



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2973

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/15
20 ILCS 2805/20
20 ILCS 2805/37
110 ILCS 205/9.34

Amends the Department of Veterans Affairs Act. Provides that the Illinois Veterans' Advisory Council shall investigate the re-entry process for service members who return to civilian life after being engaged in an active theater. Provides that by July 1, 2018 and by July 1 of each year thereafter, the Council shall present a specified annual report. Provides that such investigation and annual report responsibilities shall be a continuation of the investigation and annual report responsibilities of the Illinois Discharged Servicemembers Task Force. Provides that through July 1, 2017, the Task Force shall present the specified annual report. Provides that as soon as is practicable after the Task Force presents its final report due by July 1, 2017, any information collected by the Task Force in carrying out its duties under specified provisions shall be transferred to the Council. Provides that the Task Force is dissolved on July 1, 2018. Amends the Board of Higher Education Act to make conforming changes. Effective immediately.

LRB100 10301 MJP 20490 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning military affairs.

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

4 Section 5. The Department of Veterans Affairs Act is
5 amended by changing Sections 15, 20, and 37 as follows:

6 (20 ILCS 2805/15)

7 Sec. 15. Veterans advisory council.

8 (a) A veterans advisory council shall be established in the
9 State of Illinois. The council shall consist of at least 21
10 members as follows:

11 (1) Four members of the General Assembly, appointed one
12 each by the President of the Senate, the Minority Leader of
13 the Senate, the Speaker of the House of Representatives,
14 and the Minority Leader of the House of Representatives,
15 preferably from a legislative or representative district
16 in which a State-operated veterans home is located.

17 (2) Six veterans appointed by the Director of Veterans'
18 Affairs.

19 (3) One veteran appointed by the commander or president
20 of each veterans service organization that is chartered by
21 the federal government and by the State of Illinois and
22 elects to appoint a member.

23 (4) One person appointed by the Adjutant General of the

1 Illinois National Guard.

2 (5) One person appointed by the Illinois Attorney
3 General.

4 (6) One person appointed by the Illinois Secretary of
5 State.

6 (7) One person appointed by the Director of the
7 Illinois Department of Employment Security.

8 (8) One person appointed by each military family
9 organization that is chartered by the federal government.

10 No member of the council shall be an employee or
11 representative of the Department of Veterans' Affairs.

12 Members of the council shall serve without compensation or
13 reimbursement.

14 (b) At the initial meeting of the council, the members
15 shall elect from among themselves a chairman. The members shall
16 draw lots to determine the length of their terms so that 9
17 members have terms that expire on July 1, 2005 and the
18 remaining members have terms that expire on July 1, 2006.
19 Thereafter, all members of the council shall be appointed for
20 terms of 2 years.

21 The appointing authority may at any time make an
22 appointment to fill a vacancy for the unexpired term of a
23 member.

24 (c) The council shall meet quarterly or at the call of the
25 chairman or at the call of the Director of Veterans' Affairs or
26 the Governor. The Department shall provide meeting space and

1 clerical and administrative support services for the council.

2 (c-5) The council shall investigate the re-entry process
3 for service members who return to civilian life after being
4 engaged in an active theater. The investigation shall include
5 the effects of post-traumatic stress disorder, homelessness,
6 disabilities, and other issues the council finds relevant to
7 the re-entry process. By July 1, 2018 and by July 1 of each
8 year thereafter, the council shall present an annual report of
9 its findings to the Governor, the Attorney General, the
10 Director of Veterans' Affairs, the Lieutenant Governor, and the
11 Secretary of the United States Department of Veterans Affairs.
12 The council's investigation and annual report responsibilities
13 of this subsection shall be a continuation of the investigation
14 and annual report responsibilities of the Illinois Discharged
15 Servicemembers Task Force created under Section 20 of this Act.

16 (d) The council has the power to do the following:

17 (1) Advise the Department of Veterans' Affairs with
18 respect to the fulfillment of its statutory duties.

