



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

28TH LEGISLATIVE DAY

WEDNESDAY, MARCH 29, 2017

2:16 O'CLOCK P.M.

SENATE
Daily Journal Index
28th Legislative Day

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The Senate met pursuant to adjournment.
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
Prayer by the Reverend Nicole Cox, Springfield First United Methodist Church, Springfield,
Illinois.

Senator McGuire led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, March 28, 2017, be postponed, pending arrival of the printed Journal.

The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Illinois State Building Energy Expense Study FY 2016 and Projected FY2017-FY2019, submitted by the Department of Commerce and Economic Opportunity.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 641
Amendment No. 3 to Senate Bill 758
Amendment No. 2 to Senate Bill 1807

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 396
Amendment No. 1 to Senate Bill 510
Amendment No. 1 to Senate Bill 987
Amendment No. 1 to Senate Bill 1177
Amendment No. 3 to Senate Bill 1261
Amendment No. 1 to Senate Bill 1347
Amendment No. 3 to Senate Bill 1502
Amendment No. 2 to Senate Bill 1790

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

March 28, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

[March 29, 2017]

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the committee deadline to April 7, 2017, for the following Senate bills:

1565

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 354

Offered by Senator J. Cullerton and all Senators:
Mourns the death of former Illinois State Senator Joyce M. Holmberg of Rockford.

SENATE RESOLUTION NO. 355

Offered by Senator Anderson and all Senators:
Mourns the death of Wallace C. "Wally" Seyb of Rock Island.

SENATE RESOLUTION NO. 356

Offered by Senators Stadelman – Syverson and all Senators:
Mourns the death of former Illinois State Senator Joyce M. Holmberg of Rockford.

SENATE RESOLUTION NO. 357

Offered by Senator T. Cullerton and all Senators:
Mourns the death of Ugo Marino Dallabattista of Lake Bluff.

SENATE RESOLUTION NO. 358

Offered by Senator Link and all Senators:
Mourns the death of Nancy L. Boyland of North Chicago.

SENATE RESOLUTION NO. 359

Offered by Senator Link and all Senators:
Mourns the death of Betty J. Kerpan.

SENATE RESOLUTION NO. 360

Offered by Senator Link and all Senators:
Mourns the death of Ralph Frank Heaven, Sr.

SENATE RESOLUTION NO. 361

Offered by Senator Connelly and all Senators:
Mourns the death of John Darrah.

SENATE RESOLUTION NO. 362

Offered by Senator Anderson and all Senators:
Mourns the death of James E. Padesky of Moline.

SENATE RESOLUTION NO. 363

Offered by Senator Anderson and all Senators:
Mourns the death of Emil R. Schinckel.

SENATE RESOLUTION NO. 364

Offered by Senator Anderson and all Senators:

[March 29, 2017]

Mourns the death of Joseph W. Schultz of Moline.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator T. Cullerton offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 26

WHEREAS, In 1993, the United States Congress enacted the Professional and Amateur Sports Protection Act (28 U.S.C. §3701 et seq.), prohibiting states and local governments from authorizing sports betting on amateur and professional athletes or games; and

WHEREAS, The Professional and Amateur Sports Protection Act makes it unlawful to advertise, authorize, operate, promote, or sponsor betting or wagering on one or more competitive games in which amateur or professional athletes participate or are intended to participate, or on one or more performances of those athletes in those games; and

WHEREAS, As a result of the exceptions contained in the Professional and Amateur Sports Protection Act, sports betting is permitted in Nevada, Delaware, Oregon, and Montana, but prohibited in the remaining 46 states of the United States, including Illinois; and

WHEREAS, As a result of the exceptions in the Professional and Amateur Sports Protection Act, Nevada reported \$4.2 billion and \$4.5 billion in total sports betting wagers, in 2015 and 2016 respectively, and reported revenues of \$231 million and \$219 million in 2015 and 2016, respectively; and

WHEREAS, The Professional and Amateur Sports Protection Act discriminates against Illinois and deprives the State of the opportunities afforded to Nevada, Delaware, Oregon, and Montana to raise millions of dollars in revenue that would potentially flow from the legislative authorization of sports betting in this State; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge President Trump and the United States Congress to remove the ban on sports betting or wagering by repealing the Professional and Amateur Sports Protection Act; and be it further

RESOLVED, That suitable copies of this resolution be delivered to President Donald Trump, U.S. Senate Majority Leader Mitch McConnell, U.S. Senate Minority Leader Charles Schumer, U.S. Speaker of the House of Representatives Paul Ryan, U.S. House of Representatives Minority Leader Nancy Pelosi, and all members of the Illinois Congressional Delegation.

