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ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Digital Divide Elimination Infrastructure Fund
- 2) Code Citation: 83 Ill. Adm. Code 759
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
759.120	Amendment
759.230	Amendment
759.310	Amendment
759.320	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 13-301.3 of the Public Utilities Act [220 ILCS 5/13-301.3]
- 5) A Complete Description of the Subjects and Issues Involved: On July 23, 2003, the Governor signed into law P. A. 93-0306 that, in part, amends Section 13-301.3 of the Public Utilities Act. The changes to Section 13-301.3 of the Act require the Commission to apply rules under which it shall determine eligible areas for granting of funds used to construct high-speed data transmission facilities. Previously, the Commission was only required to determine if provision of advanced services was otherwise unduly economically burdensome or would impose a significant adverse impact on users of telecommunications services.
- 6) Will these proposed amendments replace any emergency amendments currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments neither create nor expand any State mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register* in Docket 04-0165, with:

Chief Clerk

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701
(217)782-7434

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will affect any grant applicants that are also small businesses as defined in the Illinois Administrative Procedure Act. These rules will affect any small municipalities or not for profit corporations that might apply for grants under this Part.
 - B) Reporting, bookkeeping or other procedures required for compliance: Reporting
 - C) Types of professional skills necessary for compliance: Managerial skills
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Commission did not anticipate the need for this amendment at that time.

The full text of the Proposed Amendments begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 759
DIGITAL DIVIDE ELIMINATION INFRASTRUCTURE FUND

SUBPART A: GENERAL PROVISIONS

Section	
759.110	Purpose
759.120	Definitions

SUBPART B: ELIGIBILITY

Section	
759.210	Eligible Entities
759.220	Eligible Uses
759.230	Eligible Areas

SUBPART C: REVIEW OF PROPOSALS

Section	
759.310	Proposal Content
759.320	Selection of Grant Recipients
759.330	Limitations and Obligations
759.340	Reporting

AUTHORITY: Implementing and authorized by Section 13-301.3 of the Public Utilities Act [220 ILCS 5/13-301.3].

SOURCE: Adopted at 27 Ill. Reg. 5735, effective April 1, 2003; amended at 28 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 759.120 Definitions

When used in this Part, the listed terms shall have the definitions given in this Section.

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"Act" means the Public Utilities Act [220 ILCS 5].

"Advanced telecommunications services" or "advanced services" means *services capable of supporting, in at least one direction, a speed in excess of 200 kilobits per second (kbps) to the network demarcation point at the subscriber's premises* [220 ILCS 5/13-517].

"Applicant" means an eligible entity that has submitted a proposal.

"Fund" means the Digital Divide Elimination Infrastructure Fund established pursuant to Section 13-301.3 of the Act [220 ILCS 5/13-301.3].

"Grant" means any award of monies from the Fund pursuant to this Part.

"Grant agreement" means the agreement specified in Section 759.320 executed by the grantee and delivered to the Commission.

"Grantee" means any eligible entity who is awarded a grant.

"Incumbent local exchange carrier" means a telecommunications carrier as that term is defined in Section 13-202.5 of the Act [220 ILCS 5/13-202.5].

"Program" means the procedures established pursuant to this Part for the Commission's issuance of a grant.

"Project" means the construction of high-speed data transmission facilities necessary to provision advanced services within an eligible area, as described in an applicant's proposal.

"Proposal" means an application for a grant submitted to the Commission pursuant to this Part.

"Telecommunications carrier" or "carrier" means a telecommunications carrier as that term is defined in Section 13-202 of the Act [220 ILCS 5/13-202] that is providing local exchange telecommunications service as defined in Section 13-204 of the Act.

~~"Waiver area" means an area of the State for which an incumbent local exchange carrier has applied for and received a waiver from its obligation to offer or provide advanced services to 80% of its customers, pursuant to Section 13-517 of~~

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

~~the Act [220 ILCS 5/13-517].~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

SUBPART B: ELIGIBILITY

Section 759.230 Eligible Areas

~~Grants shall only be used for eligible uses within an eligible area of the State. For purposes of determining whether an area is an eligible area, the Commission shall consider, among other things, whether:~~

- ~~a) The area, to be served by advanced telecommunications services, as defined in Section 13-517(c) of the Act, is under-provided to residential or small business end users, either directly or indirectly through an Internet Service Provider;~~
- ~~b) The area has a low population density;~~
- ~~c) The area has not yet developed a competitive market for advanced services;~~
- ~~d) If an entity seeking a grant of funds from the Fund is an incumbent local exchange carrier having the duty to serve that area, and the obligation to provide advanced services to that area pursuant to Section 13-517 of the Act [220 ILCS 5/13-517], the entity shall demonstrate that it has sought and obtained an exemption from the obligation to provide advanced services.~~

~~An eligible area shall be comprised of one or more waiver areas. Grants shall only be used for eligible uses within a waiver area of the State.~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

SUBPART C: REVIEW OF PROPOSALS

Section 759.310 Proposal Content

- a) Subject to appropriation and availability of funds, the Commission shall issue a Request for Grant Proposal, pursuant to the Illinois Procurement Code [30 ILCS 500], which shall include instructions and formats for the submission of grant proposals.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- b) Proposal items: The grant proposal shall include, at a minimum, the following sections:
- 1) A cover page;
 - 2) Ownership information of the applicant;
 - 3) An executive summary of the proposal;
 - 4) A description of the applicant, demonstrating that the applicant is an eligible entity (see Section 759.210);
 - 5) Current financial information for the applicant;
 - 6) The location of the proposed infrastructure project and a description of the area as it relates to the eligible area criteria (see Section 759.230);
 - 7) A description of the proposed infrastructure project, including its social and economic benefits;
 - 8) A detailed project budget and schedule by task, including a proposed completion date.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 759.320 Selection of Grant Recipients

Grantees shall be competitively selected by the Commission pursuant to the Illinois Procurement Code and the Standard Procurement Rules (44 Ill. Adm. Code 1). The Commission shall use the following criteria when reviewing proposals and awarding grants:

- a) The technical, financial and managerial resources and abilities of the applicant; and
- b) The economic justification for the project, which includes the social and economic benefits of the project; ~~and-~~
- c) The location of the project.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Household Goods Carriers
- 2) Code Citation: 92 Ill. Adm. Code 1457
- 3) Section Number: 1457.1400 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 18c-1202 and 18c-1501 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202].
- 5) A Complete Description of the Subjects and Issues Involved: These amendments increase the filing fees assessed to household goods carriers.
- 6) Will this proposed amendment replace any emergency amendments currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments neither create nor expand any State mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register* with:

Steven L. Matrisch
Office of Transportation Counsel
Transportation Division
Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701
(217) 782-6447
smatrisc@icc.state.il.us
- 12) Initial Regulatory Flexibility Analysis:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will affect small businesses that are currently licensed or will be licensed by the Illinois Commerce Commission as household goods carriers in the State of Illinois and that are small businesses as defined in the Illinois Administrative Procedures Act. These amendments will not be affected any small municipalities or not for profit corporations.
- B) Reporting and bookkeeping or other procedures required for compliance: No additional procedures will be required for compliance.
- C) Types of professional skills necessary for compliance: Accounting and Managerial.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Commission did not anticipate the need for amendment at that time.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER a: COMMERCIAL TRANSPORTATION GENERALLY

PART 1457
HOUSEHOLD GOODS CARRIERS

SUBPART A: APPLICATIONS

- Section
- 1457.10 Application for Temporary Household Goods Authority
 - 1457.20 Notice of Application for Permanent Household Goods Authority
 - 1457.30 Petitions for Leave to Intervene
 - 1457.40 Application for Permanent Household Goods Authority
 - 1457.50 Emergency Temporary Household Goods Authority Application
 - 1457.60 Transfer of Permanent Household Goods Authority

SUBPART B: FITNESS STANDARDS

- Section
- 1457.80 Requirements to Show Fitness
 - 1457.90 Continued Fitness Standards

SUBPART C: INSURANCE OR BOND COVERAGE

- Section
- 1457.100 Licenses Conditioned upon Compliance with Insurance Requirements
 - 1457.110 Proof of Insurance or Bond Coverage
 - 1457.120 Public Liability and Property Damage Coverage
 - 1457.130 Cargo Damage Coverage
 - 1457.140 Collect On Delivery (C.O.D.) Bond Coverage
 - 1457.150 Shipper Valuation Coverage
 - 1457.160 Shipper Insurance Coverage

SUBPART D: SELF-INSURANCE

- Section
- 1457.200 Effect of Qualification as Self-Insurer
 - 1457.210 Minimum Requirements for Self-Insurers
 - 1457.220 Reports to be Filed by Self-Insurers

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- 1457.230 Revocation of Authorization to be a Self-Insurer
- 1457.240 Reinstatement

SUBPART E: RESOLUTION OF HOUSEHOLD GOODS DISPUTES

Section

- 1457.300 Introduction
- 1457.310 Definitions
- 1457.320 Shipper-Carrier Negotiation
- 1457.330 Mediation
- 1457.340 Arbitration

SUBPART F: CLAIMS FOR OVERCHARGES OR DUPLICATE PAYMENT

Section

- 1457.400 Definitions
- 1457.405 Filing of Claims
- 1457.410 Documentation of Claims
- 1457.415 Investigation of Claims
- 1457.420 Claim Records
- 1457.425 Acknowledgment of Claims
- 1457.430 Disposition of Claims
- 1457.435 Disposition of Unidentified Payments, Overcharges, and Duplicate Payments Not Supported by Claims

SUBPART G: CLAIMS FOR LOSS OR DAMAGE

Section

- 1457.440 Definitions
- 1457.450 Limitations for Filing a Claim
- 1457.455 Requirements for Form and Content of Claims
- 1457.460 Documents Not Constituting Claims
- 1457.465 Claims Filed for Uncertain Amounts
- 1457.470 Multiple Loss and Damage Claims for the Same Shipment
- 1457.475 Acknowledgement of Loss or Damage Claims
- 1457.480 Loss or Damage Claim Records
- 1457.485 Investigation of Loss or Damage Claims
- 1457.490 Disposition of Loss or Damage Claims
- 1457.495 Processing of Salvage

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SUBPART H: ACCOUNTING AND FINANCIAL RECORD REQUIREMENTS

Section

- 1457.500 Generally Accepted Accounting Principles
- 1457.510 Records
- 1457.520 Examination and Audit
- 1457.530 Annual Report Filing Requirement

SUBPART I: BILLS OF LADING OR OTHER FORMS

Section

- 1457.600 Bills of Lading and Freight Bills
- 1457.610 Estimate of Charges
- 1457.620 Inventory Forms
- 1457.630 Storage Charges
- 1457.640 Determination of Weights
- 1457.650 Information Pamphlets for Shippers
- 1457.660 Retention of Bills and Other Forms

SUBPART J: CAB CARDS AND IDENTIFIERS

Section

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- 1457.710 Exemption of Vehicles from Cab Card Requirements
- 1457.720 Transfer of Cab Card/Identifier
- 1457.730 Expiration, Alteration, and Replacement of Cab Card/Identifier
- 1457.740 Revocation of Exemptions under Section 18c-4601(2) of the Law

SUBPART K: CARRIER IDENTIFICATION

Section

- 1457.800 Carrier Identification of Vehicles and Format

SUBPART L: EQUIPMENT LEASES

Section

- 1457.900 Applicability
- 1457.910 Definitions
- 1457.920 General Leasing Requirements
- 1457.930 Actions Affecting Leases

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LINE-HAUL RATES; AND ACCESSORIAL OR TERMINAL CHARGES

Section

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SUBPART N: APPLICATIONS FOR APPROVAL OF TARIFF BUREAU AGREEMENTS

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SUBPART O: TARIFF BUREAU RECORDS AND REPORTS

Section

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SUBPART P: CARRIER/AGENT RELATIONSHIPS

Section

- 1457.1300 Carrier/Agent Relationships

SUBPART Q: FEES

Section

- 1457.1400 Filing Fees

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing Sections 18c-1202 and 18c-2107 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202 and 18c-2107].

SOURCE: Adopted at 24 Ill. Reg. 17072, effective November 1, 2000; amended at 28 Ill. Reg. 3840, effective March 1, 2004; amended at 28 Ill. Reg. _____, effective _____.

SUBPART Q: FEES

Section 1457.1400 Filing Fees

Filing fees for household goods carriers shall be as follows:

- | | | | |
|----|--|---|-------------------------|
| a) | Application for new license | | |
| | 1) | Application for temporary authority | \$ 450 300 |
| | 2) | Application for emergency temporary authority | \$ 450 300 |
| | 3) | Application for permanent license | \$ 900 600 |
| b) | Application for extended license | | |
| | 1) | For temporary authority | \$ 450 300 |
| | 2) | For emergency temporary authority | \$ 450 300 |
| | 3) | Other application for extended license | \$ 900 600 |
| c) | Application to transfer license | | |
| | 1) | Transfer under Section 18c-4306 of the Law | \$ 450 300 |
| | 2) | Other application to transfer license | \$ 900 600 |
| d) | Application to reinstate a suspended or revoked license or vacated order | | \$ 900 600 |
| e) | Petition for interpretation of authority | | \$ 375 250 |
| f) | Petition to amend authority | | \$ 112.50 75 |

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- g) Petition for name change \$~~112.5075~~ |
- h) Rate filings
 - 1) Application for authority to establish a released value rate \$~~112.5075~~ |
 - 2) Special permission application \$~~112.5075~~ |
- i) Annual cab card and cab card renewal fee for each vehicle operated by or under authority of a household goods carrier \$~~37.5025~~ |
- j) Each order for cab cards shall be accompanied by a ~~\$1540~~ order processing fee. |

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Renal Diseases Program for Care and Treatment
- 2) Code Citation: 77 Ill. Adm. Code 700
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
700.10	Repeal
700.20	Repeal
700.30	Repeal
700.APPENDIX A	Repeal
700.APPENDIX B	Repeal
- 4) Statutory Authority: Implementing and authorized by Sections 1 and 3 of “AN ACT to establish in the Department of Public Health a program for the care of persons suffering from chronic renal diseases, designating powers and duties in relation thereto, and making an appropriation therefore” [410 ILCS 430].
- 5) A Complete Description of the Subjects and Issues involved: This rule was incorrectly recodified to the Department of Human Services in 1997. The Department of Public Aid administers this program.
- 6) Will this proposed repealer replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

Harris Building, 3rd Floor
Springfield, Illinois 62762
(217) 785-9772

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: January 2004

The full text of the Proposed Repealer begins on the next page.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER I: CHRONIC DISEASESPART 700
RENAL DISEASES PROGRAM FOR CARE AND
TREATMENT CODE (REPEALED)

Section

700.10	Scope of the Program and Assistance Level
700.20	Application Requirements to Establish Eligibility
700.30	Determination of Eligibility
700.APPENDIX A	Direct Care Program – Renal Participation Worksheet
700.APPENDIX B	Bureau of Labor Statistics Equivalence Table

AUTHORITY: Implementing and authorized by Sections 1 and 3 of the Renal Disease Treatment Act [410 ILCS 430].

SOURCE: Adopted and codified at 6 Ill. Reg. 11042, effective August 30, 1982; amended at 13 Ill. Reg. 10634, effective July 1, 1989; recodified from the Department of Public Health to the Department of Human Services at 21 Ill. Reg. 9323; repealed at 28 Ill. Reg. _____, effective _____.

Section 700.10 Scope of the Program and Assistance Level

- a) The Illinois Department of Human Services Chronic Renal Disease Program assists patients who have not qualified for Public Aid benefits and is supplementary to all other resources, including Medicare, private insurance and private income. It is limited to not more than the same fee schedule as Medicare for costs designated in this Section and eligible for Medicare payment.
 - 1) The Illinois Department of Human Services assists eligible patients with the cost of dialysis facilities approved pursuant to 42 CFR 405.2100 - 405.2171, 1988 and this Part. Assistance for all eligible chronic outpatient dialysis patients, both in-facility dialysis and home dialysis, will not exceed 15% of the Medicare rate. In consultation with the Renal Disease Advisory Committee, the Department will determine annually the rate of reimbursement to be used for the fiscal year, based on the following criteria:

DEPARTMENT OF HUMAN SERVICES

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- A) Amount of the appropriation;
 - B) Average cost per patient;
 - C) Projected number of patients to be assisted.
- 2) New patients who qualify for chronic outpatient dialysis assistance during the waiting period for Medicare (60 to 90 days from the date of first dialysis) will be assisted at a maximum of 95 percent or less, based on the criteria determination as defined in subsection (a)(1).
- NOTE: Program assistance is provided after Medicare, private insurance and patient participation (subsection (a)). This payment is accepted by the dialysis facility as payment in full for all eligible costs for the patient during the specified time period (subsection (b)).
- 3) Patients who will never be eligible for Medicare will be assisted at a maximum of 95 percent or a minimum of 80 percent, based on the criteria determination as defined in subsection (a)(1).
- 4) Assistance may be provided for approved eligible patients for the costs of prescribed medication and/or transportation to and from the site of dialysis or the site of out-patient post transplantation care when such needs are defined as emergency situations by the physician and social worker in the approved facility.
- 5) For eligible patients, costs, not otherwise covered, of laboratory tests related to the patient's status after transplantation, are paid for 3 years after the date of transplantation.
- b) Only Medicare approved providers of care with which a valid agreement by the Illinois Department of Human Services is in force during the fiscal year for care for chronic renal disease patients, shall be paid by the Illinois Department of Public Health for any services during that fiscal year. Only one provider of care will be paid by the Illinois Department of Public Health for costs of care provided for any given time period to any given patient; payments made to this provider shall be considered total assistance available for all eligible costs for that patient during that time period.

