



Filed: 3/4/2008

09500HB5776ham001

LRB095 19048 RCE 47485 a

1 AMENDMENT TO HOUSE BILL 5776

2 AMENDMENT NO. _____. Amend House Bill 5776 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Agriculture Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 205-26 as follows:

7 (20 ILCS 205/205-26 new)

8 Sec. 205-26. Fairs; premises ID numbers. The Department
9 shall not require a premises identification number or
10 electronic identification under the National Animal
11 Identification System to exhibit or enter livestock, poultry,
12 rabbits, horses, or any other animal at any fair or exhibition
13 in Illinois, unless required by federal law or regulation. The
14 Department shall develop a process for persons to withdraw from
15 the National Animal Identification System registration, and
16 that process shall provide for the removal of a person's

1 information from the Department's database. The Department
2 shall also cooperate with the United States Department of
3 Agriculture to provide for people to withdraw from the federal
4 database. 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 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
19 Illinois statute where such authority is not otherwise
20 explicitly given. For the purposes of this Section, "rules" is
21 given the meaning contained in Section 1-70 of the Illinois
22 Administrative Procedure Act, and "agency" and "agency head"
23 are given the meanings contained in Sections 1-20 and 1-25 of
24 the Illinois Administrative Procedure Act to the extent that
25 such definitions apply to agencies or agency heads under the
26 jurisdiction of the Governor.

1 Section 99. Effective date. This Act takes effect January
2 1, 2009.".