REPORTS FROM STANDING COMMITTEES

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Bills Numbered 1707, 1846 and 1893**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Bills Numbered 741, 938, 1469, 1586, 1662, 1944 and 2038**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

[March 29, 2017]

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Resolutions numbered 217 and 270**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 217 and 270** were placed on the Secretary's Desk.

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 118**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Resolution No. 118** was placed on the Secretary's Desk.

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Joint Resolution No. 16**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 16** was placed on the Secretary's Desk.

Senator T. Cullerton, Chairperson of the Committee on Veterans Affairs, to which was referred **Senate Resolution No. 212**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 212** was placed on the Secretary's Desk.

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 518

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 1657 and 1898**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 731 and 1668**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 584

Senate Amendment No. 2 to Senate Bill 822

Senate Amendment No. 2 to Senate Bill 1518

Senate Amendment No. 3 to Senate Bill 1562

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Morrison, of the Committee on Human Services, to which was referred **Senate Bill No. 1870**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 624

Senate Amendment No. 1 to Senate Bill 1353

[March 29, 2017]

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Hastings, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bill No. 1842**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Hastings, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bill No. 1843**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Hastings, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1328

Senate Amendment No. 1 to Senate Bill 1441

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Steans, Chairperson of the Committee on Appropriations I, to which was referred **Senate Bill No. 1695**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 60, 751, 851, 1370, 1449, 1591, 1605 and 1795**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 196, 422 and 2068**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Stadelman, of the Committee on Gaming, to which was referred **Senate Bills Numbered 1427 and 1894**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Stadelman, Chairperson of the Committee on Gaming to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 620

Senate Amendment No. 5 to Senate Bill 1804

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Biss, Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 1296**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Biss, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 19

[March 29, 2017]

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Bush, Chairperson of the Committee on Government Reform, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 685

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Bush, Chairperson of the Committee on Government Reform, to which was referred **Senate Resolution No. 241**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 241** was placed on the Secretary's Desk.

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **Senate Bills Numbered 778 and 779**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **Senate Bill No. 2011**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 901

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Bills Numbered 763, 937, 1606, 1696, 1848 and 1869**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Bill No. 1652**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Bill No. 2360**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Bill No. 836**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Bill No. 759**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

[March 29, 2017]

House Bill No. 2379, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2514, sponsored by Senator Nybo, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3002, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3874, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 2:28 o'clock p.m., the Chair announced the Senate stand at ease.
Senator Link, presiding.

AT EASE

At the hour of 2:38 o'clock p.m., the Senate resumed consideration of business.
Senator Lightford, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 29, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **Floor Amendment No. 2 to Senate Bill 298.**

Energy and Public Utilities: **Floor Amendment No. 1 to Senate Bill 730.**

Environment and Conservation: **Committee Amendment No. 1 to Senate Bill 1272; Committee Amendment No. 1 to Senate Bill 1273.**

Revenue: **SENATE BILL 1565.**

Transportation: **Floor Amendment No. 1 to Senate Bill 396.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 29, 2017 meeting, reported that the Committee recommends that **Senate Bills numbered 1272 and 1273** be referred from the Committee on Agriculture to the Committee on Environment and Conservation.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 29, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 318

The foregoing resolution was placed on the Secretary's Desk.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Link moved that **Senate Resolution No. 318**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

[March 29, 2017]

Senator Link moved that Senate Resolution No. 318 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Silverstein asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Althoff asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 2:50 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 3:40 o'clock p.m., the Senate resumed consideration of business.
Senator Lightford, presiding.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 19
Amendment No. 1 to Senate Bill 1577

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 366

Offered by Senator Bennett and all Senators:
Mourns the death of Luke Miller of Champaign.

