



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

17TH LEGISLATIVE DAY

THURSDAY, MARCH 3, 2005

10:04 O'CLOCK A.M.

SENATE
Daily Journal Index
17th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Miguel Del Valle, Chicago, Illinois, presiding.
 Prayer by Monsignor David Lantz, Christ the King Church, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 2, 2005, was being read when on motion of Senator Halvorson, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

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 Rules:

Senate Floor Amendment No. 4 to Senate Bill 75
 Senate Floor Amendment No. 1 to Senate Bill 453

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

Senate Committee Amendment No. 2 to Senate Bill 245
 Senate Committee Amendment No. 1 to Senate Bill 490
 Senate Committee Amendment No. 1 to Senate Bill 536
 Senate Committee Amendment No. 1 to Senate Bill 750
 Senate Committee Amendment No. 1 to Senate Bill 1066
 Senate Committee Amendment No. 1 to Senate Bill 1442
 Senate Committee Amendment No. 1 to Senate Bill 1479
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 Senate Committee Amendment No. 1 to Senate Bill 1700
 Senate Committee Amendment No. 1 to Senate Bill 1846
 Senate Committee Amendment No. 1 to Senate Bill 1930
 Senate Committee Amendment No. 1 to Senate Bill 2074

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 100

Offered by Senator Hunter and all Senators:
 Mourns the death of Margie Ree Brumfield of Chicago.

SENATE RESOLUTION 101

Offered by Senators Harmon – E. Jones – Watson - Dillard and all Senators:
 Mourns the death of Richard A. Walsh of River Forest.

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

Senators del Valle - Hendon offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 102

WHEREAS, It is the public policy of the State to promote and encourage the continuing economic development of minority and female owned and operated businesses and that minority and female owned and operated businesses participate in the State's procurement process as both prime contractors and subcontractors; and

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WHEREAS, It is mandated by the U.S. Department of Transportation, 49CFR Pt. 26, to ensure non discrimination in the award and administration of Illinois Department of Transportation (IDOT)-assisted contracts in IDOT's highway, transit, and airport financial assistance programs by ensuring that only firms owned and controlled by socially and economically disadvantaged individuals are permitted to participate as DBEs; and

WHEREAS, It is the public policy of this State to promote and encourage the continuous economic development of businesses owned by persons with disabilities; and

WHEREAS, It is mandated by the U.S. Department of Transportation to help create a level playing field for firms owned and controlled by socially and economically disadvantaged individuals in IDOT-assisted contracts; and

WHEREAS, The enactment of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act (the Act) serves the State's continuing interest in promoting open access in the awarding of State contracts to disadvantaged small business enterprises victimized by discriminatory practices; and

WHEREAS, It is mandated by the U.S. Department of Transportation to help remove barriers to firms owned and controlled by socially and economically disadvantaged individuals in IDOT-assisted contracts; and

WHEREAS, The Act establishes goals for awarding State contracts to businesses owned and controlled by minorities, females, and persons with disabilities; and

WHEREAS, It is mandated by the U.S. Department of Transportation that recipients must set an overall goal for DBE participation in IDOT-assisted contracts; and

WHEREAS, The State of Illinois has observed that the goals established in the Act have served to increase the participation of minority and female businesses in contracts awarded by the State; and

WHEREAS, It is mandated by the U.S. Department of Transportation that the overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs; and

WHEREAS, The Act creates the Business Enterprise Council (the Council) to help implement, monitor, and enforce the Act's goals through the State's Business Enterprise Program; and

WHEREAS, It is mandated by the U.S. Department of Transportation that IDOT must have a DBE Liaison Officer who shall be responsible for implementing all aspects of the DBE program; and

WHEREAS, The Business Enterprise Council is charged by statute with devising a certification procedure to assure that businesses taking advantage of the Act are legitimately classified as businesses owned and controlled by minorities, females, or persons with disabilities; and

WHEREAS, The U.S. Department of Transportation requires a certification procedure to ensure that only firms meeting the minimum eligibility requirements are eligible to be certified as DBEs; and

WHEREAS, The Business Enterprise Council is assisted in administering the Business Enterprise Program by a Secretary and the Department of Central Management Services; and

