

1 AN ACT creating the Illinois Workforce Investment Board.

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

4 Section 5. The Illinois Human Resource Investment
5 Council Act is amended by changing Sections 1, 2.5, 3, 4.5,
6 5, 6, 7, and 8 as follows:

7 (20 ILCS 3975/1) (from Ch. 48, par. 2101)

8 Sec. 1. Short title. This Act may be cited as the
9 Illinois Workforce Investment Board Human-Reseource-Investment
10 Council Act.

11 (Source: P.A. 89-382, eff. 8-18-95.)

12 (20 ILCS 3975/2.5)

13 Sec. 2.5. Purpose.

14 (a) Beginning on the effective date of this amendatory
15 Act of the 92nd General Assembly, the Illinois Human Resource
16 Investment Council shall be known as the Illinois Workforce
17 Investment Board. The Illinois Workforce Investment Board
18 ~~Human--Reseource--Investment--Council~~ is created-as the State
19 advisory board pertaining to workforce preparation policy.
20 The Board ~~Council~~ shall ensure that Illinois' workforce
21 preparation services and programs are coordinated and
22 integrated and shall measure and evaluate the overall
23 performance and results of these programs. The Board ~~Council~~
24 shall further cooperation between government and the private
25 sector to meet the workforce preparation needs of employers
26 and workers in Illinois. The Board ~~Council~~ shall provide
27 ongoing oversight of programs and needed information about
28 the functioning of labor markets in Illinois.

29 (b) The Board ~~Council~~ shall ~~promote---a---flexible,~~
30 ~~elient-centered,~~~~equitable,~~~~and--cost--effective--workforce~~

1 preparation---system---within---the--State--to--maximize--the
 2 investment-in-human-capital-development-and-to help Illinois
 3 create and maintain a workforce with the skills and abilities
 4 that will keep the economy productive.

5 (c) The Board Council shall meet the requirements of the
 6 federal Workforce Investment Act of 1998 Section-701-of-Title
 7 VII-of-the-federal-Job-Training-Partnership-Act.
 8 (Source: P.A. 89-382, eff. 8-18-95.)

9 (20 ILCS 3975/3) (from Ch. 48, par. 2103)

10 Sec. 3. Illinois Workforce Investment Board. The
 11 Council-shall-consist-of-members-appointed--by--the--Governor
 12 with--the-advice-and-consent-of-the-Senate-in-accordance-with
 13 the-requirements-of-Section-701-of-Title-VII-of--the--federal
 14 Job-Training-Partnership-Act.

15 (a) The Illinois Workforce Investment Board shall
 16 include:

- 17 (1) the Governor;
- 18 (2) 2 members of the House of Representatives
 19 appointed by the Speaker of the House and 2 members of
 20 the Senate appointed by the President of the Senate; and
- 21 (3) persons appointed by the Governor, with the
 22 advice and consent of the Senate (except in the case of a
 23 person holding an office or employment described in
 24 subparagraph (F) when appointment to the office or
 25 employment requires the advice and consent of the
 26 Senate), from among the following:

- 27 (A) representatives of business in this State
 28 who (i) are owners of businesses, chief executives
 29 or operating officers of businesses, or other
 30 business executives or employers with optimum
 31 policymaking or hiring authority, including members
 32 of local boards described in Section 117(b)(2)(A)(i)
 33 of the federal Workforce Investment Act of 1998;

1 (ii) represent businesses with employment
2 opportunities that reflect the employment
3 opportunities in the State; and (iii) are appointed
4 from among individuals nominated by State business
5 organizations and business trade associations;

6 (B) chief elected officials from cities and
7 counties;

8 (C) representatives of labor organizations who
9 have been nominated by State labor federations;

10 (D) representatives of individuals or
11 organizations that have experience with youth
12 activities;

13 (E) representatives of individuals or
14 organizations that have experience and expertise in
15 the delivery of workforce investment activities,
16 including chief executive officers of community
17 colleges and community-based organizations within
18 the State;

