



FIRST READING



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Google Glass Raises Driving Safety Issues

The recently invented device called Google Glass[®] resembles a pair of traditional glasses; but it includes a camera, display, touchpad, battery, and microphone in the frames, and its display is in the wearer's field of vision. It is meant to free wearers from desktop computers and portable devices such as cellphones and tablets. Wearers can take pictures or video recordings; search the Internet; make calls; send text messages; and use other computer applications. At present Google Glass is available only to persons chosen by Google to participate in its experimental Glass Explorer Program. Those chosen must pay \$1,500 for the product.

This invention appears to be too new for any research to be available on its effects on driving safety. But recent research seems to show that hands-free technologies do not reduce distracted driving risks compared to use of hand-held devices. A 2013 AAA Foundation for Traffic Safety study measured drivers' cognitive distraction while performing various tasks. Researchers found that those using hands-free cellphone technology had about the same risk of distraction as those using hand-held cellphones. Use of speech-to-text systems was the most distracting activity examined in the study.

Illinois S.B. 2632 (Silverstein) would prohibit drivers from *wearing* a "mobile computing headset" — with exceptions for police, drivers communicating with emergency personnel, and drivers parked on the shoulder of a roadway. Violation would be punishable by a fine of \$75 for a first offense, \$100 for a second offense, \$125 for a third offense, and \$150 for a further offense. It would be a Class

A misdemeanor if it caused great bodily harm, permanent disability, or disfigurement to another, or a Class 4 felony if it resulted in another person's death. The bill was assigned to the Senate Transportation Committee but re-referred to the Assignments Committee.



Picture by Antonio Zugaldia via Wikimedia

A search of other states' bills of the current session found bills seeking to prohibit using or wearing of devices such as Google Glass while driving in at least seven other states:

- | | |
|------------|---------------|
| Delaware | West Virginia |
| Maryland | Wyoming |
| Missouri | |
| New Jersey | |
| New York | |

None of those bills has received a floor vote. The Delaware and Maryland bills were reported unfavorably out of committees considering them; but a Wyoming bill was voted favorably out of committee.

(continued on p. 7)

Inside this Issue

Promoting Healthy Food Choices With Federal Benefits	2
Home Rule in Illinois.....	4
Home-rule Units in Illinois as of May 2014.....	6
Abstracts of Reports Required to be Filed With General Assembly	8

Promoting Healthy Food Choices With Federal Benefits

The Supplemental Nutrition Assistance Program (SNAP)—formerly called Food Stamps—supported nearly 47 million U.S. residents, including nearly 1.9 million in Illinois, in buying food in federal fiscal year 2012. From fiscal years 2008 to 2012 (partly due to a weak economy, and partly because eligibility conditions were eased by a 2009 stimulus law), the cost of SNAP benefits more than doubled to \$74.6 billion—an average of over \$31 per recipient per week.

The U.S. Department of Agriculture (USDA) funds SNAP benefits and determines what types of foods and beverages are eligible. It prohibits SNAP use to buy alcohol, foods prepared for consumption on the premises, tobacco, and pet foods, among other items. States share costs of administering SNAP with the USDA. A state can request a USDA waiver to prevent buying of a class of products (such as carbonated drinks, ice cream, or cookies) with SNAP benefits. However, every such waiver request so far has been denied.

The USDA reportedly does not even collect information on what kinds of items SNAP benefits buy, or on how much is bought

at what kinds of retailers among those participating in the program, asserting a lack of legal authority to ask for such information. A 2007 USDA report also made four arguments against restricting use of SNAP benefits for less healthful products:

- There are no widely accepted standards for determining the healthfulness of individual foods as compared to an overall diet.
- Banning products considered unhealthy would increase administration costs.
- Recipients might buy banned products using their own money.
- “Food stamp [now SNAP] recipients are no more likely than higher income consumers to choose foods with little nutritional value”

Several Congressional measures proposing pilot programs to collect information on what is bought with SNAP benefits, or to limit use of SNAP benefits for foods of which Americans consume too much based on the official Dietary Guidelines for Americans, did not get out of committee or were defeated on the floor.

Some state bills have proposed to ask the USDA for waivers to allow their states to block use of SNAP benefits for foods high in calories, fats, and/or salt, although apparently none have been enacted in recent



years. Such bills in Illinois are S.B. 1742 (Rose) and H.B.'s 177 (B.Mitchell-Unes-Harms), 5297 (B.Mitchell), and 5626 (Cavaletto). Each was assigned to a substantive committee but was later re-referred due to lack of action in committee. Wisconsin's Assembly passed a bill last year proposing that at least 67% of SNAP benefits be spent on foods allowed under the federal Women, Infants, and Children (WIC) program, but it died due to lack of Senate action.

