

The Governor's "Illinois Covered" proposed a FamilyCare expansion which would double the income level of persons eligible: where FamilyCare had covered children and caretaker relatives with income levels up to 200% of the federal poverty level (approximately \$40,000 in annual income for a family of four), the proposed FamilyCare expansion would extend coverage to all eligible children and caretakers with an income up to 400% of the federal poverty level (approximately \$82,000 in annual income for a family of four). ¶¶23, 63 and Exhibit E (federal poverty guidelines).

The Governor proposed a Gross Receipts Tax ("GRT") to pay for "Illinois Covered." The Illinois General Assembly rejected it. Thereafter, in his proposed Fiscal Year 2008 Budget, the Governor requested the inclusion of the sum of \$358 million for "Illinois Covered", promising that the appropriations for it would be filed as a separate appropriations bill. The General Assembly, however, did not appropriate money in its 2008 Budget for "Illinois Covered," nor did it pass a separate appropriations bill for that purpose. Its appropriation to DHFS, as the appropriations materials demonstrate, was for different purposes and programs. ¶¶24-28.

On August 23, 2007, the Governor signed the Illinois 2008 Fiscal Year Budget, exercising his veto power to cut approximately \$463 million in spending. He proposed that the \$463 million be spent to expand various health care programs, including \$43 million for an expansion of the FamilyCare health insurance program and \$50 million to expand the Free Breast Cancer Screening program. ¶61 and Exhibits H and I. The Legislature had not appropriated these amounts. The Governor was quoted August 30, 2007 in *The Chicago Tribune* saying, "Because we couldn't get some legislators to support this, I'm acting unilaterally to expand health care." ¶32 and Exhibit A.