Section 700.20 Application Requirements to Establish Eligibility

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

- a) In order to establish eligibility for participation in the Department of Human Services' Chronic Renal Disease Program, proof of the Illinois Department of Public Aid evaluation or denial of eligibility or a written statement from the facility social worker verifying same must be submitted with the application. The Medicare approved dialysis or transplantation facility where the patient has been evaluated and accepted for treatment must submit the medical and financial data described in subsections (1), (2) and (3) below. This information must be submitted each fiscal year that assistance with costs of a patient's treatment is sought from the Illinois Department of Human Services.
- 1) The Department of Human Services medical sheet, which provides medical criteria for patient selection and includes:
 - A) a diagnosis of end stage renal disease,
 - B) information as to other disabling, irreversible or life-threatening disease,
 - C) first dialysis date,
 - D) possibility of patient being a candidate for home dialysis and reasons if not possible,
 - E) possibility of patient receiving a transplantation and reasons if not possible, and
 - F) plans for immediate and future medical care.
 - 2) The Department of Human Services financial application sheet, which provides:
 - A) patient identifying information,
 - B) family information,
 - C) hospital and medical care insurance information,
 - D) employment and other income information,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

- E) necessary and unavoidable expenditures, and
 - F) family medical costs including costs related to the patient.
- 3) most recent federal and state income tax returns and accompanying schedules.
- b) The applicant and/or the applicant's parent or guardian must sign a statement authorizing the release to the Department of Public Health, or to an approved chronic renal disease treatment facility, of all medical and financial records.
- c) All information submitted to the Department of Human Services will be treated as confidential information and only those involved with the administration of the Renal Disease Program will have access to this information.

Section 700.30 Determination of Eligibility

- a) Upon receipt of all necessary application forms and information, the Illinois Department of Human Services shall make a review of the applicant's medical and financial status. The Department will utilize the information in concert with Bureau of Labor Statistics standards to determine eligibility for payment as outlined in Appendix A and B. The Department shall inform the dialysis center staff and the applicant of the conditions of eligibility and of the applicant's eligibility for the program.
- b) If a substantial change in the need of any applicant occurs after the applicant has filed the necessary application forms and information, the applicant shall submit a report of the change and may ask for a re-evaluation of his or her status.
- c) In determining the eligibility of any applicant for participation in the Chronic Renal Disease Program, the Department of Public Health shall consider the ability of the patient's family, where legally responsible, to pay for part of the care of the patient and hardships resulting; and the availability of other sources of assistance for which the patient may become eligible. The Department of Human Services may determine that the State Renal Disease Program should only partially assist in the payment of costs of care of the patient described in Section 700.10.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED REPEALER

STATE INCOME TAX + _____ = _____
 LESS B.L.S.
 STANDARD TAX - _____ = _____
 (METRO 1,435 NON-METRO 1,260)

G. SPECIAL CARE FOR CHILDREN _____

H. SCHOOL TUITION _____

I. SUPPORT PAID (ALIMONY) _____

J. OTHER PAYMENTS _____

- 1. Transportation to and from dialysis
- 2. Employment Expense (dues, uniforms, small tools)
- 3. Social Security

LESS: B.L.S. STANDARDS - _____ = _____
 Social Security – METRO 702 NON-METRO 676

K. MEDICAL EXPENSES _____
 (includes Med. Ins. Premiums)

Less B.L.S. Standard
 Medical Expenses - _____ = _____
 METRO 876 NON-METRO 671

LESS: TOTAL EXPENSES - _____

INCOME IN EXCESS \$ _____

X .333

L. \$ _____

ENTER SMALLEST AMOUNT OF C, OR D, OR L \$ _____

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**Section 700.APPENDIX B Illinois Department of Human Services Bureau of Labor
Statistics Equivalence Table Exhibit A. Revised Scale of Equivalent Income for Urban
Families of Different Size, Age, And Composition**

(4 person family – husband, age 35-54, wife, 2 children, oldest 6.15 = 100)

SIZE AND TYPE OF FAMILY	AGE OF HEAD			
	35-54	55-64	Over 65	
One person	37	38	33	28
Two persons:				
Husband and wife.....	50	61	60	51
One parent and child	40	59	62	58
Three persons:				
Husband, wife, child under 6	62	69	70	68
Husband, wife, child 6-15	62	83	89	81
Husband, wife, child 16-17	83	92	89	78
Husband, wife, child 18 or over	82	83	86	77
One parent, 2 children	68	77	84	75
Four persons:				
Husband, wife, 2 children, oldest under 6.....	71	79	80	80
Husband, wife, 2 children, oldest 6-15	76	100	105	95
Husband, wife, 2 children, oldest 16-17	113	114	126	110
Husband, wife, 2 children, oldest 18 or over	96	96	110	89
One parent, 3 children	88	97	97	87
Five persons:				
Husband, wife, 3 children, oldest under 6.....	85	95	97	-
Husband, wife, 3 children oldest 6-15	94	115	119	-
Husband, wife, 3 children oldest 16-17	128	128	138	-
Husband, wife, 3 children oldest 18 or over	119	118	124	-
One parent, 4 children	108	117	118	-
Six persons or more:				
Husband, wife, 4 children or more, oldest under 6	98	114	115	-
Husband, wife, 4 children or more, oldest 6-15	107	130	139	-

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Husband, wife, 4 children or more, oldest 16-17.....	146	145	147	-
Husband, wife, 4 children or more, oldest 18 or over.....	149	149	150	-
One parent, 5 children or more	124	137	138	-

The scale values shown here are percentages to be applied to the total cost of a budget (excluding State and local income taxes and disability payments) for the base family (4 persons-husband, age 35-54, wife, 2 children, oldest child 6-15 years) to estimate the total income required to provide the same level of living for urban families of different size, age, and composition. In addition to the cost of goods and services for family consumption the total budget costs include gifts and contributions, life insurance, occupational expenses, employee contribution for social security, and Federal income taxes. Estimates of personal taxes paid to State and local government and of payments for disability insurance may be added in those urban areas where applicable.

LIST OF METROPOLITAN COUNTIES BY SMSA DEFINITION

Boone	Henry	Macon	Rock Island	Winnebago
Champaign	Kane	Menard	Sangamon	Woodford
Clinton	Lake	Madison	St. Clair	
Cook	McHenry	Monroe	Tazewell	
DuPage	McLean	Peoria	Will	

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Hemophilia Program
- 2) Code Citation: 77 Ill. Adm. Code 705
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
705.10	Repeal
705.20	Repeal
705.30	Repeal
705.50	Repeal
705.60	Repeal
705.70	Repeal
705.80	Repeal
705.90	Repeal
705.100	Repeal
- 4) Statutory Authority: Implementing and authorized by “AN ACT establishing in The Illinois Department of Public Health a program for the care of persons suffering from hemophilia, establishing a Hemophilia Advisory Committee and designating powers and duties in relation thereto” [410 ILCS 420].
- 5) A Complete Description of the Subjects and Issues involved: This rule was incorrectly recodified to the Department of Human Services in 1997. The Department of Public Aid administers this program.
- 6) Will this repealer replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this repealer contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective if applicable: This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

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Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762
(217) 785-9772

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: January, 2004

The full text of the Proposed Repealer begins on the next page.

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NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER I: CHRONIC DISEASESPART 705
HEMOPHILIA PROGRAM (REPEALED)

Section

705.10	Applicability
705.20	Definitions
705.30	Patient Eligibility
705.40	Hemophilia Centers
705.50	Primary Care Physician
705.60	Comprehensive Care Evaluation
705.70	Dental Program
705.80	Psycho-social Resources
705.90	Home Transfusion Arrangements
705.100	Obligations of the Department

AUTHORITY: Implementing and authorized by the Hemophilia Care Act [410 ILCS 420].

SOURCE: Adopted at 3 Ill. Reg. 40, p. 143, effective October 6, 1979; amended at 8 Ill. Reg. 8246, effective May 25, 1984; codified at 8 Ill. Reg. 14279; recodified from the Department of Public Health to the Department of Human Services at 21 Ill. Reg. 9323; repealed at 28 Ill. Reg. _____, effective _____.

Section 705.10 Applicability

This Part refers to the Regulations required by the Hemophilia Program Act, (Ill. Rev. Stat. 1981, ch. 111½, pars. 2901 et seq.). They include criteria for patient medical eligibility, standards for Hemophilia Centers including the required personnel for staffing such centers, other medical resources, and financial requirements for patient participation in the costs of treatment. They also describe the obligations of the Department of Human Services in administering the Program.

Section 705.20 Definitions

"Available family income" – means the lesser of

Gross income minus the sum of (1) \$5,500 and (2) \$3,500 times the number of persons in the family, or

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One half of gross income.

"Committee" – means the Hemophilia Advisory Committee created under this Act.

"Department" – means the Illinois Department of Human Services.

"Director" – means the Secretary of the Illinois Department of Human Services.

"Eligible cost of hemophilia services" – means the cost of blood transfusions, blood derivatives, out-patient services, physicians' charges, medical supplies and appliances used in the treatment of eligible persons for hemophilia, plus one half of the cost of hospital in-patient care, minus any amount of such cost that is eligible for payment or reimbursement by any hospital or medical insurance program, by any other government medical or financial assistance program, or by any charitable assistance program.

"Eligible person" – means any resident of the State suffering from hemophilia.

"Gross income" – means the base income for State income tax purposes of all members of the family.

"Hemophilia" – means a bleeding tendency resulting from a genetically determined deficiency in the blood.

"Hemophilia Center" – means a hospital certified as a Hemophilia Center by the Department of Human Services.

Section 705.30 Patient Eligibility

- a) An eligible patient is one who meets the following requirements or criteria:
 - 1) Is a resident of the State of Illinois.
 - 2) Has been evaluated at a Hemophilia Center as having a diagnosis of hemophilia, which is characterized by one of the following:
 - A) A congenital deficiency of factor VIII or IX (hemophilia A or B)
or

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- B) Other congenital coagulation factor deficiency state, which results in a hemorrhagic disorder or
 - C) Severe von Willebrand's disease (defined as factor VIII levels less than 20%).
- b) Financial Participation
- 1) To meet the financial requirements prescribed in the statute an annual application form must be filed by the patient or, in case of a minor, his parent or guardian. The application shall furnish the Department with information concerning the financial condition of the hemophiliac patient's family. The application must be accompanied by a copy of the most recent Illinois Income Tax Return (IL 1040) submitted by the patient's family.
 - 2) After receiving the application the Department will notify each patient or, in case of a minor, his parent or guardian, by letter of the participation charges, if any, based on the statutory formula.
- c) Hardship Cases
- 1)
 - A) A patient who has received a letter from the Department requiring a participation charge and feels the charge will cause an unusual financial hardship on himself and his family may request the Department to reevaluate his current financial situation and reduce his participation charges. The request shall include the following information:
 - i) Reduction in family income since previous year.
 - ii) Accrued medical bills for the entire family.
 - iii) Other illness in the family.
 - iv) Increased child care costs.
 - v) Extraordinary expenses incurred during the previous year.

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- vi) Casualty losses experienced during the previous year.
 - vii) Resources to which the family has access for medical care, vocational assistance and for other supportive services.
- B) The patient may also submit a written narrative explaining any additional factors which he believes necessitates a reduction in his participation charges.
- 2) Three members of the program staff of the Department shall review and evaluate each patient's request. Criteria used in the review shall include the number and severity of demands being made on the family's resources and the availability of assistance from other sources and the potential stress placed on the family unit if the participation charges are not reduced.
- 3) The program staff shall prepare a written recommendation and submit it to the Director.
- 4) The Director shall review the patient's request and the program staff's recommendation and make one of the following determinations:
- A) Make no changes in the participation charge originally assigned to the patient.
 - B) Reduce the amount of the participation charges.
 - C) Remove the participation charges.
- 5) When the determination is made a letter will be sent to the patient or, in the case of a minor, his parent or guardian.

Section 705.40 Hemophilia Centers

- a) Hospitals certified by the Department of Human Services as Hemophilia Centers shall meet the following criteria:
- 1) A center shall be located in a general hospital setting, specifically the principal facility of a teaching hospital, providing 24-hour physicians for

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in-patient as well as Emergency Room (out-patient) attendance.

- 2) A center shall provide the services of a Board Certified hematologist as a Hemophilia Service Director, full-time Board Certified pediatric hematologist and/or Board Certified pediatrician, all with a specific interest and experience in treating hemophiliacs, Board Certified specialists in internal medicine and orthopedics, full facilities for physical therapy for hemophilia patients and diagnostic coagulation laboratory services.
 - 3) A center should provide qualified dental services through agreement or arrangement, if not available on the premises.
 - 4) A center shall provide an adequate and qualified social service staff to fulfill requirements of the comprehensive evaluation (See Section 705.60 (b)).
- b) Certification for Center Status
- 1) The initial request for Center status shall be made by the Center Director – Hemotologist in a letter to the Director.
 - A) Each request must contain:
 - i) Names of staff members with attached curriculum vitae.
 - ii) An endorsement of the request by the Chief Executive Officer of the Hospital indicating the dedication of the institution to provide the necessary services to meet the requirements of care.
 - iii) A protocol for each patient detailing the policies for referral to each of the listed consultants.
 - iv) A willingness to work on a cooperative basis with local treating physicians in patient's home communities.
 - v) A commitment to make semi-annual reports to the Department on forms developed by the Program staff.

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- B) Each application shall be reviewed by the Department staff for compliance with basic center definitions and services. Recommendations will be made to the physician members of the Advisory Committee for the contributions to the final approval by the Department.
- 2) Each Center Director – Hematologist in charge shall apply for certification of the Center at five year intervals using report forms developed by the Department in consultation with the Advisory Committee.
 - 3) Approval will be made by the Department on the recommendations of the Committee members who have reviewed the above applications and made site visits if necessary.
 - 4) Centers unable to maintain the status described above for any reason may be placed on probation by the Department or removed from the list of approved centers after a hearing conducted before the Advisory Committee.

Section 705.50 Primary Care Physician

A primary care or local physician may be the source of hemophilia medical care for patients residing outside a metropolitan area. Under the following conditions he may provide the routine and specific hemophilia therapy in consultation with a director of a Hemophilia Center:

- a) He shall have the available laboratory facilities capable of furnishing the following tests:
 - 1) CBC
 - 2) Urinalysis
 - 3) Any other tests required by the hematologist.
- b) He shall furnish a written report to the Center Director at intervals of six months or less if the patient's condition indicates such a report is necessary.
- c) He shall make himself or satisfactory backup service available to the patient, the Center Director or his alternate, who may also be involved in the patient's general medical care, for emergency contacts.

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- d) He shall consult with the Center Director on a regular basis.
- e) He shall receive from the Center the results of all treatment, examinations and recommendations for future care.

Section 705.60 Comprehensive Care Evaluation

- a) Each patient shall receive a complete comprehensive evaluation in an approved Hemophilia Center before being registered in the Program and at least, once each year, unless otherwise recommended by the Center Director. The components of the evaluation, specified in Section 705.60(b) below, need not all be performed at the same time or place.
- b) A Comprehensive Evaluation Shall Include:
 - 1) Examination by a hematologist.
 - 2) Examination by a physical therapist and/or orthopedic surgeon.
 - 3) Dental examination.
 - 4) Psychosocial assessment by a qualified medical social worker or other qualified person.
 - 5) Appropriate radiographs as deemed necessary and ordered by the Center Director, the radiologist or orthopedist.
 - 6) Laboratory studies including inhibitor screen test, liver function tests, hepatitis B antigen and antibody, urinalysis and blood count.
- c) A summary of the findings of the comprehensive evaluation and recommendations shall be provided to the patient's primary physician by the Center.
- d) A review and summary of the findings signed by the Center Director shall be presented to the patient at the conclusion of the examination.
- e) A written statement by the Center Director indicating that the comprehensive evaluation has been performed shall be sent to the program coordinator each year.

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Section 705.70 Dental Program

- a) Dental care should be available to all hemophilia patients. It may be provided for patients residing outside metropolitan areas in coordination with the treatment of the Center Directors and the local physicians as described above.
- b) One emphasis of dental care for hemophilia patients should be education including pre- and post-natal counseling. Arrangements for this service should be a direct function of the Illinois Department of Human Services Hemophilia Program.
- c) Dental hygiene should be taught to hemophilia patients at all ages as an effort to prevent oral problems for adults. The recommendations of the State Dental Society should be followed.

Section 705.80 Psycho-social Resources

All patients should be made aware of available psychiatric and qualified social service resources by the Centers and the Department. Community resources and those available in centers should be enlisted to help with psychiatric or social problems.

Section 705.90 Home Transfusion Arrangements

- a) The Department shall assist patients for whom the Center Hematologists request such assistance, in securing and funding home trasfusion materials including the necessary anti-hemophilia factors. The obligation for training and supervision of patients shall remain with the Center Directors.
- b) The Center Hematologist shall provide to the selected manufacturer's representative or other recognized provider a prescription for the required amount, type, and assay of the specific factor.

Section 705.100 Obligations of the Department

- a) The Department shall make payment to the vendors and providers of items listed under eligible cost of hemophilia services for those patients meeting the annual eligibility requirements (See Sections 705.20 and 705.30(a)).
- b) The Department shall promote the development of appropriate resources for the

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care and treatment of hemophilia patients.

- c) The Department in fulfilling obligations under this Part shall promote inter-agency coordination and cooperation and effect such written inter-agency agreements as may be necessary.

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Improper Claims Practice
- 2) Code Citation: 50 Ill. Adm. Code 919
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
919.50	Amendment
919.70	Amendment
- 4) Statutory Authority: Implementing Sections 154.5 and 154.6 of the Illinois Insurance Code [215 ILCS 5/154.5 and 154.6] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401], Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10], Section 25 of the Dental Service Plan Act [215 ILCS 110/25] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3].
- 5) A Complete Description of the Subjects and Issues Involved: The Department will amend this Part to bring it in line with the NAIC model provisions concerning the requirement for insurance companies to conduct a search for multiple life insurance policies.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Denise Hamilton
Rules Unit Supervisor
Department of Insurance

Tim Cena
Deputy Counsel
Department of Insurance

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320 West Washington
Springfield, Illinois 62767-0001
(217) 785-8560

or

100 West Randolph Street, Suite 5-570
Chicago, Illinois 60601
(312) 814-5407

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: This amendment will not affect small businesses, small municipalities or not for profit corporations.
- B) Reporting, bookkeeping or other procedures required for compliance: The requirements found in Section 919.70 are very similar to those that are being stricken from Section 919.50. These are not new requirements, they are simply being moved to a more appropriate Section.
- C) Types of professional skills necessary for compliance: Administrative; Executive and/or IT.