19 (F) the lead State agency officials with
20 responsibility for the programs and activities that
21 are described in Section 121(b) of the federal
22 Workforce Investment Act of 1998 and carried out by
23 one-stop partners and, in any case in which no lead
24 State agency official has responsibility for such a
25 program, service, or activity, a representative in
26 the State with expertise in such program, service,
27 or activity; and

28 (G) any other representatives and State agency
29 officials that the Governor may appoint, including,
30 but not limited to, one or more representatives of
31 local public education, post-secondary institutions,
32 secondary or post-secondary vocational education
33 institutions, and community-based organizations. At
34 least-15%-but-not-more-than-60%-of-the-members-shall

1 be--representatives--of--business,--industry--and
 2 agriculture,----including----persons----who----are
 3 representatives-of-business-and-industry-on--Private
 4 Industry-Councils-in-the-State.

5 (b) Members of the Board that represent organizations,
 6 agencies, or other entities must be individuals with optimum
 7 policymaking authority within the organization, agency, or
 8 entity. The members of the Board must represent diverse
 9 regions of the State, including urban, rural, and suburban
 10 areas. The following--State--officials--shall--serve--on--the
 11 Council--but--shall--not--constitute--more--than--60%--of--the
 12 Council's-membership:--the-Director-of-Commerce-and--Community
 13 Affairs--(administering--agency--for--the--Job--Training
 14 Partnership-Act-and-the-National-and-Community-Service--Act),
 15 the--Secretary--of--Human--Services--(administering-agency-for
 16 part-F-of-Title--IV--of--the--Social--Security--Act--and--the
 17 employment--program--established-under-Section-6(d)(4)-of-the
 18 Food-Stamp-Act-of-1977),--the-Director-of--the--Department--of
 19 Employment-Security--(administrator-of-the-Wagner-Peyser-Act),
 20 the--State--Superintendent-of-Education--(administrator-of-the
 21 Carl-D--Perkins-Vocational-and-Applied--Technology--Education
 22 Act--and-the-Adult-Education-Act),--and-the-Executive-Director
 23 of-the-Illinois-Community-College-Board,--or-their--designees.
 24 Each--member--shall--serve--during--the-term-of-his-office-or
 25 employment.

26 (c) A majority of the members of the Board must be
 27 representatives described in subparagraph (A) of paragraph 3
 28 of subsection (a). There must be at least 2 members from
 29 each of the categories described in subparagraphs (D) and (E)
 30 of paragraph (3) of subsection (a). There must be at least 3
 31 members from the category described in subparagraph (C) of
 32 paragraph (3) of subsection (a). A majority of any committee
 33 the Board may establish for the purpose of general oversight,
 34 control, supervision, or management of the Board's business

1 must be representatives described in subparagraph (A) of
 2 paragraph (3) of subsection (a); any such committee must also
 3 include at least one representative from each of the
 4 categories described in subparagraphs (C) through (E) of
 5 paragraph (3) of subsection (a) and may include one or more
 6 representatives from any other categories described in
 7 paragraph (3) of subsection (a). At least 15%, but no more
 8 than 60% of the members shall be representatives of organized
 9 labor. These members shall be selected from among individuals
 10 nominated by recognized State labor federations.

11 (d) The Governor shall select a chairperson for the
 12 Board from among the representatives described in
 13 subparagraph (A) of paragraph (3) of subsection (a). The
 14 Human Resource Investment Council shall include one or more
 15 representatives from each of the following:

- 16 (1) local public education;
- 17 (2) a postsecondary institution;
- 18 (3) a secondary or postsecondary vocational
 19 education institution; and
- 20 (4) a community-based organization.

21 Representatives from these entities shall constitute no
 22 more than 60% of the Council. The total number of
 23 representatives appointed under (1), (2), and (3) shall not
 24 constitute less than 15% of the membership of the Human
 25 Resource Investment Council.