19 (2) Review and study the issues and concerns that are
20 most significant to Illinois veterans and advise the
21 Department on those issues and concerns.

22 (3) Receive a report from the Director of Veterans'
23 Affairs or the Director's designee at each meeting with
24 respect to the general activities of the Department.

25 (4) Report to the Governor and the General Assembly
26 annually describing the issues addressed and the actions

1 taken by the council during the year as well as any
2 recommendations for future action.

3 (e) The council established under this Section replaces any
4 Illinois Veterans Advisory Council established under Executive
5 Order No. 3 (1982).

6 (Source: P.A. 96-1266, eff. 7-26-10.)

7 (20 ILCS 2805/20)

8 Sec. 20. Illinois Discharged Servicemember Task Force. The
9 Illinois Discharged Servicemember Task Force is hereby created
10 within the Department of Veterans' ~~Veterans~~ Affairs. The Task
11 Force shall investigate the re-entry process for service
12 members who return to civilian life after being engaged in an
13 active theater. The investigation shall include the effects of
14 post-traumatic stress disorder, homelessness, disabilities,
15 and other issues the Task Force finds relevant to the re-entry
16 process. For fiscal year 2012, the Task Force shall include the
17 availability of prosthetics in its investigation. For fiscal
18 year 2014, the Task Force shall include the needs of women
19 veterans with respect to issues including, but not limited to,
20 compensation, rehabilitation, outreach, health care, and
21 issues facing women veterans in the community, and to offer
22 recommendations on how best to alleviate these needs which
23 shall be included in the Task Force Annual Report for 2014. The
24 Task Force shall include the following members:

25 (a) a representative of the Department of Veterans'

1 ~~Veterans~~ Affairs, who shall chair the committee;

2 (b) a representative from the Department of Military
3 Affairs;

4 (c) a representative from the Office of the Illinois
5 Attorney General;

6 (d) a member of the General Assembly appointed by the
7 Speaker of the House;

8 (e) a member of the General Assembly appointed by the
9 House Minority Leader;

10 (f) a member of the General Assembly appointed by the
11 President of the Senate;

12 (g) a member of the General Assembly appointed by the
13 Senate Minority Leader;

14 (h) 4 members chosen by the Department of Veterans'
15 ~~Veterans~~ Affairs, who shall represent statewide veterans'
16 organizations or veterans' homeless shelters;

17 (i) one member appointed by the Lieutenant Governor;
18 and

19 (j) a representative of the United States Department of
20 Veterans Affairs shall be invited to participate.

21 Vacancies in the Task Force shall be filled by the initial
22 appointing authority. Task Force members shall serve without
23 compensation, but may be reimbursed for necessary expenses
24 incurred in performing duties associated with the Task Force.

25 By July 1, 2008 and by July 1 of each year thereafter
26 through July 1, 2017, the Task Force shall present an annual

1 report of its findings to the Governor, the Attorney General,
2 the Director of Veterans' Affairs, the Lieutenant Governor, and
3 the Secretary of the United States Department of Veterans
4 Affairs. As soon as is practicable after the Task Force
5 presents its final report due by July 1, 2017, any information
6 collected by the Task Force in carrying out its duties under
7 this Section shall be transferred to the Illinois Veterans'
8 Advisory Council.

9 The Task Force is dissolved, and this Section is repealed,
10 on July 1, 2018.

11 ~~If the Task Force becomes inactive because active theaters~~
12 ~~cease, the Director of Veterans Affairs may reactivate the Task~~
13 ~~Force if active theaters are reestablished.~~

14 (Source: P.A. 97-414, eff. 1-1-12; 98-310, eff. 8-12-13;
15 revised 9-8-16.)

