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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2017

Issue#	Rules Due Date	Date of Issue
1	December 27, 2016	January 6, 2017
2	January 3, 2017	January 13, 2017
3	January 9, 2017	January 20, 2017
4	January 17, 2017	January 27, 2017
5	January 23, 2017	February 3, 2017
6	January 30, 2017	February 10, 2017
7	February 6, 2017	February 17, 2017
8	February 14, 2017	February 24, 2017
9	February 21, 2017	March 3, 2017
10	February 27, 2017	March 10, 2017
11	March 6, 2017	March 17, 2017
12	March 13, 2017	March 24, 2017
13	March 20, 2017	March 31, 2017
14	March 27, 2017	April 7, 2017
15	April 3, 2017	April 14, 2017
16	April 10, 2017	April 21, 2017
17	April 17, 2017	April 28, 2017
18	April 24, 2017	May 5, 2017
19	May 1, 2017	May 12, 2017
20	May 8, 2017	May 19, 2017

21	May 15, 2017	May 26, 2017
22	May 22, 2017	June 2, 2017
23	May 30, 2017	June 9, 2017
24	June 5, 2017	June 16, 2017
25	June 12, 2017	June 23, 2017
26	June 19, 2017	June 30, 2017
27	June 26, 2017	July 7, 2017
28	July 3, 2017	July 14, 2017
29	July 10, 2017	July 21, 2017
30	July 17, 2017	July 28, 2017
31	July 24, 2017	August 4, 2017
32	July 31, 2017	August 11, 2017
33	August 7, 2017	August 18, 2017
34	August 14, 2017	August 25, 2017
35	August 21, 2017	September 1, 2017
36	August 28, 2017	September 8, 2017
37	September 5, 2017	September 15, 2017
38	September 11, 2017	September 22, 2017
39	September 18, 2017	September 29, 2017
40	September 25, 2017	October 6, 2017
41	October 2, 2017	October 13, 2017
42	October 10, 2017	October 20, 2017
43	October 16, 2017	October 27, 2017
44	October 23, 2017	November 3, 2017
45	October 30, 2017	November 13, 2017
46	November 6, 2017	November 17, 2017
47	November 13, 2017	November 27, 2017
48	November 20, 2017	December 1, 2017
49	November 27, 2017	December 8, 2017
50	December 4, 2017	December 15, 2017
51	December 11, 2017	December 26, 2017
52	December 18, 2017	December 29, 2017

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
1650.486	New Section
1650.530	Amendment
1650.1200	Repealed
1650.1201	Repealed
1650.1202	Repealed
1650.1203	Repealed
1650.1204	Repealed
1650.1205	Repealed
1650.3010	Amendment
1650.3017	New Section
1650.3020	Amendment
- 4) Statutory Authority: Implementing and authorized by Article 16 of the Illinois Pension Code [40 ILCS 5/16]
- 5) Effective Date of Rules: January 11, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) The adopted rules are on file in the Teachers' Retirement System's principal office and are available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 9146; July 8, 2016
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between Proposal and Final Version: Various punctuation changes recommended by JCAR were made in the final version.
- 12) Have all the changes agreed upon by the Agency and JCAR been as indicated in the agreements issued by JCAR? Yes

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Due to IRS tax guidance, the TRS payroll deduction program (PDP) was terminated and the rules governing administration of that program are obsolete. TRS repealed Subpart N: Payroll Deduction Program, with the exception of Section 1650.1205. The text of 1650.1205 is now located in Subpart E: Contribution Credits and Payments, renumbered as new Section 1650.486.

To address a Recommendation made by JCAR, TRS drafted a new Section 1650.3017 to provide more specifics about the metrics included in the candidate profile drafted by investment staff for each investment manager search. This rule also reflects increased transparency by indicating that a link to all TRS investment searches posted on the TRS website will be added to the Procurement Policy Board website.

Section 1650.530(a) is amended to remove the requirement that power of attorney papers must be certified or original copies. In this age of electronic records, this requirement is no longer needed.

- 16) Information and questions regarding these adopted rules shall be directed to:

Cynthia M. Fain
Senior Legal Counsel
Teachers' Retirement System
2815 West Washington
P.O. Box 19253
Springfield IL 62794-9253

217/753-0375

The full text of the Adopted Amendments begins on the next page:

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE D: RETIREMENT SYSTEMS

CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

PART 1650

THE ADMINISTRATION AND OPERATION OF THE
TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section

1650.10 Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section

1650.110 Membership Records
1650.120 Claims Records (Repealed)
1650.130 Individual Accounts (Repealed)
1650.140 Ledger and Accounts Books (Repealed)
1650.150 Statistics (Repealed)
1650.160 Confidentiality of Records
1650.180 Filing and Payment Requirements
1650.181 Early Retirement Incentive Payment Requirements (Repealed)
1650.182 Waiver of Additional Amounts Due
1650.183 Definition of Employer's Normal Cost

