

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. RON SANDACK

EXECUTIVE DIRECTOR:  
VICKI THOMAS



700 STRATTON BUILDING  
SPRINGFIELD, ILLINOIS 62706  
217/785-2254

SEN. BILL BRADY  
SEN. KAREN McCONNAUGHAY  
SEN. TONY MUÑOZ  
SEN. MATT MURPHY  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DAVID R. LEITCH  
REP. ANDRÉ THAPEDI  
REP. MIKE TRYON

## MINUTES

March 8, 2016

### MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, March 8 at 10:30 a.m. in Room C-1 of the Stratton Office Building, Springfield IL. 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 to the JCAR office in writing.

### ATTENDANCE ROLL CALL

X Senator Bill Brady	Representative Greg Harris
X Senator Don Harmon	Representative Lou Lang
X Senator Karen McConnaughay	X Representative David Leitch
Senator Tony Muñoz	X Representative Ron Sandack
X Senator Matt Murphy	X Representative André Thapedi
X Senator Ira Silverstein	Representative Mike Tryon

### APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2016 MEETING

Senator McConnaughay moved, seconded by Senator Murphy, that the minutes of the February 16, 2016 meeting be approved. The motion passed by a vote of 7-0-0.

### REVIEW OF AGENCY RULEMAKINGS

Co-Chair Harmon asked that Senator Brady be added to the roll.

### *Illinois Commerce Commission – Net Metering (83 Ill. Adm. Code 465; 39 Ill. Reg. 6134)*

Because the extended Second Notice Period granted at the February meeting includes the April 12, 2016 JCAR meeting, consideration of this rulemaking will be postponed to the April meeting.

***Pollution Control Board – Permits (35 Ill. Adm. Code 309; 39 Ill. Reg. 15103)***

Senator Silverstein moved, seconded by Representative Leitch, that JCAR object to Section 309.263(c) of this rulemaking because PCB has declined to provide the standards for when EPA will require modification or renewal of a non-NPDES permit. Sec. 5-20 of the IAPA requires agencies to provide standards for the exercise of their discretion. The motion passed unanimously (8-0-0).

***Pollution Control Board – Permits (35 Ill. Adm. Code 602; 39 Ill. Reg. 14239)***

Senator Silverstein moved, seconded by Representative Leitch, that, in connection with JCAR's consideration of this rulemaking, JCAR recommend to the Environmental Protection Agency that, to avoid any conflict in rules, EPA repeal its rules at 35 Ill. Adm. Code 652 after PCB adopts this rulemaking. The motion passed unanimously (8-0-0).

**CONSIDERATION OF OTHER RULEMAKINGS**

***Court of Claims – Court of Claims Regulations (74 Ill. Adm. Code 790; 15 Ill. Reg. 15649)***

Senator Murphy moved, seconded by Senator McConnaughay, that JCAR, with the concurrence of the Court of Claims, extend the Second Notice period for the rulemaking for an additional 45 days. The motion passed unanimously (8-0-0).

**CERTIFICATION OF NO OBJECTION**

Representative Thapedi moved, seconded by Senator McConnaughay, 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 (8-0-0).

**APRIL MEETING DATE**

Co-Chair Harmon announced that the next monthly meeting of JCAR is scheduled for 10:30 a.m. on Tuesday, April 12, 2016, in Room C-1 of the Stratton Office Building, Springfield IL.

**ADJOURNMENT**

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

*Min:0316Mar*