

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I am returning House Bill 489 with a specific recommendation for change.

While I am supportive of the general principles embodied in this legislation, it nevertheless contains certain provisions that require modification. One provision conditions agency rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This is a remnant of a controversy involving my predecessor's administration. This conflict has been resolved. When I approved House Bill 398, I committed my administration to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of, and adherence to, House Bill 398 (now Public Act # 96-0002) renders the rulemaking conditions set forth in this bill redundant. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 489, entitled "AN ACT concerning deferred compensation.", with the following specific recommendation for change:

on page 18, by replacing lines 10 through 15 with the following:

~~"Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized."~~

With this change, House Bill 489 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN
Governor