



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

20TH LEGISLATIVE DAY

THURSDAY, MARCH 10, 2005

10:47 O'CLOCK A.M.

SENATE
Daily Journal Index
20th Legislative Day

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HB 1334	First Reading	7

The Senate met pursuant to adjournment.
 Senator Terry Link, Waukegan, Illinois, presiding.
 Prayer by Pastor Jeff Smith, Modesto Christian Church, Modesto, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 9, 2005, was being read when on motion of Senator Hunter, 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. 1 to Senate Bill 485
 Senate Floor Amendment No. 1 to Senate Bill 500
 Senate Floor Amendment No. 1 to Senate Bill 2043

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. 1 to Senate Bill 251
 Senate Committee Amendment No. 1 to Senate Bill 760
 Senate Committee Amendment No. 1 to Senate Bill 764
 Senate Committee Amendment No. 1 to Senate Bill 1435
 Senate Committee Amendment No. 1 to Senate Bill 1446
 Senate Committee Amendment No. 2 to Senate Bill 1456
 Senate Committee Amendment No. 1 to Senate Bill 1787
 Senate Committee Amendment No. 1 to Senate Bill 2086

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Report on Federal Funds to State Agencies for Fiscal Years 2002 – 2004 submitted by the Legislative Research Unit.

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 111

Offered by Senator Harmon and all Senators:
 Mourns the death of Clifford T. Johnson of River Forest.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

Senator Hunter offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 31

WHEREAS, Approximately 4,000,000 Africans and their descendants were enslaved in the United

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States and colonies that became the United States from 1619 to 1865; and

WHEREAS, The institution of slavery was constitutionally and statutorily sanctioned by the Government of the United States from 1789 through 1865; and

WHEREAS, The slavery that flourished in the United States constituted an immoral and inhumane deprivation of Africans' life, liberty, African citizenship rights, and cultural heritage, and denied them the fruits of their own labor; and

WHEREAS, Sufficient inquiry has not been made into the effects of the institution of slavery on living African-Americans and society in the United States; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is established the Commission to Study the Transatlantic Slave Trade and its Past and Present Effects on African-Americans (hereinafter referred to as the Commission); and be it further

RESOLVED, That the Commission shall perform the following duties:

(1) Examine the institution of slavery which existed within the United States and the colonies that became the United States from 1619 through 1865; the Commission's examination shall include an examination of:

(A) the capture and procurement of Africans;

(B) the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport;

(C) the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; and

(D) the treatment of African slaves in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families;

(2) Examine the extent to which the Federal and State governments of the United States supported the institution of slavery in constitutional and statutory provisions, including the extent to which such governments prevented, opposed, or restricted efforts of freed African slaves to repatriate to their homeland;

(3) Examine Federal and State laws that discriminated against freed African slaves and their descendants during the period between the end of the Civil War and the present;

(4) Examine other forms of discrimination in the public and private sectors against freed African slaves and their descendants during the period between the end of the Civil War and the present;

(5) Examine the lingering negative effects of the institution of slavery and the matters described in paragraphs (1), (2), (3), and (4) on living African-Americans and on society in the United States;

(6) Recommend appropriate ways to educate the general public of the Commission's findings;

(7) Examine whether African-Americans still suffer from the lingering effects of the matters described in paragraphs (1), (2), (3), and (4); and be it further

RESOLVED, That the members of the Commission shall include the President of the Senate or his or her designee and the Speaker of the House of Representatives or his or her designee, each serving as co-chairpersons, the Governor or his or her designee, one vice-chairperson appointed by each of the co-chairpersons, and 25 appointed members, with the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives appointing 5 members each; and be it further

RESOLVED, That the appointed members shall be from diverse backgrounds so as to reflect the diverse citizenry of Illinois working together, and that their individual qualifications shall include varying educational, professional, and civic experiences that bring different perspectives and cooperative outlooks to the Commission; and be it further

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RESOLVED, That the Commission shall broaden outreach by using established channels, including publicly-supported media and electronic, computer-assisted communication systems, and elicit voluntary assistance from educational, legal, civic, and professional organizations and institutions as well as notable individuals; and be it further

RESOLVED, That no later than December 1, 2006, the Commission shall report to the General Assembly, the Governor, and the general public on its activities, accomplishments, and recommendations; and that the Commission shall be dissolved after the filing of this report; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Governor of the State of Illinois.