WHEREAS, IDOT implements the requirements of the Federal DBE program through the Illinois Unified Certification Program (ILUCP); and

WHEREAS, Recent media attention has identified businesses circumventing similar programs in Illinois municipalities by using straw men or women (known as front corporations and pass throughs) for the purpose of receiving contracts reserved for businesses certified as minority, female, or disabled owned and controlled; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE

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STATE OF ILLINOIS, that the Auditor General shall conduct a management audit of the State's Business Enterprise Program and the Illinois Department of Transportation's certification of businesses as DBEs through the ILUCP; and be it further

RESOLVED, That the audit include, but not be limited to, the following determinations:

(1) Whether certification and recertification procedures are adequate to assure that businesses participating in the Business Enterprise Program and businesses certified by IDOT in the ILUCP are legitimately classified as businesses owned and controlled by minorities, females, or persons with disabilities;

(2) Whether the established procedures and processes that govern certification of businesses owned and controlled by minorities, females, or persons with disabilities are being followed;

(3) Whether staff responsible for certification of these businesses have received adequate training;

(4) What steps are followed to verify information provided by businesses participating in the Business Enterprise Program and businesses certified by IDOT in the ILUCP, such as review of pertinent documentation, interviews, and on-site visits;

(5) Whether the certifications are periodically reviewed to ensure that businesses in the programs continue to be qualified for participation; and

(6) Whether procedures for enforcing compliance with the Act and federal regulations, including contract termination and contractor suspension, are adequate and uniformly enforced; and be it further

RESOLVED, That the Business Enterprise Council, the Department of Central Management Services, the Illinois Department of Transportation, businesses participating in the State's Business Enterprise Program and IDOT's ILUCP, and any other entity that may have relevant information pertaining to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Auditor General.

REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **Senate Bills numbered 52, 514, 610 and 892** reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **Senate Bills numbered 122, 357, 445 and 478**, 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 Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bills numbered 182, 272, 316, 556, 558 and 1329**, reported the same back with the recommendation that the bills do pass.

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

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Bill No. 13**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to Senate Bill 40

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

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Resolution No. 10**, reported the same back with the recommendation that the resolution be adopted, as amended.

Under the rules, **Senate Resolution No. 10** was placed on the Secretary's Desk.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bills numbered 9, 103, 143, 410, 411, 428, 551, 580, 784, 785, 786, 787 and 788**, reported the same back with the recommendation that the bills do pass.

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 274**, 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 Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bills numbered 205 and 331**, reported the same back with the recommendation that the bills do pass.

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

Senator Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bill No. 565**, 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 Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Resolution No. 12**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 12** was placed on the Secretary's Desk.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **Senate Bill No. 463**, reported the same back with the recommendation that the bill do pass.

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

Senator Sandoval, Chairperson of the Committee on Commerce & Economic Development to which was referred **Senate Bills numbered 17 and 615**, reported the same back with the recommendation that the bills do pass.

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

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, 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. 527

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 611

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 708

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 763

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 785

A bill for AN ACT concerning child support.

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HOUSE BILL NO. 806
A bill for AN ACT concerning State government.
HOUSE BILL NO. 880
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 884
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 885
A bill for AN ACT concerning criminal law, which may be referred to as the Patrick Leahy Law.
HOUSE BILL NO. 887
A bill for AN ACT concerning driving offenses.
HOUSE BILL NO. 888
A bill for AN ACT concerning transportation.
Passed the House, March 2, 2005.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 527, 611, 708, 763, 785, 806, 880, 884, 885, 887 and 888** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 383, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 527, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 595, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 611, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 708, sponsored by Senator J. Sullivan, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 885, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 887, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 888, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1321, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

EXCUSED FROM ATTENDANCE

On motion of Senator Link, Senator Shadid was excused from attendance due to a death in the family, and Senators Hunter and Meeks were excused from attendance due to business in their districts.

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MESSAGE FROM THE ATTORNEY GENERALOFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOISLisa Madigan
ATTORNEY GENERAL

March 2, 2005

Honorable Members
Illinois State Senate
94th General Assembly
Springfield, Illinois 62706

Dear Members:

Due to the adjournment of the 93rd General Assembly *sine die*, I am re-nominating Diane Saltoun for appointment as the Executive Inspector General for the Office of the Illinois Attorney General.