16 (20 ILCS 2805/37)

17 Sec. 37. Illinois Joining Forces Foundation.

18 (a) The General Assembly finds that navigating the "sea of
19 goodwill" for those who serve in uniform is one of the greatest
20 challenges that transitioning veterans face; as a result, they
21 risk being unable to access many of the federal, State, and
22 non-profit resources available to them. Recognizing this
23 problem, the Department of Veterans' Affairs and the Department
24 of Military Affairs acted to establish the Illinois Joining
25 Forces initiative, a public-private network of military and

1 veteran-serving organizations that are working together, in
2 person and online, to create a no-wrong-door system of support
3 for the State's military and veteran communities. Illinois
4 Joining Forces is a nation-leading model, awarded by the U.S.
5 Department of Veterans Affairs and the National Association of
6 State Directors of Veterans Affairs for its groundbreaking work
7 in creating smarter, collaborative community support for those
8 in uniform, past and present. The foundation created by this
9 amendatory Act of the 98th General Assembly will serve to
10 ensure the long-term sustainability of Illinois Joining
11 Forces, which is critically important for the support of the
12 State's military and veteran communities.

13 (b) The Illinois Joining Forces Foundation shall benefit
14 service members, veterans, and their families by:

15 (1) convening military and veteran support
16 organizations, through Illinois Joining Forces working
17 groups, to build cross-sector relationships and mutual
18 awareness;

19 (2) providing policy recommendations through Illinois
20 Joining Forces member working groups to ~~the Illinois~~
21 ~~Discharged Servicemember Task Force~~ and the Illinois
22 Veterans' Advisory Council;

23 (3) facilitating the transfer of information and
24 knowledge among Illinois Joining Forces member
25 organizations;

26 (4) maintaining and continuing to build the

1 no-wrong-door online navigation platform;

2 (5) educating Illinois Joining Forces members and
3 other community providers regarding military and veteran
4 culture and needs, thus improving the collective capacity
5 of the support system; and

6 (6) outreaching directly to service members, veterans,
7 and their families regarding the no-wrong-door system that
8 Illinois Joining Forces provides to them.

9 (c) For the purpose of this Section, "veterans service
10 organization" means an organization that meets all of the
11 following criteria:

12 (1) The organization is formed by and for United States
13 military veterans.

14 (2) The organization is chartered by the United States
15 Congress and incorporated in the State of Illinois.

16 (3) The organization has maintained a State
17 headquarters office in Illinois for the 10-year period
18 immediately preceding the effective date of this
19 amendatory Act of the 98th General Assembly.

20 (4) The organization maintains at least one office in
21 this State, staffed by a veterans service officer.

22 (5) The organization is capable of preparing a power of
23 attorney for a veteran and processing claims for veterans
24 services.

25 (6) The organization is not funded by the State of
26 Illinois or by any county in this State.

1 (d) The General Assembly authorizes the Department of
2 Veterans' Affairs, in accordance with Section 10 of the State
3 Agency Entity Creation Act, to create the Illinois Joining
4 Forces Foundation as a not-for-profit foundation. The
5 Department shall file articles of incorporation as required
6 under the General Not For Profit Corporation Act of 1986 to
7 create the Foundation. The Foundation's Board of Directors
8 shall be appointed as follows: one member appointed by the
9 Governor; one member appointed by the President of the Senate;
10 one member appointed by the Minority Leader of the Senate; one
11 member appointed by the Speaker of the House of
12 Representatives; one member appointed by the Minority Leader of
13 the House of Representatives; and all of the members of the
14 Illinois Joining Forces Executive Committee, who shall be
15 appointed by the Director of Veterans' Affairs. In addition to
16 any veterans service organization otherwise represented on the
17 Board of Directors, a veterans service organization may
18 designate in writing an ex officio, non-voting participant to
19 the Board of Directors. Any veterans service organization
20 appointee under this Section does not count towards a quorum.
21 The Director of Veterans' Affairs and a designee chosen by the
22 Director of Military Affairs who is a senior management
23 official of the Department of Military Affairs with the
24 authority to make decisions on behalf of the agency shall serve
25 as members of the Foundation's Board of Directors. Board of
26 Director appointments shall be for 2-year terms. Vacancies

1 shall be filled by the official who made the recommendation for
2 the vacated appointment. No member of the Board of Directors
3 may receive compensation for his or her services to the
4 Foundation. Upon appointment, the Board of Directors, as
5 members of a public entity, shall be represented and
6 indemnified pursuant to the requirements of the State Employee
7 Indemnification Act.

