



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5781

Introduced 2/16/2012, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code, the Higher Education Student Assistance Act, and the Illinois Youth and Young Adult Employment Act of 1986. Provides that after July 1, 2012 persons may not be nominated for General Assembly scholarships and that General Assembly scholarships may not be awarded after that date unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after July 1, 2012. Beginning with the 2012-2013 academic year, requires the Illinois Student Assistance Commission to receive and consider applications for scholarship assistance from participants in the Young Adult Component of the Illinois Conservation Corps enrolled or accepted for enrollment at a public university or community college in this State. Provides that a total of 100 scholarships shall be awarded each year. Provides that recipients shall be selected from among qualified applicants based upon academic excellence and an intent to study a natural resource or environment-related major field of study. Provides that preference may be given to previous recipients of assistance. Provides that each scholarship shall be in an amount sufficient to pay the tuition and fees of the public university or community college at which the recipient is enrolled. Requires the Commission to administer the scholarship program and make all necessary and proper rules not inconsistent with these provisions for their effective implementation. Provides that an enrollee of the Illinois Conservation Corps program shall not receive payment for work performed (instead of receiving at least the standard minimum wage) if he or she is or was a recipient of a scholarship. Effective immediately.

LRB097 16725 NHT 66112 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 30-9, 30-10, 30-11, and 30-12 as follows:

6 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

7 Sec. 30-9. General Assembly scholarship; conditions of
8 admission; award by competitive examination.

9 (a) The provisions of this subsection (a) are subject to
10 subsection (b). Each member of the General Assembly may
11 nominate annually 2 persons of school age and otherwise
12 eligible, from his district; each shall receive a certificate
13 of scholarship in any State supported university designated by
14 the member. Any member of the General Assembly in making
15 nominations under this Section may designate that his nominee
16 be granted a 4 year scholarship or may instead designate 2 or 4
17 nominees for that particular scholarship, each to receive a 2
18 year or a one year scholarship, respectively. The nominee, if a
19 graduate of a school accredited by the University to which
20 nominated, shall be admitted to the university on the same
21 conditions as to educational qualifications as are other
22 graduates of accredited schools. If the nominee is not a
23 graduate of a school accredited by the university to which

1 nominated, he must, before being entitled to the benefits of
2 the scholarship, pass an examination given by the
3 superintendent of schools of the county where he resides at the
4 time stated in Section 30-7 for the competitive examination.
5 The president of each university shall prescribe the rules
6 governing the examination for scholarship to his university.

7 A member of the General Assembly may award the scholarship
8 by competitive examination conducted under like rules as
9 prescribed in Section 30-7 even though one or more of the
10 applicants are graduates of schools accredited by the
11 university.

12 A member of the General Assembly may delegate to the
13 Illinois Student Assistance Commission the authority to
14 nominate persons for General Assembly scholarships which that
15 member would otherwise be entitled to award, or may direct the
16 Commission to evaluate and make recommendations to the member
17 concerning candidates for such scholarships. In the event a
18 member delegates his nominating authority or directs the
19 Commission to evaluate and make recommendations concerning
20 candidates for General Assembly scholarships, the member shall
21 inform the Commission in writing of the criteria which he
22 wishes the Commission to apply in nominating or recommending
23 candidates. Those criteria may include some or all of the
24 criteria provided in Section 25 of the Higher Education Student
25 Assistance Act. A delegation of authority under this paragraph
26 may be revoked at any time by the member.

1 Failure of a member of the General Assembly to make a
2 nomination in any year shall not cause that scholarship to
3 lapse, but the member may make a nomination for such
4 scholarship at any time thereafter through July 1, 2012; before
5 ~~the expiration of his term,~~ and the person so nominated shall
6 be entitled to the same benefits as holders of other
7 scholarships provided herein. Any such scholarship for which a
8 member has made no nomination on or before July 1, 2012 ~~prior~~
9 ~~to the expiration of the term for which he was elected~~ shall
10 lapse upon the expiration of that term.

11 (b) After July 1, 2012 no person may be nominated to
12 receive any one-year, 2-year, 4-year, or other scholarship or
13 certificate of scholarship under this Section, nor may any such
14 scholarship be awarded under this Section after July 1, 2012
15 unless the person was nominated prior to that date to receive
16 that scholarship.