In accordance with my previous letter of September 30, 2004, I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

EXECUTIVE INSPECTOR GENERAL – OFFICE OF THE ILLINOIS ATTORNEY GENERAL

To the office of the Executive Inspector General for the Office of the Illinois Attorney General for a term ending June 30, 2008.

Diane L. Saltoun
(salaried)

If you have any questions, please contact me at (217) 782-9000 or (312) 814-3000, or Ann Williams, Legislative Director, at (217) 782-2340. Thank you for your consideration.

Very truly yours,
s/Lisa Madigan
Attorney General

Under the rules, the foregoing message was referred to the Committee on Executive Appointments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator DeLeo, **Senate Bill No. 62** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 71** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 72** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 73** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 74** having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Harmon, **Senate Bill No. 92** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 99** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 99

AMENDMENT NO. 1. Amend Senate Bill 99 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 12-503 as follows:
(625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

Sec. 12-503. Windshields must be unobstructed and equipped with wipers.

(a) No person shall drive a motor vehicle with any sign, poster, window application, reflective material, nonreflective material or tinted film upon the front windshield, sidewings or side windows immediately adjacent to each side of the driver. A nonreflective tinted film may be used along the uppermost portion of the windshield if such material does not extend more than 6 inches down from the top of the windshield. Nothing in this Section shall create a cause of action on behalf of a buyer against a dealer or manufacturer who sells a motor vehicle with a window which is in violation of this Section.

(b) Nothing contained in this Section shall prohibit the use of nonreflective, smoked or tinted glass, nonreflective film, perforated window screen or other decorative window application on windows to the rear of the driver's seat, except that any motor vehicle with a window to the rear of the driver's seat treated in this manner shall be equipped with a side mirror on each side of the motor vehicle which are in conformance with Section 12-502.

(c) No person shall drive a motor vehicle with any objects placed or suspended between the driver and the front windshield, rear window, side wings or side windows immediately adjacent to each side of the driver which materially obstructs the driver's view.

(d) Every motor vehicle, except motorcycles, shall be equipped with a device, controlled by the driver, for cleaning rain, snow, moisture or other obstructions from the windshield; and no person shall drive a motor vehicle with snow, ice, moisture or other material on any of the windows or mirrors, which materially obstructs the driver's clear view of the highway.

(e) No person shall drive a motor vehicle when the windshield, side or rear windows are in such defective condition or repair as to materially impair the driver's view to the front, side or rear. A vehicle equipped with a side mirror on each side of the vehicle which are in conformance with Section 12-502 will be deemed to be in compliance in the event the rear window of the vehicle is materially obscured.

(f) Paragraphs (a) and (b) of this Section shall not apply to:

(1) motor vehicles manufactured prior to January 1, 1982; or

(2) to those motor vehicles properly registered in another jurisdiction.

(g) Paragraph (a) of this Section shall not apply to any motor vehicle with a window treatment, including but not limited to a window application, reflective material, nonreflective material, or tinted film, applied or affixed to the motor vehicle for the purposes set forth in item (1) or (2) before the effective date of this amendatory Act of 1997 and:

(1) that is owned and operated by a person afflicted with or suffering from a medical illness, ailment, or disease which would require that person to be shielded from the direct rays of the sun; or

(2) that is used in transporting a person when the person resides at the same address as the registered owner of the vehicle and the person is afflicted with or suffering from a medical illness, ailment or disease which would require the person to be shielded from the direct rays of the sun;

It must be certified by a physician licensed to practice medicine in Illinois that such person owning and operating or being transported in a motor vehicle is afflicted with or suffers from such illness, ailment, or disease and such certification must be carried in the motor vehicle at all times. The certification shall be legible and shall contain the date of issuance, the name, address and signature of the attending physician, and the name, address, and medical condition of the person requiring exemption. The information on the certificate for a window treatment applied or affixed before the effective date of this amendatory Act of 1997 must remain current and shall be renewed annually by the attending physician, but in no event shall a certificate issued for purposes of this

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subsection be valid on or after January 1, 2008. The person shall also submit a copy of the certification to the Secretary of State. The Secretary of State may forward notice of certification to law enforcement agencies.

