

*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.*

## Adopted Rules

### TEACHER PREPARATION

The STATE BOARD OF EDUCATION adopted amendments to the Part now titled Culturally Responsive Teaching and Leading Standards for All Illinois Educators (23 IAC 24; 44 Ill Reg 14574) effective 3/2/21, that establish Culturally Responsive Teaching and Leading (CRTL) standards for Illinois educator preparation programs. The CRTL standards apply to college-level programs for prospective teachers, administrators and support personnel but do not apply directly to K-12 classroom content. SBE states that these standards are intended to insure that educators are trained to be responsive to diverse cultural identities, such as race, ethnicity, religion, gender identity, sexual orientation, physical/developmental ability, and socioeconomic class, among their students.

### 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*.

### Emergency Rules, Page 3

The rulemaking changes the name of the Part (formerly Standards for All Illinois Teachers); expands its scope to include preparatory programs for all educator licenses endorsed for teaching, school support personnel, and administrators; and requires that, effective 10/1/21, any new

(cont. page 2)

## Proposed Rulemakings

### JUVENILE FACILITIES

The DEPARTMENT OF JUVENILE JUSTICE proposed repeal of the Part titled County Juvenile Detention Center (20 IAC 2602; 45 Ill Reg 3091) and proposed a new Part titled County Juvenile Detention Standards (20 IAC 2602; 45 Ill Reg 3157), updating standards for juvenile detention centers that were last amended in 1988. The new Part aligns these standards with the federal Prison Rape Elimination Act (PREA) with regard to prevention of sexual harassment and abuse of youth; expands provisions for mental health services and addressing grievances; sets procedures for hiring, promoting and training facility personnel; sets construction and facility standards for existing and new facilities; and sets standards for record keeping,

(cont. page 3)

**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](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.

## Adopted Rules

(cont. from page 1)

preparation program or course of study leading to educator licensure or certification in Illinois must align its content with the standards in the Part. Currently approved preparation programs must align with these standards by 10/1/25. CRTL standards established in this Part are as follows, with additions and changes made since 1<sup>st</sup> Notice highlighted in bold:

— **Self-awareness and relationships to others:** Educators will affirm **the validity of** students' backgrounds and identities; learn about students' communities, cultures, histories, and lives outside of school; recognize how their own cultural identities, biases and perceptions affect their teaching; and assess how certain behaviors (e.g., racism, sexism, homophobia, unearned privilege, Eurocentrism), can be mitigated. The educator will also recognize that "there is **often** not always one 'correct' way of doing or understanding something", that "what is seen as 'correct' is most often based on our lived experiences"; and think critically about the institutions in which they find themselves.

— **Systems of oppression:** Educators will understand that certain systems in society **(especially, but not limited to, the school system)** create inequities and oppressive conditions that they must actively work against. Educators will understand how the system of inequity has impacted them as an educator; be aware of the effects of power and privilege; understand

how a system of inequity creates rules regarding student punishment that negatively impact students of color; and understand "how a system of inequity reinforces certain **suppositions** (formerly "truths") as the norm".

— **Students as individuals:** Educators will approach students as individuals within the context of their families and communities and learn from/about students' culture, language and learning styles to make instruction more meaningful. They will engage with student's families and communities outside the classroom; inform parents of what their child is expected to learn, know and do; share their classroom policies with student's families and align them to the values and cultural norms of those families; and provide multiple opportunities for parents to communicate in their language and method of preference.

— **Students as co-creators:** Educators will center learning around students' experiences, with emphasis on prioritizing historically marginalized students. They will encourage and affirm personal experiences that students share in the classroom; consistently solicit students' input on the curriculum; co-create, with students, collective expectations and agreements regarding the classroom/school environment; embed student leadership opportunities (e.g., peer-led discussion, student-led workshops/initiatives) into their experiences; and persistently solicit and respond to student feedback.