13) Regulatory Agenda on which this amendment was summarized: January 2004

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 919

IMPROPER CLAIMS PRACTICE

Section

919.10	Authority
919.20	Scope and Purpose
919.30	Examinations
919.40	Definitions/Explanations
919.50	Required Practices for all Insurance Companies
919.60	Improper Practices or Procedures for all Insurance Companies
919.70	Required Claims Practices – Life, Accident and Health Companies
919.80	Required Claim Practices – Private Passenger Automobile – Property and Casualty Companies
919.90	Improper Practices or Procedures – Property and Casualty Companies
919.100	Severability Provision
919.EXHIBIT A	Total Loss Automobile Claims

AUTHORITY: Implementing Sections 154.5 and 154.6 of the Illinois Insurance Code [215 ILCS 5/154.5 and 154.6] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401], Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10], Section 25 of the Dental Service Plan Act [215 ILCS 110/25] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3].

SOURCE: Filed June 17, 1974, effective July 1, 1974; amended at 2 Ill. Reg. 22, p. 77, effective May 22, 1978; new rules adopted at 3 Ill. Reg. 31, p. 93, effective August 4, 1979; old rules repealed 3 Ill. Reg. 32, p. 42, effective August 6, 1979; emergency amendment and codified at 7 Ill. Reg. 2755, effective February 28, 1983, for a maximum of 150 days; amended and codified at 7 Ill. Reg. 11489, effective October 1, 1983; amended at 10 Ill. Reg. 5125, effective March 17, 1986; amended at 13 Ill. Reg. 1204, effective January 11, 1989; amended at 26 Ill. Reg. 11915, effective July 22, 2002; amended at 27 Ill. Reg. 19287, effective December 10, 2003; amended at 28 Ill. Reg. _____, effective _____.

Section 919.50 Required Practices for all Insurance Companies

- a) The company shall affirm or deny liability on claims within a reasonable time and shall offer payment within 30 days after affirmation of liability, if the amount of

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

the claim is determined and not in dispute. For those portions of the claim which are not in dispute and for which the payee is known, the company shall tender payment within said 30 days.

- 1) On first party claims if a settlement of a claim is less than the amount claimed, or if the claim is denied, the company shall provide to the insured a reasonable written explanation of the basis of the lower offer or denial within 30 days after the investigation and determination of liability is completed. This explanation shall clearly set forth the policy definition, limitation, exclusion or condition upon which denial was based. Notice of Availability of the Department of Insurance shall accompany this explanation.
 - 2) Within 30 days after the initial determination of liability is made, if the claim is denied, the company shall provide the third party a reasonable written explanation of the basis of the denial.
- b) No company shall deny a claim upon information obtained in a telephone conversation or personal interview with any source unless such telephone conversation or personal interview is documented in the claim file.
- c) The company's standards for claims processing shall be such that notice of claim and proofs of loss submitted against one policy issued by that company shall fulfill the insured's obligation under any and all similar policies issued by that company and specifically identified by the insured to said company to the same degree that the same form would be required under any similar policy. If additional information is required to fulfill the insured's obligation under other similar policies, the company may request the additional information. When it is apparent to the company that additional benefits would be payable under an insured's policy upon receipt of additional proofs of loss from the insured, the company shall communicate to and cooperate with the insured in determining the extent of the company's additional liability.
- d) ~~The company shall adopt a written claim processing standard and methodology by July 1, 2004, which will allow the company to process a death or endowment or other claim being presented against a life insurance or accidental death or dismemberment policy; however, companies selling group life insurance policies or credit life insurance policies for which the company does not maintain records of the certificate holders shall be exempt from the requirements of this subsection (d). With the exception of the requirements of subsection (d)(3), this subsection~~

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~~(d) does not require the company to capture, identify or maintain any data in addition to that which is ordinarily captured, identified or maintained by the company for policies subject to the requirements of this subsection (d):~~

~~1) Required Search Criterion:~~

~~The company shall perform an electronic or manual search of all its records when a claim is filed to determine if any other life insurance policies exist that may provide death, endowment, maturity or other benefits due to the death of the named insured, or endowment of an existing policy or any accidental death and dismemberment policies that would provide additional death benefits. At the completion of the electronic or manual search, the company shall pay all verified benefits, by a claimant or identified through the above search, as is required by subsection (a) of this Part. The company shall investigate additional policy files identified by the search, for which liability is not immediately verified, and a determination of liability completed no later than 6 months following the claim filing date. The search shall include:~~

~~A) First and last name (shall include, in addition to all exact first and last name matches with no middle name or middle initial, all policies containing the first and last name and any middle name or initial or any other designation, such as Jr., III, etc.);~~

~~B) First initial, middle name and last name;~~

~~C) First and middle initial and last name.~~

~~2) Optional Search Criterion:~~

~~The policies the company has identified utilizing the search criterion established in subsection (d)(1), which require further investigation to determine liability, may be limited (or eliminated) by adding any one or all of the following informational field(s) to the search results yielded pursuant to subsection (d)(1):~~

~~A) Date of birth and every date prior to and after the date of birth, plus or minus two years;~~

~~B) Sex/Gender (the absence of this information in the policies being searched does not permit the company to eliminate that record from the pool of policies being searched);~~

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- ~~C) Social Security number, if available and to the extent permitted by law, or any other identifiable number, established for identification purposes by the company. Companies are only permitted to use a Social Security number, or other identifiable number, to limit or eliminate the unverified search results yielded pursuant to subsection (d) when the actual Social Security number, or other identifiable number, does not match. The absence of a Social Security number, or other identifiable number, in the policies being searched does not permit the company to eliminate that record from the pool of policies being searched;~~
- ~~D) Any policy not eliminated by the addition of the informational fields to the search in subsections (d)(2)(A), (B) and (C) shall be investigated and either affirmed or denied as a valid benefit based on a review of whether the insured is the same insured as the original claim and thus subject to payment by the company.~~
- 3) ~~Companies shall also, as a part of their claim processing standard and methodology, inquire on every claim form filed with the company for death benefits, about other names by which the insured may have been known, such as maiden name, hyphenated name, nickname, derivative form of first and/or middle name or an alias. If the filer of the claim form includes such additional name information on the claim form or addendum (see subsection (d)(3)(A)), the company shall include this information as a part of its search criterion, consistent with the requirements of subsection (d)(1), to determine whether additional policies exist.~~
- ~~A) The information required to be collected by this subsection (d)(3) may be acquired by the company using an addendum attached to the claim form.~~
- ~~B) Beginning July 1, 2004, the information required to be collected by this subsection (d) must be a part of the claim form and not attached to the claim form as an addendum.~~
- 4) ~~Claim records shall be maintained that demonstrate that the insurer has followed the processing and methodology procedures required by this Part.~~

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(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 919.70 Required Claims Practices – Life, Accident and Health Companies

a) Required Practices.

- 1) Insurance companies shall utilize the following guidelines to search for additional policies or insurance coverages on the life of an insured upon notification of death of the insured. Companies selling group life insurance policies or credit life insurance policies for which the company does not maintain records of the certificate holders shall be exempt from the requirements of this subsection (a)(1).
 - A) Upon submission of a death claim form pursuant to an insurance contract, insurers shall conduct a search for other policies on the decedent's life.
 - B) The company shall investigate additional policy files identified by the search, for which liability is not immediately verified, and complete a determination of liability no later than 6 months following the claim filing date.
 - C) Where such other policies exist, the insurer shall notify the policy owner (if different than the insured) and the beneficiary and arrange for payment pursuant to the policies.
 - D) Insurers shall adopt a written claim processing standard and methodology that will allow the company to process a death or endowment or other claim being presented against a life insurance or accidental death or dismemberment policy.
 - E) The company, as a part of its claim processing standard and methodology, shall inquire for every claim filed with the company for death benefits about other names by which the insured may have been known, such as maiden name, hyphenated name, nickname, derivative form of first and middle name or an alias. If the filer of the claim form includes such additional name information on the claim form or if the company otherwise knows about other names by which the insured may have been known, the

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company shall include this information as a part of its search criterion to determine whether additional policies exist.

F) Claim records shall be maintained that demonstrate that the insurer has followed the written claim processing standard and methodology required by this subsection (a)(1).

- ~~2)4~~ If a claim remains unresolved for 45 days from the date it is reported, the company shall provide the insured or, when applicable, the insured's beneficiary, with a reasonable written explanation for the delay. In credit or mortgage claims, the notice must be provided to the debtor/insured in addition to the policyholder. Notice of availability of the Department of Insurance shall accompany the written explanation to the insured beneficiary.
- ~~3)2~~ If a company is under contract for direct filing of claims either with a provider or another carrier on behalf of the insured, the requirement for acknowledgment of claims or notice requirements are waived provided the insured has otherwise received prior notice of such arrangements. If a claim remains unresolved for more than 90 days from the date the administrator provides notice to the company, the notice of delay, as specified in subsection(a)(1), shall be required. Nothing in this Section shall waive the written notice requirement for denial of a claim.
- ~~4)3~~ A disability claim settlement on a lump sum basis shall be accompanied with a written explanation of the basis of the settlement including a comparison of the different modes of settlement.

b) Improper Practices or Procedures.

- 1) No company shall settle a claim involving both a covered and non-covered condition, on a percentage basis of contributing loss, unless said percentage is reasonable under the circumstances and the insured is provided with written explanation. The basis for settlement must be maintained in the file.
- 2) No company shall undertake any activity that has the effect of misrepresenting policy provisions or otherwise unduly influencing the insured to settle a disability claim on a lump sum basis.

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(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Regulation of Public Use of Illinois Dedicated Nature Preserves
- 2) Code Citation: 17 Ill. Adm. Code 1510
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
1510.10	Repeal
1510.20	Repeal
- 4) Statutory Authority: Implementing and authorized by Sections 1-8 the "State Parks Act" [20 ILCS 835/1-8]; Section 5-1 of the Snowmobile Registration and Safety Act [625 ILCS 40/5-1]; and by Section 11 of the Conservation District Act [70 ILCS 410/11].
- 5) A Complete Description of the Subjects and Issues Involved: 525 ILCS 30/6.08 gives the Illinois Nature Preserves Commission the authority to adopt rules regarding nature preserves. Such rules shall be promulgated after consultation with and written approval by the Department of Natural Resources. This Part is being repealed in conjunction with the filing of the Nature Preserves Commission's proposed rule which will appear at 17 Ill. Adm. Code 4015 - Public Use of Dedicated Nature Preserves, Chapter V: Illinois Nature Preserves Commission.
- 6) Will this rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the Department was not aware that the Illinois Nature Preserves Commission planned to propose rules which would require the repeal of this Part.

The full text of the Proposed Repealer begins on the next page:

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NOTICE OF PROPOSED REPEALER

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER d: FORESTRYPART 1510
REGULATION OF PUBLIC USE OF ILLINOIS DEDICATED NATURE PRESERVES
(REPEALED)

Section

- 1510.10 Unlawful Acts
1510.20 Criteria for Evaluating Requests

AUTHORITY: Implementing and authorized by Sections 2a, 2b, 4 and 6 of the State Parks Act [20 ILCS 835/2a, 2b, 4 and 6]; Section 5-1 of the Snowmobile Registration and Safety Act [625 ILCS 40/5-1]; and Section 11 of the Conservation District Act [70 ILCS 410/11].

SOURCE: Adopted at 5 Ill. Reg. 5150, effective April 24, 1981; codified at 5 Ill. Reg. 10617; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; repealed at 28 Ill. Reg. _____, effective _____.

Section 1510.10 Unlawful Acts

It is unlawful:

- a) For any person to enter any dedicated nature preserve or portion thereof if such area has been closed to visitors by notice posted by the Department of Natural Resources or a duly authorized agent thereof.
- b) For any person to possess or consume or be under the influence of intoxicating beverages, including beer, or dangerous or narcotic drugs in any dedicated nature preserve.
- c) For any person to camp or place a tent or trailer or any type of camping device in a dedicated nature preserve.
- d) For any person to cut, break, injure, destroy, take or remove any tree, shrub, timber, flower, plant, or other natural object including rocks, soil, or water from a dedicated nature preserve; except that small quantities of such materials may be collected and removed for scientific or educational purposes by written permit from the owner, the Department of Natural Resources and the Illinois Nature

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Preserves Commission, and except for management under direct supervision of a designated agent.

- e) For any person to kill, cause to be killed, harass, pursue or take any animal, whether mammal, bird, fish, reptile, amphibian, or invertebrate or its nest or habitat in a dedicated nature preserve; except that small quantities of such materials may be collected and removed for scientific or educational purposes by written permit from the owner, the Department of Natural Resources and the Illinois Nature Preserves Commission, and except for management purposes under the direct supervision of a designated agent with the approval of the Illinois Nature Preserves Commission and the Department of Natural Resources.
- f) For any person to conduct scientific research in a dedicated nature preserve without a written permit from the owner, the Department of Natural Resources and the Illinois Nature Preserves Commission.
- g) For any person to possess a firearm, airgun, slingshot, bow and arrow, or any other weapon within the boundaries of any dedicated nature preserve, except authorized peace officers and as authorized for management and control measures for wildlife population control under the supervision of a designated agent with the approval of the Illinois Nature Preserves Commission and the Department of Natural Resources.
- h) For any person to take, mutilate, deface, move, or destroy any structure, improvement, work, or sign, or any stone, soil, or other natural object or material in any dedicated nature preserve, except for management under the direct supervision of a designated agent.
- i) For any person to operate a motor vehicle in any dedicated nature preserve other than on designated roadways or parking areas or to park a motor vehicle except in designated parking areas, except for maintenance and management vehicles operated by designated agents.
- j) For any person to operate a motor vehicle in a reckless manner, or to exceed posted speed limits on roadways within any dedicated nature preserve.
- k) For any person to build or light any fire or willfully or carelessly permit any fire which has ignited or been caused to ignite or which is under his charge and care to spread or extend to or burn any part of a dedicated nature preserve, except for prescribed burning for vegetation management under the direct supervision of a

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designated agent.

- l) For any person to discard rubbish of any kind in any dedicated nature preserve except in designated containers provided by the Department of Natural Resources or a duly authorized agent thereof.
- m) For any person to bring or allow to enter into a dedicated nature preserve any dog, cat, horse, or other animal or pet, except that horses may be brought into areas where bridle trails are designated and posted.
- n) For any person to engage in disorderly conduct within any dedicated nature preserve.
- o) For any person to engage in any sporting or athletic activity, including swimming, within the boundaries of any dedicated nature preserve.
- p) For admittance to be granted to groups of 25 or more persons to any nature preserve unless written permission from the Department of Natural Resources or other owner has been secured in advance. Groups of 25 or more will be granted permission to visit preserves if the groups do not exceed the capacity of the facility. The Site Superintendent of the affected facility shall grant permits, in advance, to groups wanting to use the facility.
- q) For any group of minors to enter the dedicated nature preserve without adequate supervision. At least one responsible adult shall accompany each group of not more than 15 minors.
- r) For any person to plant or disperse any native or non-native plant species or their parts into any dedicated Illinois Nature Preserve without the written approval of the Illinois Department of Natural Resources and the Illinois Nature Preserves Commission.
- s) For any person to release or disperse any native or non-native animal species into any dedicated Illinois Nature Preserve without the written approval of the Illinois Department of Natural Resources and the Illinois Nature Preserves Commission.

Section 1510.20 Criteria for Evaluating Requests

Criteria that will be used to evaluate requests under 17 Ill. Adm. Code Sections 1510.10(r) and (s) and include:

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- a) Is there evidence that the species formerly occurred on the preserve or that the habitat was suitable and was probably occupied by the species.
- b) Are the habitat and other ecological conditions presently suitable and adequate to support the species.
- c) What is the source of origin and genotype of the proposed introductions and is it the same as that originally occurring on the preserve.
- d) Will the reintroduction threaten the population for which it is being taken.
- e) Will the reintroduction threaten any species or communities presently considered desirable on the preserve.

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- 1) Heading of the Part: Department Revocation Procedures
- 2) Code Citation: 17 Ill. Adm. Code 2530
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2530.10	Amendment
2530.20	Amendment
2530.30	Amendment
2530.40	Amendment
2530.60	Amendment
2530.240	Amendment
2530.245	New Section
2530.250	Amendment
2530.255	New Section
2530.260	Amendment
2530.270	Amendment
2530.280	Amendment
2530.310	Amendment
2530.320	Amendment
2530.330	Amendment
2530.340	Amendment
2530.350	Amendment
2530.360	Amendment
2530.370	Amendment
2530.390	Amendment
2530.420	Amendment
2530.482	Amendment
2530.488	New Section
2530.490	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 20-105 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/20-105], Section 3.36 of the Wildlife Code [520 ILCS 5/3.36], Sections 4 and 5 of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 5], Section 3B-8 of the Boat Registration and Safety Act [625 ILCS 45/3B-8] and the Illinois Administrative Procedure Act [5 ILCS 100] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625], Section 1.5 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/1.5] and Section 1.4 of the Wildlife Code [520 ILCS 5/1.4].
- 5) A Complete Description of the Subjects and Issues Involved: This rule governs

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procedures for revocation of licenses/permits and suspension of privileges under the Fish and Aquatic Life Code, Wildlife Code, Endangered Species Protection Act, Boat Registration and Safety Act, Timber Buyers Licensing Act and the Ginseng Harvesting Act. Changes to this Part are being made to clarify procedures for suspension. Language is being added pursuant to statutory changes to allow for suspension of a timber buyer's privileges up to 75 years in some instances. Constituent groups involved in resource-related commercial interests lobbied for changes in suspension procedures. Issuance of multiple citations is quite common in conservation law enforcement and many individuals are suspended based upon one incident or occurrence. Constituent groups support changes that would provide leniency to a first time offender, while still addressing the chronic violator.

- 6) Will this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: This rule affects persons issued the following permits: Timber Buyer, Taxidermist, Aquaculture, Fish Dealer, Minnow Dealer, Mussel Dealer, Game and Game Bird Breeder, Wild Game Food Dealer, Furbearing Animal Breeder, Fur Tanner, Migratory Waterfowl Hunting Area, Outfitter, Commercial Musseler,

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Commercial Fishermen, Ginseng Grower, Ginseng Harvester and Ginseng Buyer.

B) Reporting, bookkeeping or other procedures required for compliance:
Upon receipt of a Notice of Suspension, persons wishing to have a hearing must send a request to the Department within 30 days.