Mayors of 18 cities, including New York, Chicago, and Los Angeles, wrote to Congressional leaders last summer that “It is time to test and evaluate approaches limiting SNAP’s subsidization of products, such as sugar-sweetened beverages, that are contributing to obesity.”

South Carolina held public hearings last year in the hope of proposing restrictions on SNAP purchases to reduce the state’s rates of diabetes, stroke, high blood pressure, and heart disease. A report on the hearings stated: “Based on the comments we received, the fundamentals of a workable waiver should focus the eligible food list on staples like meat, whole grains, fruits, vegetables, and dairy products.

Accessory food items like sugar-added drinks, candy, cookies, and cakes should be excluded.” In September the USDA asked for South Carolina’s perspectives on SNAP issues and was sent a copy of the report. But a South Carolina television station reported in March 2014 that the state was ending those efforts—reportedly because the USDA has historically declined such requests.

The USDA has responded to concerns about use of SNAP benefits for less healthy foods by operating a small pilot program that promoted healthful SNAP food choices by offering financial incentives, and by providing grants to enable sellers in farmers’ markets to be paid using SNAP benefits. The USDA in December 2013 reported on programs that encouraged healthier food choices by low-income students and senior citizens. Two such programs found that low-income elementary students in Iowa and Michigan benefitted from nutrition lessons in schools, supplemented by materials to take home to parents and caregivers on preparing healthy, low-cost meals. A third program helped low-income Kentuckians aged 60 to 80 with nutrition classes and printed materials. The study found that the Kentucky SNAP clients just described increased their produce intake by an average of half a cup per person per day. Students in SNAP households chose lower-fat milk more often as well.

The Agricultural Act of 2014 (commonly known as the 2014 Farm Bill) includes several

changes to promote healthy food choices by SNAP users:

- Retailers participating in SNAP must now offer more perishable items. They must now carry fresh items in three of the four basic food categories: dairy products; fruits and vegetables; grains; and meats. Prior law required perishables in only two of those categories
- SNAP benefits can now be used in Community Supported Agriculture (CSA) arrangements, in which buyers make advance payments to farmers for produce, which the farmers then use to pay costs of growing those crops. Because payments are made well before the food is provided, these arrangements previously could not be used with SNAP benefits.
- Persons kept at home by age or disability can use SNAP benefits to reimburse nonprofit delivery services for food deliveries. Such services are not allowed to mark up the price of the food to pay for delivery. If they charge a delivery fee, it cannot be deducted from the SNAP account.

Yet another provision of the new law requires participating retail food stores, instead of states, to pay 100% of the cost of acquiring and using equipment for processing SNAP benefit cards. But

a state can exempt some kinds of retailers (such as farmers’ markets, nonprofit food cooperatives, and military commissaries) from paying those costs—an option that may help make more nutritious food available to SNAP recipients.

The new law expanded some grant programs that could help SNAP recipients improve their health. One, the Nutrition Education and Obesity Prevention Grant Program, can now be used for “promoting physical activity” in addition to nutrition-related purposes. Another, the Community Food Projects Competitive Grant Program, will get more (1) funding (from the current annual \$5 million level to \$9 million starting in fiscal year 2015); (2) priority areas (now including nutrition education programs for populations at risk for food insecurity); and (3) types of entities eligible for grants (now including public food program service providers, and organizations that harvest surplus food from restaurants and food retailers to give to the needy.)

Over fiscal years 2014 through 2018, about \$125 million from various federal sources will go to a third grant program, which will pay up to half the cost of programs designed (among other things) to increase SNAP purchases of fruits and vegetables by using point-of-purchase incentives. □

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Home Rule in Illinois

Over 200 Illinois municipalities, along with Cook County, have a special constitutional status called “home rule.” Made possible by the 1970 Illinois Constitution, home rule allows local governing bodies to enact ordinances on matters of primarily local concern without statutory permission from the state. This article summarizes home rule in Illinois, including court decisions under the Illinois Constitution, Article 7, section 6 which created it. A list of Illinois home-rule units is on page 6.

Reasons for Home Rule

Local officials in Illinois formerly complained that they could not enact an ordinance unless a statute authorized an ordinance of that type. The rule followed by courts was that only two levels of government in the U.S. are sovereign: the national government, and state governments. Every government below the state level was a mere creature of that state and thus under its complete control. (That is still true of local governments other than home-rule units—except that the Constitution’s Article 7, section 7 guarantees them a few powers.) The result was that no local ordinance, resolution, or other action was valid unless a state law authorized units of local government of that type to take that action.