8 (e) The purposes of the Foundation are to: promote,
9 support, assist, and sustain Illinois Joining Forces
10 operations; solicit and accept grants and private donations and
11 disburse them for the stated intent of the Foundation or the
12 private donor; solicit and generate public and private funding
13 and donations that assist in enhancing the Illinois Joining
14 Forces mission, services, programs, and operations; and engage
15 generally in other lawful endeavors consistent with the
16 foregoing purposes. The foundation shall operate within the
17 provisions of the General Not For Profit Corporation Act of
18 1986.

19 (f) As soon as practicable after the Foundation is created,
20 the Board of Directors shall meet, organize, and designate, by
21 majority vote, a chairperson, a treasurer, a secretary, and any
22 additional officers that may be needed to carry out the
23 activities of the Foundation and shall adopt bylaws of the
24 Foundation. The Department of Veterans' Affairs, in
25 consultation with the Department of Military Affairs, may adopt
26 other rules deemed necessary to govern Foundation procedures.

1 (g) The Foundation may request and accept gifts, grants,
2 donations, or bequests from the federal government or its
3 agencies or officers or from any person, firm, or corporation,
4 and may expend receipts on activities that it considers
5 suitable to the performance of its duties under this Section
6 and consistent with any requirement of the grant, gift,
7 donation, or bequest. Funds collected by the Foundation shall
8 be considered private funds and shall be held in an appropriate
9 account outside of the State treasury. Private funds collected
10 by the Foundation are not subject to the Public Funds
11 Investment Act. The treasurer of the Foundation shall be the
12 custodian of all Foundation funds. The treasurer shall be
13 required to obtain a fidelity or surety bond on satisfactory
14 terms and in sufficient amounts to protect the interests of the
15 Foundation, the cost of which shall be reimbursed by the
16 Foundation. The Foundation and its officers shall be
17 responsible for the approval of the recording of receipts,
18 approval of payments, and the proper filing of required
19 reports. The Foundation may be assisted in carrying out its
20 functions by Department of Military Affairs and Department of
21 Veterans' Affairs personnel. The Department of Military
22 Affairs and the Department of Veterans' Affairs shall provide
23 reasonable assistance to the Foundation to achieve the purposes
24 of the Foundation as determined by the respective Directors.
25 The Foundation shall cooperate fully with the boards,
26 commissions, agencies, departments, and institutions of the

1 State. The funds held and made available by the Illinois
2 Joining Forces Foundation shall be subject to financial and
3 compliance audits in accordance with the Illinois State
4 Auditing Act. The Foundation shall not have any power of
5 eminent domain. The Foundation shall not construct or make any
6 permanent improvements to any real property.

7 (h) The Foundation must provide a written notice to any
8 entity providing a gift, grant, donation, or bequest to the
9 Foundation that the Foundation is not subject to the provisions
10 of the Public Funds Investment Act, which Act places
11 limitations on the types of securities in which a public agency
12 may invest public funds.

13 (i) Notwithstanding any law to the contrary, the Foundation
14 is not eligible for any grant administered or funded by the
15 Department of Veterans' Affairs or the Department of Military
16 Affairs.

17 (Source: P.A. 98-986, eff. 8-18-14.)