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2004

The full text of the Proposed Amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2530
~~DEPARTMENT~~ REVOCATION PROCEDURES
FOR CONSERVATION OFFENSES

SUBPART A: GENERAL RULES

Section	
2530.10	Applicability
2530.20	Definitions
2530.30	Filing
2530.40	Documents
2530.50	Computation of Time
2530.60	Appearances

SUBPART B: SUMMARY REVOCATION/SUSPENSION

Section	
2530.110	Applicability (Recodified)
2530.130	Rules Proposed by Member of Public (Recodified)
2530.140	Authorization of Hearing (Recodified)
2530.150	Notice of Hearing (Recodified)
2530.160	Hearing Officer (Recodified)
2530.180	Written Submission (Recodified)
2530.190	Record (Recodified)
2530.200	Revision of Proposed Rules (Recodified)
2530.210	Filing and Publication of Final Rules (Recodified)
2530.220	Applicability
2530.230	Point System
2530.240	Points
<u>2530.245</u>	<u>Single Incident Rule</u>
2530.250	Groups
<u>2530.255</u>	<u>Types of Offenses</u>
2530.260	Computation of Suspension Period
2530.270	Procedures
2530.280	Appeal and Hearing

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SUBPART C: HEARINGS OF CONTESTED CASES

Section

2530.310	Applicability	
2530.320	General Procedures <u>Initiation of Proceedings</u>	
2530.330	Parties	
2530.340	Notice and Complaint	
2530.350	Service	
2530.360	Notice of Hearing	
2530.370	Prehearing Conferences	
2530.380	Authority of Hearing Officer	
2530.390	Order of Administrative Enforcement Hearings	
2530.400	Official Notice	
2530.410	Default	
2530.420	Evidence	
2530.430	Motions and Answers	
2530.470	Record	
2530.480	Briefs and Oral Arguments	
2530.482	Disposition	
2530.484	Compelling Appearance at Hearing	
2530.486	Recording of Hearing	
<u>2530.488</u>	<u>Hearing on Timber Buyers – Second and Subsequent Suspensions</u>	
2530.490	Decision and Order	

AUTHORITY: Implementing and authorized by Section 20-105 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/20-105], Section 3.36 of the Wildlife Code [520 ILCS 5/3.36], Sections 4 and 5 of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 5], Section 3B-8 of the Boat Registration and Safety Act [625 ILCS 45/3B-8] and the Illinois Administrative Procedure Act [5 ILCS 100] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625], Section 1.5 of the Fish and Aquatic Life Code of 1971 [515 ILCS 5/1.5], and Section 1.4 of the Wildlife Code [520 ILCS 5/1.4].

SOURCE: Filed December 21, 1977; effective December 31, 1977; codified at 5 Ill. Reg. 10664; amended at 6 Ill. Reg. 10687, effective August 25, 1982; Subpart B recodified to 2 Ill. Adm. Code 825: Subpart B at 8 Ill. Reg. 4133, effective March 19, 1984; amended at 10 Ill. Reg. 20201, effective November 25, 1986; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 25 Ill. Reg. 3659, effective February 26, 2001; amended at 25 Ill. Reg. 14126, effective October 22, 2001; amended at 28 Ill. Reg. _____, effective _____.

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SUBPART A: GENERAL RULES

Section 2530.10 Applicability

The rules in this Part govern the practice and procedures related to formal hearings conducted under the jurisdiction of the Department of Natural Resources ~~for, including but not limited to, hearings conducted for rulemaking, contested cases and~~ revocation of licenses and suspension of privileges for conservation offenses.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.20 Definitions

In this Part the following terms shall have the meanings specified below:

"Contested case" means an adjudicatory proceeding, not including rate making, rulemaking, quasi-legislative, informational or similar proceedings, in which the individual legal rights, duties or privileges of a party are required by law to be determined by an agency only after an opportunity for hearing. [5 ILCS 100/1-30]

"Department" means the Illinois Department of Natural Resources. [520 ILCS 5/1.2d]

"Director" means the director of the Illinois Department of Natural Resources. [520 ILCS 5/1.2e]

"Hearing Officer" means the presiding officer or officers at the initial hearing before the Department and each continuation. [5 ILCS 100/1-15]

"License" includes the whole or part of any Department permit, stamp, license, certificate, approval, registration, or similar form or permission required by law. [5 ILCS 100/1-35]

"Licensing" includes the Department procedures respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal or amendment of a license. [5 ILCS 100/1-40]

"Party" means such person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party. [5 ILCS 100/1-55]

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"Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character other than an agency. [5 ILCS 100/1-60]

~~"Rule" means each agency statement of general applicability that implements, applies, interprets, or prescribes law or policy, but does not include:~~

~~Statements concerning only the internal management of an agency and not affecting private rights or procedures available to persons or entities outside the agency,~~

~~Informal advisory rulings issued pursuant to Section 5-150 of the Illinois Administrative Procedure Act [5 ILCS 100/5-150],~~

~~Intra-agency memorandum, or~~

~~The prescription of standardized forms. [5 ILCS 100/1-70]~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.30 Filing

~~Documents, motions, petitions for proposed rules, pleadings and other documents~~ permitted or required to be filed with the Department shall be addressed to and mailed or filed with the Department of Natural Resources, Office of Legal Counsel, One Natural Resources Way, Springfield IL 52702-1271 Lincoln Tower Plaza, 524 South Second, Springfield, Illinois 62701.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.40 Documents

- a) Documents shall clearly show the title of the proceeding in connection with which they are filed, and shall designate the nature of the relief sought ~~or the rule proposed.~~
- b) Except as otherwise provided, two copies of all documents including complaints, motions, petitions for proposed rules, and petitions for review shall be filed with the Department.

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e) ~~Documents relating to rulemaking shall be submitted in the same manner as prescribed by the Secretary of State for submission to the Illinois Register.~~

~~cd~~) Each document filed shall be signed by the party or by his authorized representative.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.60 Appearances

a) Any person may appear in ~~arulemaking or~~ contested ~~casecases~~ as follows:

1) A natural person may appear in his own behalf or by an attorney at law licensed and registered to practice in the State of Illinois, or both.

2) A business, nonprofit or government organization may appear ~~by any bonafide officer, employee or representative, or may be represented~~ by an attorney licensed and registered to practice in the State of Illinois, ~~or both~~.

b) Attorneys not licensed and registered to practice in the State of Illinois may appear on motion.

c) An attorney appearing in a representative capacity shall file a written notice of appearance with the Department, together with proof of service on all parties or their respective attorneys.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

SUBPART B: SUMMARY REVOCATION/SUSPENSION

Section 2530.240 Points

a) For a petty offense – 3 points

b) For a Class C Misdemeanor – 6 points

c) For a Class B Misdemeanor – 9 points

d) For a Class A Misdemeanor – 12 points

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- e) For a Class 4 Felony – 24 points
- f) For a Class 3 Felony or Higher– 60 points
- g) For any violation committed during a period of suspension – 60 points
- h) For any person previously suspended once under Group C (Timber Buyers Licensing Act), a minimum of 60 points and up to a maximum of 120 points shall be assessed for a second suspension. The actual number of points to be assessed shall be determined in accordance with Section 2530.488.
- i) For any person previously suspended twice under Group C (Timber Buyers Licensing Act), a minimum of 120 points and up to a maximum of 900 points shall be assessed for a third or subsequent suspension. The actual number of points to be assessed shall be determined in accordance with Section 2530.488.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.245 Single Incident Rule

- a) In the event that multiple findings of guilt are entered against an individual arising out of a single incident or act (same date and location of violation), full points shall be assessed only for the finding of guilt with the highest point level with additional points assessed for the remaining findings of guilt as follows:
 - 1) For a petty offense – 1 point
 - 2) For a Class C misdemeanor – 2 points
 - 3) For a Class B misdemeanor – 3 points
- b) The single incident rule shall not be applied, however, in any cases where the highest level violation is a Class A misdemeanor or higher (12 points or greater) or in cases where violations occurred while the individual was suspended.

(Source: Added at 28 Ill. Reg. _____, effective _____)

Section 2530.250 Groups

- a) Group A = Wildlife Code, Endangered Species Protection Act – Wildlife, and

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Federal Offenses – Wildlife

- b) Group B = Fish and Aquatic Life Code, Endangered Species Protection Act – Aquatic Life, and Federal Offenses – Aquatic Life
- c) Group C = Timber Buyers Licensing Act, ~~Ginseng Harvesting Act, Endangered Species Protection Act – Plants, Federal Offenses – Plants~~
- d) Group D = Ginseng Harvesting Act, Endangered Species Protection Act – Plants, Federal Offenses – Plants

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.255 Types of Offenses

- a) Type I Offenses = Those offenses related to activities covered under Timber Buyer, Taxidermist, Aquaculture, Fish Dealer, Minnow Dealer, Mussel Dealer, Game and Game Bird Breeder, Wild Game Food Dealer, Furbearing Animal Breeder, Fur Tanner or Migratory Waterfowl Hunting Area licenses and permits.
- b) Type II Offenses = All other offenses related to activities covered under licenses and permits. (Example: hunting, trapping, fishing, etc.)

(Source: Added at 28 Ill. Reg. _____, effective _____)

Section 2530.260 Computation of Suspension Period

All offenses shall be classified by type and by group for computation of points.

- a) For Type I offenses, any person who, within an 18 month period, accumulates 13 or more points in a single group as set out in Section 2530.250 shall have all licenses, permits and stamps relevant to that type of activity revoked, and the person's privilege to engage in the activity shall be suspended for a period of time that equals one month for each point accumulated. All accumulated points shall remain in effect for 18 months from the date of the arrest that resulted in the point accumulation and shall not be removed or reduced by a period of suspension. Any second or subsequent suspension imposed upon an individual shall be served consecutively to any earlier suspension, if still in effect, commencing on the date the earliest suspension expires.

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- 1) Example: An individual operates as a commercial game bird breeder and a migratory waterfowl hunting area, and is found guilty of violations relating to his/her commercial game bird breeding operation, resulting in points sufficient to result in revocation/suspension. A revocation shall only be imposed upon the individual's game bird breeding license and a suspension shall be imposed only upon the activities requiring that license. All other businesses (in this instance, migratory waterfowl hunting area) may continue to operate.
 - 2) Example: Found guilty of no taxidermy license and failure to keep proper records (both Class B Misdemeanors, normally 9 points each) as a result of a single incident. No revocation/suspension imposed, 12 points assessed.
 - 3) Example: Found guilty of same violations as above (2 Class B Misdemeanors), but on different dates. Revocation/suspension shall be imposed, as full 18 points apply.
 - 4) Example: Found guilty of buying timber without a license and failure to pay harvest fees (both Class A Misdemeanors, 12 points each). Revocation/suspension imposed, regardless of whether findings are the result of a single incident or separate occurrences, 24 points applied.
- b) For Type II offenses: Any person who, within a 36 month period, accumulates 13 or more points in a single group as set out in Section 2530.250 shall have all licenses, permits and stamps relevant to that type and group revoked, and the person's privilege to engage in the activity covered by the type and group shall be suspended for a period of time that equals one month for each point accumulated. Lifetime licenses issued pursuant to 515 ILCS 5-20-45(f) shall only be revoked for felony violations or for violations committed during a period of suspension. The privileges of lifetime license holders shall be suspended, however, in accordance with the provisions of this Section. All accumulated points shall remain in effect for 36 months from the date of the arrest that resulted in the point accumulation and shall not be removed or reduced by a period of suspension. Any second or subsequent suspension imposed upon an individual shall be served consecutively to any earlier suspension, if still in effect, commencing on the date the earliest suspension expires.
- 1)ⓐ Example: Found guilty of unlawful possessiontaking of freshly killed white-tailed deer during closed season (Class A Misdemeanor) and taking

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an over limit of quail (petty offense) – hunting license, trapping license, migratory waterfowl stamp and habitat stamp revoked – Type II privileges authorized under Group A suspended for 15 months from date of notice.

- 2)b) Example: Found guilty~~Convicted~~ of a Class B Misdemeanor under the Wildlife Code and a Class B Misdemeanor under the Fish Code – no revocation or suspension as there is no 13 point accumulation in any one group.
- 3)e) Example: Person in subsection (a) above completes 15 month suspension; two months later (less than 36 months from first violation) the person again commits unlawful possessiontaking of freshly killed white-tailed deer during closed season, for which person is found guilty – appropriate licenses and stamps revoked and person suspended for 27 months (15 + 12).
- 4) Example: Found guilty of a Class B Misdemeanor (9 points) and a petty offense (normally 3 points) under the Wildlife Code for violations arising out of a single incident – 10 points are accumulated (9 + 1), no suspension is imposed.
- 5) Example: Person in subsection (a) is found guilty of a violation under the Wildlife Code that occurred during the time that the person's privileges were suspended – 60 additional points assessed and a second suspension is imposed, to run consecutively after the first suspension (75 months total).

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.270 Procedures

- a) All circuit clerks shall report the disposition of Natural Resources cases to the Office of Law Enforcement, Illinois Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271 524 S. Second Street, Springfield IL 62701.
- b) Points shall be assessed to the individual by the Department once reports of disposition are received from the circuit clerk.
- c) Any person who accumulates sufficient points for suspensions as set out in Section 2530.26013 or more points in any group listed in Section 2530.260 during

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~~any 36 month period~~ shall be notified, by mail, that any licenses, stamps or permits held by that person pursuant to the statutes or administrative rules of the type and group in which the points were accumulated are immediately revoked, and the notice shall further inform the person how many points have been assessed and for how long his privileges have been suspended.

For Type I (commercial/business type) suspensions, such notice shall also include instructions that no new business may be taken in, effective immediately with the suspension, and that existing business must cease within 30 days after the effective date of the suspension. Proof that all existing business has ceased may be in the form of written correspondence to all current clients notifying them of the suspension and their alternatives.

- d) Notices shall be mailed to the last known address of the person through the U.S. mail, and an affidavit of mailing shall be proof that the notice was received 4 days after being mailed. Revocation and suspension shall be effective 4 days after notice is deposited in a U.S. mailbox.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.280 Appeal and Hearing

- a) Any person who is mailed notice of suspension and revocation shall have the right to appeal by filing a Petition for Hearing with the Office of Legal Counsel, Illinois Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271~~524 S. Second Street, Springfield IL 62701~~. Such petition must be received by the Department of Natural Resources no later than 34 days after notice was mailed for the petition to be considered. No action will be taken on an untimely petition and the revocation or suspension will be considered final.
- b) The petition shall be styled "In re the suspension of _____, PETITION FOR HEARING:" ~~.~~ The petition shall contain sufficient facts in justification of a hearing and be signed by the petitioner. ~~Petitions shall be liberally construed.~~
- c) Any petition not denied within 30 days after receipt by the Department shall be deemed granted and a hearing shall be set pursuant to the provisions of Subpart C: Hearings of Contested Cases.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

SUBPART C: HEARINGS OF CONTESTED CASES

Section 2530.310 Applicability

~~This Subpart governs~~The rules in this subpart apply to contested cases which adjudicate alleged violations of rules adopted by the Department and shall also govern hearings and related procedures ~~used to be employed~~ in suspension or revocation of a license issued by the Department.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.320 General Procedures ~~Initiation of Proceedings~~

- a) ~~Enforcement proceedings to hear contested cases shall be initiated by the Department. This does not limit the right of the public to alert the Department to parties who violate rules adopted by the Department.~~
- a)b) The Director of the Department of Natural Resources shall designate a Hearing Officer. The Hearing Officer does not have to be an attorney. Staff members of Law Enforcement, witnesses and the Director shall not serve as Hearing Officers. The appointed Hearing Officer shall not have direct involvement in the case or have an interest in the decision to be reached. Mere familiarity with the facts shall not disqualify a Hearing Officer.
- b)e) In ~~the case of a~~ license revocation ~~hearings~~hearing performed by the Department ~~to determine guilt, or in the case of a proceeding under Section 3B-8 of the Boat Registration and Safety Act [625 ILCS 45/3B-8],~~ any license ~~or~~ permit ~~or certificate~~ held by the respondent may be suspended, pending the outcome of the hearing. Respondent shall be given notice of the suspension in the complaint.
- c)d) In the case of a license revocation pursuant to Subpart B, no hearing shall be granted unless, within 34 days after mailing of Notice of Revocation and Suspension by the Department, a petition requesting hearing, citing the justification for such hearing, has been filed with the Office of Legal Counsel, Illinois Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271~~524 S. Second Street, Springfield IL 62701.~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Section 2530.330 Parties

- a) The Department, when initiating ~~a revocation/suspension~~ an enforcement proceeding, shall be designated the Complainant. Any adverse party shall be designated as the Respondent.
- b) Misnomer of a party is not ground for dismissal, but the name of any party may be corrected at any time.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.340 Notice and Complaint

- a) Proceedings for revocation/suspension under this Subpart C, other than those imposed under Subpart B, shall be commenced by the service of a notice and a complaint upon ~~the respondent~~ all respondents and the filing of copies of the notice and complaint with the Hearing Officer, except that license revocations based upon findings of guilt by a court shall be by notice only.
- b) The complaint shall contain the following:
 - 1) A reference to the provision of the law ~~and~~ or rules of which the ~~respondent was found guilty by a court of law~~ respondents are alleged to be in violation;
 - 2) A description of the ~~alleged violation or violations of the law and/or Administrative Rules complained of to an extent~~ alleged violation or violations of the law and/or Administrative Rules complained of to an extent sufficient to advise respondents of the ~~basis for revocation/suspension~~ full extent and nature of matters complained of to allow preparation of a defense;
 - 3) A concise statement of the relief that the complainant seeks; and
 - 4) A statement that the relief stated in the complaint shall be granted if the respondent does not answer, respond or attend a hearing as set out in this Part.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.350 Service

DEPARTMENT OF NATURAL RESOURCES

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- a) A copy of the notice and complaint shall either be served personally on the respondent or his authorized agent, or shall be served by registered or certified mail with return receipt signed by the respondent or his authorized agent. Proof of service of the complaint shall be made by affidavit of the person making personal service, or by properly executed registered or certified mail receipt. ~~Proof of service of the complaint shall be filed with the Hearing Officer immediately upon completion of service.~~
- b) Any pleadings, motions or discovery notices, after issuance of the complaint, shall be served personally or by First Class United States Mail, and copies thereof shall be filed with the Hearing Officer with proof of service. Proof of service of any paper other than the complaint shall be by certificate of attorney, affidavit or acknowledgment.
- c) Notice of license revocation and suspension of privileges shall be mailed to the last known address of the person through the U.S. mail. An affidavit of mailing shall be proof that the notice was received 4 days after being mailed sent by mail to the last known address of the person whose license is revoked or privilege suspended. Deposit of such notice, correctly addressed, postage prepaid, shall be satisfactory to prove notice was received 4 days after the mailing.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.360 Notice of Hearing

- a) Time and Location of Hearing
- 1) The Hearing Officer shall set a date, time and place for hearing that shall be not later than 90 days after receipt of a timely request for hearing.
 - 2) The hearing shall be held in the offices of the Department in Springfield, Illinois or in such other place as the Hearing Officer shall for stated cause designate. He shall give notice at least 15 days prior to the date of the hearing to the parties, in accordance with this Part.
- b) ~~The Department shall give notice of each hearing in which it is the complainant, not later than 15 days prior to the date on which the hearing is scheduled, to the following:~~
- 1) ~~any person who has complained to the Department with respect to~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~respondent within 6 months preceding the date of the complaint;~~

- ~~2) any person in the county in which the alleged offending activity occurred who has requested notice of enforcement proceedings;~~
- ~~3) Those persons notified of revocation and/or suspension pursuant to Section 2530.350(e) who request a hearing within 34 days after mailing by the Department of such notice; and~~
- ~~4) such other persons as required by law.~~

~~b)e)~~ Failure to comply with the provisions of this Part may not be used as a defense to ~~a proceeding under this Part~~~~an enforcement action~~, but any person adversely affected by such failure of compliance may have the hearing postponed if prejudice is shown, upon motion to the Hearing Officer.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.370 Prehearing Conferences

~~a)~~ Upon written notice by the Hearing Officer in any proceeding, parties or their attorneys may be directed to appear at a specific time and place for a conference, prior to or during the course of hearing, for the purpose of formulating issues and considering:

- ~~a)4)~~ the simplification of issues;
- ~~b)2)~~ the necessity or desirability of amending the pleadings for the purpose of clarification, amplification or limitation;
- ~~c)3)~~ the possibility of making admissions of certain averments of facts or stipulations concerning the use of either or both parties of matters of public record to avoid ~~unnecessary~~~~unnecessary~~ introduction of proof;
- ~~d)4)~~ the limitation of the number of witnesses;
- ~~e)5)~~ the propriety of prior mutual exchange between or among the parties of prepared testimony and exhibits; and
- ~~f)6)~~ such other matters as may aid in the simplification of the evidence and disposition of the proceeding.