26 (d-5) (Blank). The Human Resource Investment Council may
 27 also include additional qualified members who may be selected
 28 from the following, but who shall not constitute more than
 29 60% of the Council:

- 30 (1) representatives from local welfare agencies;
- 31 (2) representatives from units of local government
 32 or consortia of units of local government appointed from
 33 nominations by the chief elected officials of the units
 34 of local government or consortia;

(3)--representatives-from-public-housing-agencies;

(4)--representatives-from-the-State-legislature;

(5)--representatives-from-any-State-or-local-program that-receives-funding-under-an-applicable--federal--human resource--program--that-the-Governor-has-determined-has-a direct-interest-in-the--utilization--of--human--resources within-the-State;-and

(6)--individuals--who--have--special--knowledge--and qualifications----in---special---education---and---career development-needs-of-hard-to-serve-individuals.

(e) Except as otherwise provided in this subsection, this amendatory Act of the 92nd General Assembly does not affect the tenure of any member appointed to and serving on the Illinois Human Resource Investment Council on the effective date of this amendatory Act of the 92nd General Assembly. Members of the Board nominated for appointment in 1999, 2000, or 2001 shall serve for fixed and staggered terms, as designated by the Governor, expiring no later than July 1 of the second calendar year succeeding their respective appointments or until their successors are appointed and qualified. In-reconstructing-the-membership--of the--Council--pursuant-to-subsections-(a),-(b),-(c),-(d),-and (d-5),-as-mandated-in--Section--701--of---Title--VII--of--the federal---Job---Training---Partnership---Act,-as---amended, appointments--made--effective--on--July-1,1995-will-be-given fixed--and--staggered--terms--of--no--less--than---2---years. Thereafter, Members of the Board nominated for appointment after 2001 Council shall serve be-appointed for terms of--two years expiring on July 1 of the second calendar year succeeding their respective appointments, or until their successors are appointed and qualified. A State official or employee serving on the Board under subparagraph (F) of paragraph (3) of subsection (a) by virtue of his or her State office or employment shall serve during the term of that

1 office or employment. A vacancy is created in situations
 2 including, but not limited to, those in which an individual
 3 -serving on the Board ceases to satisfy all of the
 4 requirements for appointment under the provision under which
 5 he or she was appointed. The Governor may at any time make
 6 appointments to fill vacancies for the balance of an
 7 unexpired term. Vacancies shall be filled in the same manner
 8 as the original appointment. Members shall serve without
 9 compensation, but shall be reimbursed for necessary expenses
 10 incurred in the performance of their duties.

11 (f) The Board Council shall meet at-least-five-times-per
 12 calendar--year at such times and in such places that as it
 13 deems necessary. The Board Council shall be subject to the
 14 "Open Meetings Act" and, to the extent required by that law,
 15 its meetings shall be publicly announced and open and
 16 accessible to the general public. The Board Council shall
 17 adopt any such rules and operating procedures that as it
 18 deems necessary to carry out its responsibilities under this
 19 Act and under the federal Workforce Investment Act of 1998
 20 Job-Training-Partnership-Act.

21 (Source: P.A. 89-382, eff. 8-18-95; 89-507, eff. 7-1-97.)

22 (20 ILCS 3975/4.5)

23 Sec. 4.5. Duties.

24 (a) The Board must perform all the functions of a state
 25 workforce investment board under the federal Workforce
 26 Investment Act of 1998, any amendments to that Act, and any
 27 other applicable federal statutes. The Board must also
 28 perform all other functions that are not inconsistent with
 29 the federal Workforce Investment Act of 1998 or this Act and
 30 that are assumed by the Board under its by-laws or assigned
 31 to it by the Governor. The--Council--shall--recomm--a
 32 comprehensive--set--of--workforce-preparation-and-development
 33 goals-and-implementation-strategies-for-the--development--and

1 coordination-of-the-human-resource-system-within-the-State-to
 2 the--General--Assembly--and--the-Governor.--The-Council-shall
 3 annually-review--these--priority--goals--and--strategies--and
 4 recommend--revisions--as--may--be--necessary.---Any--goals-or
 5 strategies-adopted-by-the-Council-prior-to-the-effective-date
 6 of-this-amendatory-Act-of-1997-shall--be--deemed--temporarily
 7 adopted-until-such-time-as-the-General-Assembly-ratifies-such
 8 goals-and-strategies-with-the-passage-of-a-joint-resolution.-
 9 Any--such--temporarily--adopted-goals-and-strategies-that-are
 10 not-ratified-by-the--General--Assembly--by--joint--resolution
 11 within--7--months-after-the-effective-date-of-this-amendatory
 12 Act-of-1997-are-deemed-revoked.