18 Section 10. The Board of Higher Education Act is amended by
19 changing Section 9.34 as follows:

20 (110 ILCS 205/9.34)

21 (Section scheduled to be repealed on December 1, 2017)

22 Sec. 9.34. Military Prior Learning Assessment Task Force.

23 (a) The Military Prior Learning Assessment Task Force is
24 created within the Board of Higher Education. The Task Force

1 shall study and make recommendations on how to best effectuate
2 the recognition of military learning for academic credit,
3 industry-recognized credentials, and college degrees through
4 the use of the Prior Learning Assessment. The Task Force shall
5 be comprised of all of the following members:

6 (1) A representative from the Board of Higher
7 Education, who shall chair the Task Force, appointed by the
8 Board of Higher Education.

9 (2) A representative from the Illinois Community
10 College Board appointed by the Illinois Community College
11 Board.

12 (3) A representative from the Department of Veterans'
13 Affairs appointed by the Director of Veterans' Affairs.

14 (4) (Blank). ~~A representative from the Illinois~~
15 ~~Discharged Servicemember Task Force appointed by the~~
16 ~~Illinois Discharged Servicemember Task Force.~~

17 (5) A representative from the Illinois Student
18 Assistance Commission appointed by the Illinois Student
19 Assistance Commission.

20 (6) A member of the General Assembly appointed by the
21 Speaker of the House of Representatives.

22 (7) A member of the General Assembly appointed by the
23 Minority Leader of the House of Representatives.

24 (8) A member of the General Assembly appointed by the
25 President of the Senate.

26 (9) A member of the General Assembly appointed by the

1 Minority Leader of the Senate.

2 (10) Three faculty representatives, one from a public
3 university, one from a public community college, and one
4 from a private institution, appointed by the Board of
5 Higher Education in consultation with the Illinois
6 Community College Board and their advisory groups.

7 (11) Two presidents of Illinois colleges and
8 universities appointed by the Board of Higher Education in
9 consultation with the Illinois Community College Board.

10 (12) A representative from the Illinois Joining Forces
11 Education Working Group appointed by the Illinois Joining
12 Forces Education Working Group.

13 (13) A representative of a nonprofit organization that
14 is recognized as having expertise in the area of the Prior
15 Learning Assessment appointed by the Board of Higher
16 Education.

17 (14) A representative from the Office of the State Fire
18 Marshal appointed by the State Fire Marshal.

19 Members of the Task Force shall serve without compensation
20 and may not be reimbursed for their expenses.

21 The Board of Higher Education shall provide administrative
22 and other support to the Task Force.

23 (b) The Task Force's study shall without limitation:

24 (1) Examine the history of the Prior Learning
25 Assessment and its impact on active military and student
26 veterans in today's educational landscape.

1 (2) Examine policies and practices in other states to
2 identify best practices in the Prior Learning Assessment
3 for active military and student veterans.

4 (3) Determine current policies and practices in this
5 State, including existing Prior Learning Assessment
6 methods being utilized among this State's public and
7 private colleges and universities in connection with
8 active military and student veterans.

9 (4) Review the quality standards necessary to
10 adequately assess military learning based on experience
11 and non-credit education and training for purposes of
12 awarding academic credit.

13 (5) Consider alternative means to award academic
14 credit for active military and student veterans.

15 (6) Consider transferability of academic credit
16 awarded by the Prior Learning Assessment and student
17 mobility.

18 (7) Consider the importance of recognition of
19 industry-recognized credentials by colleges and
20 universities for the purpose of awarding academic credit.

21 (8) Consider the acceptance of industry-recognized
22 credentials and academic credit credentials or degrees by
23 licensing bodies.

24 (c) The Task Force shall report its findings and
25 recommendations to the Board of Higher Education, the Illinois
26 Community College Board, the Illinois Student Assistance

1 Commission, the State Board of Education, the Department of
2 Veterans' Affairs, ~~the Illinois Discharged Servicemember Task~~
3 ~~Force~~, the General Assembly, and the Governor on or before
4 December 1, 2016.

5 (d) This Section is repealed on December 1, 2017.

6 (Source: P.A. 99-395, eff. 8-18-15.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.