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- b) ~~Action taken at the conference shall be recorded in a memorandum prepared and certified by the Hearing Officer.~~

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.390 Order of ~~Administrative Enforcement~~ Hearings

The following shall be the order of all ~~administrative enforcement~~ hearings, subject to modification by the Hearing Officer for good cause;

- a) Presentation, argument and disposition of motions preliminary to a hearing on the merits of the matters raised in the complaint;
- b) Presentation of opening statements;
- c) Complainant's case in chief;
- d) Respondent's case in chief;
- e) Complainant's case in rebuttal;
- f) Statements from interested citizens, if authorized by the Hearing Officer;
- g) Respondent's closing argument, which may include legal argument;
- h) Complainant's closing argument, which may include legal argument;
- i) Presentation and argument of all motions prior to final order.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.420 Evidence

- a) The Hearing Officer will receive evidence which is admissible under the law of the rules of evidence of Illinois pertaining to civil actions. In addition, the Hearing Officer may receive material, relevant evidence which would be relied upon by reasonably prudent persons in the conduct of serious affairs which is reasonably reliable and reasonably necessary to resolution of the issue for which it is offered.

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- b) The Hearing Officer shall exclude from consideration immaterial, irrelevant, and repetitious evidence.
- c) When the admissibility of disputed evidence depends upon an arguable interpretation of substantive law, the Hearing Officer shall admit such evidence.
- d) The Hearing Officer may order the record of any relevant prior proceeding before the Department or part thereof incorporated into the record of the present proceeding.
- e) Relevant scientific or technical articles, treatises or materials may be introduced into evidence subject to refutation or disputation through any introduction of comparable documentary evidence or expert testimony.
- f)
 - 1) A party may introduce evidence as grounds which would demonstrate factors in mitigation or factors in aggravation of the relief sought in the complaint.
 - 2) The Hearing Officer shall take the following matters into consideration, if applicable, in contested cases in which the relief the Department seeks is suspension or revocation of a license or permit issued by the Department:
 - A) the Respondent's history of past conservation offenses;
 - B) any findings of guilt against the Respondent for offenses under other Acts that were related to those conservation offenses for which suspension or revocation is sought;
 - C)B) whether the Respondent's course of conduct constituted a threat to the biological balance of any species protected by the Act under which suspension or revocation is sought;
 - D)C) whether the Respondent's course of conduct constituted a threat to the safety of the Respondent, Department Officials, or others;
 - E)D) any evidence of the Respondent's ignorance of a material fact which led to his unlawful conduct;
 - F)E) the degree of cooperation exhibited by the Respondent with

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Department Officials;

- ~~G)F)~~ the degree to which the Respondent profited economically as a result of his unlawful conduct;
- ~~H)G)~~ any other evidence offered and noted by the Hearing Officer as demonstrating factors in mitigation or factors in aggravation of the relief sought in the complaint.

- 3) The Hearing Officer shall take only the following matters into consideration in hearings for cases of suspension/revocation imposed under Subpart B:
 - A) was the Respondent found guilty of the offenses outlined in the Notice of Suspension;
 - B) were points for those offenses properly assessed; and
 - C) was suspension/revocation properly imposed.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.482 Disposition

Unless precluded by ~~law~~Law, the Department may dispose of a contested case by stipulation, agreed settlement, consent order, or default.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 2530.488 Hearings on Timber Buyers – Second and Subsequent Suspensions

Whenever a Timber Buyer receives notice that sufficient points have been assessed under Section 2530.240(i) or (j) for a second or subsequent suspension, a hearing shall be scheduled to determine the actual length of suspension to be imposed. In the event a default occurs, as defined in Section 2530.410, the Hearing Officer shall have authority to determine the length of suspension, taking into consideration items of evidence outlined in Section 2530.420 and the minimum and maximum points allowed under Section 2530.240(i) and (j).

(Source: Added at 28 Ill. Reg. _____, effective _____)

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Section 2530.490 Decision and Order

- a) The Department shall prepare a written order and opinion for all final determinations. The order shall include findings of fact and conclusions of law and shall be signed by the Director after considering the Hearing Officer's recommendations and the factors listed in Section 2530.420(f)(2).
- b) Findings shall include specific references to principal supporting items of evidence in the record.
- c) Findings of fact and conclusions of law must be separately stated.
- d) ~~The Department's~~ ~~Department~~ final order may include any or all of the following:
 - 1) A direction to cease and desist from violations of the Department's rules and orders;
 - 2) Suspension of licenses or permits;
 - 3) Revocation of a license or permit. A respondent who has had a license revoked ~~or privileges suspended~~ shall not be issued any license or permit by the Department for a period not to exceed ~~the maximum allowed by law~~ 5 years. Such a person shall not legally possess a license or permit or engage in the activity such a license or permit would allow should that person obtain a license or permit during that period;
 - 4) Such other determinations that may be appropriate.
- e) The Department shall notify all parties or their agents either personally or by mail of any final order.
- f) The Department's order shall be the final administrative decision of the Department.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Public Use of Dedicated Nature Preserves
- 2) Code Citation: 17 Ill. Adm. Code 4015
- 3) Section Numbers: Proposed Action:
4015.10 New Section
4015.20 New Section
- 4) Statutory Authority: Implementing and authorized by the Illinois Natural Areas Preservation Act [525 ILCS 30].
- 5) A Complete Description of the Subjects and Issues Involved: 525 ILCS 30/6.08 gives the Illinois Nature Preserves Commission the authority to adopt rules regarding nature preserves. Such rules shall be promulgated after consultation with and written approval by the Department of Natural Resources. This Part is being proposed in conjunction with the repeal of the Department of Natural Resources' rule in Chapter I - 17 Ill. Adm. Code 1510 – Regulation of Public Use of Illinois Dedicated Nature Preserves.
- 6) Will this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed rules contain incorporations by reference? No
- 9) Are there any other proposed rules pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Carolyn Grosboll, Director
Illinois Nature Preserves Commission
One Natural Resources Way
Springfield IL 62702-1271
217/785-8686

- 12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not listed on the Regulatory Agenda submitted by the Department of Natural Resources because: we were not aware that the Illinois Nature Preserves Commission planned to propose this rulemaking.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

TITLE 17: CONSERVATION

CHAPTER V: ILLINOIS NATURE PRESERVES COMMISSION

PART 4015

PUBLIC USE OF DEDICATED NATURE PRESERVES

Section

4015.10 Unlawful Acts

4015.20 Criteria for Evaluating Requests

AUTHORITY: Implementing and authorized by the Illinois Natural Areas Preservation Act [525 ILCS 30].

SOURCE: Adopted at 28 Ill. Reg. _____, effective _____.

Section 4015.10 Unlawful Acts

It is unlawful:

- a) For any person other than the landowner, Illinois Nature Preserve Commissioners, their staff or staff of the Illinois Department of Natural Resources to enter any dedicated nature preserve or nature preserve buffer or portion thereof if that area has been closed to visitors by notice posted by the landowner or the Illinois Nature Preserves Commission.
- b) For any person to possess or consume or be under the influence of intoxicating beverages, including beer, or dangerous or narcotic drugs in any dedicated nature preserve.
- c) For any person to camp or place a tent or trailer or any type of camping device in a dedicated nature preserve or nature preserve buffer unless provided for in the nature preserve or nature preserve buffer approved master plan.
- d) For any person to cut, break, injure, destroy, take or remove any artifact, tree, shrub, timber, flower, plant, or other natural object, including rocks, soil, or water, from a dedicated nature preserve or nature preserve buffer; except that small quantities of such materials may be collected and removed for scientific or educational purposes by written permit from the owner, the Illinois Department of Natural Resources and the Illinois Nature Preserves Commission, and except for management in accordance with an approved master plan.

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- e) For any person to kill, cause to be killed, harass, pursue or take any animal, whether mammal, bird, fish, reptile, amphibian, or invertebrate, or its nest or habitat in a dedicated nature preserve or nature preserve buffer; except that small quantities of such materials may be collected and removed for scientific or educational purposes by written permit from the owner, the Illinois Department of Natural Resources and the Illinois Nature Preserves Commission, and except for management purposes in accordance with an approved master plan.
- f) For any person to conduct scientific research in a dedicated nature preserve or nature preserve buffer without a written permit from the owner, the Department of Natural Resources and the Illinois Nature Preserves Commission.
- g) For any person to possess a firearm, airgun, slingshot, bow and arrow, or any other weapon within the boundaries of any dedicated nature preserve or nature preserve buffer, except authorized peace officers and as authorized for management and control measures for wildlife population control in accordance with a plan approved by the Illinois Nature Preserves Commission and the landowner.
- h) For any person to take, mutilate, deface, move, or destroy any structure, artifact, improvement, work, sign, stone, soil, or other natural object or material in any dedicated nature preserve or nature preserve buffer, except for management in accordance with an approved master plan.
- i) For any person to operate a motor vehicle in any dedicated nature preserve or nature preserve buffer other than on designated roadways or parking areas or to park a motor vehicle in a place other than designated parking areas, except for maintenance and management vehicles operated by authorized persons.
- j) For any person to operate a motor vehicle in a reckless manner or to exceed posted speed limits on roadways within any dedicated nature preserve or nature preserve buffer.
- k) For any person to build or light any fire or willfully or carelessly permit any fire that has ignited or been caused to ignite or that is under his charge and care to spread or extend to or burn any part of a dedicated nature preserve or nature preserve buffer, except for prescribed burning for vegetation management in accordance with an approved master plan and for camp fires in designated

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locations within picnic areas located in nature preserve buffers in accordance with an approved master plan.

- l) For any person to discard rubbish of any kind in any dedicated nature preserve or nature preserve buffer except in designated containers provided by the landowner or the Illinois Nature Preserves Commission.
- m) For any person to bring or allow to enter into a dedicated nature preserve or nature preserve buffer any dog, cat, horse, or other animal or pet, unless provided for in an approved master plan.
- n) For any person to engage in any sporting or athletic activity, including swimming, within the boundaries of any dedicated nature preserve or nature preserve buffer unless provided for in an approved master plan.
- o) For admittance to be granted to groups of 25 or more persons to any nature preserve or nature preserve buffer unless written permission from the Illinois Nature Preserves Commission and the landowner has been secured in advance. Groups of 25 or more will be granted permission to visit preserves if the groups do not exceed the capacity of the facility.
- p) For any group of minors to enter a dedicated nature preserve or nature preserve buffer without adequate supervision. At least one responsible adult shall accompany each group of not more than 15 minors.
- q) For any person to plant or disperse any native or non-native plant or release or disperse any native or non-native animal species or their parts or any other material or object into any dedicated nature preserve or nature preserve buffer without the written approval of the landowner and the Illinois Nature Preserves Commission.

Section 4015.20 Criteria for Evaluating Requests

Criteria that will be used to evaluate requests under Section 4015.10(q) include:

- a) Is there evidence that the species formerly occurred on the nature preserve or nature preserve buffer or that the habitat was suitable and was probably occupied by the species?

DEPARTMENT OF NATURAL RESOURCES

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- b) Are the habitat and other ecological conditions presently suitable and adequate to support the species?
- c) What is the source of origin and genotype of the proposed introductions and is it the same as that originally occurring in the nature preserve or nature preserve buffer?
- d) Will the reintroduction threaten the population from which it is being taken?
- e) Will the reintroduction threaten any species or communities presently considered desirable on the nature preserve or nature preserve buffer?

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Rules of Practice in Administrative Hearings
- 2) Code Citation: 68 Ill. Adm. Code 1110
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1110.175	New Section
1110.210	Amendment
- 4) Statutory Authority: Illinois Administrative Procedure Act [5 ILCS 100/5-10(a)(i)]
- 5) A Complete Description of the Subjects and Issues Involved: Section 10-30 of the Administrative Procedure Act provides for disqualification of a hearing officer for bias or conflict of interest. These proposed amendments merely add Section 1110.175 to elaborate on the procedures to be followed and amend Section 1110.210 to specifically list motions to disqualify.
- 6) Will these proposed amendments replace s any emergency amendments currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield IL 62786
217/785-0813 Fax #: 217/782-7645

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

- 12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER a: ADMINISTRATIVE RULESPART 1110
RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS

Section

1110.5	Applicability
1110.10	Definitions
1110.20	Institution of a Contested Case by the Department
1110.30	Institution of a Contested Case by Petitioner
1110.40	Joinder
1110.50	Form of Papers
1110.60	Service
1110.70	Notice
1110.80	Prehearing Negotiations
1110.90	Representation
1110.100	Failure to Appear
1110.110	Amendment, Withdrawal of Complaints and Petitions for Hearing
1110.120	Requirement of an Answer
1110.130	Discovery
1110.140	Subpoenas
1110.150	Prehearing Conference
1110.160	Hearings
1110.170	Hearing Officers
<u>1110.175</u>	<u>Disqualification of Hearing Officer</u>
1110.180	Examination by the Committee
1110.190	Burden of Proof
1110.200	Documents
1110.210	Motions
1110.220	Evidence
1110.230	Adverse Witness
1110.240	Committee Reports
1110.250	Severability
1110.270	Variances
1110.APPENDIX A	Caption for a Case Filed by the Department
1110.APPENDIX B	Caption for a Petition for Restoration
1110.APPENDIX C	Caption for an Application for Licensure

AUTHORITY: Implementing Section 5-10(a)(i) of the Illinois Administrative Procedure Act [5

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ILCS 100/5-10(a)(i)] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Rules of Practice in Administrative Hearings in the Department of Registration and Education and before committees of said Department, effective February 5, 1975; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 2270, effective January 29, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8214, effective June 28, 1982; Part repealed new Part adopted at 9 Ill. Reg. 1110, effective January 9, 1985; transferred from Chapter I, 68 Ill. Adm. Code 110 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1110 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2964; amended at 28 Ill. Reg. _____, effective _____.

Section 110.175 Disqualification of Hearing Officer

- a) A Hearing Officer may, on his/her own motion, recuse himself/herself from presiding over a matter due to conflict of interest or bias.
- b) At any time prior to the issuance of the hearing officer's final decision or recommendation, a party may file a motion to disqualify the hearing officer for bias or conflict of interest. An adverse ruling made by a hearing officer, in and of itself, shall not constitute bias or conflict of interest. The motion shall set forth the alleged grounds of bias or conflict of interest and shall include supporting affidavits. A different hearing officer shall have 7 days after the motion was filed to enter a written ruling, which shall be served on all parties. An adverse ruling or rulings rendered against the party or its representative in any previous matter shall not, in and of themselves, constitute sufficient grounds for disqualification under this Section.
- c) If the motion to disqualify is denied, the moving party may request the decision be reviewed by the Director.

(Source: Added at 28 Ill. Reg. _____, effective _____)

Section 110.210 Motions

- a) Motions will be made in writing, unless otherwise allowed by the Committee, hearing officer or Director during the course of a hearing. Written motions are limited to the following:
 - 1) To request dismissal of a Complaint, for failure to state facts which, if true, would form a sufficient basis for discipline.

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- 2) To request sanctions in accordance with the Section of these rules dealing with Representation.
- 3) To request sanctions in accordance with the Section of these rules dealing with Discovery.
- 4) To request dismissal of a Petition for Hearing, for failure to comply with the Section of these rules dealing with Institution of a Contested Case by a Petitioner.
- 5) To request dismissal of a Complaint where the Department's case has been concluded without sufficient evidence having been presented to form a basis for discipline.
- 6) To request a continuance, or extension of time to comply with any provision of these rules.
- 7) To request an order granting a rehearing, or additional hearings.
- 8) To request an order that a Committee or hearing officer reconsider its Findings of Fact, Conclusion of Law or Recommendation to the Director or to request a new hearing or additional hearings.
- 9) To request that a Committee or hearing officer deem a failure to file an Answer to be an admission of the truth of the allegations contained in the Complaint.
- 10) To request employment of a hearing officer.
- 11) To request that a member of the Committee be excluded from the hearing or deliberations, for prejudice.
- 12) To request that an Order be vacated or modified.
- 13) To request a prehearing conference.
- 14) To request separation of cases joined by the Department.
- 15) To request disqualification of a hearing officer.

