



HB 398

Today, I approve HB 398. With my signature, it now becomes law.

As a result of the significant controversy that has surrounded the rulemaking process in recent years, I believe that it is important to explain my rationale for approving this legislation.

This legislation arose because the previous administration attempted to adopt administrative rules that exceeded the scope of its executive rule-making authority. In signing HB 398, I intend to reaffirm this administration's commitment to promulgating administrative rules in accordance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules, and to demonstrate the commitment of this administration to follow the rule of law.

Consistent with this commitment, my approval of HB 398 does not derogate, in any way, the Separation of Powers provided for in Article II of the Illinois Constitution or the constitutionally protected powers of the legislative, executive, and judicial branches of Illinois government, as provided in Articles IV, V and VI of our Constitution. To that end, my approval of HB 398 should not be construed as purporting to intrude in any way upon, or reallocate in any constitutionally impermissible manner, the power of the General Assembly to enact laws, the supreme executive power of the Governor to promulgate rules and regulations in faithful execution of the laws, and the power of the Judiciary to determine the validity of laws, rules and regulations under the Illinois Constitution.

Dated this 26th day of February, 2009.

A handwritten signature in black ink that reads 'Pat Quinn'. The signature is written in a cursive, flowing style.

Pat Quinn
Governor