— **Leveraging student advocacy (formerly, "student activism"):** Educators will support and create opportunities for student advocacy and representation. They will help students identify how to develop opportunities and relationships for alliances; create a "risk-taking space" that promotes student advocacy; facilitate student advocacy with real world implications; and give students space to solve their own problems, negotiate their advocacy needs, and present their perspectives.

— **Family and community collaboration:** Educators will develop relationships with families and the community outside of the school setting; invite families and the community to share their opinions, feedback and concerns; and invite family and community members to teach about culturally specific topics aligned to the classroom curriculum or content area.

— **Content selections in all curricula:** Educators will identify how marginalized communities are represented in curricula and classroom resources; embrace and encourage **a balance of viewpoints and perspectives** (formerly, "progressive perspectives") toward traditionally marginalized populations; integrate the wide spectrum and fluidity of identities in the curriculum; ensure that text selections reflect students' classroom, community and family culture; co-create content with students to **encourage critical**

(cont. page 4)

## Proposed Rulemakings

(cont. from page 1)

medical assessment and placement of youth, grievances, rules of conduct, and other matters. Juvenile detention centers must develop a service plan for youth with significant mental health needs and may hire or contract with mental health providers for this purpose. Detention centers must also have policies regarding suicide prevention and intervention. In accordance with PREA, multiple channels for reporting sexual harassment or abuse must be provided, including a means to report allegations anonymously to an outside entity that can forward reports to relevant authorities. Housing and bed assignments shall be made in a manner that protects youth from sexual abuse and harassment. In the case of youth who are transgender (gender identity differs from sex recorded/assigned at birth) or intersex (possessing physical characteristics or chromosomal patterns that are not consistently male or female), placement with male or female residents shall be considered on a case-by-case basis, with the youth's own perception of safety given due consideration. Transgender or intersex youth shall be allowed to shower separately from other facility residents and their residential and programming assignments shall be reassessed for safety considerations at least

(cont. page 5)

## Emergency Rules

### SPECIAL EDUCATION

The STATE BOARD OF EDUCATION adopted an emergency amendment to the Part titled Special Education Facilities under Section 14-7.02 of the School Code (23 IAC 401; 45 Ill Reg 3691) effective 3/3/21 for a maximum of 150 days. The emergency amendment and the Part concern private special education facilities in which special needs students may be enrolled at their home public school district's expense (for which SBE normally will reimburse the district) if their home district is unable to provide them an appropriate education. The Part requires SBE to evaluate these facilities periodically for compliance with SBE standards and assign each a status of Approved, Approved With Administrative Review, Pending Further Review, or Nonapproved. A facility that is Pending Further Review must correct its instances of noncompliance within 40 business days or be relegated to Nonapproved status. The emergency rule allows a facility that is currently on Pending Further Review status to remain in that status if the State Superintendent determines that it is demonstrating progress toward correcting instances of noncompliance that may substantially affect the safety of, or provision of appropriate education to, students, and that any continued instances of noncompliance do not constitute

an imminent danger to students. The effect of this emergency rule, according to SBE, is to allow Illinois students currently enrolled at the affected facility to remain enrolled or have time to find an alternate placement.

*Questions/requests for copies: Azita Kakvand, SBE, 100 N. First St., Springfield IL 62777-0001, 217/782-6510, [rules@isbe.net](mailto:rules@isbe.net)*

### VEHICLE REGISTRATION

The SECRETARY OF STATE adopted an emergency amendment to Collection of Fees (92 IAC 1003; 45 Ill Reg 3691) effective 3/3/21, amending a previous emergency rule (44 Ill Reg 17031) effective 10/7/21 for the remainder of its 150-day term, which expired 3/7/21. The original emergency rule allowed SOS to process refunds for overpaid vehicle registration fees for calendar years 2019 and 2020 more than 6 months after the fees were paid (normally, SOS must receive refund requests within 6 months after the overpayment, otherwise they are handled by the Court of Claims), if the delay was attributable to SOS and was not the fault of the registrant. The emergency amendment includes refunds for calendar year 2018.