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- b) When any motion is filed, the Committee, hearing officer or Director may allow oral argument if this is deemed necessary to a fuller understanding of the issues presented. Where facts are alleged as a basis for the request, which are not a part of the record in the case, an affidavit will be attached to the motion setting forth such facts.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Professional Land Surveyor Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1270
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1270.13	Amendment
1270.15	Amendment
1270.56	Amendment
1270.65	Amendment
- 4) Statutory Authority: Illinois Professional Land Surveyor Act of 1989 [225 ILCS 330].
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking clarifies the experience requirements in Section 1270.13 and amends Section 1270.15 to clarify curriculum requirements. Section 1270.56 is also amended to change the number of professional development hours needed each renewal period and to clarify the requirements in obtaining professional development hours.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective if applicable: This rulemaking has no impact on local governments.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

DEPARTMENT OF PROFESSIONAL REGULATION

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12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing the services of land surveyors.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: Land surveying skills are required for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 2004

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1270

ILLINOIS PROFESSIONAL LAND SURVEYOR ACT OF 1989

Section

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AUTHORITY: Implementing the Illinois Professional Land Surveyor Act of 1989 [225 ILCS 330] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Land Surveyors Act, effective April 27, 1967; 2 Ill. Reg. No. 50, page 64, effective December 11, 1978; codified and amended at 5 Ill. Reg. 11039; 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; emergency amendment at 8 Ill. Reg. 5365, effective April 12, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15485, effective August 10, 1984; amended at 11 Ill. Reg. 1615, effective January 6, 1987; amended at 11 Ill.

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Reg. 4763, effective March 10, 1987; recodified from Chapter I, 68 Ill. Adm. Code 270 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1270 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2950; amended at 15 Ill. Reg. 5258, effective April 2, 1991; amended at 16 Ill. Reg. 15548, effective September 28, 1992; amended at 18 Ill. Reg. 5900, effective April 5, 1994; amended at 18 Ill. Reg. 14730, effective September 19, 1994; amended at 19 Ill. Reg. 16071, effective November 17, 1995; amended at 20 Ill. Reg. 5852, effective April 3, 1996; amended at 21 Ill. Reg. 14252, effective October 15, 1997; amended at 24 Ill. Reg. 576, effective December 31, 1999; amended at 24 Ill. Reg. 13719, effective August 28, 2000; amended at 24 Ill. Reg. 17548, effective November 20, 2000; amended at 25 Ill. Reg. 3865, effective March 1, 2001; amended at 26 Ill. Reg. 12263, effective July 24, 2002; amended at 28 Ill. Reg. 2228, effective January 23, 2004; amended at 28 Ill. Reg. _____, effective _____.

Section 1270.13 Experience

The experience requirements set forth in Section 1270.10 shall meet the criteria described below.

- a) Credit shall be given for actual experience in the practice of land surveying as defined in Section 5 of the Act.
- b) Such experience shall be under the direct supervision and control of a professional land surveyor in responsible charge of land surveying operations. *Direct supervision and control means the personal review by a licensed professional land surveyor of each survey, including, but not limited to, procurement, research, field work, calculations, preparation of legal descriptions and plats. The personal review shall be of such a nature as to assure the client that the professional land surveyor or the firm for which the professional land surveyor is employed is the provider of the surveying services.* (Section 4 of the Act)
- c) Experience shall be in areas of land surveying practice designated in this subsection (c) or in other areas which, in the opinion of the Board, provide the applicant with knowledge of practice of land surveying at least equivalent to that which is generally acquired by experience in the areas listed. An applicant need not have experience in all areas listed below. The applicant shall have a minimum of 30% of actual experience in the practice of land surveying as follows:
 - 1) Locating land boundaries and land boundary corners, including the following services:
 - A) Researching public and private records;

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- B) Relocating lost or obliterated corners (30%);
 - C) Establishing, reestablishing or perpetuating survey monuments (30%);
 - D) Subdividing sections (30%);
 - E) Establishing or retracing property lines to determine length and bearing (30%);
 - F) Reestablishing obliterated property lines (30%);
 - G) Preparing descriptions of real property from data acquired by field measurements;
 - H) Conducting resurveys; and
 - I) Writing and interpreting land descriptions.
- 2) Preparing maps, including:
- A) Maps of sections or portions of sections or townships as established by the original public land survey and subdivisions of those sections in accordance with the manuals of surveying instructions by the federal government and the State of Illinois;
 - B) Subdivision plats prepared in accordance with the Illinois Statutes or local ordinances;
 - C) Certified survey maps prepared in accordance with the Illinois Statutes or local ordinances;
 - D) Maps showing other divisions of land not controlled by statute or ordinance; and
 - E) Official plats or maps of land in this State.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

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Section 1270.15 Definition of Related Science

A baccalaureate degree in a Related Science is a four-year curriculum ~~that includes 24 hours of land surveying courses and core courses~~ in at least the following subjects for the minimum semester hours or their equivalent:

- a) Land Surveying (including fundamentals of land surveying, boundary surveying, construction surveying, control surveying, route surveying, topographic surveying, descriptions, legal aspects, subdivision design, data computations and adjustments, map projections and geometric geodesy and photogrammetry) – 24 semester hours
- b) Mathematics (College Algebra and beyond) – 15 semester hours
- ~~c)~~ Basic Sciences (Physics and/or Chemistry) – 8 semester hours
- ~~d)~~ Additional Basic Sciences (including but not limited to: Geology, Geography, Dendrology, Astronomy, Biology, Soil Mechanics, and engineering sciences) – 20 semester hours

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 1270.56 Minimum Standards of Practice

The minimum standards of practice set forth in this Section are intended to provide protection for the public by insuring that surveying services defined in this Section are completed in accordance with prevailing professional practices and current technological methods, and to provide a means by which professional performance of the individual practitioner can be assessed. These standards are to be binding upon every person and firm practicing land surveying in the State of Illinois, except where differing federal, State or local laws, ordinances or rules may be more stringent, or when special conditions exist that effectively prevent the survey from meeting these minimum standards. When special conditions exist any necessary deviations from the standards shall be noted on the plat of survey. It shall be a violation of this Part to use special conditions to circumvent the intent and purpose of the minimum standards. Any of the professional services set forth in this Section are greatly influenced by the evaluation of recorded information and field observations, and all those services shall be accomplished in compliance with these standards to ensure that they are located, described and platted in a professional manner. All terms used in these Minimum Standards of Practice shall be interpreted to agree with the definitions of those terms in the most current publication of Black's Law Dictionary, Definitions of Surveying and Associated Terms published by the American Congress

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on Surveying and Mapping (ACSM) and the American Society of Civil Engineers (ASCE), and Glossary of the Mapping Sciences published by American Society for Photogrammetry and Remote Sensing (ASPRS), ACSM and the ASCE.

- a) ALTA/ACSM Land Title Survey
 - 1) An ALTA/ACSM land title survey is a specialized survey that meets the specific needs peculiar to title insurance purposes, to enable title insurance companies to insure title to land without exceptions as to survey matters.
 - 2) All land title surveys shall be subject to the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" published jointly by the American Land Title Association (ALTA), 1828 L. St., N.W., Suite 705, Washington, D.C. 20036; the American Congress on Surveying and Mapping (ACSM), 5410 Grosvenor Lane, Bethesda MD 20814; and the National Society of Professional Surveyors (NSPS), 5410 Grosvenor Lane, Bethesda MD 20814, 1999. This incorporation does not include any later amendments or editions.
 - 3) All ALTA/ACSM land title surveys are to be performed to the current ALTA/ACSM Minimum Standard Detail Requirements. It is incumbent upon the licensed professional land surveyor to discuss with the client additional or optional requirements to be provided.
- b) Boundary Survey
 - 1) A boundary survey is a land survey that requires study, investigation and evaluation of major factors affecting and influencing the location of boundary lines and that culminates in the deliberate location or relocation of the perimeters, division lines or boundaries of a certain lot, parcel or quantity of real estate, according to the record title description of the parcel or parent tract. This description should be furnished by the client, unless otherwise jointly agreed upon by the client and surveyor.
 - 2) The purpose of a boundary survey is to establish or re-establish the extent of title lines, and to define and identify those lines so as to uniquely locate each lot, parcel or other specific land area in relation to well recognized and established points of reference, adjoining properties, and rights of way.

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- 3) A boundary survey shall include, but not be limited to, the following:
 - A) Clear and legible field notes containing all pertinent information, measurements and observations made in the course of the field survey.
 - B) Unless requested otherwise by the client or his/her agent, a plat of survey.
 - C) A legal description for any parcel surveyed.
 - D) Unless requested otherwise by the client or his/her agent, monuments or witness points shall be set for all accessible corners of the survey.

- 4) Information Research Required. Sufficient information to perform the survey shall be either furnished by the client and/or his/her agent or obtained by the surveyor by agreement with the client. The following appropriate factors must be evaluated by the surveyor:
 - A) A property description describing the subject parcel. If, in the opinion of the surveyor, the description furnished or obtained is insufficient to fully define the extent or location of the parcel to be surveyed due to ambiguity or calls for adjoining deeds, prior recorded survey plats, etc., it is the duty of the client (unless agreed upon otherwise) to furnish the additional information requested by the surveyor. This is not to be construed to indicate that the surveyor has an obligation to research the title of record.
 - B) A reproduction of the recorded subdivision plat that created the subject lot, block or parcel.
 - C) A reproduction of the Government Township Plat and pertinent Monument Records if the survey is of a section or aliquot part of a section.
 - D) Relevant data provided by the client regarding special circumstances, such as unrecorded easements, judgements or Court decrees that may influence the location of boundaries of the survey.

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- 5) Monuments. Monuments set or called for, whether artificial or natural, bear witness to the footsteps of a surveyor and his/her professional opinion as to the proper marking of a desired position. Monumentation for public land survey systems corners shall be in accordance with the Land Survey Monuments Act. The following shall be considered acceptable types of artificial monuments for all other corners:

A) Types

- i) Iron bars or rods shall be a minimum of $\frac{1}{2}$ " in diameter by 24" in length. Iron pipes shall be a minimum of $\frac{1}{2}$ " in diameter by 24" in length, with a minimum wall thickness of $\frac{1}{8}$ ". Where rocky soils prevent specified lengths, the bar, rod or pipe should be driven to refusal at depths where it will remain stable.
- ii) Concrete monuments shall be a minimum size of 5" in diameter by 24" in length, or 4" square by 24" in length, and shall have a precise corner mark and shall be reinforced by at least a $\frac{1}{4}$ " re-bar or $\frac{1}{2}$ " or larger iron pipe.
- iii) Stone monuments shall be a minimum size of 4" square by 24" in length and shall have a precise corner mark.
- iv) Commercial cast iron or aluminum survey markers no less than 24" in length. Non-ferrous markers shall have ceramic magnets attached to aid in recovery.
- v) Other monuments, such as drill holes, chiseled marks in stone, concrete or steel, punch marks, precast bronze discs, nails or spikes, etc., shall be of sufficient size, diameter or depth to be definitive, stable and readily identified as a survey marker. Objects upon which the marks or markers are placed shall be of a stable and permanent nature.

B) Requirements

- i) Where placement of corner monuments is a condition of the survey and it is physically impossible or impractical to

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set a monument at the corner, a witness corner or corners will be set, or noted if existing witness corners are found. Witness corners shall be referenced to the survey corner or survey lines.

- ii) Monuments must be set to a sufficient depth so as to retain a stable and distinctive location. Material and size for monuments shall be chosen in regard to the terrain and situation that exists at the site of the survey. All monuments shall be set vertically whenever possible.
- 6) Plats. On all boundary surveys the completed plat shall be drawn on a stable and durable medium with a minimum size of 8½" by 11" and shall contain the following:
- A) Firm name, address and registration number.
 - B) Professional land surveyor seal, signature, date of signing, and license expiration date. Rubber-stamp signatures, computer generated signatures or other reproduced signatures are prohibited.
 - C) Client's name.
 - D) North arrow.
 - E) Scale-written or graphic.
 - F) Date of completion of field work.
 - G) Legal description of the property.
 - H) Legend for all symbols and abbreviations used on the plat.
 - I) Monuments or witness corners, whether set or found, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners.
 - J) Sufficient angles, bearings or azimuths, and linear dimensions and curve data must be shown to provide a mathematically closed

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figure for the exterior of the survey. Where record angular dimensions, linear dimensions or curve data exists and is known by the surveyor, that data shall be shown on the plat and distinguished from measured dimensions or data. ~~angular or linear dimensions of the survey differ from record data, both are to be shown.~~ Area of the survey is a negotiable item and is to be shown on the face of the plat if requested by the client or his agent.

- K) Where bearing, azimuth or coordinate systems are used, the basis or proper names of the system shall be noted on the plat.
 - L) If the survey is a parcel in a recorded subdivision, any easements or setback lines shown on the recorded plat that affect the subject parcel are to be shown.
 - M) Visible physical evidence of possession or occupation ~~within three feet~~ either way from the exterior lines of the survey shall be shown and dimensioned.
 - N) Show visible evidence of improvements, rights of way, easements, or use when requested by the client.
 - O) Exculpatory statements that attempt to restrict the uses of boundary surveys shall not be affixed to any plat.
 - P) The following statement shall be placed near the professional land surveyor seal and signature: "This professional service conforms to the current Illinois minimum standards for a boundary survey."
- 7) Field Procedures. All field work shall be performed by a professional land surveyor or a person under his/her direct control and supervision in accordance with accepted methods of surveying theory, practice and procedures. It is the responsibility of the professional land surveyor to insure conformance with the following specific requirements:
- A) All surveying instruments shall be kept in proper adjustment and calibration.
 - B) All corners or monuments called for in the information provided or obtained under subsection (b)(4) that affect the location of the

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boundaries of the land to be surveyed shall be physically searched for in a methodical and meticulous fashion. Each corner or monument recovered shall be evaluated as to its agreement by description and location with the information in subsection (b)(4).

- C) Other evidence that could influence the location of the lines or corners of the survey shall be located and evaluated.
 - D) When the survey is of an aliquot or divisional part of a larger tract, sufficient field work must be performed to ensure that the existence of excess or deficiency, if any, in the parent tract can be determined and distributed by the professional judgment of the surveyor.
 - E) All field data, including electronic field notes, shall be retained in a legible and orderly fashion that will be understandable to other surveyors.
- 8) It shall be the responsibility of each professional land surveyor to monitor his/her work and that of those working under his/her supervision, so that the methods used to perform the survey and produce the plat and/or report will be of such quality that the accuracy, precision and positional tolerance of the final product delivered to his/her client will equal or exceed that which would be provided by another competent surveyor under similar circumstances.
- c) Condominium Surveys. Condominium surveys are a specialized class of boundary surveys and are governed by the "Condominium Property Act" [765 ILCS 605]. The plat requirements referred to in Section 5 of that Act must be the result of actual field measurements and are not to be transcribed from plans or other informational materials. The exterior boundaries of a condominium parcel shall be monumented as required by the Plat Act [765 ILCS 205]. Notes on the condominium plat must indicate whether the interior measurements shown are referring to finished or unfinished surfaces or planes and what data was used for any elevations depicted on the plat.
 - d) Subdivision Surveys. Subdivision surveys are properly included in the boundary survey category and are primarily governed by the Plat Act. Subdivision surveys differ from the typical boundary survey in that monumentation for subdivision surveys is mandatory according to the statute. All exterior corners of the

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subdivision must be monumented prior to recordation of the subdivision plat. If, in the opinion of the subdividing surveyor, a disproportionate number of interior monuments would be destroyed by grading, utility installation, etc., monumentation of the interior corners may be delayed unless local regulations or ordinances specify otherwise. Interior corners of the subdivision must be monumented prior to the conveyance of any lot, block, parcel or unit within the subdivision and in all cases the monumentation must be in place within 12 months after the recording date of the subdivision plat. All of the interior corners subject to delayed staking shall be denoted on the record plat as "to be set", either by labeling or appropriate symbols. Upon completion of the monumentation the subdividing surveyor shall file an affidavit with the Recorder of the county in which the subdivision is located certifying that the monumentation of the subdivision has been completed. The affidavit shall include the name of the subdivision, date of plat recording and recording location information (book and page and/or document number).

Vertical subdivisions, i.e., subdivisions that divide property by horizontal, vertical and/or oblique planes, require that all exterior boundary corners of the subdivision be monumented at its ground elevation prior to recordation of the subdivision plat. The physical features, if any, controlling the limits of the subdivided property must be defined on the subdivision plat. The datum used to control the dividing planes must be defined on the subdivision plat together with the benchmark used to determine the elevation of these planes. The interior corners or any lot or block corners, other than those that are required for monumenting the exterior boundary corners, do not require monumentation.

- e) Mortgage Inspection. A ~~mortgage inspection~~**Mortgage Inspection** does not approach the standards of other survey categories, though by the provisions of Section 5 of the Illinois Professional Land Survey Act of 1989 [225 ILCS 330/5] the services of an Illinois Professional Land Surveyor are required. A mortgage inspection is not a type of boundary survey or ALTA/ACSM survey and does not constitute a boundary survey of the subject real property. A mortgage inspection includes field investigation, measurements and graphic representation of improvements.
- 1) Purpose. The mortgage inspection is intended for use by a mortgage lender and/or title insurer and is only a professional opinion of the relationship of improvements with respect to the deed lines and the existence, location and type of building on the property, the intent of which is to assist in the determination of the property's suitability to serve

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as collateral for a mortgage. It is not an opinion as to deed, title or platted lines. It is not to be used in matters of boundary disputes, legal actions between landowners, or for construction purposes. No new legal descriptions can be created from a mortgage inspection.

