



Sen. James F. Clayborne Jr.

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09400SB1871sam001

LRB094 06855 EFG 43950 a

1 AMENDMENT TO SENATE BILL 1871

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1871 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 7-174 and 7-175 as follows:

6 (40 ILCS 5/7-174) (from Ch. 108 1/2, par. 7-174)  
7 Sec. 7-174. Board created.

8 (a) A board of 9 members ~~8 members~~ shall constitute a board  
9 of trustees authorized to carry out the provisions of this  
10 Article. Each trustee shall be a participating employee of a  
11 participating municipality or participating instrumentality or  
12 an annuitant of the Fund and no person shall be eligible to  
13 become a trustee after January 1, 1979 who does not have at  
14 least 8 years of creditable service.

15 (b) The board shall consist of representatives of various  
16 groups as follows:

17 1. Four ~~4~~ trustees shall be a chief executive officer,  
18 chief finance officer, or other officer, executive or  
19 department head of a participating municipality or  
20 participating instrumentality, and each such trustee shall  
21 be designated as an executive trustee.

22 2. Three ~~3~~ trustees shall be employees of a  
23 participating municipality or participating  
24 instrumentality (but not sheriff's law enforcement

1        employees), and each such trustee shall be designated as an  
2        employee trustee.

3        3. One trustee shall be a sheriff's law enforcement  
4        employee (SLEP), who shall be designated the SLEP trustee.

5        4. 3. One trustee shall be an annuitant of the Fund,  
6        who shall be designated the annuitant trustee.

7        (c) A person elected as a trustee shall qualify as a  
8        trustee, after declaration by the board that he has been duly  
9        elected, upon taking and subscribing to the constitutional oath  
10       of office and filing same in the office of the Fund.

11       (d) The term of office of each trustee shall begin upon  
12       January 1 of the year following the year in which he is elected  
13       and shall continue for a period of 5 years and until a  
14       successor has been elected and qualified, or until prior  
15       resignation, death, incapacity or disqualification.

16       (e) Any elected trustee (other than the annuitant trustee)  
17       shall be disqualified immediately upon termination of  
18       employment with all participating municipalities and  
19       instrumentalities thereof or upon any change in status which  
20       removes any such trustee from all employments within the group  
21       he represents. The annuitant trustee shall be disqualified upon  
22       termination of his or her annuity.

23       (f) The trustees shall fill any vacancy in the board by  
24       appointment, for the period until the next election of  
25       trustees, or, if the remaining term is less than 2 years, for  
26       the remainder of the term, and until his successor has been  
27       elected and qualified.

28       (g) Trustees shall serve without compensation, but shall be  
29       reimbursed for any reasonable expenses incurred in attending  
30       meetings of the board and in performing duties on behalf of the  
31       Fund and for the amount of any earnings withheld by any  
32       employing municipality or participating instrumentality  
33       because of attendance at any board meeting.

34       (h) Each trustee other than the annuitant trustee shall be

1 entitled to one vote on any and all actions before the board;  
2 the annuitant trustee is not entitled to vote on any matter. At  
3 least 5 ~~least 4~~ concurring votes shall be necessary for every  
4 decision or action by the board at any of its meetings. No  
5 decision or action shall become effective unless presented and  
6 so approved at a regular or duly called special meeting of the  
7 board.

8 (Source: P.A. 89-136, eff. 7-14-95.)

9 (40 ILCS 5/7-175) (from Ch. 108 1/2, par. 7-175)

10 Sec. 7-175. Board elections.

11 (a) During the period beginning on August 1 and ending on  
12 September 15 of each year, the board shall accept nominations  
13 of candidates for election to the trusteeships for terms  
14 beginning the next January 1, including any new trusteeships or  
15 vacancies to be filled by election.

16 (b) All nominations shall be by petition. Three petitions  
17 for an executive trustee shall be signed by governing bodies of  
18 contributing participating municipalities or  
19 instrumentalities.

20 A petition for an employee trustee shall be signed by at  
21 least 350 participating employees who were participants during  
22 July of the current year and who, if their employment status  
23 remained unchanged, would be eligible to vote for the ~~such~~  
24 candidate at the following election.

25 A petition for a SLEP trustee shall be signed by at least  
26 50 participating employees who were participants during July of  
27 the current year and who, if their employment status remained  
28 unchanged, would be eligible to vote for the candidate at the  
29 following election.

30 A petition for an annuitant trustee shall be signed by at  
31 least 100 persons who were annuitants of the Fund during July  
32 of the current year and who, if their annuitant status remains  
33 unchanged, would be eligible to vote for the candidate at the

1 following election.

2 (c) A separate ballot shall be used for each class of  
3 trustee and the names of all candidates properly nominated in  
4 petitions received by the board shall be placed in alphabetical  
5 order upon the proper ballot. Where two employee trustees are  
6 elected to a full term in the same year, there shall be one  
7 election for the two trusteeships and the two candidates  
8 getting the highest number of votes shall be elected.

9 (d) At any election, each contributing participating  
10 municipality and participating instrumentality and each  
11 contributing participating employee employed by such  
12 participating municipality or participating instrumentality  
13 during September of any year~~7~~ shall be entitled to vote as  
14 follows:

15 1. The governing body of each ~~such~~ participating  
16 municipality and participating instrumentality shall have  
17 one vote at any election in which an executive trustee is  
18 to be elected, and may cast that ~~such~~ vote for any  
19 candidate on the executive trustee ballot.

20 2. Each participating employee (other than a SLEP)  
21 shall have one vote at any election in which an employee  
22 trustee is to be elected, and may cast that ~~such~~ vote for  
23 any candidate on the employee trustee ballot.

24 3. Each SLEP who participates in the Fund shall have  
25 one vote at any election in which a SLEP trustee is to be  
26 elected, and may cast that vote for any candidate on the  
27 SLEP trustee ballot.

28 4. ~~3.~~ Each annuitant of the Fund shall have one vote at  
29 any election in which an annuitant trustee is to be  
30 elected, and may cast that vote for any candidate on the  
31 annuitant trustee ballot.

32 5. ~~4.~~ A vote may be cast for a person not on the ballot  
33 by writing in his or her name.

34 (e) The election shall be by ballot pursuant to the rules

1 and regulations established by the board and shall be completed  
2 by December 31 of the year. The results shall be entered in the  
3 minutes of the meeting of the board following the tally of  
4 votes.

5 (f) In case of a tie vote, the candidate employed by or  
6 retired from the participating municipality or participating  
7 instrumentality having the greatest number of participating  
8 employees at the time shall be elected.

9 (Source: P.A. 89-136, eff. 7-14-95.)

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