



TWENTIETH SPECIAL SESSION

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

1ST LEGISLATIVE DAY

WEDNESDAY, JULY 9, 2008

1:25 O'CLOCK P.M.

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

Action	Page(s)
Message from the Secretary of State	3
Presentation of Senate Resolutions No'd. 1-3	4
Proclamation of Governor	3

Bill Number	Legislative Action	Page(s)
SR 0001	Adopted	4
SR 0002	Adopted	5
SR 0003	Adopted	5

The Senate met pursuant to a proclamation from the Governor to convene Special Session. Senator James A. DeLeo, Chicago, Illinois, presiding. Prayer by Pastor Michael Keppler, Springfield Southern Baptist Church, Springfield, 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. 2008-268, 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 1:00 p.m. on July 9, 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, 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;

[July 9, 2008]

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

Dated: July 2, 2008

PRESENTATION OF RESOLUTIONS

Senator Link 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 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.

[July 9, 2008]

The motion prevailed.
And the resolution was adopted.

Senator Link 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 TWENTIETH SPECIAL SESSION THEREOF, that the President appoint a committee of five to wait upon his Excellency, the Governor, and inform him that the Twentieth 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 Link 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 TWENTIETH 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 Twentieth 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 3:08 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 4:53 o'clock p.m., the Senate resumed consideration of business.
Senator Link, presiding.

At the hour of 4:53 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, July 10, 2008, at 10:01 o'clock a.m.