



**Filed: 3/12/2008**

09500HB4928ham001

LRB095 15210 DRJ 47540 a

1 AMENDMENT TO HOUSE BILL 4928

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4928 on page 3,  
3 after line 24, by inserting the following:

4 "Notwithstanding any other rulemaking authority that may  
5 exist, neither the Governor nor any agency or agency head under  
6 the jurisdiction of the Governor has any authority to make or  
7 promulgate rules to implement or enforce the provisions of this  
8 amendatory Act of the 95th General Assembly. If, however, the  
9 Governor believes that rules are necessary to implement or  
10 enforce the provisions of this amendatory Act of the 95th  
11 General Assembly, the Governor may suggest rules to the General  
12 Assembly by filing them with the Clerk of the House and  
13 Secretary of the Senate and by requesting that the General  
14 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 4, after line 18, by inserting the following:

11 "(d) Notwithstanding any other rulemaking authority that  
12 may exist, neither the Governor nor any agency or agency head  
13 under the jurisdiction of the Governor has any authority to  
14 make or promulgate rules to implement or enforce the provisions  
15 of this amendatory Act of the 95th General Assembly. If,  
16 however, the Governor believes that rules are necessary to  
17 implement or enforce the provisions of this amendatory Act of  
18 the 95th General Assembly, the Governor may suggest rules to  
19 the General Assembly by filing them with the Clerk of the House  
20 and Secretary of the Senate and by requesting that the General  
21 Assembly authorize such rulemaking by law, enact those  
22 suggested rules into law, or take any other appropriate action  
23 in the General Assembly's discretion. Nothing contained in this  
24 amendatory Act of the 95th General Assembly shall be  
25 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 4, line 21, by deleting "adopt rules that"; and

11 on page 5, lines 21 and 22, by deleting "in accordance with  
12 rules adopted by the Department"; and

13 on page 5, lines 22 and 23, by deleting "adopt rules that"; and

14 on page 6, after line 10, by inserting the following:

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

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

17 on page 6, by deleting lines 13 through 22; and

18 on page 6, line 23, by changing "(b)" to "(a)"; and

19 by replacing line 25 on page 6 and line 1 on page 7 with the  
20 following:

21 "facility in question, must post a bond for the purpose of";

22 and

1 on page 7, after line 4, by inserting the following:

2 "(b) Notwithstanding any other rulemaking authority that  
3 may exist, neither the Governor nor any agency or agency head  
4 under the jurisdiction of the Governor has any authority to  
5 make or promulgate rules to implement or enforce the provisions  
6 of this amendatory Act of the 95th General Assembly. If,  
7 however, the Governor believes that rules are necessary to  
8 implement or enforce the provisions of this amendatory Act of  
9 the 95th General Assembly, the Governor may suggest rules to  
10 the General Assembly by filing them with the Clerk of the House  
11 and Secretary of the Senate and by requesting that the General  
12 Assembly authorize such rulemaking by law, enact those  
13 suggested rules into law, or take any other appropriate action  
14 in the General Assembly's discretion. Nothing contained in this  
15 amendatory Act of the 95th General Assembly shall be  
16 interpreted to grant rulemaking authority under any other  
17 Illinois statute where such authority is not otherwise  
18 explicitly given. For the purposes of this amendatory Act of  
19 the 95th General Assembly, "rules" is given the meaning  
20 contained in Section 1-70 of the Illinois Administrative  
21 Procedure Act, and "agency" and "agency head" are given the  
22 meanings contained in Sections 1-20 and 1-25 of the Illinois  
23 Administrative Procedure Act to the extent that such  
24 definitions apply to agencies or agency heads under the  
25 jurisdiction of the Governor."; and

1 on page 7, by replacing lines 7 through 9 with the following:

2 "operation of a facility must be employees of the licensee.  
3 "Key personnel" shall include at least the facility  
4 administrator and the"; and

5 on page 7, after line 10, by inserting the following:

6 "Notwithstanding any other rulemaking authority that may  
7 exist, neither the Governor nor any agency or agency head under  
8 the jurisdiction of the Governor has any authority to make or  
9 promulgate rules to implement or enforce the provisions of this  
10 amendatory Act of the 95th General Assembly. If, however, the  
11 Governor believes that rules are necessary to implement or  
12 enforce the provisions of this amendatory Act of the 95th  
13 General Assembly, the Governor may suggest rules to the General  
14 Assembly by filing them with the Clerk of the House and  
15 Secretary of the Senate and by requesting that the General  
16 Assembly authorize such rulemaking by law, enact those  
17 suggested rules into law, or take any other appropriate action  
18 in the General Assembly's discretion. Nothing contained in this  
19 amendatory Act of the 95th General Assembly shall be  
20 interpreted to grant rulemaking authority under any other  
21 Illinois statute where such authority is not otherwise  
22 explicitly given. For the purposes of this amendatory Act of  
23 the 95th General Assembly, "rules" is given the meaning  
24 contained in Section 1-70 of the Illinois Administrative  
25 Procedure Act, and "agency" and "agency head" are given the

1 meanings contained in Sections 1-20 and 1-25 of the Illinois  
2 Administrative Procedure Act to the extent that such  
3 definitions apply to agencies or agency heads under the  
4 jurisdiction of the Governor."; and

5 on page 8, after line 17, by inserting the following:

6 "Notwithstanding any other rulemaking authority that may  
7 exist, neither the Governor nor any agency or agency head under  
8 the jurisdiction of the Governor has any authority to make or  
9 promulgate rules to implement or enforce the provisions of this  
10 amendatory Act of the 95th General Assembly. If, however, the  
11 Governor believes that rules are necessary to implement or  
12 enforce the provisions of this amendatory Act of the 95th  
13 General Assembly, the Governor may suggest rules to the General  
14 Assembly by filing them with the Clerk of the House and  
15 Secretary of the Senate and by requesting that the General  
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17 suggested rules into law, or take any other appropriate action  
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19 amendatory Act of the 95th General Assembly shall be  
20 interpreted to grant rulemaking authority under any other  
21 Illinois statute where such authority is not otherwise  
22 explicitly given. For the purposes of this amendatory Act of  
23 the 95th General Assembly, "rules" is given the meaning  
24 contained in Section 1-70 of the Illinois Administrative  
25 Procedure Act, and "agency" and "agency head" are given the

1 meanings contained in Sections 1-20 and 1-25 of the Illinois  
2 Administrative Procedure Act to the extent that such  
3 definitions apply to agencies or agency heads under the  
4 jurisdiction of the Governor."; and

5 on page 9, after line 18, by inserting the following:

6 "Notwithstanding any other rulemaking authority that may  
7 exist, neither the Governor nor any agency or agency head under  
8 the jurisdiction of the Governor has any authority to make or  
9 promulgate rules to implement or enforce the provisions of this  
10 amendatory Act of the 95th General Assembly. If, however, the  
11 Governor believes that rules are necessary to implement or  
12 enforce the provisions of this amendatory Act of the 95th  
13 General Assembly, the Governor may suggest rules to the General  
14 Assembly by filing them with the Clerk of the House and  
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16 Assembly authorize such rulemaking by law, enact those  
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19 amendatory Act of the 95th General Assembly shall be  
20 interpreted to grant rulemaking authority under any other  
21 Illinois statute where such authority is not otherwise  
22 explicitly given. For the purposes of this amendatory Act of  
23 the 95th General Assembly, "rules" is given the meaning  
24 contained in Section 1-70 of the Illinois Administrative  
25 Procedure Act, and "agency" and "agency head" are given the



1 meanings contained in Sections 1-20 and 1-25 of the Illinois  
2 Administrative Procedure Act to the extent that such  
3 definitions apply to agencies or agency heads under the  
4 jurisdiction of the Governor."; and

5 on page 11, by replacing lines 25 and 26 with the following:

6 "The Department shall"; and

7 on page 12, after line 19, by inserting the following:

8 "(e) Notwithstanding any other rulemaking authority that  
9 may exist, neither the Governor nor any agency or agency head  
10 under the jurisdiction of the Governor has any authority to  
11 make or promulgate rules to implement or enforce the provisions  
12 of this amendatory Act of the 95th General Assembly. If,  
13 however, the Governor believes that rules are necessary to  
14 implement or enforce the provisions of this amendatory Act of  
15 the 95th General Assembly, the Governor may suggest rules to  
16 the General Assembly by filing them with the Clerk of the House  
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3 Procedure Act, and "agency" and "agency head" are given the  
4 meanings contained in Sections 1-20 and 1-25 of the Illinois  
5 Administrative Procedure Act to the extent that such  
6 definitions apply to agencies or agency heads under the  
7 jurisdiction of the Governor."; and

8 on page 14, after line 13, by inserting the following:

9 "(d) Notwithstanding any other rulemaking authority that  
10 may exist, neither the Governor nor any agency or agency head  
11 under the jurisdiction of the Governor has any authority to  
12 make or promulgate rules to implement or enforce the provisions  
13 of this amendatory Act of the 95th General Assembly. If,  
14 however, the Governor believes that rules are necessary to  
15 implement or enforce the provisions of this amendatory Act of  
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17 the General Assembly by filing them with the Clerk of the House  
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19 Assembly authorize such rulemaking by law, enact those  
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23 interpreted to grant rulemaking authority under any other  
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4 meanings contained in Sections 1-20 and 1-25 of the Illinois  
5 Administrative Procedure Act to the extent that such  
6 definitions apply to agencies or agency heads under the  
7 jurisdiction of the Governor."; and

8 on page 14, by replacing lines 19 through 23 with the  
9 following:

10 "statement. The Director may require a licensee to"; and

11 on page 16, after line 1, by inserting the following:

12 "(e) Notwithstanding any other rulemaking authority that  
13 may exist, neither the Governor nor any agency or agency head  
14 under the jurisdiction of the Governor has any authority to  
15 make or promulgate rules to implement or enforce the provisions  
16 of this amendatory Act of the 95th General Assembly. If,  
17 however, the Governor believes that rules are necessary to  
18 implement or enforce the provisions of this amendatory Act of  
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20 the General Assembly by filing them with the Clerk of the House  
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8 meanings contained in Sections 1-20 and 1-25 of the Illinois  
9 Administrative Procedure Act to the extent that such  
10 definitions apply to agencies or agency heads under the  
11 jurisdiction of the Governor."; and

12 on page 16, after line 17, by inserting the following:

13 "Notwithstanding any other rulemaking authority that may  
14 exist, neither the Governor nor any agency or agency head under  
15 the jurisdiction of the Governor has any authority to make or  
16 promulgate rules to implement or enforce the provisions of this  
17 amendatory Act of the 95th General Assembly. If, however, the  
18 Governor believes that rules are necessary to implement or  
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9 Administrative Procedure Act to the extent that such  
10 definitions apply to agencies or agency heads under the  
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13 "Notwithstanding any other rulemaking authority that may  
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8 meanings contained in Sections 1-20 and 1-25 of the Illinois  
9 Administrative Procedure Act to the extent that such  
10 definitions apply to agencies or agency heads under the  
11 jurisdiction of the Governor."; and

12 on page 18, after line 4, by inserting the following:

13 "Notwithstanding any other rulemaking authority that may  
14 exist, neither the Governor nor any agency or agency head under  
15 the jurisdiction of the Governor has any authority to make or  
16 promulgate rules to implement or enforce the provisions of this  
17 amendatory Act of the 95th General Assembly. If, however, the  
18 Governor believes that rules are necessary to implement or  
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9 Administrative Procedure Act to the extent that such  
10 definitions apply to agencies or agency heads under the  
11 jurisdiction of the Governor."