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LRB097 11968 JDS 55571 r

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SENATE RESOLUTION

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WHEREAS, Section 11 of Article V of the Illinois Constitution authorizes the Governor, by Executive Order, to reassign functions among or reorganize executive agencies that are directly responsible to the Governor; and

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WHEREAS, Section 11 of Article V also provides (i) that if an Executive Order proposes a reassignment or reorganization that contravenes a statute, then the Executive Order must be delivered to the General Assembly and (ii) that either house of the General Assembly, by record vote of a majority of the members elected, may disapprove the Executive Order; and

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WHEREAS, The Governor has issued the following: Executive Order 11-01, which proposes to reorganize and to reassign certain State healthcare purchasing powers from the Department of Healthcare and Family Services to the Department of Central Management Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Department of Veterans' Affairs; Executive Order 11-02, which proposes to reorganize and to reassign the Illinois Onsite Safety and Health Consultation Program (OSHA Program) from the Department of Commerce and Economic Opportunity to the Department of Labor; and Executive Order 11-03, which proposes to reorganize and to reassign the

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1 Carnival and Amusement Ride Inspection Division of the
2 Department of Labor to the Department of Agriculture; and

3 WHEREAS, These proposed reorganizations and reassignments
4 contravene numerous statutes, including those listed in
5 Executive Orders 11-01, 11-02, and 11-03; and

6 WHEREAS, Section 4 of the Executive Reorganization
7 Implementation Act (15 ILCS 15/4) sets forth procedures and
8 requirements regarding Executive Orders issued under Section
9 11 of Article V of the Illinois Constitution; and

10 WHEREAS, Several constitutional and statutory requirements
11 were not met in the case of Executive Orders 11-01, 11-02, and
12 11-03, thus rendering them defective; therefore, be it

13 RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL
14 ASSEMBLY OF THE STATE OF ILLINOIS, that, in the course of
15 prudence and in order to bring clarity to the status and effect
16 of those Executive Orders, we hereby disapprove Executive
17 Orders 11-01, 11-02, and 11-03 in their entirety, and they
18 shall not become effective; and be it further

19 RESOLVED, That copies of this resolution be delivered to
20 the Governor and the Speaker of the House of Representatives.