*Questions/requests for copies: Amy Williams, SOS, 298 Howlett Bldg., Springfield IL 62756, 217/785-3094, [Awilliams3@ilsos.gov](mailto:Awilliams3@ilsos.gov)*

# Adopted Rules

(cont. from page 2)

## **thinking about culture that includes counternarratives**

(formerly, “include a counternarrative to dominant culture”); and consider a broader modality of student assessments that may include performance portfolios, essays, community assessments, social justice work, action research projects, and recognition beyond academia as well as traditional assessments and exams.

## **— Student representation in the learning environment:**

Educators will ensure that the diversity of their student population is equally represented within the learning environment. The well-versed educator will provide exposure to underrepresented or misrepresented minority groups even when they are not present within the population of their school or community at large. Educators will verify that course materials, including material in libraries, labs, and learning centers/stations, as well as classroom or building decorations, are representative and inclusive of all students throughout the building or within the community at large.

Additionally, the rulemaking removes Sections that outline teaching standards in effect on and before 6/30/13. Professional teaching standards that have been in effect since 7/1/13 will remain in this Part. Those affected by this rulemaking include prospective teachers, school administrators, and support personnel; student teachers; and institutions offering educator preparation programs.

## **SPECIAL EDUCATION**

SBE also adopted amendments to Special Education (23 IAC 226; 44 Ill Reg 14630) effective 3/2/21, reflecting various Public Acts. The rulemaking amends the procedures by which a school district that participates in a special education joint agreement withdraws from that agreement; updates personnel reimbursement procedures; and updates the required documentation to be submitted by a school district, special education cooperative, or the State when it is a respondent to a complaint filed with SBE by a parent, individual or organization. At least 3 school days prior to an Individualized Education Program (IEP) meeting, the child’s parent/guardian must be provided (via the parent’s preferred method of delivery; options must include regular U.S. Mail or pickup at school) copies of all written material that will be considered by the IEP team. Parents shall also be informed of their right to review and copy their child’s student records prior to any special education eligibility or IEP review meeting. (A change since 1<sup>st</sup> Notice clarifies information that must be provided to the parent/guardian prior to an initial meeting to determine special education eligibility or an IEP meeting for a child already receiving services.) When a service requested by an IEP team has not been implemented within 10 school days after it was scheduled to start under the IEP, the child’s parent must be notified in writing and informed of the school district’s

procedures for requesting compensatory services. Local education agencies also must make their service logs available to parents upon request. Finally, the rulemaking requires that each district shall (changed since 1<sup>st</sup> Notice from “may”) use either multi-tiered systems of support or scientific, research-based interventions (only the latter was formerly established in rule) to determine whether a child is eligible for special ed services due to a specific learning disability.

*Questions/requests for copies of the 2 SBE rulemakings: Azita Kakvand, SBE, 100 N. First St., Springfield IL 62777-0001, 217/782-6510, [rules@isbe.net](mailto:rules@isbe.net)*

## **■ VIDEO GAMING**

The ILLINOIS GAMING BOARD adopted amendments to Video Gaming (General) (11 IAC 1800; 44 Ill Reg 4265, 17542 and 18620) effective 3/8/21, combining three separately proposed rulemakings that clarify the definition of an “inducement” (provision of goods and services from a terminal operator to a licensed video gaming location that is prohibited under the Video Gaming Act); authorize e-mail service of various documents; and replace license renewal fees with annual fees charged at the maximum amounts permitted by the Act. Those affected by this rulemaking include terminal operators, video gaming licensees and applicants, and persons who

(cont. page 6)