SENATE RESOLUTION NO. 367

Offered by Senator Bennett and all Senators:
Mourns the death of Palmalea "Pam" Rennie Taylor.

SENATE RESOLUTION NO. 368

Offered by Senator Bennett and all Senators:
Mourns the death of John Thomas Thompson, Jr., of Danville.

SENATE RESOLUTION NO. 369

Offered by Senator Bennett and all Senators:
Mourns the death of Paul S. Hursey of Urbana.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Clayborne offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 365

[March 29, 2017]

WHEREAS, The Illinois State Dental Society (ISDS) has a growing concern with how dental care is being provided and monitored by managed care organizations (MCOs) to their two million Medicaid enrollees; and

WHEREAS, The ISDS has recently submitted several FOIA requests to the Department of Healthcare and Family Services (DHFS) which have uncovered large gaps in basic dental care data that MCOs are supposed to be providing; and

WHEREAS, Care coordination under current MCOs may work with ancillary medical programs such as specialty care and behavioral health, where physicians oversee global medical issues, but dental care is quite different; and

WHEREAS, A true care coordination program established by the MCO with their dental administrator would ensure that pregnant women have access to the additional cleanings and periodontal services; a true care coordination program would have the MCO sharing information with the dental administrator on patients that are diabetic, none of which are occurring; and

WHEREAS, Current MCO contracts with DHFS require systematic monitoring and evaluation for ancillary services, including dental services, and for the MCO to provide a written Quality Assurance Plan to DHFS, along with guidelines for their dental services; additionally, the MCO contract with DHFS requires utilization reporting for dental benefits and ongoing evaluation of continuity of care, access, and utilization, including appropriate linkage between medical and dental coordination none of which is taking place; and

WHEREAS, DHFS has adopted 20 HEDIS (Healthcare Effectiveness Data and Information Set) quality measurements to monitor care provided by the MCOs; none of these metrics look at the quality of dental care provided to Medicaid enrollees; and

WHEREAS, ISDS believes that dental care should not be included under the MCOs, but that dental administrators should be able to directly contract with DHFS; this would allow DHFS to have direct oversight of the programs that provide dental care to the two million Medicaid enrollees in Illinois; and

WHEREAS, There is now a new request for proposal (RFP) that would expand the existing coverage model using medical MCOs for up to 80% of the State's Medicaid population with none of the concerns for dental care being addressed; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we strongly recommend and urge Governor Rauner to instruct the Director of the Department of Healthcare and Family Services, Felicia Norwood, to issue an amendment to the current request for proposal separating out dental care for Medicaid eligible recipients into separate stand-alone dental administrators; and be it further

RESOLVED, That this will provide better dental care, increase utilization, control costs, and decrease tooth and gum decay and the suffering prevalent with this population; and be it further

RESOLVED, That adult preventive services should be included and reimbursed at a reasonable level as a key part of this new dental RFP; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor and the Director of Healthcare and Family Services.

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Mapes, Clerk:

[March 29, 2017]

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 291
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 481
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 496
A bill for AN ACT concerning local government.
HOUSE BILL NO. 513
A bill for AN ACT concerning public safety.
HOUSE BILL NO. 618
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 683
A bill for AN ACT concerning transportation.
Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 291, 481, 496, 513, 618 and 683** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 733
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 763
A bill for AN ACT concerning State government.
HOUSE BILL NO. 799
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 819
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 826
A bill for AN ACT concerning education.
HOUSE BILL NO. 1811
A bill for AN ACT concerning regulation.
Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 733, 763, 799, 819, 826 and 1811** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2437
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 2470
A bill for AN ACT concerning education.
HOUSE BILL NO. 2482
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2492
A bill for AN ACT concerning transportation.

[March 29, 2017]

Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2437, 2470, 2482 and 2492** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2496

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 2540

A bill for AN ACT concerning education.

HOUSE BILL NO. 2556

A bill for AN ACT concerning children.

HOUSE BILL NO. 2568

A bill for AN ACT concerning government.

