

# RESEARCH RESPONSE

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## IN PURSUIT OF LEGISLATIVE ADJOURNMENT

Each year as the General Assembly prepares to adjourn its regular session, questions of a historical and statistical nature are raised. Answers to some frequently asked questions are below. Appendix A lists adjournment dates of regular sessions since 1971.

### **Which Illinois Constitution required the General Assembly to adjourn by a specific date?**

None of the four Illinois Constitutions set a fixed legislative adjournment date. However, the 1870 Constitution established a fiscal biennium starting on July 1, and made that the earliest effective date for bills passed by a simple majority. In practice, this established June 30 as the latest date for adjourning a regular session.

The 1970 Constitution originally provided that any bill passed after June 30 needed a three-fifths majority in each house to take effect before July 1 of the next year. A 1994 constitutional amendment changed the June 30 cutoff to May 31, encouraging earlier adjournment.

### **Why did the delegates to the 1970 constitutional convention expect the legislature to adjourn on a particular date?**

The chairman of the Legislative Committee of the constitutional convention explained how this would be accomplished as follows:

We also have required and continue the requirement of a cut-off date. We enforce a cut-off date of July 1 by providing that only by a majority vote an act can become law if enacted before July 1, and it can have another effective date if enacted before July 1; but if enacted after July 1, it cannot have an effective date except the effective date of the next year unless there is an extraordinary majority of three-fifths. So this was the technique of enforcing the effective date of July 1.<sup>1</sup>

He concluded his discussion of the effective-date provision by saying: "I hope that that explanation is not too misunderstandable . . . ."

**What is the earliest that the General Assembly has adjourned its regular session in the last 100 years?**

Until annual sessions began in 1968, the General Assembly had adjourned on or near June 30 each year since 1913. It adjourned on June 1 in 1911, June 4 in 1909, May 23 in 1908 (an unusual even-year regular session), May 6 in 1905, May 7 in 1903, May 4 in 1901, April 14 in 1899, June 4 in 1897, and June 14 in 1895.

The first regular session of an even-numbered year in modern times (in 1968) adjourned March 4—but no budget had to be enacted that year, since a biennial budget had been approved the year before. There was also a special session in 1968 from July 15 to 25. The 1970 regular session adjourned May 29, but legislators came back into special session from June 15 to June 29. Since 1970, the earliest the General Assembly has adjourned was April 15 in 2000. Appendix A shows all these adjournment dates.

**What happens if the House and the Senate cannot agree on the time of adjournment?**

When either the House or the Senate certifies to the Governor that the two houses are in disagreement over adjournment, the Governor can “prorogue” the session—issue a proclamation stating the disagreement and proclaiming the session adjourned to a date not later than the first day of the next annual session. This has happened four times since 1945: Governor Dwight H. Green adjourned the second special session of the 63rd General Assembly on August 1, 1946; Governor Adlai E. Stevenson adjourned the 66th General Assembly on June 30, 1949; Governor Otto Kerner adjourned the 73rd General Assembly on June 28, 1963; and Governor Richard B. Ogilvie adjourned the 76th General Assembly on November 17, 1970.

**How does payment of per diem relate to timely adjournment?**

The Constitution of 1848 set legislative compensation at \$2 per day for the first 42 session days, falling to \$1 per day thereafter. In 1995 the General Assembly enacted a similar provision, saying that legislators’ *per diems* for lodging and meals would not be paid for regular session days after the last day of May each year, except during special or veto sessions.<sup>2</sup>

Notes

1. Record of Proceedings, Sixth Illinois Constitutional Convention, vol. IV, p. 2701 (remarks of Delegate Lewis).
2. P.A. 89-405 (1995), sec. 15, amending 25 ILCS 115/1, second paragraph, last sentence.

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**Appendix A: Adjournment Dates of Regular Legislative Sessions, 1971 to 2008**

Year	G.A.	House	<u>Adjournment</u>	
			Date	Time
1971	77th	House	June 30	12:00 midnight*
		Senate	June 30	12:00 midnight*
1972		House	June 30	12:00 midnight*
		Senate	June 30	12:00 midnight*
<i>*Both houses actually adjourned on July 1 in 1971 and 1972, but stopped their clocks at midnight.</i>				
1973	78th	House	July 2	6:35 p.m.
		Senate	July 2	6:45 p.m.
1974		House	July 12	8:02 p.m.
		Senate	July 12	5:35 p.m.
<i>The House recessed from July 2 to July 10, and the Senate from July 3 to July 10. The Senate was called into special session on July 13 to pass an appropriation bill; it adjourned at 5:30 p.m.</i>				
1975	79th	House	July 1	7:58 p.m.
		Senate	July 1	8:05 p.m.
1976		House	July 2	5:22 p.m.
		Senate	July 2	8:10 p.m.
<i>Both houses were called into special session on July 9 to pass two appropriation bills. The Senate adjourned at 9:35 p.m. and the House at 9:45 p.m.</i>				
1977	80th	House	July 2	3:55 a.m.
		Senate	July 2	3:55 a.m.
1978		House	July 1	6:28 a.m.
		Senate	July 1	6:25 a.m.
1979	81st	House	July 9	7:15 p.m.
		Senate	July 10	12:30 p.m.
<i>The House recessed from July 1 to July 5, and the Senate from July 2 to July 10.</i>				
1980		House	July 2	1:26 a.m.
		Senate	July 2	1:50 a.m.

