



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act

20 ILCS 5/5-15	was 20 ILCS 5/3
20 ILCS 5/5-20	was 20 ILCS 5/4
20 ILCS 5/5-425 new	
20 ILCS 2605/2605-345 new	

Creates the Illinois Africa-America Peace Brigade Act. Provides that qualified citizens of the State may be enrolled in the Illinois Africa-America Peace Brigade for service in African nations and in urban inner-city schools in this State. Sets the terms and conditions of the volunteers' service. Allows the Director of the Illinois Africa-America Peace Brigade to provide training to volunteers and applicants for enrollment as volunteers. Requires the approval of the United States' Secretary of State for the programs and activities of the Peace Brigade in foreign nations. Creates the Illinois Africa-America Peace Brigade Advisory Council. Provides for the appointment of members to the Council by the Governor with the advice and consent of the Senate. Provides that the Council shall review the programs and activities of the Peace Brigade and shall make recommendations to the Governor and the Director. Requires the Governor to report to the General Assembly on the programs and activities of the Peace Brigade. Contains other provisions. Amends the Civil Administrative Code of Illinois to create the Illinois Africa-America Peace Brigade. Amends the Department of State Police Law of the Civil Administrative Code of Illinois to allow the Department of State Police to conduct background checks of applicants for enrollment as volunteers in the Illinois Africa-America Peace Brigade.

LRB093 19171 RAS 44906 b

1 AN ACT to create the Illinois Africa-America Peace Brigade.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Illinois Africa-America Peace Brigade Act.

6 Section 5. Legislative declaration.

7 (a) The General Assembly declares that it is the policy of
8 this State to promote peace and friendship with African nations
9 through the Illinois Africa-America Peace Brigade. The Peace
10 Brigade shall make available to interested African nations men
11 and women of this State qualified for service abroad and
12 willing to serve under conditions of hardship if necessary. A
13 purpose of the Peace Brigade is to help the peoples of African
14 nations in meeting their needs for trained manpower,
15 particularly in meeting the basic needs of those living in the
16 poorest areas of those countries, and to help promote a better
17 understanding of the citizens of this State on the part of the
18 peoples served and a better understanding of other peoples on
19 the part of the citizens of this State.

20 (b) The General Assembly declares that it is the policy of
21 this State to promote the success of the descendants of persons
22 from Africa who reside in this State. In order to meet this
23 goal, the General Assembly finds that it is necessary to
24 provide emergency resources, especially human resources, to
25 the failing schools in the urban inner-city areas of this
26 State. A purpose of the Peace Brigade is to provide those
27 failing schools with their need for trained manpower in meeting
28 the basic and remedial educational needs of African-American
29 students.

30 Section 10. Definitions.

31 "Agency of the United States government" means any

1 department, board, wholly or partially owned corporation, or
2 other instrumentality, commission, or establishment of the
3 United States.

4 "Council" means the Illinois Africa-America Peace Brigade
5 Advisory Council created by this Act.

6 "Director" means the Director of the Illinois
7 Africa-America Peace Brigade.

8 "Peace Brigade" means the Illinois Africa-America Peace
9 Brigade created by this Act.

10 "Secretary of State" means the Secretary of State of the
11 United States.

12 "Volunteer", unless the context otherwise requires,
13 includes volunteer leaders and applicants for enrollment as
14 volunteers.

15 Section 15. Illinois Africa-America Peace Brigade;
16 director and deputy director; rules.

17 (a) There is created the Illinois Africa-America Peace
18 Brigade. The Peace Brigade shall be under the direction of a
19 Director and a Deputy Director appointed by the Governor with
20 the advice and consent of the Senate.

21 (b) The Director may adopt any rules necessary to carry out
22 the purposes of this Act and to perform any of the duties of
23 the Peace Brigade.

24 Section 20. Powers and duties.

25 (a) The Peace Brigade may enter into, perform, and modify
26 contracts and agreements with and may otherwise cooperate with
27 any agency of the United States government, any state, any
28 State agency, or any educational institutions, voluntary
29 agencies, farm organizations, labor unions, or other
30 organizations, persons, or firms.

31 (b) The Director may, with the approval of the Secretary of
32 State, assign volunteers to temporary duty with international
33 organizations and agencies.

34 (c) The Director may assign volunteers to duty or make them

1 available to any entity referred to in subsection (a) of this
2 Section in order to assist those entities in providing
3 development or other assistance to African nations.

4 (d) In recognition of the fact that women in developing
5 countries play a significant role in economic production,
6 family support, and the overall development process, the Peace
7 Brigade shall, whenever possible, give particular attention to
8 programs and activities that integrate women into the economies
9 of African nations.

10 (e) In recognition of the fact that 95% of the disabled
11 people in the world are among the poorest of the poor, the
12 Peace Brigade shall, whenever possible, give particular
13 attention to programs and activities that integrate disabled
14 people into the economies of African nations.