13 (b) The Board must cooperate with the General Assembly
 14 and make recommendations to the Governor and the General
 15 Assembly concerning legislation necessary to improve upon
 16 statewide and local workforce investment systems in order to
 17 increase occupational skill attainment, employment,
 18 retention, or earnings of participants and thereby improve
 19 the quality of the workforce, reduce welfare dependency, and
 20 enhance the productivity and competitiveness of the State.
 21 The Board must annually submit a report to the General
 22 Assembly on the progress of the State in achieving state
 23 performance measures under the federal Workforce Investment
 24 Act of 1998, including information on the levels of
 25 performance achieved by the State with respect to the core
 26 indicators of performance and the customer satisfaction
 27 indicator under that Act. The report must include any other
 28 items that the Governor may be required to report to the
 29 Secretary of the United States Department of Labor under
 30 Section 136(d) of the federal Workforce Investment Act of
 31 1998. The--Council-shall-advise-the-General-Assembly-and-the
 32 Governor-on-the-development,-implementation,-and-coordination
 33 of--State--and--local--standards--and--measures--relating--to
 34 applicable--federal--human--resource--programs,---For---these

1 purposes, -- applicable -- federal -- human resource programs means
 2 any -- program -- from -- among -- the -- following -- that -- the -- General
 3 Assembly, -- the -- Governor, -- and -- the -- head -- of -- the -- State -- agency
 4 responsible -- for -- the -- administration -- of -- the -- program -- jointly
 5 agree -- to -- include -- within -- the -- jurisdiction -- of -- the -- Human
 6 Resource Investment Council; -- the -- Job -- Training -- Partnership
 7 Act, -- the -- Carl -- D. -- Perkins Vocational and Applied Technology
 8 Education Act, -- the -- National -- and -- Community -- Service -- Act -- of
 9 1990, -- the -- Adult Education Act, -- the -- Wagner -- Peyser Act, -- part -- F
 10 of Title IV of the Social Security Act, -- and -- the -- employment
 11 program -- established -- under Section 6(d)(4) of the Food Stamp
 12 Act of 1977 or subsequent federal programs -- or -- block -- grants
 13 designed for education and employment related services.

14 (c) The -- Council -- shall -- be -- responsible for the overall
 15 identification of human investment needs and -- priorities -- for
 16 workforce preparation in the State and shall recommend to the
 17 General Assembly and the Governor the goals for meeting these
 18 needs. --- The -- Council -- shall -- coordinate the establishment of
 19 advisory --- statewide --- performance --- goals --- for --- workforce
 20 preparation -- programs -- as -- well -- as -- a -- statewide -- framework -- for
 21 workforce preparation program evaluation.

22 (d) -- The -- Council -- shall -- continuously monitor and -- evaluate
 23 new -- federal -- and -- State -- legislative proposals and shall make
 24 recommendations -- concerning -- their --- implementation. --- --- Newly
 25 enacted -- laws -- shall -- be -- evaluated -- and -- recommendations made
 26 concerning their integration within -- the -- existing -- workforce
 27 preparation system.

28 (e) -- The -- Council -- shall -- advocate -- the -- establishment of
 29 standard --- terms --- to --- promote --- understanding, --- --- planning,
 30 coordination, --- --- and --- evaluation --- of -- workforce -- preparation
 31 programs and services at the State and federal levels.

32 (f) -- Other -- duties --- of --- the --- Council --- shall --- include
 33 recommending to relevant agencies and to the General Assembly
 34 and -- the -- Governor, -- with respect to applicable Federal human

1 resource-programs-and-others, the-provision-of-services-and
2 the-use-of-funds-and-resources-for-workforce-preparation
3 services.