SUBPART C: FILING OF CLAIMS

Section

1650.201 Disability Benefits – Application Procedure; Effective Date
1650.202 Disability Benefits – Definitions
1650.203 Disability Retirement Annuity – Definitions
1650.204 Gainful Employment – Consequences
1650.205 Medical Examinations and Investigation of Disability Claims
1650.206 Physician Certificates
1650.207 Disability Due to Pregnancy
1650.208 Disability Payments
1650.209 Computation of Annual Salary When Member Has Different Semester Salary

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

	Rates (Repealed)
1650.210	Claim Applications
1650.211	Disability Recipient Eligible to Receive an Age or Disability Retirement Annuity
1650.220	Reclassification of Disability Claim (Repealed)
1650.221	When Member Becomes Annuitant
1650.222	Death Out of Service
1650.230	Medical Examinations and Investigations of Claims (Repealed)
1650.240	Refunds; Canceled Service; Repayment
1650.250	Death Benefits
1650.260	Evidence of Age
1650.270	Reversionary Annuity – Evidence of Dependency
1650.271	Evidence of Parentage
1650.272	Eligible Child Dependent By Reason of a Physical or Mental Disability
1650.280	Evidence of Marriage
1650.290	Offsets

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

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1650.301	Early Retirement Without Discount – Return to Teaching from a Break in Service
1650.310	Effective Date of Membership
1650.315	Verifying Service Credit
1650.320	Method of Calculating Service Credits
1650.325	Method of Calculating Service Credit for Recipients of a Disability Benefit or Occupational Disability Benefit
1650.330	Duplicate Service Credit
1650.335	Unreported Regular Service Credit and Earnings
1650.340	Service Credit for Leaves of Absence
1650.341	Service Credit for Involuntary Layoffs
1650.345	Service Credit for Periods Away From Teaching Due to Pregnancy
1650.346	Service Credit for Periods Away From Teaching Due to Adoption
1650.350	Service Credit for Unused Accumulated Sick Leave Upon Retirement
1650.351	Employer Contribution for Excess Sick Leave
1650.355	Purchase of Optional Service – Required Minimum Payment
1650.356	Payroll Deduction Program (Repealed)
1650.357	Employer Payment of Member's Optional Service and/or Upgrade Contribution Balance (Repealed)
1650.360	Settlement Agreements and Judgments
1650.370	Calculation of Average Salary (Renumbered)

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- 1650.380 Definition of Actuarial Equivalent (Repealed)
- 1650.390 Independent Contractors
- 1650.391 Optional 2.2 Upgrade of Earned and Credited Service
- 1650.392 2.2 Upgrade of Optional Service Not Credited at Initial Upgrade

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section

- 1650.410 Return of Contributions for Duplicate or Excess Service
- 1650.415 Return of Optional Increase in Retirement Annuity Contributions
- 1650.416 Optional Increase in Retirement Annuity – 1% Contribution Reduction
- 1650.417 Mandatory Distributions Pursuant to Section 401(a)(9) of the Internal Revenue Code
- 1650.420 Interest on Deficiencies (Repealed)
- 1650.430 Installment Payments (Repealed)
- 1650.440 Small Deficiencies, Credits or Death Benefit Payments (Repealed)
- 1650.450 Compensation Recognized As "Salary"
- 1650.451 Reporting of Conditional Payments
- 1650.460 Calculation of Average Salary
- 1650.470 Rollover Distributions
- 1650.480 Rollovers to the System
- 1650.481 Employer Contribution Required for Salary Increases in Excess of 6%
- 1650.482 Contracts and Collective Bargaining Agreements – Loss of Exemption from Employer Contributions
- 1650.483 Employer Contributions for Salary Increases in Excess of 6% and Excess Sick Leave Exemption from Contributions
- 1650.484 Members Not Covered by Collective Bargaining Agreements or Employment Contracts
- 1650.485 Employer Contributions for Salary Increases in Excess of 6% – Receipt of Bill
- [1650.486 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance](#)

SUBPART F: ANNUITANTS AND BENEFICIARIES

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- 1650.505 Beneficiary (Repealed)
- 1650.510 Re-entry Into Service (Repealed)
- 1650.511 Separation from Service
- 1650.512 Verification of Compliance with Post-Retirement Employment Limitations

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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SUBPART J: RULES OF ORDER

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1650.810	Parliamentary Procedure
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TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