15 (f) The Director may, in cooperation with the State Board
16 of Education and the State Superintendent of Education, assign
17 volunteers to duty in urban inner-city schools in this State.

18 Section 25. Approval by the Secretary of State.

19 (a) Nothing in this Act shall be construed to infringe upon
20 the powers or functions of the Secretary of State. In carrying
21 out the purposes of this Act, the Director must seek the
22 approval of the Secretary of State for any programs or
23 activities of the Peace Brigade in foreign nations.

24 (b) Except with the approval of the Secretary of State, the
25 Peace Brigade may not be assigned to perform services in
26 foreign nations that could more usefully be performed by an
27 agency of the United States government.

28 Section 30. Employees, experts, and consultants. The Peace
29 Brigade may employ any personnel, in accordance with the
30 Personnel Code, that may be necessary to carry out the purposes
31 of this Act. The Peace Brigade may enter into contracts with
32 any experts and consultants that it deems necessary to carry
33 out the purposes of this Act.

1 Section 35. Volunteers.

2 (a) The Director may enroll in the Peace Brigade for
3 service in African nations and in urban inner-city schools in
4 this State qualified citizens of this State without regard to
5 race, gender, creed, or color. No political test or
6 qualification may be used in selecting any person for
7 enrollment as a volunteer. No person may be assigned to duty as
8 a volunteer in any foreign country unless at the time of the
9 assignment he or she possess a reasonable proficiency in
10 speaking the language of the country to which he or she will be
11 assigned. The Director may, by rule, prescribe any other
12 qualifications for volunteers.

13 (b) The terms and conditions of service of volunteers are
14 those set forth in this Act and as the Director prescribes. The
15 service of any volunteer may be terminated at the pleasure of
16 the Director. Upon enrollment, every volunteer shall take an
17 oath of office.

18 (c) Subject to appropriations, volunteers may be provided
19 with any living, travel, and leave allowances and any housing,
20 transportation, supplies, equipment, subsistence, and clothing
21 that the Director determines is necessary for their maintenance
22 and to insure their health and their capacity to serve
23 effectively. Transportation and travel allowances may also be
24 provided, as the Director determines, for applicants for
25 enrollment as volunteers to or from places of training and
26 places of enrollment and for former volunteers from places of
27 service to their homes.

28 (d) Subject to appropriations, volunteers who serve in a
29 foreign country may receive a readjustment allowance, in an
30 amount determined by the Director, for each month of
31 satisfactory service. The readjustment allowance of each
32 volunteer is payable on his or her return to the United States.
33 Under circumstances that the Director determines, however, the
34 readjustment allowance, or any part thereof, may be paid to the
35 volunteer or members of his or her family during the period of
36 his or her service or before his or her return to the United

1 States. In the event of a volunteer's death during the period
2 of service, the readjustment allowance shall be paid to his or
3 her family.

4 (e) Subject to appropriation, volunteers, applicants for
5 enrollment as volunteers, and former volunteers may receive any
6 health examinations, immunizations, or health and dental care
7 that the Director deems necessary or appropriate.

8 (f) In order to assure that the skills and experience of
9 former volunteers are fully used, the Director may, in
10 cooperation with agencies of the United States government,
11 State agencies, private employers, educational institutions,
12 and other entities, counsel volunteers with respect to
13 opportunities for further education and employment.

14 (g) Notwithstanding any other provision of law, attorneys
15 may be employed and attorneys' fees, court costs, bail, and
16 other expenses incidental to the defense of volunteers may be
17 paid in foreign judicial or administrative proceedings to which
18 volunteers have been made parties.

19 (h) Subject to appropriation, the minor children of a
20 volunteer that are living with the volunteer may receive:

21 (1) any living, travel, education, and leave
22 allowances and any housing, transportation, subsistence,
23 and clothing that the Director determines;

24 (2) any health care, including health care following
25 the volunteer's service for an illness or injury incurred
26 during the period of service, that the Director determines;

27 (3) any orientation, language, and other training that
28 the Director determines; and

29 (4) the benefits of subsection (g) of this Section on
30 the same basis of volunteers.

31 (i) Subject to appropriations, the cost of packing and
32 unpacking, transporting to and from a place of storage, and
33 storing the furniture and household and personal effects of a
34 volunteer who has one or more minor children at the time of his
35 or her entering pre-enrollment training may be paid from the
36 date of his or her departure from his or her place of residence

1 to enter training until no later than 3 months after his or her
2 service is terminated.

3 Section 40. Volunteer leaders. The Director may enroll as
4 volunteer leaders in the Peace Brigade qualified citizens of
5 this State whose services are required for supervisory or other
6 special duties or responsibilities in connection with programs
7 or activities under this Act. The ratio of the total number of
8 volunteer leaders in service at any one time may not exceed one
9 to 25. Volunteer leaders are entitled to the same benefits as
10 volunteers.

