## 92\_HB3495sam004

## LRB9206830REfgam03

AMENDMENT TO HOUSE BILL 3495
 AMENDMENT NO. \_\_\_\_. Amend House Bill 3495 by replacing
 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Emergency Budget Act of Fiscal Year 2002.

6 Section 5. Contingency reserves.

7 The Governor may designate as contingency reserves (a) for each executive State agency that is directly responsible 8 to the Governor an amount no greater than 5% of the total 9 10 appropriations made from the General Revenue Fund to that executive State agency that is directly responsible to the 11 Governor. In addition, the Governor may designate 12 as a contingency reserve an amount no greater than 5% from 13 14 appropriations of State funds to the State Board of 15 Education, except that no reserve may be designated from payments to be made under Section 18-8.05 of the School Code. 16 17 In addition, the Governor may designate as contingency reserves an amount no greater than 5% of 18 the total appropriations of State funds for higher education purposes 19 to each agency, board, commission, or university receiving 20 21 funding for higher education purposes.

22

(b) Appropriated amounts designated as a contingency

1

reserve may not be obligated, encumbered, or expended.

2 (c) Any periodic transfers or expenditures that are 3 based upon amounts appropriated must be reduced to 4 accommodate a contingency reserve. Any necessary proration 5 of periodic payments from the General Revenue Fund shall be 6 distributed equally among the remaining payments for the 7 fiscal year.

8 (d) In this Section, "executive State agency that is 9 directly responsible to the Governor" means any office, officer, division, or part thereof, and any other office, 10 11 nonelective officer, department, division, bureau, board, or commission in the executive branch of State government, 12 13 except that it does not apply to any agency whose primary function is service to the General Assembly or the Judicial 14 15 Branch of State government, or to any agency administered by 16 the Attorney General, Secretary of State, State Comptroller, 17 or State Treasurer.

18 (e) This Section applies only to appropriations for19 State fiscal year 2002.

20 Section 95. The Illinois Public Aid Code is amended by 21 changing Section 5-5b as follows:

22 (305 ILCS 5/5-5b) (from Ch. 23, par. 5-5b)

23 Sec. 5-5b. Payment Reductions.

(a) Notwithstanding any other Section in this Code
establishing a methodology for determining payment rates or
dispensing fees for non-institutional services provided under
this Code, the Illinois Department is authorized to reduce
those payment rates or dispensing fees with due regard for
and subject to budgetary limitations to the extent permitted
by federal law.

31 (a-5) Notwithstanding any other Section in this Code
 32 establishing a methodology for determining payment rates for

-2-

services specified in subsection (1) of Section 5-5.4 and subsection (a) of Section 14-8 of this Code, the Illinois Department may, by emergency rule filed before April 1, 2002, adjust those payment rates to a level not more than 5% below the rates in effect on July 1, 2001, with due regard for and subject to budgeting limitations to the extent permitted by federal law.

(b) The Illinois Department may implement this Section 8 9 as-added-by-this-amendatory-Act-of-1991 through the use of 10 emergency rules in accordance with the provisions of Section  $5-\theta 2--\theta f$  the Illinois Administrative Procedure Act. For 11 purposes of the Illinois Administrative Procedure Act, the 12 adoption of rules to implement this Section as-added-by-this 13 14 amendatory-Act-of-1991 shall be deemed an emergency and necessary for the public interest, safety and welfare. 15 (Source: P.A. 87-14.) 16

Section 99. Effective date. This Act takes effect uponbecoming law.".