This subsection shall not be construed to authorize window treatments applied or affixed on or after the effective date of this amendatory Act of 1997.

The exemption provided by this subsection (g) shall not apply to any motor vehicle on and after January 1, 2008.

(g-5) Paragraph (a) of this Section does not apply to any motor vehicle with a window treatment, including but not limited to a window application, reflective material, nonreflective material, or tinted film, applied or affixed to a motor vehicle that is:

(1) owned and operated by a person who is afflicted with or suffers from lupus or albinism and must be shielded from the direct rays of the sun; or

(2) used in transporting a person if the person resides at the same address as the registered owner of the vehicle and the person is afflicted with or suffers from lupus or albinism and must be shielded from the direct rays of the sun.

It must be certified by a physician licensed to practice medicine in Illinois that the person who owns, operates, or is transported in the motor vehicle is afflicted with or suffers from lupus or albinism, and the certification must be carried in the motor vehicle at all times. The certification must be legible and must contain (i) the date of issuance, (ii) the name, address, and signature of the attending physician, and (iii) the name, address, and medical condition of the person requiring exemption. The information on the certificate for a window treatment must remain current and must be renewed annually by the attending physician. The person must also submit a copy of the certification to the Secretary of State. The Secretary of State shall make a notation on the vehicle registration file that is accessible to any law enforcement agency through the Law Enforcement Agencies Data System (LEADS).

(h) Paragraph (a) of this Section shall not apply to motor vehicle stickers or other certificates issued by State or local authorities which are required to be displayed upon motor vehicle windows to evidence compliance with requirements concerning motor vehicles.

(i) Those motor vehicles exempted under paragraph (f)(1) of this Section shall not cause their windows to be treated as described in paragraph (a) after January 1, 1993.

(j) A person found guilty of violating paragraphs (a), (b), or (i) of this Section shall be guilty of a petty offense and fined no less than \$50 nor more than \$500. A second or subsequent violation of paragraphs (a), (b), or (i) of this Section shall be treated as a Class C misdemeanor and the violator fined no less than \$100 nor more than \$500. Any person convicted under paragraphs (a), (b), or (i) of this Section shall be ordered to alter any nonconforming windows into compliance with this Section.
(Source: P.A. 90-389, eff. 1-1-98.)

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

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

On motion of Senator W. Jones, **Senate Bill No. 110** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 110

AMENDMENT NO. 1. Amend Senate Bill 110 on page 1, line 20, after "Department", by inserting "of Public Aid".

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

On motion of Senator Radogno, **Senate Bill No. 129** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 169** having been printed, was taken up, read by title a second time.

Committee Amendments numbered 1, 2 and 3 were held in the Committee on Rules.

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The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 4 TO SENATE BILL 169

AMENDMENT NO. 4. Amend Senate Bill 169 on page 2, by replacing lines 13 through 16 with the following:

“Pests”, as used in this Section 11-20-8, means undesirable arthropods (including certain insects, spiders, mites, ticks, and related organisms), wood infesting organisms, rats, mice, and other obnoxious undesirable animals, but does not include a feral cat, a “companion animal” as that term is defined in the Humane Care for Animals Act (510 ILCS 70/), “animals” as that term is defined in the Illinois Diseased Animals Act (510 ILCS 50/), or animals protected by the Wildlife Code (520 ILCS 5/).”

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 194** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 196** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 254** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **Senate Bill No. 273** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 297** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 297

AMENDMENT NO. 1. Amend Senate Bill 297 by replacing everything after the enacting clause with the following:

“Section 5. The School Code is amended by changing Section 27-24.4 as follows:
(105 ILCS 5/27-24.4) (from Ch. 122, par. 27-24.4)

Sec. 27-24.4. Reimbursement amount. Each school district shall be entitled to reimbursement, for each pupil, excluding each resident of the district over age 55, who finishes either the classroom instruction part or the practice driving part of a driver education course that meets the minimum requirements of this Act. However, if a school district has adopted a policy to permit proficiency examinations for the practice driving part of the driver education course as provided under Section 27-24.3, then the school district is entitled to only one-half of the reimbursement amount for the practice driving part for each pupil who has passed the proficiency examination, and the State Board of Education shall adjust the reimbursement formula accordingly. Reimbursement under this Act ~~Such reimbursement~~ is payable from the Drivers Education Fund in the State treasury.