# Proposed Rulemakings

(cont. from page 3)

twice a year. Provisions have also been added for addressing youth grievances not related to sexual harassment, including lost/damaged personal possessions, staff conduct, handling of mail, etc. Isolation may be used only as a last resort when less restrictive measures are inadequate to insure safety. Detention centers shall prioritize family engagement when setting visitation rules and shall also provide an option for video conferencing. Visitation times are increased from 30 minutes to 1 hour, and centers may on a case by case basis allow visits outside of normal visiting hours. Strip searches are allowed only when there is reasonable suspicion against an individual in certain circumstances (e.g., following admission, after leaving the facility grounds, after visits). Detention centers must designate a qualified educational authority to provide education services to detained youth; the program must meet all State and federal education standards. At least 1 teacher shall be provided for every 12 general education students, with at least 1 teacher per 8 special education students. Annually, no later than 8/1, each detention center shall file an educational plan with DJJ that includes the number of anticipated school days, curriculum compliance with State and federal standards, how class sizes will be limited, and how credits will be determined and awarded to students. At the end of the school year, no later than 7/1, the center shall file another report with DJJ

that includes the number of students served, total number of school days provided, and actual teacher to student ratios. Those affected by these rulemakings include county governments, youth in detention facilities, and providers of mental health, medical and educational services.

*Questions/requests for copies/comments on the 2 DJJ rulemakings through 5/3/21: Lindsay M. Bentivegna, DJJ, 2715 W. Monroe St., Springfield IL 62704, 217/557-1030, [DJJ.Rules@illinois.gov](mailto:DJJ.Rules@illinois.gov)*

## ■ HUNTING PERMITS

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to Landowner Permits (17 IAC 528; 45 Ill Reg 3244) clarifying certain eligibility criteria for landowner/tenant hunting permits. Bona fide current income beneficiaries of trusts that own 40 acres or more of land, and their immediate families, may apply for landowner or tenant permits (currently, only owners of 40 acres or more of land or resident tenants renting/leasing 40 acres or more of commercial agricultural land, plus their immediate families, qualify for these permits). Shareholders, members or partners in a corporation, limited liability company or partnership that holds land in trust are not considered bona fide current income beneficiaries for this purpose. Limitations on the number of permits that may be granted per 40 acres are removed. The

rulemaking also clarifies that a person may not hold both a landowner permit and a tenant permit and that persons who hold or have applied for landowner permits cannot apply for additional spring turkey hunting permits in the first lottery drawing. The application deadline for fall season turkey and deer landowner permits is moved to 9/1 (currently, 10/1). Applications for spring turkey season permits are due by 3/9 for the 2021 season and by 2/9 for each spring turkey season thereafter. Owners or tenants of deer or turkey hunting lands are affected by this rulemaking.

## ■ PASSENGER VESSELS

DNR also proposed amendments to Operation of Watercraft Carrying Passengers For Hire on Illinois Waters (17 IAC 2080; 45 Ill Reg 3256) aligning the Part with U.S. Coast Guard regulations. The rulemaking allows required dockside and dry dock inspections of vessels that carry passengers for hire to be documented with current Coast Guard inspection reports (completed within the previous 12 months for dockside inspection or the previous 5 years for dry dock inspection) in lieu of a private marine inspection report. All qualified operators of passengers for hire vessels must be listed on the license issued by DNR and all applications for these licenses must include each operator's Coast Guard merchant mariner credentials. No one who is not listed on the vessel's license

(cont. page 7)

# Adopted Rules

---

(cont. from page 4)

build, sell or repair video gaming equipment.