MESSAGES 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. 1077
A bill for AN ACT concerning organ and tissue donation.
HOUSE BILL NO. 1081
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1086
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1088
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1095
A bill for AN ACT concerning juries.
HOUSE BILL NO. 1101
A bill for AN ACT concerning local government.
HOUSE BILL NO. 1106
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1125
A bill for AN ACT concerning elections.
HOUSE BILL NO. 1151
A bill for AN ACT concerning conviction information.
HOUSE BILL NO. 1173
A bill for AN ACT concerning criminal law.
Passed the House, March 9, 2005.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1077, 1081, 1086, 1088, 1095, 1101, 1106, 1125, 1151 and 1173** were taken up, ordered printed and placed on first reading.

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. 1182
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1283
A bill for AN ACT concerning education.
HOUSE BILL NO. 1301

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A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1319

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1338

A bill for AN ACT concerning local government.

Passed the House, March 9, 2005.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1182, 1283, 1301, 1319 and 1338** were taken up, ordered printed and placed on first reading.

REPORTS FROM STANDING COMMITTEES

Senator Clayborne, Chairperson of the Committee on Environment & Energy, to which was referred **Senate Bills numbered 8, 146, 149, 237, 238, 239, 414, 431, 579, 659, 769, 921, 922, 923, 924, 925, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1229, 1327, 1447, 1448, 1450, 1643, 1671, 1695, 1700, 1701, 1767, 1787, 1808, 1814, 1837, 1908, 1912, 1924, 1925, 1989, 1998, 2040, 2060 and 2114**, reported the same back with the recommendation that the bills do pass.

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

Senator Clayborne, Chairperson of the Committee on Environment & Energy, to which was referred **Senate Bills numbered 761, 1703 and 1705**, 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 Ronen, Chairperson of the Committee on Health & Human Services, to which was referred **Senate Bills numbered 26, 63, 328, 506, 568, 569, 576, 660, 772, 1325, 1438, 1461, 1651, 1698, 1862, 1863 and 1878**, 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 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 944, 945, 946, 947, 948, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1297, 1298, 1299, 1300, 1301, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1619, 1684, 1799, 1857, 1892, 1966 and 1974**, 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 51, 413, 559, 1479, 1658 and 1977**, 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 351, 557, 582, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 751, 752, 753, 754, 755, 756, 757, 758, 759, 1473, 1512, 1513, 1675, 1682, 1707, 1715, 1793, 1810, 1834, 1877, 1881, 2030 and 2053**, reported the same back with the recommendation that the bills 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 1294 and 1865**, 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.

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Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Bills numbered 1483, 1959, 2043 and 2116**, 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 Bills numbered 118, 350 and 1453**, 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 Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bills numbered 293, 426, 886, 891, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1751, 1770, 1771 and 2075**, 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 Bills numbered 1627 and 2066**, 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 Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bills numbered 616, 926, 927, 928, 929, 930, 931, 932, 933, 934 and 1821**, 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. 482** 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 Maloney, Chairperson of the Committee on Higher Education, to which was referred **Senate Bills numbered 1805, 1932, 1949 and 2112**, reported the same back with the recommendation that the bills do pass.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 763, sponsored by Senator Cullerton was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 908, sponsored by Senator Lightford was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1051, sponsored by Senator Lightford was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1077, sponsored by Senator Collins was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1095, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1334, sponsored by Senator Munoz was taken up, read by title a first time and referred to the Committee on Rules.

