

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. DON HARMON

CO-CHAIR:
REP. KEITH WHEELER

EXECUTIVE DIRECTOR:
VICKI THOMAS



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

SEN. TONY MUÑOZ
SEN. SUE REZIN
SEN. PAUL SCHIMPF
SEN. IRA SILVERSTEIN
SEN. CHUCK WEAVER
REP. PETER BREEN
REP. BARBARA FLYNN CURRIE
REP. TOM DEMMER
REP. GREG HARRIS
REP. ANDRÉ THAPEDI

MINUTES

October 16, 2018

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, October 16, 2018 at 11:00 a.m. in Room C500 of the Michael A. Bilandic Building, Chicago IL. Co-Chair Wheeler 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 meetings. Other persons are encouraged to submit their comments to the JCAR office in writing. Co-Chair Wheeler welcomed new members Senators Rezin and Schimpf to JCAR.

ATTENDANCE ROLL CALL

X Senator Don Harmon	X Representative Peter Breen
X Senator Tony Muñoz	X Representative Barbara Flynn Currie
X Senator Sue Rezin	X Representative Tom Demmer
X Senator Paul Schimpf	X Representative Greg Harris
X Senator Ira Silverstein	X Representative André Thapedi
X Senator Chuck Weaver	X Representative Keith Wheeler

APPROVAL OF THE MINUTES OF THE SEPTEMBER 18, 2018 MEETING

Sen. Muñoz moved, seconded by Representative Demmer, that the minutes of the September 18, 2018 meeting be approved. The motion passed unanimously (12-0-0).

REVIEW OF AGENCY RULEMAKINGS

Department of Children and Family Services – Licensing Standards for Day Care Homes (89 Ill. Adm. Code 406; 42 Ill. Reg. 8366); Licensing Standards for Day Care Centers (89 Ill. Adm. Code 407; 42 Ill. Reg. 8369); Licensing Standards for Group Day Care Homes (89 Ill. Adm. Code 408; 42 Ill. Reg. 8372)

Senator Rezin moved, seconded by Representative Currie, that JCAR, with the concurrence of DCFS, extend the 2nd Notice period for these rulemakings for an additional 45 days. The motion passed unanimously (12-0-0).

Pollution Control Board – Emissions Reduction Market System (35 Ill. Adm. Code 205; 42 Ill. Reg. 6572)

Co-Chair Wheeler announced that consideration of this rulemaking was being postponed until the November meeting.

Property Tax Appeal Board – Practice and Procedure for Appeals Before the Property Tax Appeal Board (86 Ill. Adm. Code 1910; 42 Ill. Reg. 3862)

Senator Schimpf moved, seconded by Representative Harris, that JCAR, with the concurrence of PTAB, extend the 2nd Notice period for this rulemaking for an additional 45 days. The motion passed unanimously (12-0-0).

AGENCY RESPONSE

Law Enforcement Training and Standards Board – Surcharge Fund Financial Assistance (Emergency) (20 Ill. Adm. Code 1700; 42 Ill. Reg. 7972)

Due to the appropriateness of the agency's response, no further action was taken.

REVIEW OF EXISTING RULES

Department of Financial and Professional Regulation – Wholesale Drug Distribution Licensing Act (68 Ill. Adm. Code 1510)

Co-Chair Harmon moved, seconded by Representative Breen, that JCAR recommend that, if the Department of Financial and Professional Regulation believes the Wholesale Drug Distribution Licensing Act [225 ILCS 120] should apply to drugs for animal use as well as drugs for human use, it seek a change in statute extending the scope of that Act to include animal drugs. Section 5 of the Act currently states that the Act applies only to the distribution of human prescription drugs. In the alternative, DFPR should remove, from Section 10 of its rules titled Wholesale Drug Distribution Licensing Act (68 Ill. Adm. Code 1510), the inclusion of veterinarians in the definition of "practitioner".

REVIEW OF OTHER RULEMAKINGS

Department on Aging – Community Care Program (89 IAC 240; 42 Ill. Reg. 314)

Tracey Trigillo, Deputy General Counsel, and Lora McCurdy, Manager, Division of Planning, Training, Research and Development, represented the Department. Representative Harris asked whether any provisions of the current rulemaking could be used to implement the Community Reinvestment Program. Ms Trigillo said that this rulemaking cannot be used to implement CRP.

CERTIFICATION OF NO OBJECTION

Senator Silverstein moved, seconded by Rep. Thapedi, that the Committee inform the agencies to whose rulemakings the Committee has not voted an Objection or 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 rulemaking made by the agency, no Objections will be issued. The motion passed unanimously (12-0-0), except that Representative Thapedi abstained from voting on the Department of Revenue's rulemaking titled Invest in Kids Act (86 Ill. Adm. Code 1000; 42 Ill. Reg. 7448), which was approved 11-0-1.

ANNOUNCEMENT OF NOVEMBER MEETING DATE

Co-Chair Wheeler announced that the next JCAR meeting would be held at 10:30 a.m. on Tuesday, November 13, 2018, in Room C-1 of the Stratton Office Building, Springfield IL.

ADJOURNMENT

Co-Chair Harmon moved, seconded by Senator Wheeler, that the meeting stand adjourned. The motion passed unanimously.

Min1018Oct