

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

1ST LEGISLATIVE DAY

**TWENTIETH SPECIAL SESSION REGULAR
& PERFUNCTORY**

WEDNESDAY, JULY 9, 2008

1:10 O'CLOCK P.M.

NO. 1

**HOUSE OF REPRESENTATIVES
Daily Journal Index
1st Legislative Day**

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The House met pursuant to a proclamation from the Governor to convene Special Session.
Speaker of the House Madigan in the chair.

Prayer by Doorkeeper of the House Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Howard led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
99 present. (ROLL CALL 1)

By unanimous consent, Representatives Arroyo, Berrios, Cole, Collins, Currie, William Davis, Dunn, Durkin, Lindner, Mathias, Mendoza, Jerry Mitchell, Pihos, Reis, Sommer, Watson and Yarbrough were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Dunn, should be recorded as present at the hour of 1:45 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Reis, should be recorded as present at the hour of 2:20 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Durkin, should be recorded as present at the hour of 2:40 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Scully, should be recorded as present at the hour of 4:39 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lyons replaced Representative Hannig in the Committee on Rules on July 3, 2008.

Representative Acevedo replaced Representative Currie in the Committee on Rules on July 9, 2008.

Representative Meyer replaced Representative Black in the Committee on Rules on July 9, 2008.

Representative Lang replaced Representative Turner in the Committee on Rules on July 9, 2008.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 3, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: SENATE BILLS 788 and 790.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lyons(D) (replacing Hannig)
Y Turner(D)

A Black(R), Republican Spokesperson
A Hassert(R)

Representative Acevedo, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on July 9, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bill be reported "approved for consideration" and be placed on the order of Concurrence: HOUSE BILL 2651.

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendments numbered 1, 2, 3, 4, 5 and 6 to HOUSE BILL 2651.

The committee roll call vote on the foregoing Legislative Measures is as follows:
5, Yeas; 0, Nays; 0, Answering Present.

Y Acevedo(D) (replacing Currie)
Y Hannig(D)
Y Lang(D) (replacing Turner)

Y Meyer(R) (replacing Black)
Y Hassert(R)

MOTIONS SUBMITTED

Representative Molaro submitted the following written motion, which was referred to the Committee on Rules:

MOTION #2

I move to concur with Senate Amendments numbered 1, 2, 3, 4, 5 and 6 to HOUSE BILL 2651.

MESSAGES FROM THE SENATE

A message from the Senate by
Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Resolution, to-wit:

SENATE RESOLUTION NO. 1

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE TWENTIETH 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 Twentieth Special Session of the General Assembly, and are now ready for the transaction of business.

Adopted by the Senate, July 9, 2008.

Deborah Shipley, Secretary of the Senate

ACTION ON MOTIONS

Representative Lang moved for the immediate consideration and suspension of applicable House Rules for the adoption of House Resolutions 1 and 2.

A voice vote was taken on the motion.
The motion prevailed.

RESOLUTIONS

Representative Lang offered the following Resolutions:

HOUSE RESOLUTION 1 TWENTIETH SPECIAL SESSION

RESOLVED, that the Rules of the House of Representatives of the Ninety-Fifth General Assembly be adopted as the Rules of this Twentieth Special Session, so far as the same may be applicable, and that the Committees of the House of Representatives of the Ninety-Fifth General Assembly, including the House Journal Review Committee and their membership, shall constitute the Committees of the House during this Twentieth Special Session.

HOUSE RESOLUTION 2 TWENTIETH SPECIAL SESSION

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

The motion prevailed and House Resolutions 1 and 2 were adopted.

PROCLAMATION 2008-268

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, 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, 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

WHEREAS, unless the General Assembly passes revenue generating measures to support a balanced budget, I will have no choice but to make significant cuts to State services and sponsored programs, thereby causing great harm to the citizens of this State, which could be avoided;

THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution of 1970, I hereby call and convene the 95th General Assembly, in duly constituted quorums capable of conducting business, in a special session to commence on July 9, 2008, at 1:00 p.m., 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.

s/ROD R. BLAGOJEVICH
Governor
July 2, 2008

At the hour of 1:22 o'clock p.m., Representative Lang moved that the House now resolve itself into a Committee of the Whole.
The motion prevailed.

At the hour of 6:32 o'clock p.m, Representative Lang moved the Committee of the Whole rise.
The motion prevailed.

At the hour of 6:32 o'clock p.m., the House resumed its session.
Representative Hannig in the Chair.

At the hour of 6:33 o'clock p.m., Representative Hannig moved that the House do now adjourn until Thursday, July 10, 2008, at 9:00 o'clock a.m., allowing perfunctory time for the Clerk.
The motion prevailed.
And the Twentieth Special Session stood adjourned.

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 TWENTIETH SPECIAL SESSION
 QUORUM ROLL CALL FOR ATTENDANCE

July 09, 2008

0 YEAS

0 NAYS

103 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
E Arroyo	P Dunkin	P Lang	P Reis (ADDED)
P Bassi	P Dunn (ADDED)	P Leitch	P Reitz
P Beaubien	P Durkin (ADDED)	E Lindner	P Riley
P Beiser	P Eddy	A Lyons	P Rita
P Bellock	P Feigenholtz	E Mathias	P Rose
E Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	P Schmitz
P Bost	P Franks	P McGuire	P Schock
P Bradley, John	P Fritchey	E Mendoza	P Scully (ADDED)
P Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar	P Miller	E Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham	E Mitchell, Jerry	P Stephens
P Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	P Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
E Cole	P Harris	P Munson	P Turner
E Collins	P Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
P Coulson	P Hoffman	P Osmond	P Washington
P Crespo	P Holbrook	P Osterman	E Watson
P Cross	P Howard	P Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	E Yarbrough
E Currie	P Jefferies	E Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
E Davis, William	P Kosel	P Ramey	

E - Denotes Excused Absence

1ST LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, JULY 9, 2008

At the hour of 7:51 o'clock p.m., the House convened perfunctory session.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Beaubien replaced Representative Saviano in the Committee on Executive on July 9, 2008.

Representative John Bradley replaced Representative Acevedo in the Committee on Executive on July 9, 2008.

Representative Hannig replaced Representative Berrios in the Committee on Executive on July 9, 2008.

Representative Lang replaced Representative Lyons in the Committee on Executive on July 9, 2008.

REPORT FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on July 9, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 790.

The committee roll call vote on Senate Bill 790 is as follows:

8, Yeas; 4, Nays; 0, Answering Present.

Y Burke(D), Chairperson

N Brady(R), Republican Spokesperson

Y Hannig(D) (replacing Berrios)

Y Bradley, Richard(D)

A Meyer(R)

Y Rita(D)

Y Turner(D)

Y Lang(D) (replacing Lyons)

Y Bradley,J(D) (replacing Acevedo)

N Biggins(R)

N Hassert(R)

Y Molaro(D)

N Beaubien(R) (replacing Saviano)

SENATE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 790.

At the hour of 7:52 o'clock p.m., the House Perfunctory Session adjourned.