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READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Munoz, **Senate Bill No. 301**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Laufen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberger	
Forby	Martinez	Shadid	

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 Munoz, **Senate Bill No. 302**, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Forby	Maloney	Rutherford
Bomke	Garrett	Martinez	Schoenberger
Brady	Geo-Karis	Meeks	Shadid
Burzynski	Haine	Munoz	Sieben
Clayborne	Halvorson	Pankau	Silverstein
Collins	Harmon	Peterson	Sullivan, D.
Cronin	Hendon	Petka	Sullivan, J.
Crotty	Hunter	Radogno	Syverson
Cullerton	Jacobs	Raoul	Trotter
Dahl	Jones, J.	Rauschenberger	Viverito
del Valle	Laufen	Righter	Watson
DeLeo	Lightford	Risinger	Wilhelmi
Demuzio	Link	Ronen	Wojcik
Dillard	Luechtefeld	Roskam	

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).

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

On motion of Senator Martinez, **Senate Bill No. 309**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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 Haine, **Senate Bill No. 311**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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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 DeLeo, **Senate Bill No. 327**, 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 46; Nays 8.

The following voted in the affirmative:

Althoff	Garrett	Martinez	Shadid
Bomke	Haine	Meeks	Sieben
Clayborne	Halvorson	Munoz	Silverstein
Collins	Harmon	Pankau	Sullivan, J.
Cronin	Hendon	Peterson	Trotter
Crotty	Hunter	Petka	Viverito
Cullerton	Jacobs	Radogno	Watson
del Valle	Lauzen	Raoul	Wilhelmi
DeLeo	Lightford	Righter	Winkel
Demuzio	Link	Ronen	Wojcik
Dillard	Luechtefeld	Roskam	
Forby	Maloney	Rutherford	

The following voted in the negative:

Brady	Geo-Karis	Risinger
Burzynski	Jones, J.	Sullivan, D.
Dahl	Rauschenberger	

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 Pankau, **Senate Bill No. 355**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi

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Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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 Cronin, **Senate Bill No. 380**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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 Raoul, **Senate Bill No. 416**, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Forby	Maloney	Rutherford
Bomke	Garrett	Martinez	Schoenberg
Brady	Geo-Karis	Meeks	Shadid
Burzynski	Haine	Munoz	Sieben
Clayborne	Halvorson	Pankau	Silverstein
Collins	Harmon	Peterson	Sullivan, D.

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Cronin	Hendon	Petka	Sullivan, J.
Crotty	Hunter	Radogno	Syverson
Cullerton	Jacobs	Raoul	Trotter
Dahl	Jones, J.	Rauschenberger	Viverito
del Valle	Lauzen	Righter	Wilhelmi
DeLeo	Lightford	Risinger	Winkel
Demuzio	Link	Ronen	Wojcik
Dillard	Luechtefeld	Roskam	

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 Schoenberg, **Senate Bill No. 417**, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Forby	Maloney	Schoenberg
Bomke	Garrett	Martinez	Shadid
Brady	Geo-Karis	Meeks	Sieben
Burzynski	Haine	Munoz	Silverstein
Clayborne	Halvorson	Pankau	Sullivan, D.
Collins	Harmon	Peterson	Sullivan, J.
Cronin	Hendon	Petka	Syverson
Crotty	Hunter	Raoul	Trotter
Cullerton	Jacobs	Rauschenberger	Viverito
Dahl	Jones, J.	Righter	Watson
del Valle	Lauzen	Risinger	Wilhelmi
DeLeo	Lightford	Ronen	Winkel
Demuzio	Link	Roskam	Wojcik
Dillard	Luechtefeld	Rutherford	

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 Maloney, **Senate Bill No. 427**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson

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Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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 Crotty, **Senate Bill No. 450**, 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 56; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Meeks	Sieben
Bomke	Geo-Karis	Munoz	Silverstein
Brady	Haine	Pankau	Sullivan, D.
Burzynski	Halvorson	Peterson	Sullivan, J.
Clayborne	Harmon	Petka	Syverson
Collins	Hendon	Radogno	Trotter
Cronin	Hunter	Raoul	Viverito
Crotty	Jacobs	Rauschenberger	Watson
Cullerton	Jones, J.	Righter	Wilhelmi
Dahl	Lauzen	Risinger	Winkel
del Valle	Lightford	Ronen	Wojcik
DeLeo	Link	Roskam	
Demuzio	Luechtefeld	Rutherford	
Dillard	Maloney	Schoenberg	
Forby	Martinez	Shadid	

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.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Hunter, **Senate Bill No. 12** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator del Valle, **Senate Bill No. 40** having been printed, was taken up, read by title a second time.