17 (Source: P.A. 93-349, eff. 7-24-03.)

18 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

19 Sec. 30-10. Filing nominations-Failure to accept or
20 pass-Second nomination. Nominations that are made, under
21 Section 30-9 on or before July 1, 2012 and that show, ~~showing~~
22 the name and address of the nominee, and the term of the
23 scholarship, whether 4 years, 2 years or one year, must be
24 filed with the State Superintendent of Education not later than
25 the opening day of the semester or term with which the

1 scholarship is to become effective. The State Superintendent of
2 Education shall forthwith notify the president of the
3 university of such nomination. No valid nomination to any
4 scholarship may be made under Section 30-9 after July 1, 2012.

5 If the nominee fails to accept the nomination or, not being
6 a graduate of a school accredited by the university, fails to
7 pass the examination for admission, the president of the
8 university shall at once notify the State Superintendent of
9 Education. Upon receiving such notification, the State
10 Superintendent of Education shall notify the nominating
11 member, who may, on or before, but not after July 1, 2012, name
12 another person for the scholarship. The second nomination must
13 be received by the State Superintendent of Education not later
14 than the middle of the semester or term with which the
15 scholarship was to have become effective under the original
16 nomination in order to become effective as of the opening date
17 of such semester or term otherwise it shall not become
18 effective until the beginning of the next semester or term
19 following the making of the second nomination; provided that
20 the second nomination must be made, if at all, on or before
21 July 1, 2012 or the scholarship shall be deemed to have lapsed
22 by operation of law. Upon receiving such notification of a
23 second nomination on or before July 1, 2012, the State
24 Superintendent of Education shall notify the president of the
25 university of such second nomination. If any person nominated
26 after the effective date of this amendatory Act of 1973 to

1 receive a General Assembly scholarship changes his residence to
2 a location outside of the district from which he was nominated,
3 his nominating member may terminate that scholarship at the
4 conclusion of the college year in which he is then enrolled,
5 but after July 1, 2012 no person may be nominated to receive or
6 otherwise be awarded all or any part of the scholarship that is
7 unused or unexpired at the time the scholarship is so
8 terminated. For purposes of this paragraph, a person changes
9 his residence if he registers to vote in a location outside of
10 the district from which he was nominated, but does not change
11 his residence merely by taking off-campus housing or living in
12 a nonuniversity residence.

13 (Source: P.A. 93-349, eff. 7-24-03.)

14 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

15 Sec. 30-11. Failure to use scholarship - Further
16 nominations. If any nominee under Section 30-9 or 30-10
17 discontinues his course of instruction or fails to use the
18 scholarship, leaving 1, 2, 3, or 4 years thereof unused, the
19 member of the General Assembly may, except as otherwise
20 provided in this Article, nominate some other person eligible
21 under this Article from his district who shall be entitled to
22 the scholarship for the unexpired period thereof; provided that
23 the nomination for the unexpired period of the scholarship must
24 be made, if at all, on or before July 1, 2012 or such
25 nomination shall be invalid, and the scholarship and its

1 unexpired period shall be deemed to have lapsed by operation of
2 law. ~~Such appointment to an unexpired scholarship vacated~~
3 ~~before July 1, 1961, may be made only by the member of the~~
4 ~~General Assembly who made the original appointment and during~~
5 ~~the time he is such a member.~~ If a scholarship is vacated on or
6 after July 1, 1961, and the member of the General Assembly who
7 made the original appointment has ceased to be a member, some
8 eligible person may be nominated in the following manner to
9 fill the vacancy: If the original appointment was made by a
10 Senator, such nomination shall be made by the Senator from the
11 same district; if the original appointment was made by a
12 Representative, such nomination shall be made by the
13 Representative from the same district. Every nomination to fill
14 a vacancy must be made on or before July 1, 2012 and
15 accompanied either by a release of the original nominee or if
16 he is dead then an affidavit to that effect by some competent
17 person. The failure of a nominee to register at the university
18 within 20 days after the opening of any semester or term shall
19 be deemed a release by him of the nomination, unless he has
20 been granted a leave of absence in accordance with Section
21 30-14 or unless his absence is by reason of his entry into the
22 military service of the United States. The university shall
23 immediately upon the expiration of 20 days after the beginning
24 of the semester or term notify the State Board of Education as
25 to the status of each scholarship, who shall forthwith notify
26 the nominating member of any nominee's failure to register or,