HOUSE BILL NO. 2570

A bill for AN ACT concerning State government.

Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2496, 2540, 2556, 2568 and 2570** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2595

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 2606

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 2612

A bill for AN ACT concerning education.

HOUSE BILL NO. 2618

A bill for AN ACT concerning education.

HOUSE BILL NO. 2663

A bill for AN ACT concerning children.

Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2595, 2606, 2612, 2618 and 2663** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2685

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 2700

A bill for AN ACT concerning health.

[March 29, 2017]

HOUSE BILL NO. 2719

A bill for AN ACT concerning safety.

HOUSE BILL NO. 2813

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2876

A bill for AN ACT concerning safety.

HOUSE BILL NO. 2880

A bill for AN ACT concerning safety.

Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2685, 2700, 2719, 2813, 2876 and 2880** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2895

A bill for AN ACT concerning government.

Passed the House, March 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2895** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Biss, **House Bill No. 2360** was taken up, read by title a second time and ordered to a third reading.

At the hour of 3:44 o'clock p.m., the Chair announced that the Senate stand at ease.
Senator Silverstein, presiding.

AT EASE

At the hour of 3:49 o'clock p.m., the Senate resumed consideration of business.
Senator Lightford, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 29, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 2 to Senate Bill 19

The foregoing floor amendment was placed on the Secretary's Desk.

SENATE BILL RECALLED

On motion of Senator McCann, **Senate Bill No. 19** was recalled from the order of third reading to the order of second reading.

Senator Manar offered the following amendment and moved its adoption:

[March 29, 2017]

AMENDMENT NO. 1 TO SENATE BILL 19

AMENDMENT NO. 1. Amend Senate Bill 19 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-2-2 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile

Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations. This subsection shall not apply to persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 on aftercare release.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse

counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:

(A) provide restitution to victims in accordance with any court order;

(B) provide financial support to his dependents; and

(C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for

the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(3.5) On and after the effective date of this amendatory Act of the 100th General Assembly, the Department may not let bids for contracts that would have the effect of reducing the number of Department employees, whose employment is related to the provision of medical or mental health services, lower than the number of Department employees on January 1, 2016 whose employment is related to the provision of medical or mental health services.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(5) On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488), as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; 98-463, eff. 8-16-13; 98-488, eff. 8-16-13; 98-558, eff. 1-1-14; 98-756, eff. 7-16-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 19

AMENDMENT NO. 2. Amend Senate Bill 19, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-2-2 as follows:
(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

[March 29, 2017]

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior

and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations. This subsection shall not apply to persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 on aftercare release.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(1-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale

basis according to the participant's income.

(4) Each participant shall:

(A) provide restitution to victims in accordance with any court order;

(B) provide financial support to his dependents; and

(C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1) (u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or

other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(3.5) Notwithstanding any other law to the contrary, the Department shall not reduce the number of Department employees whose employment is related to the provision of medical or mental health services lower than the number of Department employees on January 1, 2016 whose employment is related to the provision of medical or mental health services. The Department shall not enter into a contract, modify a current contract, or process a change order that would have the effect of reducing the number of Department employees whose employment is related to the provision of medical or mental health services lower than the number of Department employees on January 1, 2016.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(5) On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488), as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(Source: P.A. 97-697, eff. 6-22-12; 97-800, eff. 7-13-12; 97-802, eff. 7-13-12; 98-463, eff. 8-16-13; 98-488, eff. 8-16-13; 98-558, eff. 1-1-14; 98-756, eff. 7-16-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator McCann, **Senate Bill No. 19** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 40; NAYS 15.

