction of the Board of  
18 Governors of State Colleges and Universities, Illinois  
19 Community College Board, Southern Illinois University,  
20 Illinois Board of Higher Education, Board of Governors of  
21 State Colleges and Universities, the Board of Regents,  
22 University of Illinois, State Universities Civil Service  
23 System, University Retirement System of Illinois, so long  
24 as these are subject to the provisions of the State  
25 Universities Civil Service Act.

26           (10) The State Police so long as they are subject to  
27 the merit provisions of the State Police Act.

28           (11) The scientific staff of the State Scientific  
29 Surveys and the Waste Management and Research Center.

30           (12) The technical and engineering staffs of the  
31 Department of Transportation, the Department of Nuclear  
32 Safety, the Pollution Control Board, and the Illinois  
33 Commerce Commission, and the technical and engineering  
34 staff providing architectural and engineering services in

1 the Department of Central Management Services.

2 (13) All employees of the Illinois State Toll Highway  
3 Authority.

4 (14) The Secretary of the Illinois Workers'  
5 Compensation Commission.

6 (15) All persons who are appointed or employed by the  
7 Director of Insurance under authority of Section 202 of the  
8 Illinois Insurance Code to assist the Director of Insurance  
9 in discharging his responsibilities relating to the  
10 rehabilitation, liquidation, conservation, and dissolution  
11 of companies that are subject to the jurisdiction of the  
12 Illinois Insurance Code.

13 (16) All employees of the St. Louis Metropolitan Area  
14 Airport Authority.

15 (17) All investment officers employed by the Illinois  
16 State Board of Investment.

17 (18) Employees of the Illinois Young Adult  
18 Conservation Corps program, administered by the Illinois  
19 Department of Natural Resources, authorized grantee under  
20 Title VIII of the Comprehensive Employment and Training Act  
21 of 1973, 29 USC 993.

22 (19) Seasonal employees of the Department of  
23 Agriculture for the operation of the Illinois State Fair  
24 and the DuQuoin State Fair, no one person receiving more  
25 than 29 days of such employment in any calendar year.

26 (20) All "temporary" employees hired under the  
27 Department of Natural Resources' Illinois Conservation  
28 Service, a youth employment program that hires young people  
29 to work in State parks for a period of one year or less.

30 (21) All hearing officers of the Human Rights  
31 Commission.

32 (22) All employees of the Illinois Mathematics and  
33 Science Academy.

34 (23) All employees of the Kankakee River Valley Area

1 Airport Authority.

2 (24) The commissioners and employees of the Executive  
3 Ethics Commission.

4 (25) The Executive Inspectors General, including  
5 special Executive Inspectors General, and employees of  
6 each Office of an Executive Inspector General.

7 (26) The commissioners and employees of the  
8 Legislative Ethics Commission.

9 (27) The Legislative Inspector General, including  
10 special Legislative Inspectors General, and employees of  
11 the Office of the Legislative Inspector General.

12 (28) The Auditor General's Inspector General and  
13 employees of the Office of the Auditor General's Inspector  
14 General.

15 (Source: P.A. 93-617, eff. 12-9-03; 93-721, eff. 1-1-05;  
16 revised 10-14-04.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."