

State of Illinois
91st General Assembly
Final Senate Journal

6658

JOURNAL OF THE

[Dec. 29, 1999]

THIRD SPECIAL SESSION OF THE SENATE

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

1ST LEGISLATIVE DAY

WEDNESDAY, DECEMBER 29, 1999

1:00 O'CLOCK P.M.

At the Third 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 29th 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 Senator Adeline J. Geo-Karis, Zion, 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 communication 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 23, 1999

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

Dear Mr. Harry:

Enclosed is a copy of Proclamation No. 99-544, filed in my office on December 23, 1999, by Governor George H. Ryan, calling the

SENATE

6659

Illinois Senate of the 91st General Assembly in Third Special Session to commence on December 29, 1999, at 1:00 p.m. to consider only Senate Bill 224, as amended by House Amendment Number 2.

A notice and accompanying Proclamation will be mailed to each Member's Springfield office; and a copy shall be mailed to each Member's home district office.

Sincerely,

s/Jesse White
Secretary of State

STATE OF ILLINOIS
EXECUTIVE DEPARTMENT

PROCLAMATION

No. 99-544

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 re-enacted into law; and

WHEREAS, it is essential that the provisions of Public Act 88-860 be re-enacted 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 re-enactment and the year 2000

Legislative Session;

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, I, George H. Ryan, Governor of the State of Illinois, hereby call and convene the Illinois State Senate of the 91st General Assembly in Third Special Session to commence on December 29, 1999, at 1:00 p.m., to consider only Senate Bill 224, as amended by House Amendment No. 2.

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 TWENTY-THIRD 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,

6660

JOURNAL OF THE

[Dec. 29, 1999]

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 THIRD SPECIAL SESSION OF THE SENATE 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 Third Special Session of the Senate 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 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 THIRD SPECIAL SESSION OF THE SENATE THEREOF, that the President appoint a committee of five to wait upon his Excellency, the Governor, and inform him that the Third Special Session of the Senate 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.

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 2 to Senate Bill 224

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

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

At the hour of 1:34 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 2:45 o'clock p.m., the Senate resumed consideration of business.

Senator Maitland, presiding.

REPORT FROM RULES COMMITTEE

SENATE

6661

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Joint Action Motion has been approved for consideration:

Motion to concur with House Amendment 2 to Senate Bill 224

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

CONSIDERATION OF HOUSE AMENDMENT TO SENATE BILL ON SECRETARY'S DESK

On motion of Senator L. Walsh, **Senate Bill No. 224**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator L. Walsh moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

Yeas 31; Nays 17; Present 2.

The following voted in the affirmative:

Berman	Fawell	Mahar	Silverstein
Clayborne	Halvorson	Molaro	Smith
Cronin	Hawkinson	Munoz	Sullivan
Cullerton	Jacobs	O'Daniel	Trotter
del Valle	Jones, E.	Peterson	Viverito
Demuzio	Lightford	Radogno	Walsh, L.
Dillard	Link	Shadid	Welch
Dudycz	Madigan, L.	Shaw	

The following voted in the negative:

Bowles	Klemm	Mitchell	Sieben
Burzynski	Luechtefeld	Myers	Syverson
Geo-Karis	Madigan, R.	Noland	Watson
Karpiel	Maitland	Rauschenberger	Weaver
			Mr. President

The following voted present:

Lauzen
O'Malley

Having failed to receive a vote of three-fifths of the members elected the motion lost.

Senator DeLeo asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 224**.

Senator W. Jones asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 224**.

COMMUNICATIONS

OFFICE OF THE SENATE PRESIDENT ILLINOIS SENATE

6662

JOURNAL OF THE

[Dec. 29, 1999]

December 29, 1999

Mr. Jim Harry
Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Senate Resolution 1, I hereby appoint Senators Donahue and Bomke to the Committee to Approve the Senate Journal of

the Third Special Session of the Senate of the 91st General Assembly.

Sincerely,

s/James "Pate" Philip
President of the Senate

STATE OF ILLINOIS
SENATE

EMIL JONES, JR.
SENATE DEMOCRATIC LEADER

January 10, 2000

Mr. Jim Harry
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Senate Resolution 1, I hereby appoint Senator Demuzio to the committee to approve Senate Journals of the Third Special Session of the 91st General Assembly.

Sincerely,

s/Emil Jones, Jr.
Senate Democratic Leader

At the hour of 3:14 o'clock p.m., on motion of Senator Geo-Karis the Senate stood adjourned SINE DIE.

SENATE

6663

Pursuant to Senate Resolution No. 1, of the Third Special Session of the Senate, the Committee heretofore appointed to approve the Journal of Wednesday, December 29, 1999, of the Third Special Session of the Senate of the Ninety-First General Assembly, hereby certify that they have examined the record of the proceedings of the Senate of the aforementioned date, and find the same to be correct.

s/Laura Kent Donahue

Senator

s/Larry Bomke
Senator

s/Vince Demuzio
Senator

ATTEST:

s/Jim Harry
Secretary of the Senate