Senator del Valle offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 40

[March 10, 2005]

AMENDMENT NO. 1. Amend Senate Bill 40 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Veterans Affairs Act is amended by changing Section 2 as follows:

(20 ILCS 2805/2) (from Ch. 126 1/2, par. 67)

Sec. 2. Powers and duties. The Department shall have the following powers and duties:

To perform such acts at the request of any veteran, or his or her spouse, surviving spouse or dependents as shall be reasonably necessary or reasonably incident to obtaining or endeavoring to obtain for the requester any advantage, benefit or emolument accruing or due to such person under any law of the United States, the State of Illinois or any other state or governmental agency by reason of the service of such veteran, and in pursuance thereof shall:

(1) ~~+~~ Contact veterans, their survivors and dependents and advise them of the benefits of state and federal laws and assist them in obtaining such benefits;

(2) ~~2-~~ Establish field offices and direct the activities of the personnel assigned to such offices;

(3) ~~3-~~ Create a volunteer field force of accredited representatives, representing educational institutions, labor organizations, veterans organizations, employers, churches, and farm organizations;

(4) ~~4-~~ Conduct informational and training services;

(5) ~~5-~~ Conduct educational programs through newspapers, periodicals and radio for the specific purpose of disseminating information affecting veterans and their dependents;

(6) ~~6-~~ Coordinate the services and activities of all state departments having services and resources affecting veterans and their dependents;

(7) ~~7-~~ Encourage and assist in the coordination of agencies within counties giving service to veterans and their dependents;

(8) ~~8-~~ Cooperate with veterans organizations and other governmental agencies;

(9) ~~9-~~ Make, alter, amend and promulgate reasonable rules and procedures for the administration of this Act;

(10) ~~10-~~ Make and publish annual reports to the Governor regarding the administration and general operation of the Department; ~~and~~

(11) ~~11-~~ Encourage the State to implement more programs to address the wide range of issues faced by Persian Gulf War Veterans, especially those who took part in combat, by creating an official commission to further study Persian Gulf War Diseases. The commission shall consist of 9 members appointed as follows: the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate shall each appoint one member from the General Assembly, the Governor shall appoint 4 members to represent veterans' organizations, and the Department shall appoint one member. The commission members shall serve without compensation; ~~and -~~

(12) Conduct an annual review of the benefits received by Illinois veterans that compares benefits received by Illinois veterans with the benefits received by veterans in all other states and U.S. territories. The required annual review shall include, but not be limited to, (1) the average benefit paid to individual veterans from Illinois, in direct comparison to the average benefit paid to individual veterans of each of the other states and U.S. territories; (2) the number of veterans receiving benefits in Illinois for the first time during the year compared to the number of claims filed by Illinois veterans during the year; (3) the aggregate number of Illinois veterans receiving benefits compared to the number of veterans from each of the other states and U.S. territories receiving benefits; and (4) a categorical analysis of the types of injuries and disabilities for which benefits are being paid in Illinois and each of the other states and U.S. territories. The benefits review shall be reported to the Governor, the General Assembly, and the Illinois Congressional delegation upon the completion of the report each year.

The Department may accept and hold on behalf of the State, if for the public interest, a grant, gift, devise or bequest of money or property to the Department made for the general benefit of Illinois veterans, including the conduct of informational and training services by the Department and other authorized purposes of the Department. The Department shall cause each grant, gift, devise or bequest to be kept as a distinct fund and shall invest such funds in the manner provided by the Public Funds Investment Act, as now or hereafter amended, and shall make such reports as may be required by the Comptroller concerning what funds are so held and the manner in which such funds are invested. The Department may make grants from these funds for the general benefit of Illinois veterans. Grants from these funds, except for the funds established under Sections 2.01a and 2.03, shall be subject to appropriation.