1 if the nominating member has ceased to be a member of the
2 General Assembly, shall notify the member or members entitled
3 to make the nomination to fill the vacancy. All nominations to
4 unused or unexpired scholarships, if made on or before July 1,
5 2012, shall be effective as of the opening of the semester or
6 term of the university during which they are made if they are
7 filed with the university during the first half of the semester
8 or term, otherwise they shall not be effective until the
9 opening of the next following semester or term; provided that
10 no nomination to an unused or unexpired scholarship is valid if
11 made after July 1, 2012, and an unused or unexpired scholarship
12 shall be deemed to have lapsed by operation of law unless the
13 nomination to that unused or unexpired scholarship is made on
14 or before July 1, 2012.

15 (Source: P.A. 93-349, eff. 7-24-03.)

16 (105 ILCS 5/30-12) (from Ch. 122, par. 30-12)

17 Sec. 30-12. Failure to begin or discontinuance of course
18 because of military service.

19 Any nominee, under Sections 30--9, 30--10, or 30--11, who
20 fails to begin or discontinues his course of instruction
21 because of his entry into the military service of the United
22 States, leaving all or a portion of the scholarship unused,
23 may, upon completion of such service, use the scholarship or
24 the unused portion thereof, regardless of whether or not the
25 member of the General Assembly who nominated him is then a

1 member; provided that during the nominee's period of military
2 service no other person may be nominated by such member to all
3 or any portion of such unused or unfinished scholarship unless
4 the nomination is accompanied either by a release of the
5 original nominee or if he is dead then an affidavit to that
6 effect by some competent person and unless the nomination is
7 made on or before July 1, 2012.

8 (Source: Laws 1961, p. 31.)

9 Section 10. The Higher Education Student Assistance Act is
10 amended by adding Section 65.90 as follows:

11 (110 ILCS 947/65.90 new)

12 Sec. 65.90. Illinois Conservation Corps scholarships.

13 (a) Beginning with the 2012-2013 academic year, the
14 Commission shall, each year, receive and consider applications
15 for scholarship assistance under this Section. A total of 100
16 scholarships shall be awarded each year. An applicant is
17 eligible for a scholarship under this Section if the Commission
18 finds that the applicant meets all of the following
19 qualifications:

20 (1) He or she is a United States citizen or eligible
21 noncitizen.

22 (2) He or she is a resident of this State.

23 (3) He or she is enrolled or accepted for enrollment at
24 a public university or community college in this State.

1 (4) He or she is a participant in the Young Adult
2 Component of the Illinois Conservation Corps.

3 (b) Recipients shall be selected from among applicants
4 qualified pursuant to subsection (a) of this Section based upon
5 the following criteria, as determined by the Commission:

6 (1) academic excellence; and

7 (2) an intent to study a natural resource or
8 environment-related major field of study.

9 Preference may be given to previous recipients of assistance
10 under this Section, provided they continue to maintain
11 eligibility and maintain satisfactory academic progress as
12 determined by the public university or community college at
13 which they enroll.

14 (c) Each scholarship awarded under this Section shall be in
15 an amount sufficient to pay the tuition and fees of the public
16 university or community college at which the recipient is
17 enrolled.

18 (d) The total amount of scholarship assistance awarded by
19 the Commission under this Section to an individual in any given
20 fiscal year, when added to other financial assistance awarded
21 to that individual for that year, shall not exceed the cost of
22 attendance at the public university or community college at
23 which the student is enrolled.

24 (e) A recipient may receive up to 8 semesters scholarship
25 assistance under this Section.

26 (f) All applications for scholarship assistance to be

1 awarded under this Section shall be made to the Commission in a
2 form as set forth by the Commission. The form of application
3 and the information required to be set forth in the application
4 shall be determined by the Commission, and the Commission shall
5 require eligible applicants to submit with their applications
6 such supporting documents as the Commission deems necessary.