The following voted in the affirmative:

Anderson	Fowler	Lightford	Sandoval
Aquino	Haine	Link	Schimpf
Bennett	Harmon	Manar	Silverstein
Bertino-Tarrant	Harris	Martinez	Stadelman
Biss	Hastings	McCann	Steans
Bush	Holmes	McGuire	Trotter
Castro	Hunter	Morrison	Mr. President
Clayborne	Hutchinson	Mulroe	
Collins	Jones, E.	Muñoz	
Cullerton, T.	Koehler	Murphy	
Cunningham	Landek	Raoul	

The following voted in the negative:

[March 29, 2017]

Barickman	McCarter	Oberweis	Syverson
Bivins	McConchie	Radogno	Tracy
Brady	McConnaughay	Righter	Weaver
Connelly	Nybo	Rooney	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator McConchie, **Senate Bill No. 52** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Haine	McConchie	Schimpf
Barickman	Harmon	McConnaughay	Silverstein
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Syverson
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Trotter
Castro	Jones, E.	Nybo	Van Pelt
Clayborne	Koehler	Radogno	Weaver
Collins	Lightford	Raoul	Mr. President
Connelly	Link	Righter	
Cullerton, T.	Martinez	Rooney	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator E. Jones III, **Senate Bill No. 55** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 47; NAYS None.

The following voted in the affirmative:

Aquino	Cullerton, T.	Lightford	Rooney
Barickman	Cunningham	Link	Sandoval
Bennett	Fowler	Manar	Schimpf
Bertino-Tarrant	Haine	Martinez	Silverstein
Biss	Harmon	McCann	Stadelman
Bivins	Harris	McConnaughay	Steans
Brady	Hastings	Morrison	Syverson
Bush	Holmes	Mulroe	Tracy
Castro	Hunter	Muñoz	Trotter
Clayborne	Hutchinson	Murphy	Van Pelt
Collins	Jones, E.	Radogno	Mr. President

[March 29, 2017]

Connelly

Koehler

Raoul

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator McGuire asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 55**.

Senator Weaver asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 55**.

On motion of Senator Hastings, **Senate Bill No. 67** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 53; NAY 1.

The following voted in the affirmative:

Althoff	Cullerton, T.	Martinez	Rooney
Anderson	Fowler	McCann	Rose
Aquino	Haine	McCarter	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Harris	McConnaughay	Silverstein
Bertino-Tarrant	Hastings	McGuire	Stadelman
Biss	Holmes	Morrison	Steans
Bivins	Hunter	Mulroe	Syverson
Brady	Hutchinson	Muñoz	Tracy
Bush	Jones, E.	Murphy	Van Pelt
Castro	Koehler	Nybo	Mr. President
Clayborne	Lightford	Oberweis	
Collins	Link	Radogno	
Connelly	Manar	Raoul	

The following voted in the negative:

Trotter

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Hastings, **Senate Bill No. 69** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 69

AMENDMENT NO. 1. Amend Senate Bill 69 on page 10, line 2, by changing "having" to "actually supporting".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

[March 29, 2017]

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Bennett, **Senate Bill No. 189** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Manar	Rooney
Anderson	Cunningham	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McCarter	Schimpf
Bennett	Harmon	McConchie	Silverstein
Bertino-Tarrant	Harris	McConnaughay	Stadelman
Biss	Hastings	McGuire	Steans
Bivins	Holmes	Morrison	Syverson
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Trotter
Castro	Jones, E.	Nybo	Weaver
Clayborne	Koehler	Oberweis	Mr. President
Collins	Lightford	Radogno	
Connelly	Link	Righter	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Silverstein moved that **House Joint Resolution No. 10**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Schimpf moved that House Joint Resolution No. 10 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Sandoval
Anderson	Haine	McCarter	Schimpf
Aquino	Harmon	McConchie	Silverstein
Bennett	Harris	McConnaughay	Stadelman
Bertino-Tarrant	Hastings	McGuire	Steans
Biss	Holmes	Morrison	Syverson
Bivins	Hunter	Mulroe	Tracy
Brady	Hutchinson	Muñoz	Trotter
Bush	Jones, E.	Nybo	Van Pelt
Castro	Koehler	Oberweis	Weaver
Clayborne	Landek	Radogno	Mr. President
Collins	Lightford	Raoul	
Connelly	Link	Righter	

[March 29, 2017]

Cullerton, T.
Cunningham

Manar
Martinez

Rooney
Rose

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

COMMITTEE MEETING ANNOUNCEMENT

The Chair announced that the Committee on Insurance will meet immediately upon adjournment.

At the hour of 4:54 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, March 30, 2017, at 12:00 o'clock noon.