SUBPART K: PUBLIC RECORD REQUESTS

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1650.910	Summary and Purpose (Repealed)
1650.920	Definitions (Repealed)
1650.930	Submission of Requests
1650.940	Form and Content of FOIA Requests (Repealed)
1650.950	Appeal of a Denial (Repealed)
1650.960	Executive Director's Response to Appeal (Repealed)
1650.970	Response to FOIA Requests (Repealed)
1650.980	Inspection of Records at System Office
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1650.1001	Elections Date/Election Day – Defined
1650.1010	Petitions
1650.1020	Eligible Voters
1650.1030	Election Materials
1650.1040	Marking of Ballots
1650.1050	Return of Ballots
1650.1060	Observation of Ballot Counting
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1650.1116	Effect of a Valid QILDRO
1650.1117	QILDROs Against Persons Who Became Members Prior to July 1, 1999
1650.1118	Alternate Payee's Address
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1650.1121	Reciprocal Systems QILDRO Policy Statement (Repealed)
1650.1122	Providing Benefit Information for Divorce Purposes
1650.1123	Suspension and Expiration of a QILDRO
1650.1124	Income Tax Reporting
1650.1125	Lump-Sum Death Benefit Allocation to Alternate Payee

SUBPART N: PAYROLL DEDUCTION PROGRAM

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1650.1201	Employer Responsibility Under the Payroll Deduction Program (Repealed)
1650.1202	Payroll Deduction Agreements – Suspensions and Terminations (Repealed)
1650.1203	Payroll Deduction Program – Full Time Employment Defined (Repealed)
1650.1204	Payroll Deduction Program – Disability Defined (Repealed)
1650.1205	Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance (Repealed)

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FOR INVESTMENT SERVICES

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1650.3015	Emerging Investment Managers
1650.3017	Candidate Profile for Investment Manager Searches
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TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

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AUTHORITY: Implementing and authorized by Articles 1 and 16 of the Illinois Pension Code [40 ILCS 5/Arts. 1 and 16]; Freedom of Information Act [5 ILCS 140]; Internal Revenue Code (26 USC 1 et seq.); Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Filed June 20, 1958; emergency rules adopted at 2 Ill. Reg. 49, p. 249, effective November 29, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 9, p. 1, effective March 3, 1979; codified at 8 Ill. Reg. 16350; amended at 9 Ill. Reg. 20885, effective December 17, 1985; amended at 12 Ill. Reg. 16896, effective October 3, 1988; amended at 14 Ill. Reg. 18305, effective October 29, 1990; amended at 15 Ill. Reg. 16731, effective November 5, 1991; amended at 17 Ill. Reg. 1631, effective January 22, 1993; amended at 18 Ill. Reg. 6349, effective April 15, 1994; emergency amendment at 18 Ill. Reg. 8949, effective May 24, 1994, for a maximum of 150 days; emergency modified at 18 Ill. Reg. 12880; amended at 18 Ill. Reg. 15154, effective September 27, 1994; amended at 20 Ill. Reg. 3118, effective February 5, 1996; emergency amendment at 21 Ill. Reg. 483, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 2422, effective January 31, 1997; amended at 21 Ill. Reg. 4844, effective March 27, 1997; emergency amendment at 21 Ill. Reg. 17159, effective December 9, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 7243, effective April 9, 1998; emergency amendment at 22 Ill. Reg. 7314, effective April 9, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 9374, effective May 14, 1998, for a maximum of 150 days; emergency rule modified in response to JCAR Objection at 22 Ill. Reg. 11640; emergency amendment at 22 Ill. Reg. 13151, effective June 29, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 15620, effective August 17, 1998; amended at 22 Ill. Reg. 19079, effective October 1, 1998; amended at 22 Ill. Reg. 22090, effective December 1, 1998; amended at 23 Ill.

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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Reg. 3079, effective February 23, 1999; amended at 24 Ill. Reg. 2440, effective January 27, 2000; amended at 24 Ill. Reg. 10300, effective June 26, 2000; amended at 25 Ill. Reg. 203, effective December 22, 2000; amended at 26 Ill. Reg. 2758, effective February 11, 2002; amended at 26 Ill. Reg. 11476, effective July 11, 2002; amended at 27 Ill. Reg. 1668, effective January 17, 2003; amended at 27 Ill. Reg. 9209, effective May 28, 2003; amended at 28 Ill. Reg. 10055, effective June 29, 2004; amended at 29 Ill. Reg. 1546, effective January 14, 2005; amended at 29 Ill. Reg. 13244, effective August 9, 2005; amended at 30 Ill. Reg. 194, effective December 23, 2005; amended at 30 Ill. Reg. 472, effective December 21, 2005; amended at 30 Ill. Reg. 11728, effective June 23, 2006; amended at 30 Ill. Reg. 17525, effective October 18, 2006; amended at 31 Ill. Reg. 10688, effective July 13, 2007; amended at 32 Ill. Reg. 4073, effective February 28, 2008; amended at 32 Ill. Reg. 7979, effective May 6, 2008; amended at 32 Ill. Reg. 13534, effective August 6, 2008; amended at 33 Ill. Reg. 4401, effective March 3, 2009; amended at 33 Ill. Reg. 15863, effective November 2, 2009; amended at 34 Ill. Reg. 4900, effective March 22, 2010; amended at 34 Ill. Reg. 7787, effective May 21, 2010; amended at 35 Ill. Reg. 2413, effective January 21, 2011; amended at 35 Ill. Reg. 2788, effective January 25, 2011; amended at 35 Ill. Reg. 3781, effective February 18, 2011; amended at 35 Ill. Reg. 19541, effective November 18, 2011; amended at 36 Ill. Reg. 7688, effective May 4, 2012; amended at 36 Ill. Reg. 18914, effective December 14, 2012; amended at 37 Ill. Reg. 5150, effective April 4, 2013; amended at 38 Ill. Reg. 21239, effective October 21, 2014; amended at 39 Ill. Reg. 5259, effective March 20, 2015; amended at 39 Ill. Reg. 14989, effective October 30, 2015; amended at 40 Ill. Reg. 14099, effective September 28, 2016; amended at 41 Ill. Reg. 718, effective January 11, 2017.