- 2) Product. A complete mortgage inspection will produce a drawing entitled "Mortgage Inspection" and, if required, a written report of the surveyor's findings and determinations.
- 3) Information.
 - A) The following information shall be furnished by the client and/or his/her agent:
 - i) Legal description and address for the tract of land.
 - ii) Copy of commitment of title insurance for the tract of land, if possible.
 - B) The following information shall be obtained by the surveyor:
 - i) Copy of recorded subdivision plats (if applicable).
 - ii) Recorded section corner tie monuments and original government surveys (if applicable).
 - iii) Other necessary surveying information.
- 4) Monuments. No monuments shall be set.
- 5) Tolerances. Tolerances cannot be mandated for a mortgage inspection since the very nature of recovering deed lines and other information for that purpose precludes a rigid adherence to any standard value.
- 6) Field Procedures. The following procedures should generally be considered as minimum, but deviations as dictated by specific conditions shall be allowed:
 - A) Preliminary search and recovery of existing monument evidence.

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- B) Field location of tract through measurement from some controlling locations, such as: street intersection, subdivision corner, section corners, etc., sufficient to eliminate the possibility of gross error in location of the premises.
 - C) Through field measurements, locate and dimension relevant improvements.
 - D) If evidence of deed lines does not exist, the surveyor is obligated to refuse to perform a mortgage inspection until satisfactory evidence is obtained, either through a boundary survey or a land title survey.
 - E) If evidence exists of the possibility that the improvements on the subject property or adjoining property are on or very near the apparent deed lines, the surveyor is obligated to note his/her findings and recommend that a boundary survey or land title survey be performed.
- 7) Drawing.
- A) Minimum size: 8½" x 11".
 - B) The drawing shall be entitled:

MORTGAGE INSPECTION

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

(The above two lines shall be of the same letter size and shall be twice the letter size of all other lettering on the drawing.)

- C) A North arrow, scale of drawing, date and drawing legend shall be included.
- D) Building dimensions and type of structure shall be shown.
- E) Boundary dimensions shown shall be based on the public record or description provided; field measurements do not need to be shown.
- F) No dimensional ties from structures or other improvements to apparent deed lines are required.

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- G) The legal description of the tract shall be given on the face of the drawing.
- H) Use of the word "survey" in the title, or any implication in a certification that this drawing represents a "survey", is prohibited.
- I) Professional land surveyor seal, signature, date of signing, and license expiration date. Rubber-stamp signatures, computer-generated signatures or other reproduced signatures are prohibited.
- J) Address of the tract.
- K) No found corner, boundary line or other survey monumentation shall be shown on the drawing.
- L) Preceding the legal description and in the same size letters as the legal description the following statement shall appear:
- "This mortgage inspection and drawing is not a boundary survey or plat of survey. This mortgage inspection was prepared to assist the mortgage company and title insurance company and is not to be used for any purposes of boundary disputes, location of actual deed, title or platted lines, or for construction of new improvements. Graphic representation shall be deemed approximate and no reliance should be placed on the scale of the drawing."
- M) The following statement shall be placed immediately above the signature of the surveyor and in the same size letters as the legal description:
- "This professional service conforms to the current Illinois minimum standards of practice for a mortgage inspection and is not a boundary survey."

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 1270.65 Professional Development

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The professional development required as a condition for license renewal under the Illinois Professional Land Surveyor Act is set forth in this Section. All land surveyors shall meet these requirements.

- a) Professional Development Hours Requirements
 - 1) Beginning with the November 30, ~~2006~~~~2004~~ renewal and every renewal thereafter, in order to renew a license as a land surveyor, a licensee shall be required to complete ~~2420~~ professional development hours (PDH) relevant to the practice of land surveying. (The requirement remains 20 hours for the November 30, 2004 renewal.) Failure to comply with these requirements may result in non-renewal of the land surveyor's license or other disciplinary action, or both. The total 24 professional development hours shall be in the following categories, with the listed minimum professional hours per category per renewal period:
 - A) Programs or courses in the area of State of Illinois statutes and rules that regulate professional land surveyors and surveys. Minimum hours: 4.
 - B) Programs or courses in the area of ethics. Minimum hours: 2.
 - C) Programs or courses in the area of land surveying or related sciences or active participation on a committee or holding an office in a professional or technical society. Minimum hours: 18, with 2 professional development hours awarded per committee membership or for membership on the Land Surveyors Licensing Board or its Jurisdiction Review Committee.
 - 2) A prerenewal period is the 24 months preceding November of each even-numbered year.
 - 3) One professional development hour shall equal 50 minutes of instruction or participation. If a program is taken that awards continuing education units (CEU) rather than professional development hours, one continuing education unit equals 10 professional development hours of class in an approved continuing education course.
 - 4) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.

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- 5) Land surveyors licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
 - 6) Professional development units used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois if they are substantially equivalent.
- b) Professional Development Activities shall include, but not be limited to:
- 1) Successful completion of a college or university course in the area of land surveying, related sciences and surveying ethics. One semester credit hour of course work is equivalent to 15 PDHs and one quarter credit hour of course work is equivalent to 10 PDHs.
 - 2) Successful completion of land surveying courses or programs offering professional development hours;
 - 3) Active participation and successful completion of land surveying programs, seminars, tutorials, workshops, short courses or in-house courses;
 - 4) Attending program presentations at related technical or professional meetings;
 - 5) Teaching or instructing. Teaching credit is valid for teaching a course or seminar for the first time only and does not apply to faculty in the performance of their regularly assigned duties. Two PDHs will be awarded for every hour of teaching or presentation;
 - 6) Authoring papers or articles that appear in nationally circulated journals or trade magazines. Credit is earned in the biennium of publication. A maximum of 5 PDHs per renewal are allowed for this activity.
- c) All programs or courses shall:
- 1) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in the practice of land surveying;

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- 2) Foster the enhancement of general or specialized practices and values of land surveying;
 - 3) Be developed and presented by persons with education and/or experience in the subject matter of the program; and
 - 4) Specify the course objectives and course content.
- d) It shall be the responsibility of a licensee to maintain a record of PDHs for 5 years that:
- 1) Includes:
 - A) The name and address of the sponsor or provider;
 - B) A brief statement of the subject matter, printed program schedules, registration receipts or other proof of participation;
 - C) Certificate of attendance;
 - D) The number of hours attended in each program; and
 - E) The date and place of the program; or
 - 2) Includes transcripts or records of professional development hours maintained by an acceptable provider as set forth in subsection (e).
- e) Acceptable providers for structured educational activities shall include, but not be limited to:
- 1) Illinois Professional Land Surveyor Association;
 - 2) National Council of Examiners for Engineering and Surveying (NCEES);
 - 3) National Society of Professional Land Surveyors;
 - 4) American Congress on Surveying and Mapping (ACSM);
 - 5) American Society of Civil Engineers (ASCE);

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- 6) Colleges, universities or other educational institutions;
 - 7) Other technical or professional societies or organizations.
- f) The Department shall not pre-approve individual courses or programs.
- g) Certification of Compliance with CE Requirements
- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the professional development requirements set forth in this Section.
 - 2) The Department may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
 - 3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].
- h) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with PDH requirements, the Department shall restore the license upon payment of the required fee as provided in Section 1247.75.
- i) Waiver of PDH Requirements
- 1) Any renewal applicant seeking renewal of a license without having fully complied with the PDH requirements shall file with the Department a renewal application along with the required fee set forth in Section 1247.75, a statement setting forth the facts concerning non-compliance and request for waiver of the PDH requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of PDH requirements for the renewal period for which the

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applicant has applied.

- 2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the PDH requirements during the applicable prerenewal period because of:
 - A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;
 - B) An incapacitating illness documented by a statement from a currently licensed physician;
 - C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
 - D) Any other similar extenuating circumstances.
- 3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the Department.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.9700 Proposed Action: Amendment
- 4) Statutory Authority: 35 ILCS 5/1501
- 5) A Complete Description of the Subjects and Issues Involved: Under IITA Section 1501(a)(27), a taxpayer who conducts more than 80% of its business activities outside the United States cannot be included in a unitary business group. This rulemaking amends the definition of "United States" for purposes this rule.
- 6) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>IL Register Citation</u>
100.5050	New Section	27 Ill. Reg. 15050; 09/26/03
100.5040	Amendment	27 Ill. Reg. 17970; 12/01/03
100.7040	Amendment	28 Ill. Reg. 1725; 01/30/04
100.2190	New Section	28 Ill. Reg. 3739; 02/27/04

- 10) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this notice to:

Paul Caselton
Deputy General Counsel - Income Tax
Illinois Department of Revenue
Legal Services Office
101 West Jefferson

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Springfield, Illinois 62794
Phone: (217) 782-7055

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking affects only international businesses.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2004

The full text of the Proposed Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section

- 100.2000 Introduction
100.2050 Net Income (IITA Section 202)

SUBPART B: CREDITS

Section

- 100.2100 Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))
100.2101 Replacement Tax Investment Credit (IITA 201(e))
100.2110 Investment Credit; Enterprise Zone (IITA 201(f))
100.2120 Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))
100.2130 Investment Credit; High Impact Business (IITA 201(h))
100.2140 Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150 Training Expense Credit (IITA 201(j))
100.2160 Research and Development Credit (IITA 201(k))
100.2163 Environmental Remediation Credit (IITA 201(l))
100.2165 Education Expense Credit (IITA 201(m))
100.2170 Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2180 Credit for Residential Real Property Taxes (IITA 208)
100.2195 Dependent Care Assistance Program Tax Credit (IITA 210)
100.2197 Foreign Tax Credit (IITA Section 601(b)(3))
100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope

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- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF
INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

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Section

- 100.2410 Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
- 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
- 100.2490 Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

SUBPART F: BASE INCOME OF INDIVIDUALS

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- 100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))
- 100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

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- 100.3000 Terms Used in Article 3 (IITA Section 301)
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- 100.3200 Taxability in Other State (IITA Section 303)
- 100.3210 Commercial Domicile (IITA Section 303)
- 100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other Than Residents (IITA Section 303)

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- 100.3300 Allocation and Apportionment of Base Income (IITA Section 304)
- 100.3310 Business Income of Persons Other Than Residents (IITA Section 304) – In General
- 100.3320 Business Income of Persons Other Than Residents (IITA Section 304) – Apportionment (Repealed)
- 100.3330 Business Income of Persons Other Than Residents (IITA Section 304) – Allocation
- 100.3340 Business Income of Persons Other Than Residents (IITA Section 304)
- 100.3350 Property Factor (IITA Section 304)
- 100.3360 Payroll Factor (IITA Section 304)
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- 100.3380 Special Rules (IITA Section 304)
- 100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))
- 100.3400 Apportionment of Business Income of Financial Organizations (IITA Section 304(c))
- 100.3500 Allocation and Apportionment of Base Income by Nonresident Partners

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Section

- 100.4500 Carryovers of Tax Attributes (IITA Section 405)

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Section

- 100.5000 Time for Filing Returns: Individuals (IITA Section 505)
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- 100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
- 100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in

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Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years
(IITA Section 506)

100.5040 Innocent Spouses

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Section

100.5100 Composite Returns: Eligibility
100.5110 Composite Returns: Responsibilities of Authorized Agent
100.5120 Composite Returns: Individual Liability
100.5130 Composite Returns: Required forms and computation of Income
100.5140 Composite Returns: Estimated Payments
100.5150 Composite Returns: Tax, Penalties and Interest
100.5160 Composite Returns: Credits for Resident Individuals
100.5170 Composite Returns: Definition of a "Lloyd's Plan of Operation"

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100.5200 Filing of Combined Returns
100.5201 Definitions and Miscellaneous Provisions Relating to Combined Returns
100.5205 Election to File a Combined Return
100.5210 Procedures for Elective and Mandatory Filing of Combined Returns
100.5215 Filing of Separate Unitary Returns
100.5220 Designated Agent for the Members
100.5230 Combined Estimated Tax Payments
100.5240 Claims for Credit of Overpayments
100.5250 Liability for Combined Tax, Penalty and Interest
100.5260 Combined Amended Returns
100.5265 Common Taxable Year
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100.5280 Combined Return Issues Related to Audits

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100.7000 Requirement of Withholding (IITA Section 701)
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100.7040	Employer Registration (IITA Section 701)
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100.7070	Voluntary Withholding (IITA Section 701)
100.7080	Correction of Underwithholding or Overwithholding (IITA Section 701)
100.7090	Reciprocal Agreement (IITA Section 701)
100.7095	Cross References

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100.7100	Withholding Exemption (IITA Section 702)
100.7110	Withholding Exemption Certificate (IITA Section 702)
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100.7200	Reports for Employee (IITA Section 703)

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100.7300	Returns of Income Tax Withheld from Wages (IITA Section 704)
100.7310	Quarterly Returns Filed on Annual Basis (IITA Section 704)
100.7320	Time for Filing Returns (IITA Section 704)
100.7330	Payment of Tax Deducted and Withheld (IITA Section 704)
100.7340	Correction of Underwithholding or Overwithholding (IITA Section 704)

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100.9100	Notice and Demand (IITA Section 902)

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- 100.9320 Limitations on Notices of Deficiency (IITA Section 905)
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- 100.9400 Credits and Refunds (IITA Section 909)
- 100.9410 Limitations on Claims for Refund (IITA Section 911)
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- 100.9500 Access to Books and Records (IITA Section 913)
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- 100.9600 Administrative Review Law (IITA Section 1201)

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- 100.9700 Unitary Business Group Defined (IITA Section 1501)

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100.9710 Financial Organizations (IITA Section 1501)
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Section 1501)

SUBPART CC: LETTER RULING PROCEDURES

Section

100.9800 Letter Ruling Procedures

100.APPENDIX A Business Income Of Persons Other Than Residents

100.TABLE A Example of Unitary Business Apportionment

100.TABLE B Example of Unitary Business Apportionment for Groups Which
Include Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by
Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84,
effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at
5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981;
amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May
20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843,
effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at
5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December
29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399,
effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8
Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg.
685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986;
amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941,
effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986;
amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410,
effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12
Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25,
1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307,
effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13
Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990;
amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective
June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency
amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days;

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amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. _____, effective _____.

SUBPART BB: DEFINITIONS

Section 100.9700 Unitary Business Group Defined (IITA Section 1501)

- a) **Scope**
This regulation is designed to clarify the meaning of IITA Section 1501(a)(27), defining "unitary business group", which definition became effective for tax years ending on or after December 31, 1982.
- b) **Persons related through common ownership**
A unitary business group will be composed exclusively of business corporations.

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However, see the special rule at Section 3380(c) of this Part regarding inclusion of shares of partnership unitary business income and factors.

- c) The 80-20 U.S. business activity test for prospective members
The factors to be used in determining whether 80% or more of a person's business activity is conducted outside the United States shall be gross figures without eliminations premised on the person's membership in any unitary business group. However, the factors should relate to the common taxable year, as defined in Section 100.5265 of this Part, of the unitary business group of which the person being tested could become a member were the person's business activity found to be less than 80% outside the United States. The factors to be used are as follows:
- 1) persons required to apportion business income under IITA Section 304(a) will use property and payroll,
 - 2) persons required to apportion business income under IITA Sections 304(b), 304(c) or 304(d) will use the respective factors prescribed in those provisions.
 - A) ~~In accordance with IITA Section 102 and 26 USC 7701(b)(9), the~~ The phrase "United States" as used in IITA Section 1501(a)(27) shall mean the 50 states, the District of Columbia, any territory or possession of the United States, and any area over which the United States has asserted jurisdiction, or claimed exclusive rights with respect to the exploration for, or exploitation of, natural resources. This definition includes, but is not limited to, the outer continental shelf (OCS) and any artificial islands and structures thereon. ~~include only the fifty states and the District of Columbia.~~
 - B) Mechanically, the computation of the 80-20 U.S. business activity test requires the formation of one or two fractions, as the case may be, and the subsequent averaging of those fractions to arrive at an overall U.S. business activity in relation to world-wide business activity. The ~~numerator~~numerators of the fraction represents U.S. property, U.S. payroll, U.S. revenue miles, insurance premiums on property or risk in the U.S. or financial organization business income from sources within the U.S.; the respective denominators are world-wide figures.
 - C) In the case of a person who would be a member of a unitary

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business group for only part of a taxable year if less than 80% of its business activities were conducted outside the United ~~States~~State, the 80-20 U.S. business activity test shall be applied only to that part of the person's taxable year for which the prospective member otherwise qualifies for membership in the unitary business group. If that person is a corporation and is a prospective member of a unitary business group required to file combined returns under IITA Section 502(f), the 80-20 U.S. business activity test shall be applied only to that part of the combined group's common taxable year for which that person otherwise qualifies for membership in the combined group.

- d) Entities using different apportionment formulas under IITA Section 304
- 1) All members of a unitary business group must be eligible under IITA Section 304 to use the same apportionment formula. As a consequence, a corporation required to use the three factor apportionment formula of Section 304(a) cannot be a member of the same unitary group as a corporation required to use the one factor apportionment formula of IITA Section 304(c), nor may a corporation required to use the one factor apportionment formula of IITA Section 304(c) be a member of the same unitary business group as a corporation required to use the one factor apportionment formula of IITA Section 304(b). The proper method for determining unitary business group memberships under IITA Section 1501(a)(27) is first to identify all entities that are related through common ownership and engaged in either horizontally or vertically integrated enterprises with the requisite exercise of strong centralized management and second, to create from the population of entities thus identified one unitary business group composed of entities required to apportion under IITA Section 304(a), one unitary business group composed of entities required to apportion under IITA Section 304(b), one unitary business group composed of entities required to apportion under IITA Section 304(c) and one unitary business group composed of entities required to apportion under IITA Section 304(d).
 - 2) EXAMPLE:
 - A) FACTS: Corporation A owns all of the outstanding common stock of Corporations B and C. Corporations B and C each own 30% of the outstanding common stock of Corporation D. Corporation D

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owns 60% of the outstanding common stock of Corporation E. Corporation A is a mining company operating exclusively in Illinois. Corporation D is a manufacturing company with factories in Illinois and Indiana. Corporation C is an insurance company earning premiums for insuring property and risks located in Illinois and Indiana. Corporation B is an air freight company and Corporation E is a trucking company, both operating nationwide. In their relationships to one another, the five companies: are "steps in a vertically structured enterprise or process" and are "functionally integrated through the exercise of strong centralized management."

