



Rep. Eddie Washington

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09500HB2088ham002

LRB095 01063 BDD 46730 a

1 AMENDMENT TO HOUSE BILL 2088

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2088 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Natural Resources Act is  
5 amended by adding Section 5-20 as follows:

6 (20 ILCS 801/5-20 new)

7 Sec. 5-20. Waukegan Harbor; rules.

8 (a) The Department may not enter into any contract or incur  
9 any obligation or expend any moneys for the purpose of dredging  
10 or cleanup of the Waukegan Harbor unless the associated harbor  
11 or waterway is maintained as a commercially navigable harbor  
12 that has a minimum depth of 23 feet and that is accessible to  
13 commercial vessels and to those seeking a harbor of refuge for  
14 safety purposes.

15 (b) Notwithstanding any other rulemaking authority that  
16 may exist, neither the Governor nor any agency or agency head

1 under the jurisdiction of the Governor has any authority to  
2 make or promulgate rules to implement or enforce the provisions  
3 of this amendatory Act of the 95th General Assembly. If,  
4 however, the Governor believes that rules are necessary to  
5 implement or enforce the provisions of this amendatory Act of  
6 the 95th General Assembly, the Governor may suggest rules to  
7 the General Assembly by filing them with the Clerk of the House  
8 and the Secretary of the Senate and by requesting that the  
9 General Assembly authorize such rulemaking by law, enact those  
10 suggested rules into law, or take any other appropriate action  
11 in the General Assembly's discretion. Nothing contained in this  
12 amendatory Act of the 95th General Assembly shall be  
13 interpreted to grant rulemaking authority under any other  
14 Illinois statute where such authority is not otherwise  
15 explicitly given. For the purposes of this subsection, "rules"  
16 is given the meaning contained in Section 1-70 of the Illinois  
17 Administrative Procedure Act, and "agency" and "agency head"  
18 are given the meanings contained in Sections 1-20 and 1-25 of  
19 the Illinois Administrative Procedure Act to the extent that  
20 such definitions apply to agencies or agency heads under the  
21 jurisdiction of the Governor.".