



**TWENTY-SECOND SPECIAL SESSION**

**SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**1ST LEGISLATIVE DAY**

**THURSDAY, JULY 10, 2008**

**10:35 O'CLOCK A.M.**

**SENATE  
Daily Journal Index  
1st Legislative Day**

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The Senate met pursuant to a proclamation from the Governor to convene Special Session.  
Honorable Emil Jones, Jr., President of the Senate, presiding.  
Prayer by Pastor Rick Winneborg, Chatham Christian Church, Chatham, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

**MESSAGE FROM THE SECRETARY OF STATE**

OFFICE OF THE SECRETARY OF STATE  
JESSE WHITE • Secretary of State

July 3, 2008

Honorable Deborah Shipley  
Secretary of the Senate  
Room 401  
Capitol Building  
Springfield, Illinois 62706

Dear Secretary Shipley:

Enclosed please find a copy of Proclamation No. 2008-269, filed in my office on July 2, 2008, by Governor Rod R. Blagojevich, calling for a Special Session of the 95th General Assembly, to begin at 10:00 a.m. on July 10, 2008.

A notice and accompanying Proclamations have been delivered today to each Member's District office.

Sincerely,  
s/Jesse White  
Secretary of State

**STATE OF ILLINOIS  
EXECUTIVE DEPARTMENT**

**PROCLAMATION**

WHEREAS, the Illinois Constitution requires the General Assembly, by law, to make appropriations for all expenditure of public funds for each fiscal year for the operations of State government, departments, authorities, and public agencies, among other things;

WHEREAS, Article VIII, Section 2(b) of the Illinois Constitution of 1970 requires the General Assembly to pass a balanced budget in which appropriations for the fiscal year do not exceed funds estimated to be available during that year;

WHEREAS, the General Assembly passed four appropriations bills for the expenditure of public funds for Fiscal Year 2009;

WHEREAS, the appropriations passed by the General Assembly for Fiscal Year 2009 exceed funds estimated to be available during that year and thus render the budget passed by the General Assembly unbalanced by approximately \$2 billion, in clear violation of Article VIII, Section 2(b) of the Illinois Constitution;

WHEREAS, one of the four appropriation bills passed by the General Assembly, House Bill 5701, contains a defect which prohibits the completion of a number of significant infrastructure projects currently under progress;

[July 10, 2008]

WHEREAS, Article 48, Section 5 of House Bill 5701 provides that no funds are available to pay for work performed on capital development contracts entered into after August 31, 2007, thereby creating innumerable negative consequences;

WHEREAS, the Illinois Senate has passed several funding solutions, including a capital bill and a fund transfer bill, among other things, that if enacted could support a balanced budget;

WHEREAS, the capital bill which has overwhelmingly passed the Senate not only provides additional funding solutions to support a balanced budget, but also spurs the economy by creating approximately 600,000 jobs across Illinois;

WHEREAS, the leadership of the House of Representatives refused to present any of the funding solutions passed by the Illinois Senate to the House for a vote of the body prior to adjourning on May 31, 2008;

WHEREAS, during debate on the House floor on May 29, 2008, several representatives acknowledged that the spending measures the House was considering (and ultimately passed) lacked supporting revenues;

WHEREAS, on the day the appropriation bills were passed by the Illinois House of Representatives, numerous representatives questioned the constitutionality of knowingly passing a budget that was grossly unbalanced;

WHEREAS, on May 29, 2008, Representative Gary Hannig responded to concerns over the lack of supporting revenues by stating that the Governor would be responsible for balancing the budget passed by the House;

WHEREAS, it was emphatically noted on the House floor that intentionally passing an unbalanced budget under the premise that it would be balanced by the Governor did not comport with the General Assembly's constitutional duty to pass a balanced budget;

WHEREAS, on June 24, 2008, I called upon the House of Representatives to pass the funding solutions already passed by the Illinois Senate by July 9, 2008, in order to bring the budget into balance;

WHEREAS, the leadership of the House of Representatives has refused to call the House into session to deal with the grossly unbalanced budget passed;

WHEREAS, according to the Comptroller, a budget must be in place prior to July 9, 2008, in order to prevent the interruption of the operations of State government; and

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, I hereby call and convene the 95<sup>th</sup> General Assembly, in duly constituted quorums capable of conducting business, in a special session to commence on July 10, 2008, at 10:00 a.m.; (a) to consider any measures, including but not limited to Senate Bill 790, House Bills 6339, 2651, 4723, 1496, and 5618, which would provide the necessary revenue to support the appropriations contained in House Bill 5701, and Senate Bills 1102, 1115, and 1129; (b) to further consider any corrective measures, including legislation, necessary to remedy the provisions of Article 48, Section 5 of House Bill 5701; and (c) to accept and immediately enter any veto, line-item veto, or reduction veto of any appropriation bills returned by the Governor.

s/ROD R. BLAGOJEVICH  
Governor

Dated: July 2, 2008

#### **PRESENTATION OF RESOLUTIONS**

[July 10, 2008]

Senator DeLeo 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-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE TWENTY-SECOND 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 Twenty-second Special Session of the General Assembly, and are now ready for the transaction of business.

The motion prevailed.  
And the resolution was adopted.

Senator DeLeo 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-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE TWENTY-SECOND SPECIAL SESSION THEREOF**, that the President appoint a committee of five to wait upon his Excellency, the Governor, and inform him that the Twenty-second Special Session of the Ninety-Fifth 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 DeLeo 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. 3**

**RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE TWENTY-SECOND 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 Twenty-second Special Session of the Ninety-fifth 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.

At the hour of 10:45 o'clock a.m., the Chair announced that the Senate stand adjourned until Friday, July 11, 2008, in perfunctory session.