4 (g) Nothing in this Act shall be construed to require or
5 allow the Board Council to assume or supersede the statutory
6 authority granted to, or impose any duties or requirements
7 on, the State Board of Education, the Board of Higher
8 Education, the Illinois Community College Board, any State
9 agencies created under the Civil Administrative Code of
10 Illinois, or any local education agencies.

11 (h) The Human Resource Investment Council shall assume
12 the duties of a State job training-coordinating-council
13 pursuant to Sections 121 and 317 of the federal Job Training
14 Partnership Act.

15 (i) The Human Resource Investment Council is further
16 charged with the task of deliberating the desirability of
17 establishing itself as a body independent of any other State
18 agency or organization. Issues to be considered in those
19 deliberations include, but are not limited to, the costs
20 associated with establishing a new organization, staffing and
21 other personnel issues, and consolidation of other councils
22 into the Human Resource Investment Council. The Council
23 shall issue a report on its discussions and make
24 recommendations to the General Assembly and the Governor on
25 whether and how to proceed.

26 (d) No actions taken by the Illinois Human Resource
27 Investment Council before the effective date of this
28 amendatory Act of the 92nd General Assembly and no rights,
29 powers, duties, or obligations from those actions are
30 affected solely by this amendatory Act of the 92nd General
31 Assembly. All actions taken by the Illinois Human Resource
32 Investment Council before the effective date of this
33 amendatory Act of the 92nd General Assembly are ratified and
34 validated.

1 (Source: P.A. 89-382, eff. 8-18-95; 90-528, eff. 1-1-98.)

2 (20 ILCS 3975/5) (from Ch. 48, par. 2105)

3 Sec. 5. Plans; expenditures. The plans and decisions of
4 the Board Council shall be subject to approval by the
5 Governor. All funds received by the State pursuant to the
6 federal Job Training Partnership Act or the federal Workforce
7 Investment Act of 1998 shall be expended only pursuant to
8 appropriation.

9 (Source: P.A. 83-1288.)

10 (20 ILCS 3975/6) (from Ch. 48, par. 2106)

11 Sec. 6. Programs and services, conflict of interest. In
12 order to assure objective management and oversight, the Board
13 Council shall not operate programs or provide services
14 directly to eligible participants, but shall exist solely to
15 plan, coordinate and monitor the provisions of such programs
16 and services.

17 A member of the Board may not (1) vote on a matter under
18 consideration by the Board that (a) regards the provision of
19 services by the member or by an entity that the member
20 represents or (b) would provide direct financial benefit to
21 the member or the immediate family of the member or (2)
22 engage in any other activity determined by the Governor to
23 constitute a conflict of interest as specified in the State
24 plan established under the federal Workforce Investment Act
25 of 1998.

26 (Source: P.A. 83-1288.)

27 (20 ILCS 3975/7) (from Ch. 48, par. 2107)

28 Sec. 7. Personnel. The Board Council is authorized to
29 obtain the services of any such professional, technical and
30 clerical personnel that as may be necessary to carry out its
31 functions under this Act and under the federal Workforce

1 Investment Act of 1998 Job-Training-Partnership-Act. Funding
 2 for--the--Council--shall--be--provided--pursuant--to--Section
 3 202(b)(4)-of-the-federal-Job-Training-Partnership-Act.

4 (Source: P.A. 83-1288.)

5 (20 ILCS 3975/8) (from Ch. 48, par. 2108)

6 Sec. 8. Audits. The Illinois Workforce Investment Board
 7 Department---of---Commerce---and---Community---Affairs,---the---Job
 8 Training-Coordinating-Council, and any recipient of funds
 9 under this Act shall be subject to audits conducted by the
 10 Auditor General with respect to all funds appropriated for
 11 the purposes of this Act.

12 (Source: P.A. 83-1288.)

13 Section 99. Effective date. This Act takes effect on
 14 July 1, 2001.