Each year all funds appropriated from the Driver Education Fund to the State Board of Education, with the exception of those funds necessary for administrative purposes of the State Board of Education, shall be distributed to school districts by the State Board of Education for reimbursement of claims from the previous school year.

The base reimbursement amount shall be calculated by the State Board by dividing the total amount appropriated for distribution by the total of: (a) the number of students, excluding residents of the district over age 55, who have completed the classroom instruction part for whom valid claims have been made times 0.2; plus (b) the number of students, excluding residents of the district over age 55, who have completed the practice driving instruction part for whom valid claims have been made times 0.8.

The amount of reimbursement to be distributed on each claim shall be 0.2 times the base reimbursement amount for each validly claimed student, excluding residents of the district over age 55, who has completed the classroom instruction part, plus 0.8 times the base reimbursement amount for

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each validly claimed student, excluding residents of the district over age 55, who has completed the practice driving instruction part. In no case, however, shall the amount of reimbursement made on account of any student exceed the per pupil cost to the district of the classroom instruction part and the practice driving instruction part combined. The school district which is the residence of a pupil who attends a nonpublic school in another district that has furnished the driver education course shall reimburse the district offering the course, the difference between the actual per capita cost of giving the course the previous school year and the amount reimbursed by the State.

By April 1 the nonpublic school shall notify the district offering the course of the names and district numbers of the nonresident students desiring to take such course the next school year. The district offering such course shall notify the district of residence of those students affected by April 15. The school district furnishing the course may claim the nonresident pupil for the purpose of making a claim for State reimbursement under this Act. (Source: P.A. 85-359.)”.

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

On motion of Senator Munoz, **Senate Bill No. 301** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, **Senate Bill No. 302** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 341** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **Senate Bill No. 417** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 453** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Rules.

There being no further amendments the bill was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 455** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 459** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 469** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 477** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 477

AMENDMENT NO. 1. Amend Senate Bill 477, by replacing lines 20 through 31 on page 1 and lines 1 through 3 on page 2 with the following:

“maintained through:

(F) any scheme, plan, or pattern intending to cause or threatening to cause serious harm to any person;

(B) an actor’s physically restraining or threatening to physically restrain another person;

© an actor’s abusing or threatening to abuse the law or legal process;

(D) an actor’s knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;

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(E) an actor's blackmail; or

(F) an actor's causing or threatening to cause financial harm to or exerting financial control over any person.”; and

on page 2, by replacing line 11 with the following:

“(8) “Services” means a relationship between a”; and

on page 2, by replacing line 18 with the following:

“(9) “Sexually-explicit performance” means a live, recorded, broadcast (including over the Internet) or public”; and

on page 2, by replacing lines 29 and 30 with the following:

“(a) Involuntary servitude. Whoever knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to forced labor or services shall be”; and

on page 3, by replacing line 12 with the following:

“(b) Involuntary servitude of a minor. Whoever knowingly recruits.”; and

on page 5, by inserting below line 2 the following:

“(f) Trafficking victim services. Subject to the availability of funds, the Department of Human Services may provide or fund emergency services and assistance to individuals who are victims of one or more offenses defined in this Article 10A.”.

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

On motion of Senator Harmon, **Senate Bill No. 504** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 509** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 509

AMENDMENT NO. 1. Amend Senate Bill 509 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 11-605.3 as follows:
(625 ILCS 5/11-605.3 new)

Sec. 11-605.3. Special traffic protections while passing parks and recreation facilities and areas.

(a) As used in this Section:

(1) "Park district" means the following entities:

(A) any park district organized under the Park District Code;

(B) any park district organized under the Chicago Park District Act; and

(C) any municipality, county, forest district, school district, township, or other unit of local government that operates a public recreation department or public recreation facilities that has recreation facilities that are not on land owned by any park district listed in subparagraphs (A) and (B) of this subdivision (a)(1).

(2) "Park zone" means the recreation facilities and areas on any land owned or operated by a park district that is used for recreational purposes, or for access to those recreational areas, including but not limited to: parks; playgrounds; swimming pools; hiking trails; bicycle paths; picnic areas; roads and streets; and parking lots.