When Illinois convened a constitutional convention in 1969-70,

a major item on many local governments’ wish lists was freedom to deal with local problems in ways they thought best, rather than having to lobby the General Assembly (and perhaps the Governor) for permission to try particular approaches. This desire was expressed particularly by Chicago officials, but many downstate officials also wanted home rule (a term used in some other states where the concept had been tried). The convention delegates decided to grant home rule automatically to every municipality with a population above some threshold. After various numbers were considered, the convention settled on 25,000. Thus, any Illinois municipality with a population of at least 25,001 in an official census presumptively has home rule.

However, the delegates also chose to allow municipal voters the final decision on whether a municipality would have home rule. Thus, the Constitution says that any municipality, by referendum, can change between having and not having home rule. By far the most common change has been adopting home rule in municipalities that did not have it automatically due to population. But several municipalities—most notably Rockford—by referendum have abandoned home rule. (A county also can adopt home rule. The Constitution links that choice to the decision whether to elect a county chief executive officer. But the Counties Code enables a county by referendum to adopt the county executive form of government either with or without home rule.)

Effects of Home Rule

The Constitution says that, with a few exceptions, each home-rule unit

may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.

That intentionally broad description has needed many court decisions to draw lines between state and home-rule powers. But the Constitution also empowers the General Assembly to override home rule on any matter except two listed in the Constitution, which involve special assessments or taxes to support services in limited areas.

A somewhat complex doctrine, applied by Illinois courts in some cases, is that a subject can be so heavily regulated by state law that it cannot be deemed to pertain to local government and affairs, and thus is outside home rule. The General Assembly can “pre-empt” (block) home rule on any matter other than taxation and the reserved powers for special assessments or taxes on limited areas, by explicitly providing for the state to exercise the power exclusively—in a law passed by only the usual majorities (60 votes in the House and 30 in the Senate). By three-fifths vote in each house the General Assembly can pre-empt home rule on any matter other than the two powers to levy special assessments or taxes, even if the state

does not exercise that power. But if the General Assembly has enacted one or more broad laws on a topic without explicitly saying that they pre-empt home rule, the scope of home rule on that topic can be uncertain. Illinois courts have tried to deal with this conundrum, but it is not clear that it can be resolved by any simple principle. However, a section of the Statute on Statutes says that no law enacted after January 12, 1977 restricts home rule unless it explicitly says so.

The following briefly addresses topics on which the courts have had to draw lines between state powers and home rule.

Taxation

The Constitution gives home-rule units broad taxing powers. But those powers are limited by (a) laws enacted by three-fifths vote of each house; (b) a constitutional prohibition on taxing incomes or occupations without legislative permission; and (c) the Constitution's Revenue article and any other constitutional limitations that may apply. The General Assembly has enacted statutes denying to home-rule units the power to tax most kinds of sales except as authorized by state law. Courts have upheld many other kinds of home-rule taxes.

Criminal law

The courts have generally held that home-rule units cannot decriminalize an act that the state prohibits, since that is considered a matter of statewide rather than local concern; but (subject to constitutional restrictions) a home-rule unit can forbid an act

that the state does not prohibit. The Constitution limits the penalties that a home-rule unit can impose for violating an ordinance. Topics on which cases under home-rule criminal ordinances have arisen include alcoholic beverages and firearms.

Environmental protection

This topic has brought considerable conflict between the state and home-rule units. In general, state environmental laws and regulations apply within home-rule units. But those units have some power to protect the environment within their borders if they do not interfere with state or regional environmental protection programs. A statute also allows counties and municipalities (with or without home rule) to decide whether to permit landfills within their borders.

Planning and zoning

Home-rule units do not need statutory authority to zone land uses within their boundaries—except use by governments such as the county or Regional Transportation Authority that will benefit areas outside their boundaries.

Regulation of business

Several home-rule ordinances regulating local businesses have been upheld because they did not directly interfere with activities outside the enacting units' boundaries.

Overriding Home Rule

As stated earlier, the General Assembly can remove a power (except levying of special taxes or assessments) from the scope of

home rule—either by a majority of the members elected to each house if the law provides for “exclusive exercise” of that power by the state, or by three-fifths of the members elected to each house if the state does not exercise the power. The Constitution says that home-rule units can “exercise and perform concurrently” with the state any home-rule powers that state law does not explicitly limit or declare to be exclusive state powers.