## Inducements

The rulemaking clarifies that terminal operators may provide the following items to licensed video gaming locations without the transaction being considered an inducement: terminals and the components (e.g., wiring, network connections) necessary for their operation; software upgrades, repairs, or other ongoing maintenance; video surveillance, alarms or other security systems; chairs, stools, or other furniture to be used at video gaming terminals; certain pass-through payments to third parties, provided the gaming location reimburses the terminal operator within 60 days; promotional items that cost \$5 or less; temporary signage costing \$300 or less; assistance in preparing or filing applications or other documentation required by IGB; and participation in procurement transactions under the State Fair Gaming Act. Transactions that are considered inducements (and thereby prohibited) include: providing free or reduced cost services, other than those listed as permissible, to a licensed video gaming location; direct monetary payment from a video gaming terminal; loans or financing arrangements; reimbursement or payment to a third party for a debt or obligation of the gaming location; and payment of all or part of any tax or fee incurred by the location. Items

that are considered prohibited inducements include permanent signage; temporary signage that does not meet the permissible criteria; free or promotional gaming play, including match play, for distribution to patrons; food and beverages; items such as glassware, napkins, menus or coasters that will be used for non-gaming purposes; and joint marketing, advertising or promotional activities, unless the cost is divided equally between the terminal operator and gaming location. Factors that IGB must consider in determining whether an item constitutes a prohibited inducement are listed. Additionally, the rulemaking requires that terminal operators and licensed video gaming locations keep records of provided goods and services for 3 years. The rulemaking also clarifies the definition of a licensed video gaming location to include licensed large truck stop establishments. Since 1<sup>st</sup> Notice, IGB has, in response to public comment, clarified the allowed transactions and added a list of items that are expressly prohibited as inducements.

## Email Service

Another provision (which replaces an emergency rule that expired on 11/1/20) authorizes e-mail service of documents by and upon license applicants, licensees, interested persons, and IGB for matters such as petitions, IGB Administrator recommendations, and final Board orders.

## Annual Fees

Finally, the rulemaking replaces the term “renewal fees” with “annual fees”. Video gaming licensees whose licenses are not renewed by their due dates (including licensees contesting notices of nonrenewal or revocation of a license) are still required to pay their annual fees; failure to pay a scheduled annual fee shall cause the license to expire. Annual fees shall be charged at the maximum amounts permitted by the Video Gaming Act (currently \$10,000 for manufacturers and distributors; \$5,000 for terminal operators; \$2,000 for suppliers; \$100 for technicians, terminal handlers and licensed establishments; \$100 for each video gaming terminal).

## SPORTS WAGERING

IGB also adopted amendments to Sports Wagering (11 IAC 1900; 44 Ill Reg 19312) effective 3/4/21, concerning software updates to sports wagering systems and other issues, that replace an emergency rule on software updates that expired 2/18/21. The rulemaking requires sports wagering software systems to be tested and recertified every 6 months and requires any further changes to a system that has been tested, certified and installed to be in compliance with this rule. Changes to core functions (placement, recording and resolution of wagers or system security and integrity) must be tested and certified prior to

(cont. page 8)

# Proposed Rulemakings

---

(cont. from page 5)

may operate a vessel carrying passengers. Rental boats must be registered with DNR and applications for rental boat licenses must include the boat's identification number (e.g., serial or hull identification number) and specify the type of watercraft (e.g., sailboat, motorboat, human powered). Any changes to the information contained on a passenger vessel's license or a rental boat license must be reported to DNR within 14 days. Those affected by this rulemaking include owners and operators of passenger vessels and rental watercraft.

## **DNR LICENSE REVOCATION**

DNR proposed amendments to the Part titled Revocation Procedures for Conservation Offenses (17 IAC 2530; 45 Ill Reg 3276) clarifying various aspects of these procedures. The definition of "single incident", for purposes of determining points toward revocation of a license or suspension of privileges, is amended to specify that it refers to a single act or event that includes multiple violations and does not include multiple acts or

events. Any reasons or legal advice that resulted in a defendant being determined guilty in a court of law by trial, guilty plea or sentence of court supervision/conditional discharge, shall not be the subject of, or a defense against, DNR revocation or suspension actions. A request for an appeal hearing must be received by DNR within 34 days after the date of the notice of suspension or revocation. Suspension periods (18 months for Type I offenses, 36 months for Type II offenses) will be based on the date of the actual offense and not the date of disposition of the offense.