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section 1650.486 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance

Once per school year, an employer may make a payment toward a member's 2.2 upgrade, optional service and/or refund balance. The employer contribution under this option may be picked up pursuant to section 414(h)(2) of the Internal Revenue Code of 1986, as amended (26 USC 414(h)(2)), or paid on an after-tax basis as certified by the employer. The employer shall certify to the System whether the payment being made is done so on a tax-deferred or after-tax basis by completing and returning the appropriate form with the payment.

(Source: Added at 41 Ill. Reg. 718, effective January 11, 2017)

SUBPART F: ANNUITANTS AND BENEFICIARIES

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

Section 1650.530 Power of Attorney

- a) Any annuitant or beneficiary receiving a monthly benefit through payment to his or her attorney-in-fact acting under a power of attorney shall be required to notify the System in writing that such power of attorney is in full force and effect, when reasonably requested to do so by the System. In default of such notice, payment to the attorney-in-fact shall be suspended until notice is received, whereupon payments will be resumed from the date of the last payment. ~~Certified or original copies of the power of attorney papers are required by the System in order to process any benefits.~~
- b) A member information and beneficiary designation (nomination of beneficiary) form may be signed by an attorney-in-fact, provided the attorney-in-fact is given specific power to execute a nomination of beneficiary form on behalf of the member or annuitant.
- c) If a member or annuitant is not capable of signing the form, he or she may make a mark on the signature line if the mark is witnessed by two individuals who will not receive any benefit under the member information and beneficiary designation.

(Source: Amended at 41 Ill. Reg. 718, effective January 11, 2017)

SUBPART N: PAYROLL DEDUCTION PROGRAM

Section 1650.1200 Payroll Deduction Program Guidelines (Repealed)

- a) ~~A System-generated payroll deduction agreement, fully executed by the member and the employer, must be filed with the System prior to any deductions being made pursuant to such agreement.~~
- b) ~~The enrollment date shall be the first day of the calendar quarter if deductions will occur on a periodic basis for more than one month. If the deductions will occur during only one calendar month, the enrollment date shall be the first day of the calendar month in which the deduction will be made.~~
- e) ~~A payroll deduction agreement shall become irrevocable when the first deduction is made from a member's pay.~~

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- d) ~~A member may have multiple payroll deduction agreements as long as a separate and distinct purchase is made pursuant to each agreement.~~
- e) ~~A member who has a valid irrevocable payroll deduction agreement in effect is prohibited from making after-tax contributions or authorized rollovers to pay for purchases under the agreement.~~
- f) ~~A payroll deduction agreement may cover multiple purchases under the Payroll Deduction Program.~~
- g) ~~The System will accept direct payments for purchases not covered by a payroll deduction agreement.~~
- h) ~~A payroll deduction agreement containing an unapproved change is void.~~
- i) ~~It is the member's responsibility to insure that his or her employer has properly executed a payroll deduction agreement.~~
- j) ~~The minimum monthly deduction allowable under the Payroll Deduction Program is \$50 per month or the balance due if less than \$50.~~
- k) ~~The monthly deduction must remain constant except for the final payment, which may be less than the amount provided for in the payroll deduction agreement.~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.1201 Employer Responsibility Under the Payroll Deduction Program
(Repealed)

- a) ~~Employers shall notify the System of all executed payroll deduction agreements prior to the withholding of any deductions pursuant to such agreement.~~
- b) ~~Prior to or on the 10th day of the month following the month in which deductions are made, the employer shall remit payroll deductions to the System.~~
- e) ~~Payroll deduction remittances shall indicate the name and Social Security number of each member who was scheduled to have an amount remitted but whose payroll deduction agreement was suspended or terminated, and the reasons for the suspension or termination.~~