It is not clear whether a regular majority or a three-fifths majority in each house is required to regulate home-rule units' own operations (such as personnel and budgeting), as distinguished from restricting those units' regulation of private entities. □

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The Legislative Research Unit's publication *1970 Illinois Constitution Annotated for Legislators* has further information on all provisions of the Illinois Constitution, including citations to hundreds of court cases and statutory sections affecting its application. It is available in print to legislators and their staffs, and can be downloaded at:

www.ilga.gov/commission/lru/ILConstitution.pdf

Home-rule Units in Illinois as of May 2014

Addison
Alsip
Alton
Arlington Heights
Aurora
Bannockburn
Barrington Hills
Bartlett
Bartonville
Batavia
Bedford Park
Belleville
Bellwood
Belvidere
Benton
Berkeley
Berwyn
Bloomington
Bloomington
Bolingbrook
Bridgeview
Bryant
Buffalo Grove
Burbank
Burnham
Cahokia
Calumet City
Calumet Park
Carbon Cliff
Carbondale
Carlock
Carol Stream
Carpentersville
Carterville
Champaign
Channahon
Chicago
Chicago Heights
Chicago Ridge
Christopher
Cicero

Collinsville
Country Club Hills
Countryside
Crainville
Crystal Lake
Danville
Darien
Decatur
Deerfield
DeKalb
DePue
Des Plaines
Dolton
Downers Grove
DuQuoin
East Dundee
East Hazel Crest
East St. Louis
Edwardsville
Elgin
Elk Grove Village
Elmhurst
Elmwood Park
Elwood
Evanston
Evergreen Park
Fairview Heights
Flora
Forest View
Freeport
Galesburg
Gilman
Glendale Heights
Glen Ellyn
Glenview
Glenwood
Golf
Granite City
Gurnee
Hanover Park
Harvey
Harwood Heights
Hazel Crest
Herrin
Highland Park
Highwood
Hillside
Hodgkins
Hoffman Estates

Homer Glen
Hopkins Park
Inverness
Jacksonville
Johnston City
Joliet
Kankakee
Lake Barrington
Lake Bluff
Lake Forest
Lake in the Hills
Lansing
LaSalle
Lincolnshire
Lincolnwood
Manhattan
Marion
Mascoutah
Maywood
McCook
McHenry
Melrose Park
Mettawa
Midlothian
Moline
Monee
Monmouth
Morton Grove
Mound City
Mount Prospect
Mt. Vernon
Muddy
Mundelein
Murphysboro
Naperville
Naples
Nauvoo
New Lenox
Niles
Normal
Norridge
Northbrook
North Chicago
Northfield
Northlake
North Utica
Oakbrook Terrace
Oak Forest
Oak Lawn

Oak Park
O'Fallon
Old Mill Creek
Onarga
Orland Park
Oswego
Palatine
Park City
Park Forest
Park Ridge
Pekin
Peoria
Peoria Heights
Peru
Phoenix
Plainfield
Prairie Grove
Posen
Quincy
Rantoul
Riverdale
Riverwoods
Robbins
Rockdale
Rock Island
Rolling Meadows
Romeoville

Rosemont
Round Lake Beach
Sauget
Schaumburg
Schiller Park
Sesser
Sherman
Skokie
South Barrington
South Holland
Springfield
St. Charles
Standard
Stickney
Stone Park
Streamwood
Sycamore
Thornton
Tilton
Tinley Park
Tuscola
University Park
Urbana
Valier
Valmeyer
Vernon Hills
Volo

Warrenville
Washington
Watseka
Waukegan
West Chicago
West City
West Dundee
West Frankfort
Wheaton
Wheeling
Williamsville
Wilmette
Winnetka
Woodridge

Total municipalities: 207

Cook County

Sources: Secretary of State, "Illinois Counties And Incorporated Municipalities" (July 2012), pp. 29-32, "Home Rule Units in Illinois" table, updated by Secretary of State's Index Department, May 2014.

Google Glass Raises Driving Safety Issues

(continued from p. 1)

Laws prohibiting *use* of Google Glass and similar devices when driving may be difficult to enforce, since prosecutors may have difficulty proving that a driver was actually using one. A California woman wearing Google Glass was prosecuted for vio-

lating a law prohibiting driving while "a television receiver, a video monitor, or a television or video screen" is operating in the front seat or is visible to the driver. The woman asserted that she was not operating Google Glass when pulled over for speeding. A San Diego court commissioner

dismissed the ticket after finding no proof that the woman was operating the device; but he said during the hearing that Google Glass "falls within the purview and intent" of the California law. □

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Abstracts of Reports Required to be Filed With General Assembly

The Legislative Research Unit staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by sending the enclosed form to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly. Legislators who wish to receive them more often may contact the executive director.

Attorney General

Automated Victim Notification System Report, FY 2013

The system informs victims, witnesses, police, and the public by phone and e-mail of changes in a prisoner's custody and case status. Additions include a mobile phone app to provide offender status notification 24 hours a day, and a new partnership with the Illinois Criminal Justice Information Authority. Work on upgrading 29 county jail interfaces was expected to be finished in December 2013. (725 ILCS 120/8.5(g); issued & rec'd Nov. 2013, 4 pp.)

Violent Crime Victims Assistance Program, 2013

Attorney General awarded 254 VCVA grants totaling \$4.9 million to programs focusing on child victimization, domestic violence, sexual assault, senior victimization, and DUI, among others. (725 ILCS 240/5(8); issued & rec'd Nov. 2013, 4 pp.)

