

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

1st Legislative Day

December 13, 1999

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Peter Negrón of the Pure in Heart Church in Chicago. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Negrón: "Let's pray. Heavenly Father, we do thank You and praise You for all that is to take place here today. We know that we stand in Your presence and that we are accountable to You for all that we do and for the safety of our citizens in our cities across this state. We ask for Your blessings and guidance, in that precious name of Jesus, we pray, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hartke."

Hartke - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Murphy and Schoenberg are excused today."

Speaker Madigan: "Mr. Poe. Mr. Poe. Could..."

Poe: "Mr. Speaker, let the record show that Representative Black and Representative Bost is excused absent today."

Speaker Madigan: "Did I hear you correctly? We're going to be asked to proceed without Mr. Black. Is that what you said?"

Poe: "It was a flaw in the system, but we're going to do it anyway."

Speaker Madigan: "The Clerk shall take the record. There being

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114 Members responding to the Attendance Roll Call, a quorum of the House is present. Mr. Clerk, read the Governor's Proclamation."

Clerk Rossi: "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 number 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 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

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have been recommended for this purpose by a Task Force convened by the Attorney General at my request."

Speaker Madigan: "Mr. Clerk, introduction of Resolutions."

Clerk Rossi: "First Special Session Resolution #1 and #2, offered by Representative Currie, are assigned to the Rules Committee."

Speaker Madigan: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I move for the immediate consideration and the suspension of all applicable House Rules, so that we may adopt First Special Session Resolutions 1 and 2."

Speaker Madigan: "You've all heard the Lady's Motion. All in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the Motion is adopted. The Chair recognizes the House Majority Leader, Representative Currie."

Currie: "Thank, thank you, Speaker. Would the Clerk please read First Special Session Resolutions #1 and #2?"

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "First Special Session Resolution #1, offered by Representative Currie, be it resolved that the Rules of the House of Representatives of the 91st General Assembly be adopted as the Rules of the Special Session. So far as the same may be applicable and that the committees of the House of Representatives of the 91st General Assembly, including the House Journal Review Committee and their Membership, shall constitute the committees of the House during this Special Session. First Special Session Resolution #2, resolved that the Clerk inform the Senate that a Majority of the House is 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."

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Speaker Madigan: "Representative Currie moves for the adoption of the First Special Session Resolutions 1 and 2. All those in favor signify by saying 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on December 13, 1999, reported the same back with the following recommendation/s: 'to the Order of Concurrence' House Bill 2711, be approved for consideration; Senate Bill 391 to the Order of Nonconcurrence, approved for consideration."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Madigan: "For what purpose does Mr. Parke seek recognition?"

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen. I want to recognize former Member Judy Koehler, who's on the floor of the House. Judy, congratulations, welcome."

Speaker Madigan: "Mr. Dart, could you go to your chair, Sir? You're in your seat? Oh. I didn't know you stood... sat there, Mr. Dart. On the Concurrence Calendar, House Bill 2711. Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. I move to nonconcur with Senate Amendments #1 and 2 to House Bill 2711."

Speaker Madigan: "You've all heard the Gentleman's Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it; the Motion is adopted and the House does nonconcur with Senate Amendments #1 and 2. Mr. Meyer. On the Order of Concurrence there appears Senate Bill 391. Mr. Meyer."

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Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to refuse to recede and request a Conference Committee on this."

Speaker Madigan: "You've all heard the Gentleman's Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it; and the House does refuse to recede from House Amendment #1 and requests the appointment of a Conference Committee. Ladies and Gentlemen, please give me your attention. Ladies and Gentlemen, please give me your attention. Mr. Granberg, can we have your attention? The plan of the Chair is to stand at ease until 4:00, at which time we hope to have a report for you on our status. Okay? So, I would advise that you don't leave the building, that you stay within earshot of one of the microphones, so that we can reach you and tell you that we may want you back earlier than 4. But for now, we're at ease until 4:00 and we hope to have some kind of report for you at 4:00. The House shall come to order. The Senate has announced that it will stand in recess until 5:30 and the House will do the same. So, at 5:30 or a few minutes after 5:30 I'll come back and give you a further report. Thank you for your patience, especially Mr. Burke, Mr. Morrow, Mr. Hartke, and everybody else. House shall come to order. Most of you probably know that the Senate has already adjourned until 9 a. m. tomorrow morning. That will be the plan for the House also. Let me further report that the Senate Republican Caucus will reconvene shortly to consider some suggestions which have been given and there are discussions going on concerning this problem. So, let's keep our fingers crossed. We'll see you at 9 a. m. tomorrow morning. The House does stand adjourned until 9

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a. m. tomorrow morning. And please note that Monique Davis
is here in the chamber."