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- d) ~~The employer shall withhold the monthly amount stated in the payroll deduction agreement until the payroll deduction agreement is paid in full, or until the payroll deduction agreement is suspended or terminated.~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.1202 Payroll Deduction Agreements – Suspensions and Terminations
(Repealed)

- a) ~~A payroll deduction agreement will be suspended (rather than terminated) if the member ceases receiving a salary from the employer with whom the member has the payroll deduction agreement for a period of one year or less, and the member has a promise of renewed employment at the end of the period of absence or the member has a right of reemployment under the School Code [105 ILCS 5].~~
- b) ~~If a member is not reemployed at the end of a payroll deduction suspension period, the member's payroll deduction agreement will be terminated.~~
- e) ~~When a member returns to full-time teaching after a payroll deduction suspension period of one year or less, the member's employer will resume withholding under the payroll deduction agreement.~~
- d) ~~A payroll deduction agreement interrupted by a suspension will be extended by the length of time necessary to purchase the service covered by the payroll deduction agreement.~~
- e) ~~A payroll deduction agreement will be terminated when the payroll deduction agreement is paid in full or upon the occurrence of one of the following:~~
- 1) ~~death of the member;~~
 - 2) ~~termination of the member's full-time employment;~~
 - 3) ~~retirement of the member; or~~
 - 4) ~~disability of the member for an expected period of one year or more.~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

Section 1650.1203 Payroll Deduction Program – Full-Time Employment Defined
(Repealed)

~~For the purposes of the Payroll Deduction Program, "full-time employment" shall mean:~~

- ~~a) employment as a full-time teacher as defined in Section 16-106(1) of the Pension Code [40 ILCS 5/16-106(1)]; or~~
- ~~b) if not currently a full-time teacher under Section 16-106(1) of the Illinois Pension Code, a member who is compensated on a regular basis and considered to be employed full-time in accordance with the rules and practices of his or her employer.~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.1204 Payroll Deduction Program – Disability Defined **(Repealed)**

~~For purposes of the Payroll Deduction Program, "disability" shall mean receipt of a disability benefit under Section 16-149, 16-149.1, or 16-149.2 of the Illinois Pension Code [40 ILCS 5/16-149, 16-149.1 and 16-149.2].~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.1205 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance **(Repealed)**

- ~~a) Once per school year, an employer may make a payment toward a member's 2.2 upgrade, optional service and/or refund balance, provided the member has not commenced participation in a payroll deduction agreement to purchase the same service credit or upgrade, unless the authorization for the pick-up is made by the employer prior to the date on which the payroll deduction agreement becomes irrevocable.~~
- ~~b) The employer contribution under this option may be picked up pursuant to section 414(h)(2) of the Internal Revenue Code of 1986, as amended (26 USC 414(h)(2)), or paid on an after-tax basis as certified by the employer.~~
- ~~c) The employer shall certify to the System whether the payment being made is done~~

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~~so on a tax-deferred or after-tax basis by completing and returning the appropriate form with the payment.~~

(Source: Repealed at 41 Ill. Reg. 718, effective January 11, 2017)

SUBPART P: COMPETITIVE SELECTION PROCEDURES
FOR INVESTMENT SERVICES**Section 1650.3010 Public Markets Manager Database**

- a) The consultant makes use of an industry database (Manager Database) containing institutional quality firms that are registered investment managers. No fee is required to participate in the Manager Database.
- b) The Manager Database serves as the primary pool from which the System identifies candidates for public market investment manager searches.
- c) To be considered in a public market search, all interested investment managers not currently in the Manager Database should ensure that all required information has been submitted to the Manager Database prior to the screening dates specified in the candidate profiles described in Sections [1650.3017](#), 1650.3020 and 1650.3025. Should a search be conducted for which a developed database does not exist or is incomplete, investment managers may also submit or be requested to submit a written Request for Information (RFI).
- d) The consultant's contact information is available on the TRS website (trs.illinois.gov).

(Source: Amended at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.3017 Candidate Profile for Investment Manager Searches

- a) The candidate profile described in this Subpart P is a customized written document prepared by staff with Board approval that specifically defines the detailed requirements of a given investment manager search and the investment manager qualifications and characteristics that are sought in the particular search.
- b) To ensure accessibility to the public, whenever an investment manager search is initiated, the candidate profile document is posted to the TRS website. To ensure

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global transparency, all investment manager searches are available on the Illinois Procurement Policy Board website via a link to the TRS website.

