

THE CITY OF CHICAGO POLICEMEN'S ANNUITY AND BENEFIT FUND

REVISED RULES FOR CONDUCTING ELECTIONS

For the Purpose of Electing Members of The Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago, in Accordance with the Act Creating Such Retirement Board

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**THE RETIREMENT BOARD OF THE CITY OF CHICAGO POLICEMEN'S
ANNUITY AND BENEFIT FUND**

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RULES FOR CONDUCTING ELECTIONS

By Members of the City of Chicago Police Department, and by Annuitants.

For the Purpose of Electing Members of The Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago, in Accordance With the Act Creating Such Retirement Board.

The specific dates and schedule for each respective election will be established by the Board in accordance with these rules.

SECTION 1.

Regular elections of members of The Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago shall be held on the fourth Thursday of October, 1990, and on the fourth Thursday of October every third year thereafter in accordance with the procedures hereinafter set forth.

SECTION 2.

Special elections to fill vacancies in the office of elective members of the Retirement Board shall be held at such times as the Retirement Board shall determine within thirty (30) days following the occurrence of any such vacancy, in accordance with the procedures hereinafter set forth.

SECTION 3.

- (a) All members of the Police Department employed by the City of Chicago on the day of any election and all policemen receiving disability benefits from the Fund shall have a right to vote at such elections for active members of the Retirement Board.
- (b) The following persons shall have a right to vote in all elections for annuitants' representative member of The Retirement Board:
 - a. All Annuitants of the Policemen's Annuity and Benefit Fund.
 - b. The legal guardian of any child annuitant of the Policemen's Annuity and Benefit Fund whose mother or stepmother shall not be an annuitant.
 - c. The legal conservator of any incompetent annuitant.

SECTION 4.

Any person having a right to vote at any election shall be eligible to membership on The Retirement Board as Policemen's Representative or Annuitant's Representative, as the case may be, and may become a candidate for the office to be filled; provided, however, persons under eighteen (18) years of age; persons having a right to vote in a representative capacity only; and those children described in Section 5 paragraph 152 of Chapter 108 ½ shall not be eligible to such membership.

SECTION 5.

Every person to become a candidate at any election shall personally file a suitable petition in the office of The Retirement Board no more than approximately thirty (30) days and no less than approximately twenty five (25) days before the date of any election, provided, however, that at any special election positions may be filed within fifteen (15) days before the election.

Each active police member of The Retirement Board shall be elected from the member's own class of rank, as follows:

- (a) One (1) member is to be elected from among active members of the Police Department of the Rank of Investigator, Patrolman, or equivalent rank. The petitions for each such candidate shall be signed by fifty (50) persons duly qualified to vote for Policemen's Representative of the rank of Investigator, Patrolman, or equivalent rank.
- (b) One (1) member is to be elected from among active members of the Police Department of the Rank of Sergeant. The petition for each such candidate shall be signed by at least twenty five (25) persons duly qualified to vote for Policemen's Representative of the rank of Sergeant.
- (c) One (1) member is to be elected from among active members of the Police Department of the Rank of Lieutenant, or rank superior to Lieutenant. The petitions for each such candidate shall be signed by twenty five (25) persons duly qualified to vote for the Rank of Lieutenant or Rank superior to Lieutenant.

Every page of every petition must bear an affidavit of the person in whose presence the petition was signed, which affidavit shall be substantially in the form hereinafter prescribed. The petition for Annuitant's Representative shall be signed by twenty-five (25) persons duly qualified to vote for Annuitants Representative.

On the first business day following the last day for filing nominating petitions, all petitions so filed shall be open to public inspection in the office of The Retirement Board, and the sufficiency of any petition may be challenged in writing on or before the second day following the last day for filing such petitions.

On approximately the third day following the last day for filing petitions, The Retirement Board shall pass upon the sufficiency of all nominating petitions filed, and the findings of the Board, as to the sufficiency of any petition, shall be final.