## Appendix A: Adjournment Dates of Regular Legislative Sessions, 1971 to 2007 (cont'd)

Year	G.A.	House	<i>Adjournment</i>	
			Date	Time
1981	82nd	House	July 2	3:50 a.m.
		Senate	July 2	4:15 a.m.
1982		House	July 2	2:35 a.m.
		Senate	July 2	2:40 a.m.
1983	83rd	House	July 2	7:50 p.m.
		Senate	July 2	9:15 p.m.
1984		House	July 1	7:15 p.m.
		Senate	July 1	7:30 p.m.
1985	84th	House	July 5	11:00 p.m.
		Senate	July 3	7:40 p.m.
<i>Both houses were called into special session on July 8 to complete action on appropriation bills. The Senate adjourned that day at 2:35 p.m. and the House at 2:40 p.m.</i>				
1986		House	July 2	3:06 a.m.
		Senate	July 2	3:00 a.m.
1987	85th	House	June 30	9:35 p.m.
		Senate	July 1	6:50 p.m.
<i>The House completed action on the budget on June 30 and adjourned. The Senate did not concur in all House actions, and stayed in session. The Governor called a special session for 1 p.m. July 1 to complete work on appropriations. Both houses completed their business that day. The Senate adjourned at 7:00 p.m. and the House at 7:07 p.m.</i>				
1988		House	July 2	7:28 p.m.
		Senate	July 2	7:25 p.m.
1989	86th	House	July 1	3:04 a.m.
		Senate	July 1	2:29 a.m.
1990		House	June 30	5:00 a.m.
		Senate	June 30	3:36 a.m.

## Appendix A: Adjournment Dates of Regular Legislative Sessions, 1971 to 2007 (cont'd)

Year	G.A.	House	<i>Adjournment</i>	
			Date	Time
1991	87th	House	July 18	12:00 midnight
		Senate	July 19	12:07 a.m.
1992		House	July 2	8:19 p.m.
		Senate	July 2	8:00 p.m.
1993	88th	House	July 13	8:33 p.m.
		Senate	July 13	8:27 p.m.
<i>Both Houses recessed from June 3 to June 23.</i>				
1994		House	July 12	6:36 p.m.
		Senate	July 12	10:30 p.m.
1995	89th	House	May 26	9:49 p.m.
		Senate	May 26	9:12 p.m.
1996		House	May 25	12:41 a.m.
		Senate	May 25	12:37 a.m.
1997	90th	House	June 1	1:00 a.m.
		Senate	June 1	2:13 a.m.
<i>The Senate counted June 1 as a separate legislative day, but the House did not.</i>				
1998		House	May 23	1:52 a.m.
		Senate	May 22	11:21 p.m.
1999	91st	House	May 27	6:34 p.m.
		Senate	May 27	8:40 p.m.
2000		House	April 15	7:47 p.m.
		Senate	April 15	7:40 p.m.
2001	92nd	House	May 31	12:00 midnight
		Senate	May 31	9:45 p.m.
2002		House	June 2	11:16 p.m.
		Senate	June 2	10:27 p.m.
2003	93rd	House	June 1	1:10 a.m.
		Senate	June 1	12:09 a.m.

## Appendix A: Adjournment Dates of Regular Legislative Sessions, 1971 to 2007 (cont'd)

<i>Year</i>	<i>G.A.</i>	<i>House</i>	<i>Adjournment</i>	
			<i>Date</i>	<i>Time</i>
2004		House	July 24	6:48 p.m.
		Senate	July 24	7:59 p.m.
2005	94th	House	May 31	11:35 p.m.
		Senate	May 31	10:50 p.m.
2006		House	May 4	5:00 p.m.
		Senate	May 4	10:05 p.m.
2007	95th	House	October 1*	5:48 p.m.
		Senate	September 18*	7:17 p.m.
2008		House	May 31	11:20 p.m.
		Senate	May 31	7:27 p.m.

\* The 2007 session continued intermittently, along with numerous special sessions, through the months of July, August, and September. The dates listed for adjournment were the last days each house met in regular session until the start of the veto session on October 2, as listed in the House and Senate Calendars.

Sources: Compiled by Legislative Research Unit from Journals of the House and Senate for dates listed, and telephone conversations with Clerk of the House and Secretary of the Senate, and House and Senate Journal Rooms.