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The Department has the power to make grants, from funds appropriated from the Korean War Veterans National Museum and Library Fund, to private organizations for the benefit of the Korean War Veterans National Museum and Library.

The Department has the power to make grants, from funds appropriated from the Illinois Military Family Relief Fund, for benefits authorized under the Survivors Compensation Act. (Source: P.A. 92-198, eff. 8-1-01; 92-651, eff. 7-11-02; 93-839, eff. 7-30-04.)

Section 99. Effective date. This Act takes effect January 1, 2006."

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.

On motion of Senator Silverstein, **Senate Bill No. 46** 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. 52** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **Senate Bill No. 93** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 97** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **Senate Bill No. 122** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 122

AMENDMENT NO. 2. Amend Senate Bill 122 by replacing everything after the enacting clause with the following:

"Section 5. Upon the payment of the sum of \$1, the Secretary of Human Services is authorized to convey by quitclaim deed all of the State's right, title, and interest in and to the following described land to the Village of Tinley Park for public roadway purposes and other non-profit uses:

That part of the South Half of Section 36, Township 36 North, Range 12 East of the Third Principal Meridian being bounded and described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 36; thence South 89 degrees 42 minutes 02 seconds East, along the South line of said Southwest Quarter, a distance of 2669.17 feet to the southeast corner of said Southwest Quarter and a point on Line "A"; thence North 00 degrees 10 minutes 38 seconds West, along said Line "A", a distance of 50.00 feet, to the North line of the South 50.00 feet of said Section 36 and the Point of Beginning; thence North 89 degrees 42 minutes 02 seconds West, along said North line, a distance of 55.00 feet; thence North 45 degrees 03 minutes 36 seconds East, a distance of 21.13 feet to the North line of the South 65.00 feet of said Section 36 and a point on Line "B" being 40.00 feet westerly of and parallel to said Line "A"; thence North 00 degrees 10 minutes 38 seconds West, along said Line "B", a distance of 116.92 feet to a point on Line "C"; thence North 88 degrees 31 minutes 53 seconds West on said Line "C", a distance

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of 184.17 feet, to a point of tangency on Curve "A"; thence northwesterly along said Curve "A" to the right having a radius of 338.466 feet, an arc length of 364.372 feet, a chord length of 347.030 feet, and a chord bearing of North 57 degrees 07 minutes 39 seconds West, to a point of tangency on Line "D"; thence North 25 degrees 43 minutes 26 seconds West on said Line "D", a distance of 5.46 feet to a point of tangency on Curve "B"; thence northwesterly along said Curve "B" to the left having a radius of 834.000 feet, an arc length of 393.125 feet, a chord length of 389.495 feet, and a chord bearing of North 39 degrees 13 minutes 40 seconds West, to a point of tangency on Line "E"; thence North 52 degrees 43 minutes 54 seconds West, on said Line "E" a distance of 5.37 feet, to the East line of the West 1900.00 feet of the Southwest Quarter of said Section 36; thence North 00 degrees 00 minutes 00 seconds East, along said East line, a distance of 82.93 feet, to a point on a line lying 66.00 feet northeasterly of and parallel to said Line "E"; thence South 52 degrees 43 minutes 54 seconds East, along said parallel line, a distance of 55.59 feet, to a point of tangency on a curve lying 66.00 feet northeasterly of and parallel to said Curve "B"; thence southeasterly along said parallel curve to the right having a radius of 900.000 feet, an arc length of 424.236 feet, a chord length of 420.319 feet, and a chord bearing of South 39 degrees 13 minutes 40 seconds East, to a point of tangency on a line lying 66.00 feet northeasterly of and parallel to said Line "D"; thence South 25 degrees 43 minutes 26 seconds East, along said parallel line, a distance of 5.46 feet, to a point of tangency, on a curve lying 66.00 feet northeasterly of and parallel to said Curve "A"; thence southeasterly along said parallel curve to the left having a radius of 270.381 feet, an arc length of 292.273 feet, a chord length of 278.249 feet and a chord bearing of South 57 degrees 07 minutes 39 seconds East, to a point of tangency on a line 66.00 feet northerly of and parallel to said Line "C"; thence South 88 degrees 31 minutes 53 seconds East, along said parallel line, a distance of 262.31 feet, to a line 80.00 feet easterly of and parallel to said Line "B"; thence South 00 degrees 10 minutes 38 seconds East, along said parallel line, a distance of 181.31 feet, to the North line of the South 65.00 feet of said Section 36; thence South 44 degrees 56 minutes 17 seconds East, a distance of 21.30 feet to the North line of the South 50.00 feet of said Section 36; thence North 89 degrees 42 minutes 02 seconds West, along said North line, a distance of 55.00 feet to the Point of Beginning.

