

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
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REP. EVA-DINA DELGADO
REP. JACKIE HAAS
REP. STEVEN REICK
REP. CURTIS J. TARVER, II
REP. DAVE VELLA

MEETING MINUTES

October 1, 2024

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, October 1, 2024, at 11:00 a.m. in Room C-600 of the Bilandic Building, Chicago. Co-Chair Spain 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.

ATTENDANCE ROLL CALL

X Senator Cristina Castro	X Representative Eva-Dina Delgado
X Senator Bill Cunningham	X Representative Jackie Haas
X Senator Donald DeWitte	Representative Steven Reick
X Senator Dale Fowler	X Representative Ryan Spain
X Senator Napoleon Harris, III	X Representative Curtis J. Tarver, II
Senator Sue Rezin	X Representative Dave Vella

APPROVAL OF THE MINUTES OF THE SEPTEMBER 10, 2024 MEETING

Rep. Haas moved, seconded by Sen. Castro, that the minutes of the September 10, 2024 meeting be approved. The motion passed unanimously (10-0-0).

REVIEW OF AGENCY RULEMAKINGS

Department of Financial and Professional Regulation – Medical Practice Act of 1987 (68 Ill. Adm. Code 1285; 47 Ill. Reg. 18265)

Sen. Harris moved, seconded by Rep. Vella, that JCAR, with the concurrence of the Department of Financial and Professional Regulation, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (10-0-0).

Department of Human Services – Minimum Standards for Certification of Developmental Training Programs (59 Ill. Adm. Code 119; 47 Ill. Reg. 14982)

Rep. Delgado moved, seconded by Sen. Fowler, that JCAR object to the rulemaking because it does not meet the criteria of 1 Ill. Adm. Code 220.900(a)(1)(B) and (E). Public Act 103-1042, which will be effective January 1, 2025, allows the Department to impose progressive sanctions on MH/DD providers that fail to comply with rule or contract conditions and gives providers 30 days to appeal these sanctions. The Public Act requires that the Department adopt rules as necessary to implement these provisions. However, the provisions the Department has placed in this rulemaking do not comply with the Public Act's effective date and do not include clear standards for the exercise of the Department's discretionary authority. The Department has agreed to withdraw this rulemaking in response to this Objection and to propose a new rulemaking no later than January 1, 2025. The motion passed unanimously (10-0-0).

Department of Revenue – Electricity Excise Tax Law (86 Ill. Adm. Code 511; 48 Ill. Reg. 5635)

Sen. DeWitte moved, seconded by Rep. Tarver, that JCAR, with the concurrence of the Department of Revenue, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (10-0-0).

Department of Veterans' Affairs – MIA/POW Scholarship (95 Ill. Adm. Code 116; 47 Ill. Reg. 17433)

Sara Augustinas and Anthony Vaughn represented DVA.

Co-Chair Spain reiterated the importance of rules being reflective of the statute in which they are implementing.

Discussion.

Rep. Tarver moved, seconded by Sen. Fowler, that JCAR recommend that the Department be more timely in implementing statute in rule. Public Act 89-267, which became effective January 1, 1996, removed the requirement that a child of an eligible veteran or serviceperson begin using this scholarship prior to age 26 and specified that the scholarship may be used by a spouse or child without regard to age. The Department never removed this age restriction from rule and appears to have continued to enforce the age restriction, contrary to statute, until this day. The motion passed unanimously (10-0-0).

Department of Commerce and Economic Opportunity – Illinois Film Production Services Tax Credit Program (14 Ill. Adm. Code 528; 48 Ill. Reg. 7901)

Peter Hawley, Jeanette Thom, Cesar Lopez, and Tito Quiñones represented DCEO.

Co-Chair Spain thanked DCEO for all of its work during the 2nd Notice period as comments were only brought forward during the 2nd Notice period. Co-Chair Spain reminded all that public comment on a rulemaking should be submitted during the 1st Notice period.

Discussion.

CERTIFICATION OF NO OBJECTION

Sen. Castro moved, seconded by Rep. Delgado, 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 (10-0-0).

ANNOUNCEMENT OF NEXT MEETING

Co-Chair Spain announced that the next JCAR meeting will be Tuesday, November 12, 2024, at 10:30 a.m. in Room C-1 of the Stratton Building, Springfield.

ADJOURNMENT

Co-Chair Cunningham moved, seconded by Rep. Haas, that the meeting stand adjourned. The motion passed unanimously (10-0-0).

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