Central Management Services Dept.

Bilingual needs and pay survey, FY 2013

Twenty-eight state agencies reported a need for bilingual services. Bilingual staff was used in 340,000 cases. Bilingual pay went to 1,653 employees: 1,062 Hispanic, 593 non-Hispanic, 380 sign language, and 15 Braille. (20 ILCS 415/9(6); Dec. 2013, rec'd Jan. 2014, 17 pp.)

Recycling & recycled paper procurement update, FY 2013

The program opened the year with a "Buy Recycled Paper Challenge" to all state agencies. Major renovations on several state buildings are projected to save \$7 million over 10 years in electricity, gas, and water use. Lists other accomplishments. (415 ILCS 20/3(j); issued & rec'd Nov. 2013, 5 pp.)

State Government Suggestion Award Program Board annual report, 2013

Board received 23 suggestions; none resulted in monetary awards. The state had total savings of \$566,021 from suggestions to the Board since 1993. Board has one vacancy. (20 ILCS 405/405-130(b); undated, rec'd Jan. 2014, 2 pp.)

State printing report summary, 2013

Lists annual reports printed by state agencies or outside printers through the Printing Unit, Bureau of Strategic Sourcing, or Department of Central Management Services, or printed by the agencies. The 6,927 copies of reports printed cost \$15,347. (30 ILCS 500/25-55; issued & rec'd Jan. 2014, 4 pp.)

State real property & surplus real property, 2013

Consists of Excel or PDF files listing real property used by 32 state agencies or universities. A separate Excel file lists *surplus* state real

property by legislative (Senate) district, including size and appraisal if available. (30 ILCS 605/7.1; Oct. 2013, rec'd Nov. 2013, 1 CD)

Children and Family Services Dept.

Administration of psychotropic drugs to children, FY 2013

Reports on prescription by doctors or administration by facilities of psychotropic drugs to children in foster care without DCFS Guardian's consent (in violation of law). Twenty known doctors and an unknown number who could not be identified each prescribed such medications to at least five DCFS wards without DCFS consent, affecting a total of 363 wards. Eight facilities each administered doses above consented range to at least 10 wards, affecting 107 wards. Written warning letters were sent to identified doctors and facilities. Repeat violators will be referred to the Department of Financial and Professional Regulation (doctors) or Illinois Department of Public Health (facilities). Online training for prescribers and facilities was created to promote compliance. (20 ILCS 535/15; Dec. 2013, rec'd Jan. 2014, 4 pp. + 2 attachments)

Inspector General's Report, FY 2013

Office of Inspector General (OIG) investigates child deaths and major injuries; investigates public complaints; investigates and prosecutes licensure complaints; helps with criminal history checks; staffs a complaint hotline; acts as ethics officer for DCFS; and reviews and comments on proposed rule changes. In FY 2013 there were 93 child deaths meeting the criteria for review, leading to 25 full investigations. Hotline took 1,329 calls; 109 were referred to OIG for investigation. Also has death and injury investigation summaries and recommendations, and DCFS responses.

Lists recommendations to DCFS for improvement; past years' recommendations and status; and summaries of employee discipline. (20 ILCS 505/35.5(h); issued & rec'd Jan. 2014, 262 pp. + 1 appendix)

Commerce Commission

e-Docket privacy actions

The Commission learned that its e-Docket system for posting filings in ratemaking and rulemaking proceedings—which is publicly available on the Internet—contained scores of drivers' license or Social Security numbers, and a few instances of bank account numbers or other personal data, posted in past years. The Commission did computer searches to find and delete that information; sent notification letters to the 251 people affected; communicated about privacy to its staff and e-Docket filers; and blocked searches for several terms such as "SSN" or "driver's license" in its full-text search function. It now checks new filings and complaints to delete such information. (815 ILCS 530/25; issued & rec'd Oct. 2013, 3 pp.)

Gas & electric utility energy efficiency programs report

Commission no longer recommends stretching out planning periods or removing its review and approval for costs and effectiveness of energy efficiency programs. Lower natural gas prices have reduced their cost-effectiveness, causing need to raise incentives. Recommends keeping the limit of 2% per 3-year reporting period on increases in average retail customer payments including energy efficiency costs. (220 ILCS 5/8-104; Aug. 2013, rec'd Sept. 2013, 39 pp.)

Commerce & Economic Opportunity Dept.

Energy Efficiency Trust Fund Program Report, 2013

The Fund uses donations to help

low-income consumers buy utility service. Contributions fell significantly since FY 2005 (except for \$2 million from ComEd in FY 2006). In calendar year 2012, \$500,000 was appropriated to the Fund. Its balance in May 2013 was \$28,688. Suggested ways to increase donations are more public service announcements, more solicitations by utility companies, and an income tax checkoff. (305 ILCS 22/35; May 2013, rec'd Aug. 2013, 6 pp.)

