



Adopted in House Comm. on Mar 13, 2008

09500HB5159ham002

LRB095 18226 WGH 48359 a

1 AMENDMENT TO HOUSE BILL 5159

2 AMENDMENT NO. _____. Amend House Bill 5159 on page 3, by
3 inserting after line 3 the following:

4 "Notwithstanding any other rulemaking authority that may
5 exist, neither the Governor nor any agency or agency head under
6 the jurisdiction of the Governor has any authority to make or
7 promulgate rules to implement or enforce the provisions of this
8 amendatory Act of the 95th General Assembly. If, however, the
9 Governor believes that rules are necessary to implement or
10 enforce the provisions of this amendatory Act of the 95th
11 General Assembly, the Governor may suggest rules to the General
12 Assembly by filing them with the Clerk of the House and
13 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

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 8, by inserting after line 18 the following:

11 "(4) Notwithstanding any other rulemaking authority that
12 may exist, neither the Governor nor any agency or agency head
13 under the jurisdiction of the Governor has any authority to
14 make or promulgate rules to implement or enforce the provisions
15 of this amendatory Act of the 95th General Assembly. If,
16 however, the Governor believes that rules are necessary to
17 implement or enforce the provisions of this amendatory Act of
18 the 95th General Assembly, the Governor may suggest rules to
19 the General Assembly by filing them with the Clerk of the House
20 and Secretary of the Senate and by requesting that the General
21 Assembly authorize such rulemaking by law, enact those
22 suggested rules into law, or take any other appropriate action
23 in the General Assembly's discretion. Nothing contained in this
24 amendatory Act of the 95th General Assembly shall be
25 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."