Any candidate may, in writing, withdraw his or her petition on or before the second day following the last day for filing petitions.

Petition blanks shall be furnished by The Retirement Board without charge, shall be uniform in size and character and substantially in the following form:

NOMINATING PETITION FOR POLICEMEN'S REPRESENTATIVE

Of Investigator, Patrolman or Rank Equivalent thereto

We, the undersigned active Police Officers of the rank of Investigator, Patrolman or rank equivalent thereto, of the City of Chicago, do hereby petition that:

(Here insert name of Candidate, Rank, Unit, Home Address)

Be designated as a candidate for the office of Member of The Policemen’s Retirement Board to be voted on at the election to be held on October __, 20__.

SIGNATURES

1. NAME RESIDENCE ADDRESS

(10 or 15 lines for Signatures)

AFFIDAVIT

State of Illinois

County of Cook

I, _____, being first duly sworn, on oath say that I am at least twenty-one years of age and an active member of the Police Department of the City of Chicago; that I reside at _____ Street, in the City of Chicago, Cook County, Illinois; that the above signatures were signed in my presence and are the genuine signatures of the signers; that to the best of my knowledge and belief the persons so signing said petition were at that time active members of the Police Department of the City of Chicago, of the rank of Investigator, Patrolman or rank equivalent thereto, and that their representative residences are correctly stated.

Subscribed and sworn to before me this ____ day of _____, 20__.

_____ Notary Public

Nominating petitions for Sergeant, or Lieutenant and above shall be in all respects similar to the above example, except that the language shall designate the appropriate rank.

The nominating petitions for Annuitants shall be in the following form:

NOMINATING PETITION FOR ANNUITANTS’ REPRESENTATIVE

We, the undersigned Annuitants of The Policemen’s Annuity and Benefit Fund of Chicago, do hereby petition that:

(Here insert name of Candidate, Rank, Unit, Home Address)

Be designated as a candidate for the office of Member of the Policemen's Retirement Board to be voted on at the election to be held on October __, 20__.

SIGNATURES

1. NAME STREET & NUMBER CITY

(10 or 15 lines for Signatures)

AFFIDAVIT

State of Illinois

County of Cook

I, _____, being first duly sworn, on oath say that I am at least twenty-one years of age and am an annuitant of the Policemen's Annuity and Benefit Fund of Chicago; that I reside at _____; that the above signatures were signed in my presence and are the genuine signatures of the signers; that to the best of my knowledge and belief the persons so signing said petition were at that time Annuitants of the Policemen's Annuity and Benefit Fund, and that their representative residences are correctly stated.

Subscribed and sworn to before me this ____ day of _____, 20__.

_____ Notary Public

No petition shall be rejected if The Retirement Board is satisfied by any evidence presented to it, or upon investigation made by it, that the signatures on said petition are the genuine signatures of members of the Police Department of the City of Chicago of the appropriate class of rank or of annuitants as the case may be.

SECTION 6.

No candidate name shall be printed upon a ballot unless a petition has been filed as herein provided.

A sufficient number of ballots shall be provided by The Retirement Board and only such ballots so provided shall be used in any election, which ballots shall be in substantially the following form:

For One (1) Member of the Police Retirement Board to Represent Active Police Officers of the City of Chicago

For Member from the Rank of Patrolman, Investigator or equivalent rank.

(Vote for One)

John Doe

District

Resident Address

Jane Doe

District

Resident Address

Ballots for rank of Sergeant, and rank of Lieutenant or rank superior to Lieutenant shall be in all respects similar to the above example, except the language shall designate the appropriate Rank. Ballots for each rank class shall be printed on separate paper stock, each of a different color, to avoid mistakes in vote casting.

The ballot for Annuitants' Representative shall be printed in substantially the following form:

For One (1) Member of the Police Retirement Board to Represent the Annuitants of the Policemen's Annuity and Benefit Fund of Chicago

(Vote for One)

John Doe

District

Resident Address

Jane Doe

District

Resident Address

Candidates' position on the ballot sheet shall be determined by the order in which the petitions were filed.