- c) The candidate profile document delineates all relevant information and metrics particular to the given search. The information and metrics are specific to each manager search, and customized based on the necessary qualifications for the search. Evaluation criteria and minimum qualifications will generally be comprised of the following:
- 1) Manager style;
 - 2) Manager type;
 - 3) Minority investment manager inclusion;
 - 4) Amount to be allocated;
 - 5) Investment vehicles;
 - 6) Process for identification of candidates;
 - 7) Process for selection of semi-finalist candidates;
 - 8) Process for selection of finalists;
 - 9) Minimum asset requirement;
 - 10) Minimum professional investment experience;
 - 11) Stability of professional staff;
 - 12) Geographic location;
 - 13) Involvement with other business;
 - 14) Financial well-being of firm;
 - 15) Long range plan;

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- 16) [Investment style;](#)
- 17) [Investment research;](#)
- 18) [Minimum performance record;](#)
- 19) [Performance preferred attributes;](#)
- 20) [Performance comparisons;](#)
- 21) [Client communications and rapport;](#)
- 22) [Fees;](#)
- 23) [Compliance with Illinois State law and divestment restrictions; and](#)
- 24) [Manager guidelines and investment management agreement.](#)

(Source: Added at 41 Ill. Reg. 718, effective January 11, 2017)

Section 1650.3020 Public Market Searches

- a) The Board authorizes the System's asset allocation targets and investment manager structure by recorded vote in a business meeting of the Board conducted in accordance with the Open Meetings Act [5 ILCS 120]. Staff may initiate searches as necessary to implement the System's asset allocation and/or fill vacancies within the manager structure.
- b) At each meeting of the Investment Committee, staff will notify the Board of any new manager search, the status of all existing searches, and the outcome of all completed searches.
- c) With the initiation of a search, staff, working with the consultant, prepares a written candidate profile that lists specific requirements for each search, [as described in Section 1650.3017](#). The candidate profile identifies specific quantitative and qualitative factors, such as:
 - 1) Minimum assets under management;

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- 2) Minimum track record;
 - 3) Risks relative to benchmarks;
 - 4) Return relative to benchmarks over various time periods;
 - 5) Size and tenure of professional staff;
 - 6) Investment strategy and process; and
 - 7) Organizational stability and strength.
- d) The candidate profile is posted on the TRS website to allow all interested candidates to review the search criteria and understand how to participate in the search.
 - e) The candidate profile identifies a specific screening period during which the consultant will screen the Manager Database or other candidate information to identify all managers meeting the criteria of the candidate profile.
 - f) During the screening period identified in the candidate profile, staff and the consultant identify and rank all candidates in the Manager Database that meet the quantitative criteria specified in the candidate profile.
 - g) Staff and the consultant review the candidate list to eliminate any managers that fail to meet qualitative screens. All emerging managers, as defined in Section 1-109.1(4) of the Illinois Pension Code, that meet the minimum criteria of the search will be identified and the most promising emerging manager candidates will be included in the selection process described in this Section.
 - h) Staff and the consultant further refine the candidate list to identify semi-finalist firms that, based on criteria in the candidate profile, appear to have the highest probability of success over the next three to five years. In the event more information is necessary to narrow the semi-finalist list, a standardized Request for Information (RFI) may be issued to the pool of eligible semi-finalists to facilitate further in-depth analysis by staff and the consultant. Semi-finalists in this case are selected from the RFI submissions.

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- i) Staff conducts in-person interviews of semi-finalist firms at the System's offices or an alternate location agreed upon by the System and the firm. Semi-finalist candidates must be approved by the applicable Oversight Committee.
- j) Following favorable results of the in-person interviews, staff identifies finalist firms for formal due diligence meetings, typically at the candidate firm's offices. Due diligence meetings and finalist recommendations must be approved by the applicable Oversight Committee.
- k) Following favorable due diligence review and successful contract and fee negotiations, a finalist candidate is, or candidates are, presented to the applicable Oversight Committee for final approval.
- l) With approval from the applicable Oversight Committee, staff will present the recommendation to the Investment Committee Chair and/or Vice Chair. Documentation to the Chair will include a timeline of the search process, a summary of that process, and confirmation that the search was conducted in accordance with TRS policy.
- m) With approval of the Investment Committee Chair and/or Vice Chair, staff is authorized to implement the recommendation.
- n) At the next scheduled meeting of the Investment Committee following the completion of any search, staff will provide the Committee a full report of the search process, including a summary of the search criteria and candidate firms. The Investment Committee and Board will provide final ratification for the long-term selection of the investment manager.
- o) If any eligible managers, as defined in Section 1-109.1(4) of the Illinois Pension Code, meet the minimum criteria of the search, the most qualified emerging candidate will be invited to present as a finalist to the Investment Committee at its next scheduled meeting.

