

*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

### ■ PROCUREMENT

The CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES adopted amendments to Standard Procurement (44 IAC 1; 40 Ill Reg 8884), effective 12/5/16, which raise the small purchase threshold for small contracts exempt from the requirement of competitive bidding under the Illinois Procurement Code. The base contract ceiling for supplies and services is being raised from \$50,000 to \$80,000 and the ceiling for construction contracts is being raised from \$70,000 to \$100,000. (The base ceiling established in rule is adjusted annually for inflation.) This rulemaking will affect small businesses seeking State contracts.

Questions/requests for copies: Michelle Casey, CPO-GS, 401 S. Spring St., 513 Stratton Building,

Springfield IL 62706, 217/494-5577, [michelle.casey@illinois.gov](mailto:michelle.casey@illinois.gov)

### INSURANCE

The DEPARTMENT OF INSURANCE adopted amendments to Medical Professional Liability Database (50 IAC 928; 40 Ill Reg 5783), effective 11/30/16, that establish a uniform method of electronically reporting information to DOI concerning allegations of provider liability. The amounts listed on a reconciliation report are the sum of all Supplement A to Schedule T Exhibits found in Schedule E of this Part.

Questions/requests for copies: Judy Mottar, DOI, 320 W. Washington St., Springfield IL 62767-0001, 217-524-5376.

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## Proposed Rulemakings

### INTERLIBRARY LOAN

The SECRETARY OF STATE proposed amendments to Illinois State Library, Library Operations Division (23 IAC 3010; 40 Ill Reg 16117) updating an incorporation by reference of the Interlibrary Loan Code of the United States from the 2008 edition to the 2016 edition. The 2016 edition of the Code provides that a supplying library will promptly bill for loss or damage to a loaned item and a borrowing library will promptly pay for it. This provision will authorize the State Library to charge fees for lost or damaged materials loaned to non-ILLINET libraries.

### GOVERNMENT DOCUMENTS

SOS also proposed amendments to Illinois State Library, Government Documents Section

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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](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://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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(23 IAC 3020; 40 Ill Reg 16122) clarifying that ephemeral materials (those that are useful or valid for only a short period of time, e.g., announcements of conferences or seminars, applications, forms) are exempt from the usual 5 year retention period (currently, the shorter retention period applies only to superseded materials).

Questions/requests for copies/comments on the 2 SOS rulemakings through 1/30/17: Joseph Natale, SOS-Illinois State Library, Gwendolyn Brooks Building, Springfield IL 62701-1796; 217/558-4185.

## HORSE RACING

The ILLINOIS RACING BOARD proposed amendments to

## New Rules

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### TOLLWAY SPEED LIMITS

The STATE TOLL HIGHWAY AUTHORITY adopted amendments to State Toll Highway Rules (92 IAC 2520; 40 Ill Reg 2440), effective 12/1/16, increasing speed limits on portions of the Jane Addams Memorial Tollway (I-90) and the Veterans Memorial Tollway (I-355).

Questions/requests for copies: Robert T. Lane, ISTHA, 2700 Ogden Ave., Downers Grove IL 60515, 630/241-6800, ext. 1530.

Programs (11 IAC 415; 40 Ill Reg 16095) Race Track Operators and Their Duties (11 IAC 1305; 40 Ill Reg 16099), Race Officials (11 IAC 1306; 40 Ill Reg 16103), Regulations and Meetings (Thoroughbred) (11 IAC 1424; 40 Ill Reg 16108), and Admissions and Credentials (11 IAC 1428; 40 Ill Reg 16113). The Part 415 rulemaking merely makes technical changes to restructure the Section. Amendments to Part 1305 and 1424 remove the requirement that the locked box containing emergency medication be stored in the State Veterinarian's office in the detention barn. The Part 1306 amendment is removing obsolete language from the rule. The Part 1428 amendments clarify that admission tax payments are due on either Monday or Tuesday after the close of the prior Sunday to Saturday week. Current rule states that admission taxes are due on Thursday.

## JCAR Meeting Action

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At its 12/13/16 meeting, the Joint Committee on Administrative Rules took the following actions:

### OBJECTION

JCAR objects to the Department of State Police Merit Board rulemaking titled Illinois State Police Board Personnel Merit Rules (80 IAC 160; 40 Ill Reg 9092) because the Board lacks clear statutory authority to establish personnel policy and rules independent of the Personnel Code [20 ILCS 415].

### EXTENSION

JCAR and the Department of Healthcare and Family Services agree to extend Second Notice for the rulemaking titled Child Support Services (89 IAC 160; 40 Ill Reg 5256 ) another 45 days.

Questions/requests for copies/comments concerning the 5 IRB proposed rulemakings through 1/30/17: Mickey Ezzo, IRB, 100 W. Randolph, Ste. 5-700, Chicago IL, 60601, 312/814-5017, Mickey.ezzo@illinois.gov.

## HFS RULE WITHDRAWAL

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES has withdrawn proposed amendments to Practice in Administrative Hearings (89 IAC 104; 40 Ill Reg 15830) that were published in the 12/2/16 *Illinois Register*. The withdrawn rulemaking was intended to remove duplicative provisions for public assistance related administrative hearings that are contained in Department of Human Services administrative hearing rules at 89 IAC 14 and to clarify provisions for hearings on Medical Assistance vendor suspensions and terminations.

## Second Notices

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The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's January 10, 2017 meeting. Other items not published in the *Illinois 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 CORRECTIONS

Discipline and Grievances (20 IAC 504; 40 Ill Reg 8628) proposed 7/1/16

### DEPT OF HUMAN SERVICES

Voter Registration Program (89 IAC 512; 40 Ill Reg 14012) proposed 10/14/16

### DEPT OF PUBLIC HEALTH

Immunization Code (Repealer) (77 IAC 695; 40 Ill Reg 3473) proposed 3/4/16

Child Health Examination Code (77 IAC 665; 40 Ill Reg 3429) proposed 3/4/16

## Joint Committee on Administrative Rules

**Senator Bill Brady**

**Representative Tom Demmer**

**Senator Karen McConnaughay**

**Representative Greg Harris**

**Senator Don Harmon**

**Representative Lou Lang**

**Senator Tony Muñoz**

**Representative André Thapedi**

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**Representative Michael Tryon**

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Executive Director**