Containing 1.814 acres (79,032 square feet) more or less.

Section 10. Upon the payment of the sum of \$1, the Secretary of Human Services is authorized to convey by quitclaim deed all of the State's right, title, and interest in and to the following described real property to the United Cerebral Palsy Association of Greater Chicago for non-profit uses:

That part of the Southeast Quarter of Section 36, Township 36 North, Range 12 East of the Third Principal Meridian being more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing for purposes of this description of North 89 degrees 42 minutes 02 seconds West along the South line of said Southeast Quarter, a distance of 2237.39 feet; thence North 00 degrees 17 minutes 58 seconds East, at right angles to the last described line, a distance of 174.75 feet; thence North 32 degrees 46 minutes 02 seconds West, a distance of 99.70 feet; thence North 72 degrees 07 minutes 42 seconds West, a distance of 105.00 feet, to Line "A"; thence North 89 degrees 42 minutes 02 seconds West, along Line "A" parallel with the South line of said Southeast Quarter, a distance of 139.51 feet to the Point of Beginning; thence South 00 degrees 17 minutes 8 seconds West, at right angles to said Line "A", a distance of 290.00 feet to the South line of said Southeast Quarter; thence North 89 degrees 42 minutes 02 seconds West, along said South line, a distance of 143.97 feet, to the southwest corner of said Southeast Quarter and Line "B"; thence North 00 degrees 10 minutes 38 seconds West; along Line "B" a distance of 290.01 feet to the westerly prolongation of said Line "A"; thence South 89 degrees 42 minutes 02 seconds East, along said westerly prolongation, a distance of 146.38 feet, to the Point of Beginning.

Excepting therefrom the South 50.00 feet and also excepting therefrom that part of said parcel lying westerly of the following described line:

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Commencing at the southwest corner of said Southeast Quarter; thence North 00 degrees 10 minutes 38 seconds West, along said Line "B", a distance of 290.01 feet, to the westerly prolongation of said Line "A"; thence South 89 degrees 42 minutes 02 seconds East, along said westerly prolongation, a distance of 40.00 feet, to a line lying 40.00 feet easterly of and parallel to said Line "B", and the Point of Beginning; thence South 00 degrees 10 minutes 38 seconds East, along said parallel line, a distance of 225.01 feet, to the North line of the South 65.00 feet of said Southeast Quarter; thence South 44 degrees 56 minutes 7 seconds East, a distance of 21.30 feet, to the North line of the South 50.00 feet of said Southeast Quarter and the terminus of said line.

Containing 0.578 acres (25,179 square feet) more or less.

Section 15. The conveyance of real property authorized by Section 5 shall be made subject to the express condition that any part of the said real property that ceases to be used for public roadway purposes or non-profit uses shall revert back to the State of Illinois, Department of Human Services, without further action on the part of the State or the Department.

Section 20. The conveyance of real property authorized by Section 10 shall be made subject to the express condition that any part of the real property that ceases to be used for non-profit uses shall revert back to the State of Illinois, Department of Human Services, without further action on the part of the State or the Department.

Section 90. The Secretary of Human Services shall obtain a certified copy of the portions of this Act containing the title, the enacting clause, the effective date, the appropriate Section or Sections containing the land descriptions of the property to be conveyed, and this Section within 60 days after its effective date and, upon receipt of the payment required by the Section or Sections, if any payment is required, shall record the certified document in the Recorder's Office in the County in which the land is located.

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 183** having been printed, was taken up, read by title a second time and ordered to a third reading.