In case there is a dispute between two or more candidates about the order of filing, each of the disputant candidates will be offered an opportunity to step aside in the interests of harmony. If this fails to solve the dispute, and if the dispute is not readily resolvable, then the position on the ballot sheet shall be resolved by lot. The lottery shall be conducted by an independent accounting firm immediately and the results shall be final.

SECTION 7.

Elections for representative members from the Police Department and the annuitant representative shall be supervised by an independent accounting firm selected by the Board of Trustees. The balloting shall be conducted through U.S. Mail.

Not more than fifteen (15) days nor less than ten (10) days before election day, the independent accounting firm shall cause a voting unit to be mailed to each person entitled to vote. A voting unit shall consist of the following: (a) ballot; (b) ballot envelope; (c) voting instructions and (d) return envelope.

Every eligible voter desiring to vote shall after receiving the voting unit, comply with the instructions included with the voting unit, which should be consistent with these rules.

Ballots shall be returned to a Post Office Box established by the independent accounting firm. To be counted, a ballot must be received in the Post Office Box by 9:00 A.M. on election day.

Notwithstanding any provisions in these rules the Board may establish expedited voting procedures whenever there is only one (1) candidate for the position.

SECTION 8.

Absentee ballots will be available to active police officers who will not be in the Chicago area during the mail ballot period. To obtain an absentee ballot such police officers must present to the independent accounting firm a letter signed by the Commanding officer stating that the officer will be out of the Chicago area for the entire mail ballot period of the election. The officer will then be given a ballot for the officer's class of rank which will be immediately marked and cast in a sealed ballot box provided for this purpose in the office of the independent accounting firm. Before voting the officer must sign a LIST OF PERSONS VOTING form and indicate the officer's unit number. LISTS OF PERSONS VOTING and letters from Commanding officers will be kept as certification of the right to vote.

On the day of the election, members of the independent accounting firm shall commence counting the ballots, at which counting each candidate may have not more than two (2) watchers.

The independent accounting firm shall attend the details of counting and tabulating the ballots. No ballot shall be handled by anyone after the close of the polls, except in the presence of members of the independent accounting firm or in the presence of some person specially designated by The Retirement Board to canvass the ballots on behalf of the Board.

SECTION 9.

As soon as practicable after the ballots have been counted and tabulated, all candidates shall be notified by mail of the results of the canvass by the independent accounting firm, and the results shall be mailed to each Annuitant with the next annuity check issued. Active members shall be notified through unit commanders by police mail.

SECTION 10.

The candidate receiving the highest number of votes at any election, as certified by The Retirement Board, shall be declared elected.

SECTION 11.

Notice by affidavit signed by the person or persons contesting any election results and of a proposed contest of the election shall be delivered to the independent accounting firm and received within ten (10) days after the result of the canvass has been given the candidate(s). In the absence of such notice, all ballots shall be destroyed, and the election shall be final.

SECTION 12.

Upon timely receipt of the notice affidavit by the independent accounting firm, The Retirement Board shall submit a list of three (3) independent arbiters to all concerned candidates. Each such candidate shall select an arbiter from the list and the arbiters so chosen shall then select a third arbiter who need not be a person on the list. The final three (3) arbiters shall be the formal designated arbitration panel charged with and authorized to resolve the contest. The panel may establish such arbitration procedures as are within the generally accepted standards of arbitration. The majority decision of the panel, after a hearing provided to the candidates, to be commenced and concluded within seven (7) days shall be final and binding on The Retirement Board and the candidates without any right of further review.

SECTION 13.

All necessary expenses incident to conducting any election shall be paid by The Retirement Board of the Policemen's Annuity and Benefit Fund.

SECTION 14.

These rules shall be in force and effect from and after their adoption.