

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.

Proposed Rulemakings

■ COLLEGE SAVINGS

The OFFICE OF THE STATE TREASURER proposed amendments to the Part titled College Savings Pool (23 IAC 2500; 44 Ill Reg 17012) reflecting recent Public Acts. The rulemaking includes investment fees in the definition of administrative fees, costs, and expenses; updates the definition of eligible educational institutions; and updates the definition of qualified expenses (that can be paid for from a College Savings Pool account) to include the purchase of computers or peripheral equipment or internet access and related services to be used by a beneficiary for educational purposes while enrolled at an eligible institution. Room and board expenses are also qualified expenses if the student is attending the eligible institution at least half-time. Pool contributions may be made only by check, money order, electronic

COVID-19 ACTIONS

Numerous Executive Orders and emergency rules have been issued in response to the COVID-19 pandemic. Executive Orders of the Governor concerning this pandemic can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

transfer, payroll contribution, wire transfer, or other cash payment methods allowed under the federal Internal Revenue Code. There is no minimum amount for contributions, but contributions may not be made beyond the account balance limit, which will be determined by the Treasurer using estimated costs from at least 12 eligible educational institutions in Illinois,

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Emergency Rulemaking

■ SOS FEE REFUNDS

The SECRETARY OF STATE adopted an emergency amendment to Collection of Fees (92 IAC 1003; 44 Ill Reg 17031) effective 10/9/20 for a maximum of 150 days. An identical proposed rulemaking appears in this week's *Illinois Register* at 44 Ill Reg 17010. The emergency and proposed rules allow any excess fees paid for vehicle registrations during calendar years 2019 and 2020 to be refunded more than 6 months after the date of the payment if SOS was responsible for the payment delay and the registrant requesting the refund was not at fault.

Questions/requests for copies/comments on the proposed rulemaking through 12/7/20: Amy Williams, SOS, 298 Howlett Bldg., Springfield IL 62756, 217/785-3094, awilliams3@ilsos.gov

ADOPTED 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.

Proposed Rulemakings

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the Midwest, and nationwide. The Treasurer may permit trustees and custodians of gifts and transfers to minors and other legal entities to be account owners, including as part of a scholarship program, provided that the owner has a valid Social Security or taxpayer identification number, a valid U.S. street address, and (for individuals, trustees and custodians) is at least 18 years of age. Other provisions clarify the administration of the Pool, outline the duties of the Treasurer and program manager, and require the Treasurer to publicize the Pool investment policy annually by notifying all account owners in writing and publishing the policy at least 30 days before implementation in a newspaper of general circulation in both Chicago and Springfield. Persons investing in the College Savings Pool are affected by this rulemaking.

Questions/requests for copies/ comments through 12/7/20: Laura J. Duque, OST, 100 W. Randolph, Suite 15-600, Chicago IL 60601, 217 / 720 - 0991, LDuque@illinoistreasurer.gov

■ ILRB PROCEEDINGS

The ILLINOIS LABOR RELATIONS BOARD proposed amendments to General Procedures (80 IAC 1200; 44 Ill Reg 16957), Representation Proceedings (80 IAC 1210; 44 Ill Reg 16964), Unfair Labor Practice Proceedings (80 IAC 1220; 44 Ill Reg 16972) and Impasse Resolution (80 IAC 1230; 44 Ill Reg 16979) and proposed repeal of the Part titled Gubernatorial Designation of Positions Excluded from Collective Bargaining (80 IAC 1300; 44 Ill Reg 16988). The Part 1200 rulemaking establishes procedures for holding remote hearings via video conference and stipulates that, subject to appropriations, ILRB will pay for a stenographer to record the first 2

days of a hearing. An amendment to Part 1210 clarifies that when there are 3 or more choices listed on a representation election ballot and no choice receives a clear majority, only one runoff election will be conducted to determine the winner. The Part 1220 rulemaking clarifies the process by which parties to an unfair labor practice proceeding may obtain a stay alleging unlawful collection of union dues. The Part 1230 amendment corrects a cross reference to Part 1200. Finally, Part 1300 is being repealed because the legislation these rules implemented is no longer in effect. Labor organizations, employers, and others involved in ILRB proceedings may be affected by these rulemakings.

Questions/requests for copies/ comments on the 5 ILRB rulemakings through 12/7/20: Anna Hamburg-Gal, ILRB, 160 N. LaSalle St., Ste. 400, Chicago IL 60601, 312/793-6380, Anna.Hamburg-Gal@illinois.gov

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be listed in next week's *Illinois Register* and considered at the November 17, 2020 JCAR meeting. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF AGRICULTURE

Illinois Dead Animal Disposal Act (8 IAC 90; 44 Ill Reg 13156) proposed 8/14/20

DEPT OF FINANCIAL AND PROFESSIONAL REGULATION

Nurse Practice Act (68 IAC 1300; 44 Ill Reg 4158) proposed 3/20/20

IL COMMUNITY COLLEGE BOARD

Administration of the Illinois Public Community College Act (23 IAC 1501; 44 Ill Reg 13177) proposed 8/14/20

Joint Committee on Administrative Rules

Senator Bill Cunningham, <i>co-chair</i>	Representative Tom Demmer
Senator John F. Curran	Representative Michael Halpin
Senator Kimberly Lightford	Representative Frances Ann Hurley
Senator Tony Muñoz	Representative Steven Reick
Senator Sue Rezin	Representative André Thapedi
Senator Paul Schimpf	Representative Keith Wheeler, <i>co-chair</i>

**Vicki Thomas
Executive Director**