Senator Burzynski announced there would be a republican caucus immediately upon adjournment.

PRESENTATION OF RESOLUTIONS

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. 30

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 10, 2005, the Senate stands adjourned until Tuesday, March 15, 2005 at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, March 15, 2005.

The motion prevailed.

And the resolution was adopted.

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

[March 10, 2005]

SENATE RESOLUTION 112

Offered by Senator Wilhelmi and all Senators:

Mourns the death of Joliet Township Trustee Rudolph "Rudy" J. Pucel of Joliet.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

REPORTS FROM STANDING COMMITTEES

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **Senate Bill No. 1711**, reported the same back with the recommendation that the bill do pass.

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **Senate Bill No. 23**, 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 Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bills numbered 4, 10, 41, 223, 479, 1497, 1621, 1626, 1638, 1639, 1676, 1848, 1850, 1851 and 1854**, reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bill No. 212**, 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.

MOTION IN WRITING

Senator Luechtefeld, Senator J. Jones, Senator Dahl, Senator W. Jones, Senator Lauzen, Senator Radogno, Senator Syverson, Senator Winkel, Senator Rauschenberger, Senator Pankau, Senator Burzynski, Senator D. Sullivan, Senator Geo-Karis, Senator Roskam, Senator Althoff, Senator Risinger, Senator Righter, Senator Bomke, Senator Sieben, Senator Petka, Senator Wojcik, Senator Rutherford, Senator Brady, Senator Dillard, Senator Cronin, Senator Peterson and Senator Watson submitted the following Motion in Writing:

Pursuant to Senate Rule 7-9, we move that the Senate Judiciary Committee be discharged from further consideration of **Senate Bill 150** and that **Senate Bill 150** be placed on the order of 2nd Reading.

3-9-05

Date

s/David Luechtefeld

s/John Jones

s/Gary Dahl

s/Wendell Jones

s/Chris Lauzen

s/Christine Radogno

s/Dave Syverson

s/Rick Winkel

s/Steve J. Rauschenberger

s/Carole Pankau

s/J. Bradley Burzynski

s/Dave Sullivan

s/Adeline Geo-Karis

s/Peter Roskam

s/Pamela J. Althoff

s/Dale Risinger

s/Dale A. Righter

s/Larry K. Bomke

s/Todd Sieben

s/Edward Petka

s/Kathleen L. Wojcik

s/Dan Rutherford

s/Bill Brady

s/Kirk Dillard

s/Dan Cronin

s/William E. Peterson

s/Frank Watson

The foregoing Motion in Writing was filed with the Secretary and placed on the Senate Calendar.

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RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 103

Offered by Senator Haine and all Senators:
Mourns the death of Charles L. Freeman of Godfrey.

SENATE RESOLUTION 104

Offered by Senator Risinger and all Senators:
Mourns the death of Howard B. Baldwin of Kewanee.

SENATE RESOLUTION 105

Offered by Senator Risinger and all Senators:
Mourns the death of Arthur W. Dixon of Galesburg.

SENATE RESOLUTION 106

Offered by Senator Clayborne and all Senators:
Mourns the death of Dr. Mildred Louise Sammons of East St. Louis.

SENATE RESOLUTION 107

Offered by Senators Viverito – E. Jones and all Senators:
Mourns the death of James A. Craig of Blue Island.

SENATE RESOLUTION 108

Offered by Senator Haine and all Senators:
Mourns the death of Rolla John Mottaz formerly of Alton.

SENATE RESOLUTION 109

Offered by Senator Collins and all Senators:
Mourns the death of Al Scott of Chicago.

SENATE RESOLUTION 111

Offered by Senator Harmon and all Senators:
Mourns the death of Clifford T. Johnson of River Forest.

SENATE RESOLUTION 112

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Joliet Township Trustee Rudolph “Rudy” J. Pucel of Joliet.

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

At the hour of 11:38 o'clock a.m., pursuant to **Senate Joint Resolution No. 30**, the Chair announced the Senate stand adjourned until Tuesday, March 15, 2005, at 12:00 o'clock noon.