High Impact Business designation
California Ridge Wind Energy II LLC in Chicago was designated a high-impact business, allowing tax credits and exemptions for up to 20 years. (20 ILCS 655/5.5(h); Nov. 2013, rec'd Dec. 2013, 2 pp.)

Quarterly film production tax credit report, April-June 2013

Department estimates that credit created or kept 4,925 jobs (2,268 technical crew and office, 487 talent, and 2,170 extras), and estimates that film production brought \$64,40,738 in spending to Illinois. It promoted diversity with a seminar for minorities on the film business. (35 ILCS 16/45(b); undated, rec'd Sept. 2013, 1 p.)

Urban Weatherization report, FY 2013

DCEO weatherization program is designed to increase work opportunities and reduce energy use in low-income households through weatherization. It hired 3 staff members; training grants were begun on June 1, 2013; and meetings were held on July 1, 2013 for all programs. Lists grant amounts and FY 2014 goals. (30 ILCS 738/40-40(h); Dec. 2013, rec'd Jan. 2014, 5 pp.)

Corrections Dept.

Quarterly report, July 1, 2013

On May 31, 2013, adult facilities

had 48,933 residents—52% over rated capacity (32,119) but 4% below operational capacity (50,753). Number was projected at 49,462 by June 2014. Most were double-celled (68%) or multi-celled (27%), with about 32 square feet of living area each. Adult transition centers held 925 (175 over rated capacity but 31 below bedspace). Average ratio of prisoners to security staff was 6.3. Enrollment (unduplicated) in educational and vocational programs was 8,101. No capital projects were funded. (730 ILCS 5/3-5-3.1; July 2013, rec'd Sept. 2013, 12 tables)

Sex offender housing, 2013

Department used one transitional living facility to house sex offenders. Another Chance Ministries, in East St. Louis, housed 56. Gives names and convictions of offenders. (730 ILCS 5/3-17-5(e); undated, rec'd Dec. 2013, 2 pp.)

Criminal Justice Information Authority

Inventorizing Employment Restrictions Task Force, final report
Task force formed three work groups (State Hiring, State Licensing, and Human Rights) to study ex-offender employment. Some recommendations can be adopted voluntarily; others would need changes in law. Recommendations include removing inquiries into an employment applicant's criminal history; using Authorization for Release forms to ask permission to obtain criminal history information; considering whether there is a connection between a job and the candidate's criminal history; and excluding candidates due to criminal history only if found job-related. Also includes state agency fact sheets. (20 ILCS 5000/15(f); June 2013, rec'd Sept. 2013, 47 pp. + 7 appendices)

(continued on p. 10)

Abstracts *(continued from p. 9)*

Government Forecasting & Accountability Comm'n

Budget summary, FY 2014

The General Assembly's FY 2014 budget totaled \$67 billion, up \$3 billion (4.8%) over FY 2013; Governor vetoed \$16 million. Of the increase, \$1.6 billion went to DHFS; there were smaller increases from General Funds (2.6%) and federal funds (2.3%). Also reports SERS members by agency, state employees' group insurance, pension laws, state-funded retirement systems, Medicaid and Medicare, state debt and credit ratings, and special fund transfers. (25 ILCS 155/3(12); Aug. 2013, rec'd Sept. 2013, 306 pp.)

Wagering in Illinois: 2013 update

The state's tax revenues from wagering in FY 2013 were \$1.176 billion, up \$120 million from FY 2012—consisting of an \$86 million increase in lottery transfers, \$30 million in video gaming revenues, and \$5 million in riverboat transfers, and a \$1 million decline in horse racing revenues. Riverboat admissions and gross receipts actually fell a bit in 2013, and a new Des Plaines casino took business from other area casinos. State lottery sales rose for the 13th consecutive year, with net revenues of \$794 million. But the Lottery's private manager and the state continue to fight over various issues in arbitration. Video gaming's 2.6% of total gaming revenues is projected to rise greatly in coming years. (S. Res. 875 of 1991; Sept. 2013, rec'd Oct. 2013, 89 pp.)

Human Services Dept.

Inspector General's report on abuse and neglect of adults with disabilities, FY 2013

Office of Inspector General does

training, unannounced site visits, investigations, referrals for services, and reviews to ensure correction, among other activities. Accomplishments included closing 3,618 investigations of abuse or neglect allegations; making unannounced site visits to all 16 DHS mental health or developmental disabilities facilities; and referring 52 facility or community agency employees to IDPH Health Care Worker Registry. (20 ILCS 2435/60; Nov. 2013, rec'd Jan. 2014, 25 pp.)

