

August 14, 2009

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

Today, I return Senate Bill 1685 with my specific recommendations for change.

The Smoke Free Illinois Act, 410 ILCS 82/10, which Senate Bill 1685 amends, contains language from the 95<sup>th</sup> General Assembly that conditions agency rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, I demonstrated my administration's commitment to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. 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 Senate Bill 1685, entitled "AN ACT concerning public health.", with the following specific recommendations for change:

on page 3, by replacing lines 21 through 26 with "scientific health-related research.";\_and

on page 4, by deleting line 1.

With these changes, Senate Bill 1685 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN  
Governor