

# **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
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SEN. SUE REZIN  
SEN. DALE A. RIGHTER  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DAVID R. LEITCH  
REP. DONALD L. MOFFITT  
REP. ANDRE´ THAPEDI

## **MINUTES**

**December 17, 2013**

### **MEETING CALLED TO ORDER**

The Joint Committee on Administrative Rules met on December 17, 2013 at 11:00 a.m. in Room 600-C of the Michael J Bilandic Building, Chicago, Illinois.

Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

### **ATTENDANCE ROLL CALL**

X Senator Pamela Althoff	X Representative Greg Harris
X Senator Don Harmon	X Representative Lou Lang
X Senator Tony Muñoz	X Representative David Leitch
X Senator Sue Rezin	X Representative Donald Moffitt
X Senator Dale Righter	X Representative Timothy Schmitz
Senator Ira Silverstein	Representative Andre´ Thapedi

### **APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2013 MEETING**

Senator Muñoz moved, seconded by Senator Rezin, to approve the minutes of the November 19, 2013 meeting. The motion passed unanimously.

### **REVIEW OF AGENCY RULEMAKINGS**

***Illinois Housing Development Authority – Abandoned Residential Property Municipality Relief Program (47 Ill. Adm. Code 381; 37 Ill. Reg. 12670)***

Representative Harris moved, seconded by Representative Schmitz, that JCAR and IHDA agree to extend consideration of this rulemaking for an additional 45 days to consider changes to the rulemaking to bring it into conformity with the requirements of IAPA. The motion passed unanimously.

## **CONSIDERATION OF OTHER RULEMAKINGS**

Co-Chair Harmon asked if any member desired consideration of any other rulemaking. Representative Leitch requested consideration of a DCEO rulemaking and an ISP rulemaking.

### ***Department of Commerce and Economic Opportunity – International Tourism Program (14 Ill. Adm. Code 555; 37 Ill. Reg. 642)***

Representative Leitch moved, seconded by Representative Moffitt, that JCAR and DCEO agree to extend consideration of this rulemaking for an additional 45 days. The motion passed unanimously.

### ***Department of State Police – Firearm Concealed Carry Act Procedures (20 Ill. Adm. Code 1231; 37 Ill. Reg. 15859)***

Co-Chair Harmon asked representatives from ISP to come forward and to identify themselves.

Susanne Bond, ISP Chief Legal Counsel, Matthew Davis, ISP Lieutenant Colonel, and Natalia Delgado, ISP Deputy General Counsel, were present.

Co-Chair Harmon indicated that JCAR believes that the rulemaking will require some changes but recognizes the significance of advancing this rulemaking to meet the statutory implementation date. He also indicated that a number of legislators would like to ask questions.

Representative Leitch expressed no willingness to prevent the rulemaking from moving forward. However, the rulemaking does not comport with provisions of the statute and does not include provisions for submission of paper applications. Representative Leitch reiterated the concern of many of his constituents who stated the lack of paper applications would impose a hardship upon them. Further, some alternative suggestions, such as visiting a public library are not feasible for rural applicants who do not have access to public libraries. Representative Leitch requested that ISP begin offering paper applications by March 1<sup>st</sup>.

Ms Bond responded that ISP has also heard that concern. ISP has met with its vendors to implement a plan for submission of paper applications. In hopes of meeting the statutory implementation date, ISP chose to provide on-line, electronic applications first because it would reach the most people. In meeting with its vendor, ISP has committed to adding the paper application process within 6 months.

Representative Leitch asked why not March 1<sup>st</sup>.

Ms Bond stated that ISP would have to go back and meet with its vendor about a March 1<sup>st</sup> date.

Representative Leitch reiterated that he would like to be able to report back to his constituents a date specific, namely March 1<sup>st</sup> date, when ISP would begin offering paper applications.

Ms Bond stated that she could not commit to March 1<sup>st</sup> because she does not have the assurances from her IT staff that it can meet the March 1<sup>st</sup> date. She reiterated that she can assure a July 1<sup>st</sup>

date. As progress implementing the program continues, Ms Bond stated that she would continually revisit an earlier implementation date, but currently could not commit to March 1<sup>st</sup>.

Mr Davis explained that the process has become a triage of priorities. ISP has given its vendors a list of priorities and it could change the importance of the priorities but would also need to meet with the vendor to address which priorities would be reassigned. Realigning the priorities would mean that some other function would be delayed.

Representative Leitch asked if ISP would be ready to report its progress at the next JCAR meeting.

Ms Bond responded that it absolutely would do so.

Representative Moffitt requested clarification from ISP that the information presented on FOID and/or FCCL applications would only be accessible to the intended State agency, meaning ISP. He recounted an initiative in which the identities of FOID card holders were released, requiring a statutory amendment to prevent the release of information. Representative Moffitt asked if ISP is keeping application information confidential and to whom is the information accessible?

MS Bond replied that the information would remain confidential and would only be accessible to law enforcement entities identified by statute via database.

Senator Althoff reiterated the importance of ISP developing a paper application. Further, Senator Althoff asked ISP to identify how it will notify the public about alternative FCCL permit application methods and what education will be available for people without internet access. Senator Althoff also asked what other priorities exist that would require ISP to reshuffle and place more importance on development of the paper application.

Mr Davis responded that other components of the IT implementation, such as integrating the Instructor training information, are post-implementation priorities that will make the system run more efficiently. The added functionality of post implementation date priorities would need to be pushed back to place more emphasis on developing a paper application process.

Senator Althoff reiterated her first question.

Ms Bond responded that ISP's website contains some of the information and that it would be bolstering that information after the JCAR meeting. ISP is also considering surveying the instructors to see who are offering application assistance so that it can provide that information on its website as well.

Co-Chair Harmon summarized that JCAR is not going to object to these rules and will allow them to be adopted and asked ISP to clarify that they will be working with JCAR staff to address immediate and necessary, but modest, changes to the rulemaking prior to filing with the Secretary of State's Office for adoption. Further, Co-Chair Harmon emphasized that ISP is committed to making a paper application available to the public by July 1<sup>st</sup> and will work with the vendor to accelerate that date. ISP will keep JCAR notified of any progress made and seek further statutory authority and/or rulemaking changes to implement the Act in its entirety.

Ms Bond confirmed that Co-Chair Harmon's summarization was all true.

### **CERTIFICATION OF NO OBJECTION**

Representative Lang moved, seconded by Senator Althoff, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously.

### **JANUARY MEETING DATE**

Co-Chair Harmon announced that the next monthly meeting is scheduled for Tuesday, January 14, 2014 at 11:00 a.m., Room 600C, Michael A. Bilandic Building, Chicago IL.

### **ADJOURNMENT**

Representative Harris moved, seconded by Senator Rezin, that the meeting stand adjourned. The motion passed unanimously.

*Min:1213Dec*