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Joint Committee on Administrative Rules
Illinois General Assembly

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Issue 3

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

DRIVER'S LICENSES

The SECRETARY OF STATE adopted amendments to Issuance of Licenses (92 IAC 1030; 41 Ill Reg 10906), effective 1/3/18, instituting a new mental disability restriction (J91) that can be added to driver's licenses or identification cards at the applicant's request to indicate (in the event of a traffic stop or other contact with law enforcement, first responders, etc.) that the holder has a mental disability. Since 1st Notice, SOS removed the proposed definition of "mental disability" for purposes of obtaining the restriction, since the Part already contains a broader definition of "mental disorder".

Questions/requests for copies: Jennifer Egizii, SOS, 2701 S. Dirksen Pkwy., Springfield IL 62723, 217/557-4462.

VETERANS' HOMES

The ILLINOIS DEPARTMENT OF PUBLIC HEALTH adopted an amendment to Illinois Veterans' Homes Code (77 IAC 340; 41 Ill Reg 3787), effective 1/5/18, removing a requirement that license application and renewal forms include the social security numbers of all persons with a direct or indirect financial interest in the facility.

Questions/requests for copies: Elizabeth Paton, DPH, 535 W. Jefferson St., 5th Fl., Springfield IL 62761, 217.782-2043, dph.rules@illinois.gov

■ WATER SUPPLIES

The POLLUTION CONTROL BOARD adopted amendments to Primary Drinking Water Standards (35 IAC 611; 41 Ill Reg

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Proposed Rulemakings

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to The Minimum Mortality Standard for Valuation of Annuity and Pure Endowment Contracts (50 IAC 935; 42 Ill Reg 1061), Accelerated Life Benefit/Terminal Illness/Qualified Conditions (50 IAC 1407; 42 Ill Reg 1066), Valuation of Life Insurance Policies Including the Use of Select Mortality Factors (50 IAC 1409; 42 Ill Reg 1070), Modified Guaranteed Annuity (MGA) Contracts (50 IAC 1410; 42 Ill Reg 1079), Universal Life Insurance (50 IAC 1411; 42 Ill Reg 1086), Recognition of the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits (50 IAC 1412; 42 Ill Reg 1093), Recognition of 2001 CSO Preferred Class Structure

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

New Rules

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9171) that implement changes made to federal Environmental Protection Agency regulations from 7/1/16 through 12/31/16. These changes include approval of 16 additional methods for analyzing contaminants in drinking water. Small municipalities with their own water supplies may be affected.

Questions/requests for copies: Michael J. McCambridge, PCB, 100 W. Randolph St., Suite 11-500, Chicago IL 60601, 312/814-6924,

michael.mccambridge@illinois.gov. Please reference docket R17-12. Copies of the Board's opinion and order are also available at <http://www.ipcb.state.il.us>.

PUBLIC INFORMATION

The DEPARTMENT OF MILITARY AFFAIRS repealed the Part titled Freedom of Information Procedures (2 IAC 1376; 42 Ill Reg 1108) and adopted a new Part titled Access to Records of the Department of Military Affairs (2 IAC 1376; 42 Ill Reg 1110), both effective 1/4/18. The new

Part implements updated Freedom of Information Act (FOIA) provisions, including the procedures and timeline for responding to requests for information, the types of records that must be disclosed and that are exempt from disclosure, the procedure for appealing a denied request, and fees for obtaining copies of documents.

Questions/requests for copies: Col. Robert C. Roth, DMA, 1301 N. MacArthur Blvd., Springfield IL 62702, 217/761-3366, robert.c.roth.nfg@mail.mil.

Proposed Rulemakings

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Mortality Tables for Use in Determining Minimum Reserve Liabilities (50 IAC 1413; 42 Ill Reg 1101), and Preneed Life Insurance Minimum Standards for Determining Reserve Liabilities and Nonforfeiture Values (50 IAC 1414; 42 Ill Reg 1104), all of which implement statute establishing the National Association of Insurance Commissioners (NAIC) Valuation Manual as the source for actuarial valuation standards for insurance contracts issued on or after 1/1/17. These rulemakings amend the applicable Parts to apply only to contracts not covered by the NAIC manual effective 1/1/17.

Questions/requests for copies/comments on the 8 DOI rulemakings through 3/5/18: Robert Planthold, DOI, 122 S.

Michigan Ave., 19th Fl., Chicago IL 60603, 312/814-5445, fax 312/814-2862, or Susan Anders, DOI, 320 W. Washington St., Springfield IL 62767, 217/558-0957.

IEPA REPEALERS

The ILLINOIS ENVIRONMENTAL PROTECTION AGENCY proposed repeal of the Parts titled NOx Trading Program Procedures (35 IAC 273; 42 Ill Reg 1041) and Clean Air Set-Aside (35 IAC 274; 42 Ill Reg 1051), in response to Executive Order 2016-13 (Illinois Competitiveness Council). These rulemakings repeal obsolete IEPA programs that have sunset (NOx Trading Program) or have been replaced (Clean Air Set-Aside).

Questions/requests for copies/comments on the 2 IEPA

rulemakings through 3/5/18: Antonette Palumbo, IEPA, 1021 N. Grand Ave. East, P.O. Box 19726, Springfield IL 62794-9276, 217/785-4372, antonette.palumbo@illinois.gov

No Second Notices This Week

JCAR Meeting Action

At its 1/16/18 meeting, the Joint Committee on Administrative Rules and the following agencies agreed to extend Second Notice for the following rulemakings an additional 45 days:

Illinois Gaming Board, Video Gaming (General)
(11 IAC 1800; 41 Ill Reg 12670), proposed 10/13/17

State Board of Education, Special Education Facilities Under Section 14-7.02 of the School Code
(23 IAC 401; 41 Ill Reg 3831), proposed 3/31/17

Department of Public Health, HIV/AIDS Confidentiality and Testing Code
(77 IAC 697; 41 Ill Reg 3795) proposed 3/31/17

Joint Committee on Administrative Rules

Senator Pamela Althoff

Representative Peter Breen

Senator Karen McConnaughay

Representative Tom Demmer

Senator Don Harmon

Representative Greg Harris

Senator Tony Muñoz

Representative Lou Lang

Senator Ira Silverstein

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Senator Chuck Weaver

Representative Keith Wheeler

**Vicki Thomas
Executive Director**