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09500HB5790ham001

LRB095 19800 MJR 47686 a

1 AMENDMENT TO HOUSE BILL 5790

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5790 on page 2,  
3 immediately below line 23, by inserting the following:

4 "(f) Notwithstanding any other rulemaking authority that  
5 may exist, neither the Governor nor any agency or agency head  
6 under the jurisdiction of the Governor has any authority to  
7 make or promulgate rules to implement or enforce the provisions  
8 of this amendatory Act of the 95th General Assembly. If,  
9 however, the Governor believes that rules are necessary to  
10 implement or enforce the provisions of this amendatory Act of  
11 the 95th General Assembly, the Governor may suggest rules to  
12 the General Assembly by filing them with the Clerk of the House  
13 and the Secretary of the Senate and by requesting that the  
14 General Assembly authorize such rulemaking by law, enact those  
15 suggested rules into law, or take any other appropriate action  
16 in the General Assembly's discretion. Nothing contained in this  
17 amendatory Act of the 95th General Assembly shall be  
18 interpreted to grant rulemaking authority under any other

1 Illinois statute where such authority is not otherwise  
2 explicitly given. For the purposes of this amendatory Act of  
3 the 95th General Assembly, "rules" is given the meaning  
4 contained in Section 1-70 of the Illinois Administrative  
5 Procedure Act, and "agency" and "agency head" are given the  
6 meanings contained in Sections 1-20 and 1-25 of the Illinois  
7 Administrative Procedure Act to the extent that such  
8 definitions apply to agencies or agency heads under the  
9 jurisdiction of the Governor."; and

10 on page 7, line 22, after the period, by inserting the  
11 following:

12 "Notwithstanding any other rulemaking authority that may  
13 exist, neither the Governor nor any agency or agency head under  
14 the jurisdiction of the Governor has any authority to make or  
15 promulgate rules to implement or enforce the provisions of this  
16 amendatory Act of the 95th General Assembly. If, however, the  
17 Governor believes that rules are necessary to implement or  
18 enforce the provisions of this amendatory Act of the 95th  
19 General Assembly, the Governor may suggest rules to the General  
20 Assembly by filing them with the Clerk of the House and the  
21 Secretary of the Senate and by requesting that the General  
22 Assembly authorize such rulemaking by law, enact those  
23 suggested rules into law, or take any other appropriate action  
24 in the General Assembly's discretion. Nothing contained in this  
25 amendatory Act of the 95th General Assembly shall be

1 interpreted to grant rulemaking authority under any other  
2 Illinois statute where such authority is not otherwise  
3 explicitly given. For the purposes of this amendatory Act of  
4 the 95th General Assembly, "rules" is given the meaning  
5 contained in Section 1-70 of the Illinois Administrative  
6 Procedure Act, and "agency" and "agency head" are given the  
7 meanings contained in Sections 1-20 and 1-25 of the Illinois  
8 Administrative Procedure Act to the extent that such  
9 definitions apply to agencies or agency heads under the  
10 jurisdiction of the Governor.".