(3) "Park zone street" means any street or intersection under the control of a local unit of government, adjacent to or within 220 yards of a park zone, where the local unit of government has, by ordinance or resolution, designated and approved the street or intersection as part of a park zone. The designation may include a reduction in speed to 20 miles per hour or it may include a street without the speed reduction. If a street already has a posted speed limit lower than 20 miles per hour, then the lower limit may be used for that park zone street.

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(4) "Safety purposes" means the costs associated with: park zone safety education; the purchase, installation, and maintenance of signs, roadway painting, and caution lights mounted on park zone signs; and any other expense associated with park zones and park zone streets.

(b) On any day when children are present and within 50 feet of motorized traffic, so that a potential hazard exists, a person may not drive a motor vehicle at a speed in excess of 20 miles per hour any lower posted speed, (i) while passing a park zone or (ii) while traveling on a park zone street that has been designated for the posted reduced speed, and where children are going to and from recreation facilities and areas located in a park zone.

(c) On any day when children are present and within 50 feet of motorized traffic, so that a potential hazard exists, failure to come to a complete stop at a stop sign or other traffic control device, including failure to come to a complete stop before a right turn otherwise permitted at a red light, is a violation of this Section.

(d) Nothing in this Chapter prohibits the use of electronic speed detecting devices within 500 feet of signs within a special park zone indicating that zone. Evidence obtained through use of those devices is admissible in any prosecution for speeding or failing to stop at a traffic control device or stop sign, if the device is used only for enforcement within the special park zone or adjacent intersections.

(e) This Section does not apply unless appropriate signs are posted upon streets and highways maintained by the Department or by the unit of local government in which the park zone is located. With regard to the special speed limit on park zone streets, the signs must give proper due warning that a park zone is being approached and must indicate the maximum speed limit on the park zone street.

(f) A first violation of this Section is a petty offense with a minimum fine of \$250. A second or subsequent violation of this Section is a petty offense with a minimum fine of \$500.

(h) When a fine for a violation of subsection (a) is \$250 or greater, the person who violates this Section shall be charged an additional \$50, to be paid to the park district for safety purposes.

(i) The Department shall, within 6 months of the effective date of this amendatory Act of the 94th General Assembly, design a set of standardized traffic signs for park zones and park zone streets, including but not limited to: "park zone", "park zone speed limit", and "warning: approaching a park zone". The design of these signs shall be made available to all units of local government or manufacturers at no charge, except for reproduction and postage."

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

On motion of Senator Cullerton, **Senate Bill No. 516** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 517** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 529** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 542** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 611** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, **Senate Bill No. 612** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 613** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 767** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1219** having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Harmon, **Senate Bill No. 1231** having been printed, was taken up, read by title a second time and ordered to a third reading.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 98

Offered by Senators Harmon – E. Jones – Watson - Dillard and all Senators:
Mourns the death of Agnes Josephine Thompson of Arlington Heights.

SENATE RESOLUTION 99

Offered by Senator Crotty and all Senators:
Mourns the death of Marine Cpl. Kevin M. Clarke of Tinley Park.

SENATE RESOLUTION 100

Offered by Senator Hunter and all Senators:
Mourns the death of Margie Ree Brumfield of Chicago.

SENATE RESOLUTION 101

Offered by Senators Harmon – E. Jones – Watson - Dillard and all Senators:
Mourns the death of Richard A. Walsh of River Forest.

Senator del Valle moved the adoption of the foregoing resolutions. The motion prevailed.
And the resolutions were adopted.

EXCUSED FROM ATTENDANCE

On motion of Senator Burzynski, Senator Brady was excused from attendance due to business in his district.

PRESENTATION OF RESOLUTION

Senator Halvorson offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 29

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 03, 2005, they stand adjourned until Tuesday, March 08, 2005 at 12:00 o'clock noon.

The motion prevailed.

And the resolution was adopted.

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

At the hour of 10:35 o'clock a.m., pursuant to **Senate Joint Resolution No. 29**, the Chair announced the Senate stand adjourned until Tuesday, March 8, 2005, at 12:00 o'clock noon.