



Human Services Committee

Filed: 3/12/2008

09500HB5866ham001

LRB095 17978 JAM 47561 a

1 AMENDMENT TO HOUSE BILL 5866

2 AMENDMENT NO. _____. Amend House Bill 5866 on page 22, in
3 line 2 by deleting "by rule"; and

4 on page 28, by inserting below line 17 the following:

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

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

11 on page 49, in line 19 by deleting "by rule"; and

12 on page 56, by inserting below line 8 the following:

13 "(x) Notwithstanding any other rulemaking authority that
14 may exist, neither the Governor nor any agency or agency head
15 under the jurisdiction of the Governor has any authority to
16 make or promulgate rules to implement or enforce the provisions
17 of this amendatory Act of the 95th General Assembly. If,
18 however, the Governor believes that rules are necessary to
19 implement or enforce the provisions of this amendatory Act of
20 the 95th General Assembly, the Governor may suggest rules to
21 the General Assembly by filing them with the Clerk of the House
22 and the Secretary of the Senate and by requesting that the
23 General Assembly authorize such rulemaking by law, enact those
24 suggested rules into law, or take any other appropriate action

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

12 on page 59, by inserting below line 3 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
19 enforce the provisions of this amendatory Act of the 95th
20 General Assembly, the Governor may suggest rules to the General
21 Assembly by filing them with the Clerk of the House and the
22 Secretary of the Senate and by requesting that the General
23 Assembly authorize such rulemaking by law, enact those
24 suggested rules into law, or take any other appropriate action
25 in the General Assembly's discretion. Nothing contained in this

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

11 on page 64, in line 6, by inserting after the period the
12 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
19 enforce the provisions of this amendatory Act of the 95th
20 General Assembly, the Governor may suggest rules to the General
21 Assembly by filing them with the Clerk of the House and the
22 Secretary of the Senate and by requesting that the General
23 Assembly authorize such rulemaking by law, enact those
24 suggested rules into law, or take any other appropriate action
25 in the General Assembly's discretion. Nothing contained in this

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

11 on page 73, by inserting below line 23 the 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 paragraph, "rules"
4 is given the meaning contained in Section 1-70 of the Illinois
5 Administrative Procedure Act, and "agency" and "agency head"
6 are given the meanings contained in Sections 1-20 and 1-25 of
7 the Illinois Administrative Procedure Act to the extent that
8 such definitions apply to agencies or agency heads under the
9 jurisdiction of the Governor."