



Rep. Robert Rita

**Filed: 5/28/2008**

09500SB1929ham004

LRB095 15024 RAS 51334 a

1 AMENDMENT TO SENATE BILL 1929

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1929, AS AMENDED,  
3 as follows:

4 in Section 10, Sec. 2-10, immediately below the paragraph  
5 ending "diagrams requested by the Director.", by inserting the  
6 following:

7 "Notwithstanding any other rulemaking authority that may  
8 exist, neither the Governor nor any agency or agency head under  
9 the jurisdiction of the Governor has any authority to make or  
10 promulgate rules to implement or enforce the provisions of this  
11 amendatory Act of the 95th General Assembly. If, however, the  
12 Governor believes that rules are necessary to implement or  
13 enforce the provisions of this amendatory Act of the 95th  
14 General Assembly, the Governor may suggest rules to the General  
15 Assembly by filing them with the Clerk of the House and the  
16 Secretary of the Senate and by requesting that the General  
17 Assembly authorize such rulemaking by law, enact those

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

14 in Section 10, Sec. 2-15, immediately below subsection (b), by  
15 inserting the following:

16 "(c) Notwithstanding any other rulemaking authority that  
17 may exist, neither the Governor nor any agency or agency head  
18 under the jurisdiction of the Governor has any authority to  
19 make or promulgate rules to implement or enforce the provisions  
20 of this amendatory Act of the 95th General Assembly. If,  
21 however, the Governor believes that rules are necessary to  
22 implement or enforce the provisions of this amendatory Act of  
23 the 95th General Assembly, the Governor may suggest rules to  
24 the General Assembly by filing them with the Clerk of the House  
25 and the Secretary of the Senate and by requesting that the

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

15 in Section 10, Sec. 2-20, immediately below subsection (f), by  
16 inserting the following:

17 "(g) 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  
24 the 95th General Assembly, the Governor may suggest rules to  
25 the General Assembly by filing them with the Clerk of the House

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

16 in Section 10, Sec. 2-20, the paragraph beginning "(g) A  
17 carnival or fair owner", by replacing "(g)" with "(h)".