(Source: Amended at 41 Ill. Reg. 718, effective January 11, 2017)

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF PUBLICATION ERROR

- 1) Heading of the Part: General Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1200.5
- 3) Register citation of the Notice of Expedited Correction and other pertinent action: 40 Ill. Reg. 13495; September 23, 2016
- 4) Explanation: When the Board adopted a rulemaking at 40 Ill. Reg. 10892 in the August 12, 2016 issue of the *Illinois Register*, an incorrect email address was listed. The correct address is ILRB.filing@Illinois.gov.

The Board later initiated the Expedited Correction process to add the correct address by filing what should have been a Notice of Request for Expedited Correction in the September 23, 2016 *Illinois Register* at 40 Ill. Reg. 13495.

However, a Notice of Expedited Correction was mistakenly published at that page number instead of the Notice of Request. The proper Notice of Request for Expedited Correction is shown on the Next Page.

Information and Questions regarding the request shall be directed to:

Kimberly Stevens
Illinois Labor Relations Board
One Natural Resources Way, 1st Floor
Springfield IL 62702

217/785-4004
fax: 217/785-4146

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: General Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1200
- 3) Section Number: 1200.5
- 4) Date Proposal published in *Illinois Register*: 40 Ill. Reg. 2414; February 5, 2016
- 5) Date Adoption published in *Illinois Register*: 40 Ill. Reg. 10892; August 12, 2016
- 6) Summary and Purpose of Expedited Correction: When adopted, the rulemaking listed an incorrect email address. The correct address is ILRB.filing@Illinois.gov.
- 7) Information and questions regarding this request shall be directed to:

Sarah Kerley
Deputy General Counsel
Administrative Law Judge
Illinois Labor Relations Board
One National Resources Way, 1st floor
Springfield IL 62702

217/785-4004
fax: 217/785-4146

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

NOTICE OF PUBLIC INFORMATION

NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the *Illinois Register*.
2. Name of Contributor: Mr. Aditya Nath, Founding Member, CGN & Associates
3. Date of Violation: June 23, 2010
4. Description of Violation: Mr. Nath, an affiliated person of the business entity CGN & Associates, made a contribution of \$500.00 to Quinn/Simon for Illinois, a campaign committee established to support the standing Illinois Governor. At the time of the contribution, Pat Quinn was the standing Illinois Governor.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officers for the General Services notified CGN & Associates of the apparent violation, reviewed responsive material provided by CGN & Associates, and have considered the value, status, and necessity of the contracts. In addition, the Officers have taken into consideration the recognition by Mr. Nath of the violation and his understanding of the necessity to avoid such situations in the future. We find that voiding affected contracts, bids or proposals would not be in the best interest of the State.

As required by Section 50-37(e) of the Procurement Code, Quinn/Simon for Illinois, is required to pay to the State an amount equal to the value of the contribution within 30 days of the publication of this notice.

CHIEF PROCUREMENT OFFICER FOR PUBLIC INSTITUTIONS OF
HIGHER EDUCATION

NOTICE OF PUBLIC INFORMATION

NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the *Illinois Register*.
2. Name of Contributor: Linear Electric Company
3. Date of Violation: September 24, 2014
4. Description of Violation: Linear Electric Company made a contribution of \$250.00 to Citizens for Rauner, Inc a campaign committee established to support the election of Bruce Rauner. At the time of the contribution, Bruce Rauner was a declared candidate for the office of governor, and Linear entered into a contract with Chicago State University beginning on March 4, 2014.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officers for the Public Institutions of Higher Education have notified Linear Electric Company of the apparent violation, reviewed responsive material provided by Linear Electric Company, and have considered the value, status, and necessity of the contracts. We find that voiding affected contracts, bids or proposals would not be in the best interest of the State.

As required by Section 50-37(e) of the Procurement Code, Citizens for Rauner, Inc. is required to pay to the State an amount equal to the value of the contribution within 30 days of the publication of this notice.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of January 10, 2017 through January 17, 2017. The rulemakings are scheduled for review at the Committee's February 15, 2017 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
2/22/17	<u>Department of Natural Resources</u> , The Illinois Oil and Gas Act (62 Ill. Adm. Code 240)	11/18/16 40 Ill. Reg. 15466	2/15/17
2/23/17	<u>Department of Financial and Professional Regulation</u> , Illinois Credit Union Act (38 Ill. Adm. Code 190)	10/28/16 40 Ill. Reg. 14443	2/15/17
2/25/17	<u>Department of Healthcare and Family Services</u> , Medical Payment (89 Ill. Adm. Code 140)	11/4/16 40 Ill. Reg. 14999	2/15/17
3/2/17	<u>Department of Public Health</u> , Heartsaver AED Grant Code (77 Ill. Adm. Code 530)	11/4/16 40 Ill. Reg. 15124	2/15/17
3/2/17	<u>Department of Public Health</u> , Certified Local Health Department Code (77 Ill. Adm. Code 600)	5/6/16 40 Ill. Reg. 7021	2/15/17