7 (g) Subject to a separate appropriation made for such
8 purposes, payment of any scholarship awarded under this Section
9 shall be determined by the Commission. All scholarship funds
10 distributed in accordance with this Section shall be paid to
11 the public university or community college on behalf of the
12 recipients. Scholarship funds are applicable toward 2
13 semesters of enrollment within an academic year.

14 (h) The Commission shall administer the scholarship
15 program established by this Section and shall make all
16 necessary and proper rules not inconsistent with this Section
17 for its effective implementation.

18 Section 15. The Illinois Youth and Young Adult Employment
19 Act of 1986 is amended by changing Section 7 as follows:

20 (525 ILCS 50/7) (from Ch. 48, par. 2557)

21 Sec. 7. Illinois Conservation Corps. With respect to the
22 Illinois Conservation Corps program:

23 (a) Enrollment. The Illinois Conservation Corps Youth
24 Component shall be limited to citizens of this State who at the

1 time of enrollment are 16 through 18 years of age inclusive and
2 who are unemployed. The Illinois Conservation Corps Young Adult
3 Component shall be limited to citizens of this State who at the
4 time of enrollment are 18 through 25 years of age inclusive and
5 who are unemployed.

6 The Department shall make public notification of the
7 availability of jobs for eligible youths and young adults in
8 the Illinois Conservation Corps by the means of newspapers,
9 electronic media, educational facilities, units of local
10 government and the Department of Employment Security offices.

11 The Department shall promulgate reasonable rules
12 pertaining to application for jobs with the Illinois
13 Conservation Corps.

14 Any applicant who knowingly and purposely provides
15 wrongful information regarding age, employment or educational
16 records shall be deemed ineligible to participate in the
17 program. Any applicant who successfully gains employment in the
18 program and is later proven to have falsified his or her
19 application shall be dismissed immediately from the program.

20 (b) Terms of Employment. The enrollment period for any
21 successful applicant of the Illinois Conservation Corps Youth
22 Component shall not be longer than 60 working days during the
23 months of June, July and August. Once enrolled in the program,
24 each enrollee shall receive at least the standard minimum wage
25 as set by the State of Illinois, unless the enrollee is or was
26 a recipient of an Illinois Conservation Corps scholarship under

1 Section 65.90 of the Higher Education Student Assistance Act,
2 in which case the enrollee shall not receive payment for work
3 performed. An enrollee ~~and~~ shall work normal working hours as
4 determined by the Department. The enrollees shall not be
5 classified as employees of the State for purposes of
6 contributions to the State Employees' Retirement System or any
7 other public employment retirement system of the State.

8 (c) Permissible Activities. The Director shall designate
9 suitable projects in which enrollees of the program shall
10 participate. No project designated for enrollee participation
11 shall result in the displacement of individuals currently
12 employed or positions currently existing, either directly or
13 under contract with any private contractor, by the Department
14 through the reduction of overtime or nonovertime hours, wages
15 or employment benefits.

16 Projects so designated by the Director shall be for the
17 purpose of enhancing public lands owned or leased by the
18 Department. Such projects shall include improving the habitat
19 of fauna and flora; improving utilization of recreation
20 facilities by the public; improving water quality; and any
21 other project deemed by the Department to improve the
22 environmental, economic and recreational quality of the State
23 owned or leased lands.

24 All projects designated for activity by the Director shall
25 be within a reasonable commuting time for each enrollee. To the
26 extent possible, the Director shall designate areas where a

1 pool of enrollees may work. In no circumstance shall enrollees
2 be required to spend more than 1 1/2 hours of commuting time to
3 a project or a designated area; provided, an enrollee, or an
4 enrollee who is a minor with the express concurrence of his
5 parent or guardian, may agree to spend more than 1 1/2 hours of
6 commuting time to a project or a designated area.

7 (Source: P.A. 84-1430.)

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

1		INDEX
2		Statutes amended in order of appearance
3	105 ILCS 5/30-9	from Ch. 122, par. 30-9
4	105 ILCS 5/30-10	from Ch. 122, par. 30-10
5	105 ILCS 5/30-11	from Ch. 122, par. 30-11
6	105 ILCS 5/30-12	from Ch. 122, par. 30-12
7	110 ILCS 947/65.90 new	
8	525 ILCS 50/7	from Ch. 48, par. 2557