



Rep. Eddie Washington

Filed: 3/10/2008

09500HB2088ham003

LRB095 01063 BDD 47829 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 Rivers, Lakes, and Streams Act is amended
5 by adding Section 24a as follows:

6 (615 ILCS 5/24a new)

7 Sec. 24a. Waukegan Harbor.

8 (a) No agency of the State of Illinois shall enter into any
9 contract or incur any obligation or expend any moneys for the
10 purpose of dredging or cleanup of the Waukegan Harbor unless
11 the associated harbor or waterway is maintained as a
12 commercially navigable harbor that has a minimum depth of 23
13 feet and that is accessible to commercial vessels and to those
14 seeking a harbor of refuge for 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."