

1 AN ACT concerning waterways.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Rivers, Lakes, and Streams Act is amended by  
5 adding Section 14b as follows:

6 (615 ILCS 5/14b new)

7 Sec. 14b. Negotiations for interstate pollution  
8 notification policy.

9 (a) The Director of the Environmental Protection Agency  
10 shall seek negotiations with each state that borders Lake  
11 Michigan to establish a notification policy under which the  
12 states will notify one another when permitting new sources of  
13 water pollution or increased levels of pollution into Lake  
14 Michigan.

15 (b) The Director must report to the General Assembly no  
16 later than January 1, 2009 on the status of these negotiations.

17 (c) Notwithstanding any other rulemaking authority that  
18 may exist, neither the Governor nor any agency or agency head  
19 under the jurisdiction of the Governor has any authority to  
20 make or promulgate rules to implement or enforce the provisions  
21 of this amendatory Act of the 95th General Assembly. If,  
22 however, the Governor believes that rules are necessary to  
23 implement or enforce the provisions of this amendatory Act of

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

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.