

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. MAGGIE CROTTY

CO-CHAIR:  
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:  
VICKI THOMAS



700 STRATTON BUILDING  
SPRINGFIELD, ILLINOIS 62706  
211/785-2254

SEN. PAMELA ALTHOFF  
SEN. DON HARMON  
SEN. JOHN O. JONES  
SEN. DALE A. RIGHTER  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DONALD L. MOFFITT  
REP. ROSEMARY MULLIGAN  
REP. ANDRE' THAPEDI

## MINUTES

July 12, 2011

### Meeting Called to Order

The Joint Committee on Administrative Rules met on July 12, 2011 at 11:00 a.m. in Room 16-503 of the James R. Thompson Center in Chicago, Illinois.

Co-Chair Saviano 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 Maggie Crotty	X Representative Lou Lang
X Senator Don Harmon	X Representative Donald Moffitt
X Senator John O. Jones	Representative Rosemary Mulligan
X Senator Dale Righter	X Representative Angelo "Skip" Saviano
X Senator Ira Silverstein	X Representative Andre' Thapedi

### APPROVAL OF THE MINUTES OF THE JUNE 14, 2011 MEETING

Senator Harmon moved, seconded by Representative Harris, to approve the minutes of the June 14, 2011 meeting. The motion passed unanimously.

### REVIEW OF AGENCY RULEMAKINGS

*Department of Public Health – Private Sewage Disposal Code (77 Ill. Adm. Code 905; 34 Ill. Reg. 12394)*

Senator Jones moved, seconded by Senator Althoff, that JCAR and the Department of Public Health agree to extend the 2<sup>nd</sup> Notice Period for this rulemaking for an additional 45 days. The motion passed unanimously.

***Illinois State Board of Investment – Rules and Regulations of the Board (74 Ill. Adm. Code 800; 35 Ill. Reg. 1566)***

Co-Chair Saviano asked if representatives from ISBI were present to clarify the agreement made with JCAR.

Linsey Schoemehl, ISBI General Counsel, confirmed that the Board agreed to place the investment objective annual rate of 7.75% in rule.

***Pollution Control Board – Introduction (35 Ill. Adm. Code 301; 34 Ill. Reg. 12521) and Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303; 34 Ill. Reg. 12533)***

Co-Chair Saviano asked if there was a representative from the Pollution Control Board present who could clarify the status of its rulemakings.

Marie Tipsord, a PCB attorney, stated that, in the interests of providing JCAR members with adequate information, the Board would agree to an extension until the next JCAR meeting.

Senator Crotty moved, seconded by Senator Harmon, that JCAR and the Pollution Control Board agree to extend the 2<sup>nd</sup> Notice Period for these rulemakings for an additional 45 days. The motion passed unanimously.

**CONSIDERATION OF OTHER RULEMAKINGS**

Co-Chair Saviano asked if any members requested consideration of any other rulemaking. Representative Lang requested discussion of an emergency rule of the State Treasurer.

***Office of the State Treasurer – Illinois Public Treasurers' Investment Pool for Public Treasurers in the State of Illinois (74 Ill. Adm. Code 740; 35 Ill. Reg. 8893) (Emergency)***

Representative Lang moved, seconded by Representative Harris, that JCAR object to and suspend this emergency rule because the agency had not adequately shown the existence of any situation threatening the public interest that required the use of emergency rulemaking.

No representative of the Treasurer's Office was present.

Representative Lang stated that he does not believe that an emergency situation requiring immediate rule change exists. He does not object to the substance of the rule, but rather the use of the emergency rulemaking process.

The motion passed by rollcall vote of 11-0-0.

## **CERTIFICATION OF NO OBJECTION**

Representative Moffitt moved, seconded by Senator Crotty, 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.

## **AGENCY RESPONSES**

*Department on Aging – Elder Rights (89 Ill. Adm. Code 270; 34 Ill. Reg. 19133)*

*Elevator Safety Review Board – Illinois Elevator Safety Rules (41 Ill. Adm. Code 1000; 34 Ill. Reg. 8872)*

*Environmental Protection Agency – Procedures to be Followed in the Performance of Inspections of Motor Vehicle Emissions (35 Ill. Adm. Code 276; 35 Ill. Reg. 14)*

*Illinois Law Enforcement Training and Standards Board – Intern Training Program (20 Ill. Adm. Code 1725; 35 Ill. Reg. 110)*

Due to the appropriateness of the agencies' responses, no further action.

*Department of Healthcare and Family Services – Hospital Services (89 Ill. Adm. Code 148; 34 Ill. Reg. 17832)*

No further action.

## **AUGUST MEETING DATE**

Co-Chair Saviano announced that the next monthly meeting is scheduled for Tuesday, August 16, 2011, in Chicago IL.

## **ADJOURNMENT**

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

*Min:1107July*

# JCAR MEETING REPORT

**DATE**  **TYPE OF ROLLCALL**  Attend  Record  Min  Motion  Voice **TAB**

**AGENCY**  **RULEMAKING**

**APPEARING**

**MOTION**  Approve Minutes  Recommend  Object  Prohibit  Suspend  Extend  
 No Further Action  Remove from No Obj List  Approve No Obj List  Adjourn

Attendance Roll Call

**MOVED BY**  **2<sup>nd</sup> BY**

**ROLLCALL VOTE:**

	Y	N	P		Y	N	P
Sen. Pamela Althoff	X			Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

**VOTE**  Unanimous  Split:  **Motion:**  Pass  Fail

**NOTES**

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  Remove from No Obj List
  Approve No Obj List
  Adjourn

**MOVED BY** 
**2<sup>nd</sup> BY**

**ROLLCALL VOTE:**

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris			
Sen. Maggie Crotty				Rep. Lou Lang			
Sen. Don Harmon				Rep. Donald Moffitt			
Sen. John Jones				Rep. Rosemary Mulligan			
Sen. Dale Righter				Rep. Angelo "Skip" Saviano			
Sen. Ira Silverstein				Rep. Andre Thapedi			

**VOTE**  Unanimous
  Split:  
**Motion:**  Pass
  Fail

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  Adjourn

45 Day Extension

**MOVED BY** 
**2<sup>nd</sup> BY**

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	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris			
Sen. Maggie Crotty				Rep. Lou Lang			
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Sen. John Jones				Rep. Rosemary Mulligan			
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Sen. Ira Silverstein				Rep. Andre Thapedi			

**VOTE**  Unanimous
  Split:  
**Motion:**  Pass
  Fail

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 45 Day Extension

**MOVED BY**  **2<sup>nd</sup> BY**

**ROLLCALL VOTE:**

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris			
Sen. Maggie Crotty				Rep. Lou Lang			
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Sen. Dale Righter				Rep. Angelo "Skip" Saviano			
Sen. Ira Silverstein				Rep. Andre Thapedi			

**VOTE**  Unanimous  Split:   **Motion:**  Pass  Fail

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**Motion:**  Pass
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