Management Improvement Initiative report, 2013

The Initiative was begun to streamline state government interactions with human service providers, reducing redundancy and inefficiency. Lists progress and goals for 2014 in four of five areas of focus: contracts, financial streamlining and auditing, deemed status, and launching a Provider Portal. Initiative is to expire at 2014 yearend. (20 ILCS 1305/1-37a(b)(2); Sept. 2013, rec'd Nov. 2013, 23 pp.)

TANF recipients by racial or ethnic group, 2013

Gives monthly data, at quarterly intervals, for 2012 and 2013 on Temporary Assistance to Need Families (TANF) recipients and persons leaving TANF by reasons and by racial or ethnic category. In December 2013, 123,779 Illinois residents got TANF benefits. In the 4th quarter of 2013, 1,216 persons' 60-month limit on TANF aid expired; 5,160 left TANF due to earned income; 6,283 left due to noncompliance with rules; 12,113 had TANF grants reduced due to noncompliance; 513 returned to TANF within 6 months after they left due to earned income; and 715 returned within 12 months after they left due to earned income. (305 ILCS 5/4-23; Dec. 2013, rec'd Jan. 2014, 20 pp.)

Juvenile Justice Dept.

Quarterly report, Oct. 2013

On August 31, 2013 there were 915 youth in all juvenile facilities, below rated capacity of 1,250 and bed space for 1,509. Number was projected to drop to 874 by September 2014. Ratio of youth to security staff was 1.6. Almost all youth were single-celled (68%) or double-celled (32%), with about 96 square feet of living area each. Enrollment (unduplicated) in educational and vocational programs was 704. No capital projects were funded. Also shows historical youth statistical indicators, 1993-2013. (730 ILCS 5/3-5-3.1; Oct. 2013, rec'd Dec. 2013, 10 tables)

Legislative Audit Commission

2012 annual report

Commission reviewed 146 financial audits and compliance examinations, 1 statewide single audit, and 5 performance audits. Accomplishments include review of all state agency emergency purchases and awards other than to lowest bidders; recommending 18 new laws that were enacted; and publishing booklets on revised purchasing laws and university guidelines. (25 ILCS 150/3; issued & rec'd Dec. 2013, 39 pp.)

Legislative Reference Bureau

Illinois delegation to National Conference of Commissioners on Uniform State Laws, 2013

The Commissioners study state laws to recommend which should be uniform. NCCUSL proposed four new uniform acts for 2013: Uniform Act on Prevention of and Remedies for Human Trafficking; Uniform Powers of Appointment Act; Harmonization of Business Entity Acts; and amendments to Uniform Child Custody Jurisdiction and Enforcement Act Pertaining to International Proceedings. The 98th General Assembly has

adopted the Uniform Anatomical Gift Act (2006) and amendments to Uniform Commercial Code article 4A (2012). (25 ILCS 135/5.07; issued & rec'd Dec. 2013, 21 pp.)

Metropolitan Pier and Exposition Authority

Affirmative Action Plan, FY 2014

On July 1, 2013 the Authority had 268 employees; 78 (29.1%) were members of minority groups and 37 (13.8%) were women (a person could be counted in both categories). Of 15 officials and administrators, 8 were minority and 11 female. Of 5 professionals, 4 were minority and 3 female. Of 31 protective service workers, 13 (41.9%) were minority and 4 (12.9%) were female. The only paraprofessional was female. Of 6 administrative support and sales workers, 4 were minority and 4 female. Of 33 management-level skilled workers, 8 were minority; none were female. Of 130 other skilled workers, 26 were minority and 6 female. Of 47 service workers, 15 (31.9%) were minority and 8 (17%) female. (70 ILCS 210/23.1(a); issued & rec'd Sept. 2013, 10 pp. + 9 appendices)

Public Health Dept.

Health and Hazardous Substances Registry Annual Report, FY 2013

Registry collects and analyzes data on selected public health concerns and hazardous exposures. In FY 2013 it responded to 30 inquiries on perceived excess local cancer rates and 173 requests for information, reports and registry data, or special data. It filed 6 grant proposals; released 7 epidemiologic reports; prepared 6 reports for quality control studies of registry data; and authored or co-authored two scientific papers. It received \$1.59 million in federal funds and nearly \$33,000 from other sources. Reviews activities and progress toward goals in FY 2013, and lists FY 2014 goals. (410

ILCS 525/18; Oct. 2013, rec'd Nov. 2013, 45 pp.)