*Questions/requests for copies/comments on the 3 DNR rulemakings through 5/3/21: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217/782-1809.*

## **■ FIREFIGHTERS**

The OFFICE OF THE STATE FIRE MARSHAL proposed amendments to Policy and Procedures Manual for Fire Protection Personnel (41 IAC 141; 45 Ill Reg 3291) updating training requirements and certification criteria for various firefighter

positions, ranks and titles. Certification as a Company Fire Officer, Advanced Fire Officer, Fire Inspector I, Fire Investigator, or Arson Investigator, or in hazardous materials operations or rope operations, requires meeting or exceeding the standards set by the National Fire Protection Association (NFPA). For Company and Advanced Fire Officers, this includes completion of 40 Phase I instructional hours (in person or online) and 80 Phase II instructional hours (must be in person). Beginning 1/1/22, recertification will be required every 4 years for 29 additional ranks/titles (currently, only Fire Investigator and Arson Investigator require recertification); the rulemaking outlines the recertification process. Level-specific certifications other than Fire Investigator and Arson Investigator that require recertification before 1/1/22 will remain in effect through 12/31/25. Local fire departments will be affected by this rulemaking.

*Questions/requests for copies/comments through 5/3/21: Nancy Robinson, OSFM, 1035 Stevenson Drive, Springfield IL 62703, 217/785-7629.*

## Adopted Rules

---

(cont. from page 6)

installation on a live sports wagering system. A master sports wagering licensee must notify the IGB Administrator before installing any substantial change to a core function. The Administrator or his/her designee may order that the substantial change be tested and certified prior to installation. If such an order is not issued within 3 business days after the notification, the licensee may proceed with installation of the system change. Notification is not required for changes to non-core functions unless the change impacts or is related to a core function. If an unanticipated incident or disruption requires an emergency system change, the licensee must report the incident to IGB and must notify the Administrator immediately upon implementation of the emergency system change (prior notification is not required in an emergency situation). All changes to any system must be recorded on a change log, which must be made available to IGB upon request. Master sports wagering licensees must also include detailed information on the software management process in their internal control systems. Other changes remove the position of chief compliance officer from the list of positions requiring a Level 1 occupational license; remove a requirement that the house rules of master sports wagering licensees include, in their descriptions of how winning wagers are determined, data sources relied upon by the licensee; require master sports

wagering licensees to submit copies of their initial or revised house rules to the IGB administrator before releasing them to patrons (currently, at least 30 days before making them available to patrons); clarify that licensees must not directly advertise or promote sports wagering to individuals under age 21; and clarify other aspects of the licensing and temporary operating permit process. Sports wagering licensees are affected by this rulemaking.

*Questions/requests for copies of the 2 IGB rulemakings: Agostino Lorenzini, IGB, 160 N. LaSalle St., Chicago IL 60601, [IGB.RuleComments@igb.illinois.gov](mailto:IGB.RuleComments@igb.illinois.gov)*

### ■ HEALTH CARE WORKERS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Health Care Employee Vaccination Code (77 IAC 956; 44 Ill Reg 16742) effective 3/4/21, replacing an emergency rule that expired 2/26/21. The rulemaking extends the DPH mandate for health care facility workers to obtain annual influenza vaccinations to employees of developmental centers and mental health centers. Employees of State mental health and developmental disabilities facilities are affected.

