



Sen. Terry Link

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09700SB2070sam001

LRB097 10286 NHT 53581 a

1 AMENDMENT TO SENATE BILL 2070

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2070 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Community College Act is amended by  
5 adding Section 3-42.4 as follows:

6 (110 ILCS 805/3-42.4 new)

7 Sec. 3-42.4. New jobs training.

8 (a) In this Section:

9 "Agreement" means the agreement between an employer and a  
10 board concerning a project.

11 "Certificate" means new jobs training program certificates  
12 issued pursuant to this Section.

13 "Date of commencement of the project" means the date of the  
14 agreement.

15 "Employee" means the person employed in a new job.

16 "Employer" means the person providing new jobs within the

1 boundaries of the community college district and entering into  
2 an agreement.

3 "Industry" means a business engaged in interstate or  
4 intrastate commerce for the purpose of manufacturing,  
5 processing, or assembling products, conducting research and  
6 development, or providing services in interstate commerce, but  
7 excludes retail, health, or professional services. "Industry"  
8 does not include a business that closes or substantially  
9 reduces its operation in one area of this State and relocates  
10 substantially the same operation in another area of this State.  
11 This definition does not prohibit a business from expanding its  
12 operations in another area of this State, provided that  
13 existing operations of a similar nature are not closed or  
14 substantially reduced.

15 "New job" means a job in a new or expanding industry, but  
16 does not include jobs of recalled workers or replacement jobs  
17 or other jobs that formerly existed in the industry in this  
18 State.

19 "New jobs training program" or "program" means the project  
20 or projects established by a community college district for the  
21 creation of jobs by providing education and training of workers  
22 for new jobs for new or expanding industry within the  
23 boundaries of the community college district.

24 "Program costs" means all necessary and incidental costs of  
25 providing program services.

26 "Program services" includes without limitation the

1 following:

2 (1) New jobs training.

3 (2) Adult basic education and job-related instruction.

4 (3) Vocational and skill-assessment services and  
5 testing.

6 (4) Training facilities, equipment, materials, and  
7 supplies.

8 (5) On-the-job training.

9 (6) Administrative expenses for the new jobs training  
10 program.

11 (7) Subcontracted services with public or private  
12 colleges or universities or other federal, State, or local  
13 agencies.

14 (8) Contracted or professional services.

15 (9) The issuance of certificates.

16 "Project" means a training arrangement that is the subject  
17 of an agreement entered into between the board and an employer  
18 to provide program services.

19 (b) A board may enter into an agreement to establish a  
20 project. If an agreement is entered into, the board and the  
21 employer shall notify the State Board as soon as possible. An  
22 agreement shall provide for program costs, including deferred  
23 costs, that may be paid from one or a combination of the  
24 following sources:

25 (1) Property taxes to be received or derived from an  
26 employer's business property where new jobs are created as

1       a result of the project.

2           (2) Tuition, student fees, or special charges fixed by  
3       the board to defray program costs in whole or in part.

4           (3) Guarantee of payments to be received under item (1)  
5       or (2) of this subsection (b).

6           (c) Payment of program costs must not be deferred for a  
7       period longer than 10 years from the date of commencement of  
8       the project.

9           (d) Costs of on-the-job training for employees must not  
10       exceed 50% of the annual gross payroll costs for up to one year  
11       of the new jobs. For purposes of this subsection (d), "gross  
12       payroll" means the gross wages, salaries, and benefits for the  
13       jobs-in-training in the project.

14           (e) An agreement shall include a provision that fixes the  
15       minimum amount of property taxes or tuition and fee payments  
16       that shall be paid for program costs.

17           (f) To provide funds for the present payment of the costs  
18       of a new jobs training program, the board may borrow money and  
19       issue and sell certificates payable from a sufficient portion  
20       of the future receipts of payments authorized by the agreement.  
21       The receipts shall be pledged to the payment of principal of  
22       and interest on the certificates.

23           (g) Certificates may be sold at public sale or at private  
24       sale at par, premium, or discount at the discretion of the  
25       board.

26           (h) Certificates may be issued with respect to a single

1 project or multiple projects and may contain terms or  
2 conditions as the board may provide by resolution authorizing  
3 the issuance of the certificates.

4 (i) Certificates issued to refund other certificates may be  
5 sold at public sale or at private sale as provided in this  
6 Section, with the proceeds from the sale to be used for the  
7 payment of the certificates being refunded. The refunding  
8 certificates may be exchanged in payment and discharge of the  
9 certificates being refunded, in installments at different  
10 times or an entire issue or series at one time. Refunding  
11 certificates may be sold or exchanged at any time on, before,  
12 or after the maturity of the outstanding certificates to be  
13 refunded, may be issued for the purpose of refunding a like,  
14 greater, or lesser principal amount of certificates, and may  
15 bear a higher, lower, or equivalent rate of interest than the  
16 certificates being renewed or refunded.

17 (j) To further secure the payment of the certificates, the  
18 board shall, by resolution, provide for the assessment of an  
19 annual levy of a standby tax upon all taxable property within  
20 the community college district. A copy of the resolution shall  
21 be sent to the county clerk of each county in which the  
22 community college district is located. The revenues from the  
23 standby tax shall be deposited into a special fund and shall be  
24 expended only for the payment of principal of and interest on  
25 the certificates issued as provided in this Section, when the  
26 receipt of payment for program costs as provided in the

1 agreement is insufficient. If payments are necessary and made  
2 from the special fund, the amount of the payments shall be  
3 promptly repaid into the special fund from the first available  
4 payments received for program costs as provided in the  
5 agreement that are not required for the payment of principal of  
6 or interest on certificates due. No reserves may be built up in  
7 this fund in anticipation of a projected default. The board  
8 shall adjust the annual standby tax levy for each year to  
9 reflect the amount of revenues in the special fund and the  
10 amount of principal and interest that is due in that year.

11 (k) Before certificates are issued, the board shall publish  
12 once a notice of its intention to issue the certificates,  
13 stating the amount, the purpose, and the project or projects  
14 for which the certificates are to be issued. A person may,  
15 within 15 days after the publication of the notice, by action  
16 in the circuit court of the county in the area within which the  
17 community college district is located, appeal the decision of  
18 the board in proposing to issue the certificates. The action of  
19 the board in determining to issue the certificates is final and  
20 conclusive unless the circuit court finds that the board has  
21 exceeded its legal authority. An action shall not be brought  
22 that questions the legality of the certificates, the power of  
23 the board to issue the certificates, the effectiveness of any  
24 proceedings relating to the authorization of the project, or  
25 the authorization and issuance of the certificates from and  
26 after 15 days from the publication of the notice of intention

1 to issue.

2 (1) The board shall determine if revenues are sufficient to  
3 secure the faithful performance of obligations in the  
4 agreement."