

# State of Illinois 91st General Assembly Final Senate Journal

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JOURNAL OF THE

[Dec. 13, 1999]

FIRST SPECIAL SESSION

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

1ST LEGISLATIVE DAY

MONDAY, DECEMBER 13, 1999

1:00 O'CLOCK P.M.

At the First Special Session of the Ninety-First General Assembly the State of Illinois, begun and held at the Capitol in the City of Springfield on the Thirteenth day of December, in the year of Our Lord, One Thousand Nine Hundred and Ninety-Nine, at the hour of 1:00 o'clock p.m., the Honorable James "Pate" Philip, President of the Senate, called the Senate to order, pursuant to the proclamation of the Governor.

Prayer by Pastor Eric Hansen, First Assembly of God, Springfield, Illinois.

Senator Sieben led the Senate in the Pledge of Allegiance.

By the direction of the President, the Secretary of the Senate read the following communications from the Secretary of State together with the proclamation of the Governor.

COMMUNICATIONS

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE  
Secretary of State

December 9, 1999

To the Honorable Members  
Illinois General Assembly

Pursuant to 25 ILCS 15/3, I hereby notify you that the Governor has exercised his power, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, to call a Special Session of the 91st General Assembly at 1:00 P.M. on December 13, 1999, by the filing of Proclamation 99-524 in this office on December 9, 1999.

Attached is a copy of Proclamation No. 99-524.

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SENATE

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Sincerely,

s/Jesse White  
Secretary of State

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE  
Secretary of State

December 9, 1999

Jim Harry  
Secretary of the Senate  
Room 401  
Capitol Building  
Springfield, Illinois 62706

Dear Sir:

Enclosed is a copy of Proclamation No. 99-524, filed in my office on December 9, 1999, by Governor George H. Ryan, calling for a Special Session of the 91st General Assembly, to begin at 1:00 P.M. on December 13, 1999.

A notice and accompanying Proclamation has been mailed today to each Member's Springfield office; and, by certified mail, to each Member's district office.

Sincerely,

s/Jesse White  
Secretary of State

STATE OF ILLINOIS  
EXECUTIVE DEPARTMENT

**PROCLAMATION**

WHEREAS, on January 1, 1995, Public Act 88-680 entitled "AN ACT to create a Safe Neighborhoods Law" became effective; and

WHEREAS, Public Act 88-680 contained a significant number of criminal offense penalty enhancements, new criminal offenses and juvenile delinquency provisions; and

WHEREAS, on December 2, 1999, the Illinois Supreme Court in *People v. Cervantes*, Docket No. 87229, ruled that Public Act 88-680 violates the single subject clause of the Illinois Constitution (Article IV, Section 8(d)) and is unconstitutional in its entirety; and

WHEREAS, in the event the Illinois Supreme Court denies the Attorney General's Petition for Rehearing, the provisions of Public Act 88-680 cannot be applied to criminal and juvenile offenses until reenacted into law; and

WHEREAS, it is essential that the provisions of Public Act 88-680 be reenacted before the Illinois General Assembly returns for regular session on January 12, 2000, so that the criminal offenses and enhanced penalties can be applied to criminal acts committed between the effective date of the reenactment and the year 2000 Legislative Session;

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois

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[Dec. 13, 1999]

Constitution of 1970, I, George H. Ryan, Governor of the State of Illinois, hereby call and convene the 91st General Assembly in special session to commence on December 13, 1999, at 1:00 p.m., to consider only the reenactment of provisions contained in Public Act 88-680 (as subsequently amended); such special session shall be limited to the consideration of House Bill 2711 and Senate Bill 391 now pending before the General Assembly and which have been recommended for this purpose by a Task Force convened by the Attorney General at my request.

**In Witness Whereof**, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this NINTH day of DECEMBER, in the Year of Our Lord one thousand nine hundred and NINETY-NINE, and of the State of Illinois the one hundred and EIGHTY-SECOND

s/JESSE WHITE  
Secretary of State

s/GEORGE H. RYAN  
Governor

#### PRESENTATION OF RESOLUTIONS

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

**SENATE RESOLUTION NO. 1**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE FIRST SPECIAL SESSION THEREOF, that the Secretary inform the House of Representatives that a majority of the members of the Senate has assembled pursuant to the proclamation of the Governor convening a special session of the General Assembly, and are now ready for the transaction of business.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

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

**SENATE RESOLUTION NO. 2**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE FIRST SPECIAL SESSION THEREOF, that the President appoint a committee of five to wait upon his Excellency, the Governor, and inform him that the First Special Session of the Ninety-First General Assembly is now duly in session in pursuance of his proclamation, and is ready to receive any message he may desire to submit.

The motion prevailed.

And the resolution was adopted.

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

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SENATE

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**SENATE RESOLUTION NO. 3**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE FIRST SPECIAL SESSION THEREOF, that a Committee of three (3) members of the Senate be appointed, two (2) members to be appointed by the President and one (1) member to be appointed by the Minority Leader, to approve any and all Journals of the Senate for all days of the First Special Session of the Ninety-First General Assembly where such Journals, prior to adjournment SINE DIE, have not been approved by the body as a whole.

The motion prevailed.

And the resolution was adopted.

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

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

At the hour of 2:27 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 3:32 o'clock p.m., the Senate resumed consideration of business.

Senator Maitland, presiding.

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following resolution:

HOUSE RESOLUTION NO. 2

**RESOLVED**, That the Clerk inform the Senate that a majority of the House has assembled, pursuant to the Proclamation of the Governor, convening a Special Session of the General Assembly and are now ready for the transaction of business.

Adopted by the House, December 13, 1999.

ANTHONY D. ROSSI, Clerk of the House

At the hour of 3:34 o'clock p.m., the Chair announced that the Senate stand at recess until 5:30 o'clock p.m.

**AFTER RECESS**

At the hour of 5:35 o'clock p.m., the Senate resumed consideration of business.

Senator Maitland, presiding.

At the hour of 5:36 o'clock p.m., on motion of Senator Dillard, the Senate stood adjourned until Tuesday, December 14, 1999 at 9:00 o'clock a.m.