PROCLAMATION

**2016-319 (Revised)
Judges' Retention**

WHEREAS, On the 8th day of November, 2016, an election was held in the State of Illinois for the retention of the following judges, to-wit:

Appellate Court Judges from the First, Third and Fourth Judicial Districts;

Circuit Court Judges from the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-third and Cook County Judicial Circuits.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

RETENTION**Judge of the Appellate Court**

First Judicial District
Joy Virginia Cunningham

Third Judicial District
Vicki R. Wright

Fourth Judicial District
James A. Knecht

Judge of the Circuit Court

First Judicial Circuit
William G. Schwartz
W. Charles Grace

Second Judicial Circuit
Robert M. Hopkins
Larry D. Dunn
Paul W. Lamar

PROCLAMATION

Third Judicial Circuit

A. Andreas "Andy" Matoesian
William A. Mudge

Fourth Judicial Circuit

Wm. Robin Todd
Douglas L. Jarman
Mike McHaney
Mark W. Stedelin

Fifth Judicial Circuit

James R. Glenn
Teresa K. Righter
Matt Sullivan

Sixth Judicial Circuit

Heidi Ladd

Seventh Judicial Circuit

Peter C. Cavanagh

Eighth Judicial Circuit

Mark A. Drummond
Alan D. Tucker
Robert Adrian

Ninth Judicial Circuit

William E. Poncin

Tenth Judicial Circuit

Michael D. Risinger
John P. Vespa

Eleventh Judicial Circuit

Scott Drazewski

Twelfth Judicial Circuit

Carmen Goodman
John C. Anderson
Barbara "Bobbi" N. Petrunaro
Michael J. Powers

PROCLAMATION

Raymond (Ray) E. Rossi

Thirteenth Judicial Circuit

Howard Chris Ryan, Jr.
Marc P. Bernabei
Lance R. Peterson

Fourteenth Judicial Circuit

Lori R. Lefstein
James G. Conway, Jr.
Clarence "Mike" Darrow
Frank Fuhr

Sixteenth Judicial Circuit

Robert B. Spence
Susan Clancy Boles
David R. Akemann
Kevin T. Busch

Seventeenth Judicial Circuit

Kathryn E. Zenoff
Janet R. Holmgren
Rob Tobin

Eighteenth Judicial Circuit

Bonnie M. Wheaton
Kenneth L. Popejoy
Daniel P. Guerin
Dorothy French Mallen
Ronald D. Sutter

Nineteenth Judicial Circuit

Margaret J. Mullen
Victoria A. Rossetti
Jorge L. Ortiz
Diane E. Winter
Mark L. Levitt

Twentieth Judicial Circuit

Richard A. Brown

PROCLAMATION

Twenty-first Judicial Circuit

Kathy Bradshaw Elliott

Twenty-third Judicial Circuit

Robbin J. Stuckert

Timothy J. McCann

Thomas L. Doherty

Robert P. (Bob) Pilmer

Cook County Judicial Circuit

Robert Balanoff

Jeanne R. Cleveland Bernstein

Kathleen Marie Burke

Kay Marie Hanlon

Thomas J. Kelley

Clare Elizabeth McWilliams

Mary Lane Mikva

Bonita Coleman

Ann Finley Collins

Daniel J. Gallagher

Sharon O. Johnson

Linzey D. Jones

Terry MacCarthy

Sandra G. Ramos

Sophia H. Hall

Patrick T. Murphy

Timothy Patrick Murphy

Jim Ryan

Edward "Ed" Washington, II

Thaddeus L. Wilson

John C. Griffin

Daniel James Pierce

William H. Hooks

Thomas V. Lyons

Raymond W. Mitchell

Edward Harmening

PROCLAMATION

Allen F. Murphy
Daniel Malone
Geary W. Kull
John P. Callahan, Jr.
Steven James Bernstein
Susan Kennedy Sullivan
Irwin J. Solganick
Alexander Patrick White
Vincent Michael Gaughan
Robert W. Bertucci
Deborah Mary Dooling
Timothy C. Evans
Cheyrl D. Ingram
Raymond L. Jagielski
Bertina E. Lampkin
William Maki
Sharon Marie Sullivan
James Patrick McCarthy
Arnette R. Hubbard
Nicholas R. Ford
Charles Patrick Burns
Denise Kathleen Filan
John Patrick Kirby
Diane Joan Larsen
Daniel Joseph Lynch
Kathleen Mary Pantle
Kevin Michael Sheehan
John D. Turner, Jr.
LeRoy K. Martin, Jr.
Paula Marie Daleo
Laurence J. Dunford

NOW, THEREFORE, I, BRUCE RAUNER, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.

PROCLAMATION

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State January 10, 2017