*Questions/requests for copies: Tracey Trigillo, DPH, 535 W. Jefferson St., 5<sup>th</sup> Fl., Springfield IL 62761, 217/782-1159, [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)*

### ■ WATERCRAFT

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to Boat and Snowmobile Registration and Safety (17 IAC 2010; 44 Ill Reg 18631) effective 3/4/21, aligning the Part with U.S. Coast Guard regulations for watercraft. The rulemaking adds the following items to the list of information required in an application for registration and title to a watercraft: type of application (new number, renewal number, transfer of ownership); the driver's license or State ID number of the owner; the state in which the watercraft will be principally operated; a copy of the certificate of origin, if any; the name and address of any lienholder; any identification number previously issued to the vessel by a U.S. state or a foreign registration authority; the category of vessel being registered (air boat, auxiliary sail, cabin motorboat, houseboat, inflatable boat, open motorboat, paddlecraft, personal watercraft, pontoon boat, rowboat, sail only, other); type of hull material (aluminum, fiberglass, plastic, rubber/vinyl/canvas, steel, wood, other); and the primary operational use of the vessel (charter fishing, commercial fishing, commercial passenger, dealer/manufacture demonstration, pleasure, rent/lease, other commercial operation). Provisions for water usage stamps for non-powered watercraft are being repealed. Boat accidents causing more than

(cont. page 9)



## Adopted Rules

---

(cont. from page 8)

\$2,000 (formerly, \$500) in property damage must be reported to DNR. Owners and operators of pleasure or commercial watercraft are affected by this rulemaking.

*Questions/requests for copies: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217/782-1809.*

### INDUSTRIAL POLLUTION

The POLLUTION CONTROL BOARD adopted amendments to Definitions and General Provisions (35 IAC 211; 44 Ill Reg 17146) and

Organic Material Emission Standards and Limitations for the Metro East Area (35 IAC 219; 44 Ill Reg 17190), both effective 3/4/21, concerning emissions of volatile organic material (VOM) from painting, finishing and similar operations at aerospace manufacturing/repair facilities in Madison, Monroe and St. Clair counties. The amendments add various chemicals and materials used in construction and repair of aircraft and spacecraft, and regulations for their use, to these Parts. PCB states that these rules are in response to a planned expansion of aerospace facility operations in the Metro East area.

Since 1<sup>st</sup> Notice, PCB has changed the compliance date for the Part 219 rules from 1/1/21 to 7/1/21.

*Questions/requests for copies of the 2 PCB rulemakings: Tim Fox, PCB, 100 W. Randolph St., Suite 11-500, Chicago IL 60601, 312/814-6085, [tim.fox@illinois.gov](mailto:tim.fox@illinois.gov). Please reference docket R21-18. Copies of the Board's opinion and order can be obtained by calling 312/814-3620 or downloaded at [www.pcb.illinois.gov](http://www.pcb.illinois.gov).*

---

**NO SECOND NOTICES THIS WEEK**

---

## JCAR Meeting Action

---

At its 3/16/21 meeting, the Joint Committee on Administrative Rules approved the following actions:

### RECOMMENDATIONS

With regard to the Department of Commerce and Economic Opportunity's emergency rulemaking titled Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program (14 IAC 700; 45 Ill Reg 2703), JCAR recommends that the Department refrain from using emergency rulemaking procedures when regular rulemaking would suffice and refrain from including nonemergency provisions in emergency rulemaking.

With regard to the Department of Financial and Professional Regulation's rulemaking titled Illinois Professional Land Surveyor Act of 1989 (68 IAC 1270; 44 Ill Reg 16065), JCAR recommends that the Department review its policy regarding live continuing education, whether virtual or in person, after the COVID-19 pandemic ends.

### EXTENSIONS

JCAR and the respective agencies agreed to extend the Second Notice periods for the following rulemakings an additional 45 days. These rulemakings will be reconsidered at the 4/13/21 meeting:

Pollution Control Board, Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments (35 IAC 845; 44 Ill Reg 6696) proposed 5/1/20

Torture Inquiry and Relief Commission, Organization, Public Information, Procedures and Rulemaking (2 IAC 3500; 44 Ill Reg 17392) proposed 10/30/20

---

### JCAR MEMBERSHIP CHANGE

The Joint Committee on Administrative Rules welcomes Rep. Curtis J. Tarver, II, D-Chicago. Tarver replaces Rep. Andre Thapedi, D-Chicago, who resigned from JCAR on March 11.