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09500HB5543ham001

LRB095 19898 RAS 46821 a

1 AMENDMENT TO HOUSE BILL 5543

2 AMENDMENT NO. _____. Amend House Bill 5543 on page 2,
3 immediately below line 3, by inserting the following:

4 "(c) 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 2, line 10, 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.".