

# HB5261



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5261

by Rep. Patricia R. Bellock

#### SYNOPSIS AS INTRODUCED:

615 ILCS 5/14b new

Amends the Rivers, Lakes, and Streams Act. Requires the Director of the Environmental Protection Agency to seek negotiations with each state that borders Lake Michigan to establish a notification policy under which the states will notify one another when permitting new sources of water pollution or increased levels of pollution into Lake Michigan. Requires the Director to report to the General Assembly no later than January 1, 2019 on the status of these negotiations. Effective immediately.

LRB100 15780 AXK 30888 b

A BILL FOR

1 AN ACT concerning waterways.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Rivers, Lakes, and Streams Act is amended by  
5 adding Section 14b as follows:

6 (615 ILCS 5/14b new)

7 Sec. 14b. Negotiations for interstate pollution  
8 notification policy.

9 (a) For purposes of this Section:

10 "Agency" has the meaning given to that term under  
11 Section 1-20 of the Illinois Administrative Procedure Act,  
12 but shall only include an agency under the jurisdiction of  
13 the Governor.

14 "Agency head" has the meaning given to that term under  
15 Section 1-25 of the Illinois Administrative Procedure Act,  
16 but shall only include an agency head under the  
17 jurisdiction of the Governor.

18 "Rule" has the meaning given to that term under Section  
19 1-70 of the Illinois Administrative Procedure Act.

20 (b) The Director of the Environmental Protection Agency  
21 shall seek negotiations with each state that borders Lake  
22 Michigan to establish a notification policy under which the  
23 states will notify one another when permitting new sources of

1 water pollution or increased levels of pollution into Lake  
2 Michigan.

3 (c) The Director must report to the General Assembly no  
4 later than January 1, 2019 on the status of these negotiations.

5 (d) 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 adopt rules to implement or enforce the provisions of  
9 this amendatory Act of the 100th General Assembly. If, however,  
10 the Governor believes that rules are necessary to implement or  
11 enforce the provisions of this amendatory Act of the 100th  
12 General Assembly, the Governor may suggest rules to the General  
13 Assembly by filing them with the Clerk of the House and the  
14 Secretary of the Senate and by requesting that the General  
15 Assembly authorize rulemaking by law, enact those suggested  
16 rules into law, or take any other appropriate action in the  
17 General Assembly's discretion. Nothing contained in this  
18 amendatory Act of the 100th General Assembly shall be  
19 interpreted to grant rulemaking authority under any other  
20 Illinois statute if authority is not otherwise explicitly  
21 given.

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.