Long-term care annual report, 2013

The number of Illinois long-term-care facilities declined from 1,247 in 2011 to 1,219 in 2012. Allegations of abuse (physical, sexual, verbal, or mental) by nursing aides continued a multiyear decline from 149 in 2010 and 83 in 2011 to 40 in 2012. Total reports of abuse or neglect—after a temporary dip to 1,395 in 2011—were 2,256 in 2012 (similar to 2010 and earlier years). Among all types of allegations (6,665), IDPH found 1,737 (26%) valid. Violation levels of allegations were: “A” (most serious) rose from 59 in 2011 to 62 in 2012; “B” rose from 89 in 2011 to 156 in 2012. (210 ILCS 30/6 and 45/3-804; issued & rec'd Oct. 2013, 68 pp.)

Revenue Dept.

Illinois Film Office

Quarterly report, July-Sept. 2013

Estimates that Film Production Services Tax Credit created or retained 4,529 technical crew and office, 751 talent, and 4,535 extra jobs. Film production brought \$194 million in spending to Illinois. (35 ILCS 16/45(b); undated, rec'd Jan. 2014, 1 p.)

Illinois Live Theater Tax Credit

Quarterly report, July-Sept. 2013

Department had no new jobs or vendor spending to report. Live Theater tax credit has a diversity requirement; but companies have 60 days to claim a tax credit and provide final hiring numbers, so it is not yet known whether FY 2014 Quarter 1 production satisfied the diversity requirement. (35 ILCS 17/10-50(b); undated, rec'd Jan. 2014, 1 p.)

State's Attorneys Appellate Prosecutor

Annual report, FY 2013

Agency filed 1,098 original briefs and responded to 1,569 advice calls

in FY 2013. Labor Unit represented 7 client counties and 11 contractual counties. Local Drug Prosecution Support Unit closed 3,010 criminal and 1,355 civil cases. Continuing Legal Education Unit sponsored or co-sponsored 18 training seminar programs. Tax Objection Division handled cases for 21 counties; Special Prosecution Unit helped with 807 cases in 83 counties. (725 ILCS 210/4.06; undated, rec'd Nov. 2013, 35 pp.)

State Board of Education

Annual report, 2013

FY 2013 State General Funds allocation to ISBE totaled \$6.5 billion—down a total of \$861 million. The average school size increased slightly from 527 students in 2004 to 532 in 2013. Illinois' high school class of 2013 had a composite ACT score of 20.6. Illinois was 16th in the nation in the percentage of 2012 graduates getting at least a 3 on an Advanced Placement exam in high school (19.9%). (105 ILCS 5/1A-4(e); issued & rec'd Jan. 2014, 51 pp.)

Enhance Physical Education Task Force report

Task force reviewed research showing that children who are more physically active (in P.E. class and elsewhere) have better test scores, behavior, and health. It proposed revised learning standards and other changes. It also developed materials to promote P.E. in schools. (P.A. 97-1102 (2012); Aug. 2013, rec'd Sept. 2013, 148 pp.)

State Board of Investment

Report on Emerging Money Managers, FY 2013

Illinois State Board of Investment adopted several policies encouraging employment of emerging and minority managers: Emerging and Minority Investment Manager &



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First Reading

A publication of the Legislative Research Unit

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Abstracts *(continued from p. 11)*

Minority and Illinois Brokerage Policy; Fiduciary Diversification Policy; and Minority Contract/Service Utilization Policy. Explains policies and objectives. (40 ILCS 5/1-109.1(4); Dec. 2013, rec'd Jan. 2014, 4 pp. + enclosures)

State Police Dept.

Juvenile charge report, April-June 2013

Department received 15,717 juvenile charge reports in 2nd quarter—1,379 over 1st quarter. They included 1,444 for ordinance violations; 485 petty offenses; 9,352 misdemeanors; 2,898 Class 1 to 4 felonies; 233 Class X felonies; and 23 murders (1,282 were not identified). By gender, 12,478 were male and 3,236 female; 3 were unidentified. By race, 9,133 were African American; 6,396 white; and 77 Asians; 108 were unidentified. (20 ILCS 2605/2605-355; Aug. 2013, rec'd Sept. 2013, 4 pp.)

State Toll Highway Authority

Inspector General's report, April-Sept. 2013

In these 6 months the IG opened 16 cases and closed 16. Six investigations resulted in discipline, for

excessive tardiness, failing drug and alcohol screenings, workplace bullying, growing cannabis for distribution, and forging a diploma. (605 ILCS 10/8.5(m); Sept. 2013, rec'd Oct. 2013, 14 pp.)

Task Force on Hunger and Efficient Distribution of SNAP Benefits Report

Task Force's job was to report how SNAP (formerly Food Stamps) benefits can be distributed more evenly during each month instead of being bunched into a few dates. It persuaded Department of Human Services (DHS) to spread out SNAP distribution dates gradually over 3 months. It also recommended adoption of another joint resolution re-establishing the Task Force. (HJR 43 [2013]; issued & rec'd Oct. 2013, 7 pp.)