11 Section 45. Training programs. The Director shall make
12 provision for any training that he or she deems appropriate for
13 each applicant for enrollment as a volunteer and each enrolled
14 volunteer. All of the provisions of this Act that apply to
15 volunteers apply to applicants for enrollment during any period
16 of training occurring before enrollment.

17 Section 50. Applications; background check; enrollment.

18 (a) Applicants for enrollment as volunteers must submit any
19 information, including fingerprints taken by a law enforcement
20 officer, that the Director requires on a form furnished by the
21 Director. The Director shall provide any information necessary
22 for a background check to the Department of State Police. The
23 Director may request that the Secretary of State conduct a
24 security investigation of an applicant for enrollment for
25 service in a foreign nation.

26 (b) If the Director is satisfied that an applicant meets
27 the qualifications for a volunteer and after the applicant
28 completes any pre-enrollment training that the Director
29 requires, the applicant may be enrolled as a volunteer.

30 Section 55. Illinois Africa-America Peace Brigade Advisory
31 Council.

32 (a) The Illinois Africa-America Peace Brigade Advisory

1 Council is created. The Council consists of 15 members
2 appointed by the Governor, with the advice and consent of the
3 Senate. Members of the Council shall be broadly representative
4 of the general public, including educational institutions;
5 private volunteer agencies; private industry; farm
6 organizations; labor unions; different regions of the State;
7 different educational, economic, racial, and national
8 backgrounds; different age groupings; and both genders. No
9 member of the Council may be a State employee.

10 (b) The first appointments of members of the Council shall
11 be made not more than 60 days after the effective date of this
12 Act. Of the members initially appointed under this Section, 8
13 shall be appointed to one-year terms and 7 shall be appointed
14 to 2-year terms. Thereafter, all members shall serve 2-year
15 terms. No member may serve for more than 2 consecutive 2-year
16 terms.

17 Members of the Council serve at the pleasure of the
18 Governor. A member of the Council may be removed by a vote of 9
19 members for malfeasance in office, for persistent neglect of or
20 inability to discharge duties, or for offenses involving moral
21 turpitude.

22 Within 30 days after any vacancy occurs in the office of a
23 member of the Council, the Governor shall nominate an
24 individual to fill the vacancy. A member appointed to fill a
25 vacancy occurring before the expiration of the term for which
26 the member's predecessor was appointed shall be appointed only
27 for the remainder of that term.

28 (c) Subject to appropriation, members of the Council may be
29 compensated for each day (including travel time) during which
30 the member is engaged in the actual performance of his or her
31 duties as a Council member. Members may not receive
32 compensation for more than 20 days in any calendar year.

33 (d) A member of the Council must disclose to the Council
34 the existence of any direct or indirect financial interest in
35 any particular matter before the Council and may not vote or
36 otherwise participate as a Council member with respect to that

1 matter.

2 (e) At its first meeting and at its first regular meeting
3 in each calendar year thereafter, the Council must elect a
4 chair and a vice-chair from its members. The chair and
5 vice-chair may not be members of the same political party.

6 (f) The Council must hold a regular meeting during each
7 calendar year and shall meet at the call of the Governor, the
8 Director, the chair, or 1/4 of its members. The Council shall
9 adopt any by-laws and rules that it considers necessary to
10 carry out its functions. The by-laws and rules must include
11 procedures for fixing the time and place of meetings, giving or
12 waiving notice of meetings, and keeping minutes of meetings. A
13 majority of the members of the Council constitute a quorum for
14 the purposes of transacting any business.

15 (g) The Council shall evaluate the accomplishments of the
16 Peace Brigade, assess the potential capabilities and the future
17 role of the Peace Brigade, and make recommendations to the
18 Governor, the Director, and, as the Council considers
19 appropriate, the General Assembly for the purpose of guiding
20 the future direction of the Peace Brigade and of helping to
21 ensure that the purposes and programs of the Peace Brigade are
22 carried out in ways that are economical, efficient, responsive
23 to changing needs, and in accordance with the law. The Council
24 may also make any other evaluations, assessments, and
25 recommendations it considers appropriate.

26 Subject to appropriation, the Council may conduct on-site
27 inspections and make examinations of the activities of the
28 Peace Brigade in other countries.

29 (h) Not later than January 1 of each year, the Council must
30 submit to the Governor and the Director a report on its views
31 on the programs and activities of the Peace Brigade. Each
32 report must contain a summary of the advice and recommendations
33 of the Council. Within 90 days after receiving the report, the
34 Governor must submit the report to the General Assembly,
35 together with any comments concerning the report that the
36 Governor or the Director considers appropriate.

1 (i) The Director shall make available to the Council any
2 personnel, administrative support services, and technical
3 assistance necessary to carry out its functions effectively.

4 Section 60. Report. At least once during each fiscal year,
5 the Governor must report on the programs and activities of the
6 Peace Brigade under this Act to the General Assembly. The
7 report must include:

8 (1) a description of the purpose and scope of any
9 project that the Peace Brigade undertook during the
10 preceding fiscal year; and

11 (2) recommendations for improving coordination of
12 projects between the Peace Brigade, the United States, and
13 other State agencies.

14 Section 800. The Departments of State Government Law of the
15 Civil Administrative Code of Illinois is amended by changing
16 Sections 5-15 and 5-20 and by adding Section 5-425 as follows:

17 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

18 Sec. 5-15. Departments of State government. The
19 Departments of State government are created as follows:

20 The Department on Aging.

21 The Department of Agriculture.

22 The Department of Central Management Services.

23 The Department of Children and Family Services.

24 The Department of Commerce and Economic Opportunity.

25 The Department of Corrections.

26 The Department of Employment Security.

27 The Department of Financial Institutions.

28 The Department of Human Rights.

29 The Department of Human Services.

30 The Department of Insurance.

31 The Department of Labor.

32 The Department of the Lottery.

33 The Department of Natural Resources.

1 The Department of Nuclear Safety.
2 The Department of Professional Regulation.
3 The Department of Public Aid.
4 The Department of Public Health.
5 The Department of Revenue.
6 The Department of State Police.
7 The Department of Transportation.
8 The Department of Veterans' Affairs.
9 The Illinois Africa-America Peace Brigade.

10 (Source: P.A. 93-25, eff. 6-20-03.)

11 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

12 Sec. 5-20. Heads of departments. Each department shall have
13 an officer as its head who shall be known as director or
14 secretary and who shall, subject to the provisions of the Civil
15 Administrative Code of Illinois, execute the powers and
16 discharge the duties vested by law in his or her respective
17 department.

18 The following officers are hereby created:

19 Director of Aging, for the Department on Aging.

20 Director of Agriculture, for the Department of
21 Agriculture.

22 Director of Central Management Services, for the
23 Department of Central Management Services.

24 Director of Children and Family Services, for the
25 Department of Children and Family Services.

26 Director of Commerce and Economic Opportunity, for the
27 Department of Commerce and Economic Opportunity.

28 Director of Corrections, for the Department of
29 Corrections.

30 Director of Employment Security, for the Department of
31 Employment Security.

32 Director of Financial Institutions, for the Department of
33 Financial Institutions.

34 Director of Human Rights, for the Department of Human
35 Rights.

1 Secretary of Human Services, for the Department of Human
2 Services.

3 Director of Insurance, for the Department of Insurance.

4 Director of Labor, for the Department of Labor.

5 Director of the Lottery, for the Department of the Lottery.

6 Director of Natural Resources, for the Department of
7 Natural Resources.

8 Director of Nuclear Safety, for the Department of Nuclear
9 Safety.

10 Director of Professional Regulation, for the Department of
11 Professional Regulation.

12 Director of Public Aid, for the Department of Public Aid.

13 Director of Public Health, for the Department of Public
14 Health.

15 Director of Revenue, for the Department of Revenue.

16 Director of State Police, for the Department of State
17 Police.

18 Secretary of Transportation, for the Department of
19 Transportation.

20 Director of Veterans' Affairs, for the Department of
21 Veterans' Affairs.

22 Director of the Illinois Africa-America Peace Brigade, for
23 the Illinois Africa-America Peace Brigade.

24 (Source: P.A. 93-25, eff. 6-20-03.)

25 (20 ILCS 5/5-425 new)

26 Sec. 5-425. In the Illinois Africa-America Peace Brigade.
27 The Director and the Assistant Director of the Illinois
28 Africa-America Peace Brigade shall receive annual salaries
29 that are the same as the salaries of the Director and Assistant
30 Director of Agriculture, respectively, until such time as their
31 salaries are set by the Compensation Review Board, and
32 thereafter shall receive salaries as set by the Compensation
33 Review Board.

34 Section 805. The Department of State Police Law of the

1 Civil Administrative Code of Illinois is amended by adding
2 Section 2605-345 as follows:

3 (20 ILCS 2605/2605-345 new)

4 Sec. 2605-345. Criminal background investigations for the
5 Illinois Africa-America Peace Brigade. Upon the request of the
6 Director of the Illinois Africa-America Peace Brigade, to
7 conduct criminal background investigations of applicants for
8 enrollment as volunteers in the Illinois Africa-America Peace
9 Brigade and to report any criminal history information to the
10 Director of the Illinois Africa-America Peace Brigade. The
11 request shall be in the form and manner specified by the
12 Department.