- B) ANALYSIS AND CONCLUSION: As a result of these facts, Corporations A and D, which would ordinarily be required to apportion business income by means of the three factor apportionment formula of IITA Section 304(a), will constitute one unitary business group; Corporations B and E, which would ordinarily be required to apportion business income by means of the one factor transportation formula IITA Section 304(d) will constitute a second unitary business group; and Corporation C will compute its liability on a non-combined apportionment basis under IITA Section 304(b).
- e) Common ownership
Corporations: Direct or indirect control or ownership of more than 50% of outstanding voting stock. Insofar as corporations are concerned, one has direct ownership of the outstanding voting stock of another to the extent that it owns such stock and indirect control to the extent that it owns the voting stock of a third corporation which itself owns such stock. Any combination of direct and indirect control or ownership aggregating more than 50% will suffice to qualify the corporation whose stock is owned for membership in the unitary business group if other tests unrelated to ownership are met.
- 1) Corporation A owns 60% of the outstanding voting stock of Corporation B which in turn owns 60% of the outstanding voting stock of Corporation C. There is common ownership of Corporations A, B and C by reason of Corporation A's direct ownership of more than 50% of the outstanding voting stock of Corporation B and indirect control of more than 50% of the outstanding voting stock of Corporation C.

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- 2) Corporation A owns 60% of the outstanding voting stock of Corporation B and 60% of the outstanding voting stock of Corporation C. Corporations B and C in turn each own 30% of the outstanding voting stock of Corporation D. Corporations A, B, C and D are all under common ownership by reason of Corporation A's direct ownership of more than 50% of the outstanding voting stock of Corporations B and C and by reason of Corporation A's indirect control of more than 50% of the outstanding voting stock of Corporation D.
 - 3) Corporation A owns 60% of the outstanding voting stock of Corporation B and 40% of the outstanding voting stock of Corporation C. Corporations B and C each in turn own 30% of the outstanding voting stock of Corporation D. Corporations A and B are under common ownership by reason of Corporation A's direct ownership of more than 50% of the outstanding voting stock of Corporation B, but neither Corporations C or D are under common ownership with Corporations A and B because neither Corporation A nor Corporation B has direct or indirect control or ownership of more than 50% of the outstanding voting stock of Corporations C or D.
 - 4) Corporation A owns 60% of the outstanding voting stock of Corporation B and 40% of the outstanding voting stock of Corporation C. Corporation B owns 30% of the outstanding voting stock of Corporation D and Corporation C owns 60% of the outstanding voting stock of Corporation D. Corporations A and B are under common ownership by reason of the fact that Corporation A owns more than 50% of the outstanding voting stock of Corporation B, and Corporations C and D are under separate common ownership by reason of the fact that Corporation C owns more than 50% of the outstanding voting stock of ~~Corporation~~ Corporation D.
- f) Attribution of stock ownership among certain individuals
For the purpose of IITA Section 1501(a)(27), an individual shall be considered to have indirect control over any stock that he is considered as owning under 26 USC 318(a)(1). EXAMPLE: Strictly as an investment, Mr. X and his wife, Mrs. X, each individually own 30% of the outstanding voting stock of Corporation A and 30% of the outstanding voting stock of Corporation B. Corporations A and B are under common ownership within the meaning of Section 1501(a)(27), and assuming that they meet the other requirements of IITA Section 1501(a)(27), they will be members of the same unitary business group. The common ownership stems from the fact that, under Section 318(a)(1) of the Internal Revenue Code,

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the stock holdings of Mr. X are imputed to his wife and vice versa. Note that it is not necessary in order for Corporations A and B to be members of a unitary business group that the "person" in whom the common ownership is embodied also be a member of the unitary business group.

- g) **Strong centralized management**
Under IITA Section 1501(a)(27), no group of persons can be a unitary business group unless they are functionally integrated through the exercise of strong centralized management. It is this exercise of strong centralized management that is the primary indicator of mutual dependency, mutual contribution and mutual integration between persons that is necessary to constitute them members of the same unitary business group. The exercise of strong centralized management will be deemed to exist where authority over such matters as purchasing, financing, tax compliance, product line, personnel, marketing and capital investment is not left to each member. Thus, some groups of persons may properly be considered as constituting a unitary business group under IITA Section 1501(a)(27) when the executive officers of one of the persons are normally involved in the operations of the other persons in the group and there are centralized units which perform for some or all of the persons functions which truly independent persons would perform for themselves. Note in this connection that neither the existence of central management authority, nor the exercise of that authority over any particular function (through centralized operations), is determinative in itself; the entire operations of the group must be examined in order to determine whether or not strong centralized management exists. A finding of "strong centralized management" cannot be supported merely by showing that the requisite ownership percentage exists or that there is some incidental economic benefit accruing to a group because such ownership improves its financial position. Both elements of strong centralized management, i.e., strong central management authority and the exercise of that authority through centralized operations, must be present in order for persons to be a unitary business group under IITA Section 1501(a)(27). Finally, a finding of strong centralized management can be supported even though the authority resides in a person that is not a member of the group, provided that the authority is actually exercised by such person.
- h) **General line of business and vertically structured enterprises**
- 1) Section 1501(a)(27) of the Act establishes that persons meeting all of the other tests for inclusion in a unitary business group, including common ownership, strong centralized management and comparability of apportionment method, will ordinarily be in one of the following

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relationships to one another:

- A) in the same general line of business, or
 - B) steps in a vertically structured enterprise or process.
- 2) IITA Section 1501(a)(27) recites that two persons will ordinarily be considered to be in the same general line of business if they are both involved in one of the following activities:
- A) manufacturing
 - B) wholesaling
 - C) retailing
 - D) insurance
 - E) transportation, or
 - F) finance
- 3) IITA Section 1501(a)(27) does not contemplate that the above list be exclusive. For example, two persons that are both involved in rendering services to the public would ordinarily be considered to be in the same general line of business. In this regard, a retailer that renders services that are incidental to its retail business will not be in the same general line of business as a person that is primarily a service dispenser.
- 4) It is not a requirement of IITA Section 1501(a)(27) that the activities of the two persons in whichever category is applicable relate to the same product or product line in order for the two persons to be in the same general line of business.
- 5) Two persons are steps in a vertically structured enterprise or process under IITA Section 1501(a)(27) even though other persons who are also steps in that enterprise or process are not members of the same unitary business group because of the intervention of: the 80-20 U.S. business activity test or the rules stated in subsection (d) of this Section, relating to the comparability of apportionment formulas of members of a unitary

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business group.

EXAMPLE 1:

- A) **FACTS:** Corporation A manufactures furniture. Corporation C retails the furniture manufactured by Corporation A. Corporation B is a furniture finisher and wholesaler operating exclusively in Mexico which purchases Corporation A's unfinished furniture, applies the appropriate finishing materials in its Mexican plants, and sells the finished furniture to Corporation C.
- B) **ANALYSIS AND CONCLUSION:** Corporations A and C are steps in a vertically structured enterprise and as such can be members of the same unitary business group. They do not lose their status as steps in a vertically structured enterprise by reason of the fact that they never directly deal with one another, since they both deal with Corporation B which is also a step in the vertically structured enterprise and which would be a member of the unitary business group were it not for the intervention of the 80/20 U.S. business activity test.

- 6) A person will not be a step in a vertically structured enterprise or process unless it is connected to one or more other persons that are steps in the vertically structured enterprise or process by a flow of goods or services, including management services, to itself or from itself. However, if such a flow of goods or service is present with respect to a particular person, that person's status as a step in the vertically structured enterprise or process shall not depend on the relationship between the price at which such flow exists and the fair market price at which such flow would exist in an arm's length transaction.

EXAMPLE 2:

- A) **FACTS:** Same facts as in the previous example, except that Corporation A can establish that it sells its unfinished furniture to Corporation B at a fair market arm's length price and Corporation C can establish that it purchases the finished furniture from Corporation B at a fair market arm's length price.
- B) **ANALYSIS AND CONCLUSION:** Even with their respective

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showings that the flow of furniture connecting them to Corporation B existed at an arm's length price, Corporations A and C are still steps in a vertically structured enterprise and can still be members of the same unitary business group.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Service Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 140
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
140.101	Amendment
140.125	Amendment
- 4) Statutory Authority: 35 ILCS 140
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends the Service Occupation Tax Act regulations to reflect the repeal of the Graphic Arts Machinery and Equipment Exemption; Automatic Vending Machines Exemption; Pollution Control Facilities Exemption; Oil Field Exploration, Drilling and Production Equipment Exemption; Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment Exemption, Distillation Machinery and Equipment Exemption and Aggregate Manufacturing Exemption (P.A. 93-0024). Provisions regarding the tax rate applicable to biodiesel, biodiesel blends, majority blended ethanol and gasohol are also included (P.A. 93-0017). Provisions amending the Rolling Stock Exemption are also included (P.A. 93-0023).
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.124	New Section	28 Ill. Reg. 4119
- 10) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this notice to:

Terry D. Charlton

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Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-2844

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Servicemen, graphic artists and purchasers of aggregate manufacturing equipment, oil field exploration equipment, coal exploration equipment, vending machines, distillation equipment, pollution control equipment and graphic arts equipment.
 - B) Reporting, bookkeeping or other procedures required for compliance: Minimal
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2004

The full text of the Proposed Amendments begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 140
SERVICE OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section	
140.101	Basis and Rate of the Service Occupation Tax
140.105	Calculation of Tax Incurred by Servicemen – Threshold Determination of Cost Ratio
140.106	When Cost Ratio is 35% or Greater, Service Occupation Tax Liability Is Incurred by Servicemen on Their Selling Price
140.108	"De Minimis" Servicemen Who Incur Use Tax on Their Cost Price
140.109	"De Minimis" Servicemen Who Incur Service Occupation Tax on Their Cost Price
140.110	Example of Methods Used by Servicemen to Determine Liability
140.115	Occasional Sales to Servicemen by Suppliers (Repealed)
140.120	Meaning of Serviceman
140.125	Examples of Nontaxability
140.126	Taxation of Food, Drugs and Medical Appliances
140.127	Service Provided to Persons Who Lease Tangible Personal Property to Exempt Hospitals
140.128	Persons Who Lease Tangible Personal Property to Governmental Bodies
140.130	Suppliers of Printers (Repealed)
140.135	Sales of Drugs and Related Items, to or by Pharmacists (Repealed)
140.140	Other Examples of Taxable Transactions
140.141	Warranty Repairs
140.145	Multi-Service Situations

SUBPART B: DEFINITIONS

Section	
140.201	General Definitions

SUBPART C: BASE OF THE TAX

Section	
140.301	Cost Price

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140.305 Refunds by Supplier or Serviceman

SUBPART D: TAX RETURNS

Section

- 140.401 Monthly Returns When Due – Contents of Returns
- 140.405 Annual Tax Returns
- 140.410 Final Return
- 140.415 Taxpayer's Duty to Obtain Form
- 140.420 Annual Information Returns by Servicemen
- 140.425 Filing of Returns for Serviceman Suppliers by their Suppliers Under Certain Circumstances
- 140.430 Incorporation by Reference

SUBPART E: INTERSTATE COMMERCE

Section

- 140.501 Sales of Service Involving Property Originating in Illinois
- 140.505 Sales of Service Involving Property Originating Outside of Illinois (Repealed)

SUBPART F: REGISTRATION UNDER THE SERVICE OCCUPATION TAX ACT

Section

- 140.601 General Information

SUBPART G: BOOKS AND RECORDS

Section

- 140.701 Requirements

SUBPART H: PENALTIES, INTEREST AND PROCEDURES

Section

- 140.801 General Information

SUBPART I: WHEN OPINIONS FROM THE DEPARTMENT ARE BINDING

Section

- 140.901 Written Opinions

SUBPART J: COLLECTION OF THE TAX

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Section

- 140.1001 Payment of Tax
- 140.1005 Receipt to be Obtained for Tax Payments
- 140.1010 Payment of Tax Directly to the Department (Repealed)
- 140.1015 Itemization of the Tax by Suppliers (Repealed)
- 140.1020 Use of Bracket Chart
- 140.1025 Advertising in Regard to the Tax

SUBPART K: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING –
MEANING OF DUE DATE WHICH FALLS ON SATURDAY, SUNDAY OR
A HOLIDAY

Section

- 140.1101 Filing of Documents with the Department

SUBPART L: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section

- 140.1201 When Lessee of Premises May File Return for Leased Department
- 140.1205 When Lessor of Premises Should File Return for Leased Department
- 140.1210 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART M: USE OF EXEMPTION CERTIFICATES

Section

- 140.1301 When Purpose of Serviceman's Purchase is Known (Repealed)
- 140.1305 When Purpose of Serviceman's Purchase is Unknown
- 140.1310 Blanket Percentage Exemption Certificates (Repealed)

SUBPART N: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section

- 140.1401 Claims for Credit – Limitations – Procedure
- 140.1405 Disposition of Credit Memoranda by Holders Thereof
- 140.1410 Refunds
- 140.1415 Interest

SUBPART O: DISCONTINUATION OF A BUSINESS

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Section
140.1501 Procedures

SUBPART P: NOTICE OF SALES OF GOODS IN BULK

Section
140.1601 Requirements and Procedures

SUBPART Q: POWER OF ATTORNEY

Section
140.1701 General Information

AUTHORITY: Implementing the Service Occupation Tax Act [35 ILCS 115] and authorized by Section 2505-100 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-100].

SOURCE: Adopted May 21, 1962; amended at 3 Ill. Reg. 23, p. 161, effective June 3, 1979; amended at 3 Ill. Reg. 44, p. 198, effective October 19, 1979; amended at 4 Ill. Reg. 24, pp. 526, 536 and 550, effective June 1, 1980; amended at 5 Ill. Reg. 822, effective January 2, 1981; amended at 6 Ill. Reg. 2879, 2883, 2886, 2892, 2895 and 2897, effective March 3, 1982; codified at 6 Ill. Reg. 9326; amended at 9 Ill. Reg. 7941, effective May 14, 1985; amended at 11 Ill. Reg. 14090, effective August 11, 1987; emergency amendment at 12 Ill. Reg. 14419, effective September 1, 1988, for a maximum of 150 days; emergency expired January 29, 1989; amended at 13 Ill. Reg. 9388, effective June 6, 1989; amended at 14 Ill. Reg. 262, effective January 1, 1990; amended at 14 Ill. Reg. 15480, effective September 10, 1990; amended at 15 Ill. Reg. 5834, effective April 5, 1991; amended at 18 Ill. Reg. 1550, effective January 13, 1994; amended at 20 Ill. Reg. 5379, effective March 26, 1996; amended at 20 Ill. Reg. 7008, effective May 7, 1996; amended at 20 Ill. Reg. 16211, effective December 16, 1996; amended at 24 Ill. Reg. 8125, effective May 26, 2000; emergency amendment at 25 Ill. Reg. 1811, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4971, effective March 23, 2001; amended at 25 Ill. Reg. 6531, effective May 3, 2001; amended at 26 Ill. Reg. 4905, effective March 15, 2002; amended at 27 Ill. Reg. 812, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 11187, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; amended at 28 Ill. Reg. _____, effective _____.

SUBPART A: NATURE OF TAX

Section 140.101 Basis and Rate of the Service Occupation Tax

- a) The Service Occupation Tax Act (the Act) [35 ILCS 115] imposes a tax upon

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persons engaged in this State in the business of making sales of service, based on tangible personal property transferred incident to sales of service. These persons are referred to in this Part as servicemen.

b) Rate of Tax

- 1) The rate of Service Occupation Tax (SOT) incurred by a serviceman from October 1, 1969 through December 31, 1983, is 4%, and on and after January 1, 1984 and prior to January 1, 1990, is 5% of the serviceman's cost price of tangible personal property transferred by the serviceman incident to a sale of service. On and after January 1, 1990, if SOT is computed on the selling price or Use Tax is computed on the cost price of the tangible personal property transferred incident to sales of service, the rate is 6.25%. Effective January 1, 1990 and prior to July 1, 2003, sales of "gasohol" (a motor fuel that is no more than 90% gasoline and at least 10% denatured ethanol that contains no more than 1.25% water by weight [35 ILCS 105/3-40]) are subject to tax, based upon 70% of the proceeds of sales. On and after July 1, 2003 and on or before December 31, 2013, tax shall be based upon 80% of the proceeds from sales of gasohol. On and after January 1, 2014, tax shall be based upon 100% of the proceeds of sales of gasohol. However, from July 1, 1997 to June 30, 1998, the rate was 85% for gasohol sold in this State during the 12 months beginning July 1 following any calendar year for which the Department determined that the percentages in Section 10 of the Gasohol Fuels Tax Abatement Act were not met. The Gasohol Fuels Tax Abatement Act was repealed effective July 1, 1998. Effective July 1, 2003, if at any time the tax under the Service Occupation Tax Act (SOTA) on sales of gasohol is imposed at the rate of 1.25%, then the tax imposed by SOTA applies to 100% of the proceeds of sales of gasohol made during that time. With respect to majority blended ethanol fuel, as defined in Section 3-44 of the Use Tax Act, the tax imposed by SOTA does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013, but applies to 100% of the proceeds of sales made thereafter. With respect to biodiesel blends, as defined in Section 3-42 of the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by SOTA applies to 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 and 100% of the proceeds of sales made thereafter. If at any time, however, the tax under SOTA on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax

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imposed by SOTA applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time. With respect to 100% biodiesel, as defined in Section 3-41 of the Use Tax Act, and biodiesel blends, as defined in Section 3-42 of the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by SOTA does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013, but applies to 100% of the proceeds of sales made thereafter. [35 ILCS 115/3-10] On and after January 1, 1993, if SOT is computed on the cost price of tangible personal property transferred incident to service, the rate is also 6.25%. Exceptions to these rules, however, are as follows:

- A) On and after January 1, 1984, and prior to January 1, 1990, food for human consumption that is to be consumed off the premises where it is sold (other than soft drinks, alcoholic beverages and food that has been prepared for immediate consumption and except as provided in subsection (b)(1)(B)) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics, for human use, will be taxed at the rate of 0%. On and after January 1, 1990, the rate of tax will be 1%.
 - B) Effective January 1, 1993 *food prepared for immediate consumption and transferred incident to a sale of service by an entity licensed under the Hospital Licensing Act or the Nursing Home Care Act shall be subject to tax at the rate of 1%. Effective August 13, 1999, the 1% rate shall also apply to food prepared for immediate consumption and transferred incident to a sale of service by an entity licensed under the Child Care Act of 1969.* (Section 3-10 of the Act)
 - C) *Beginning on July 1, 2000 through December 31, 2000, with respect to motor fuel and gasohol, the tax is imposed at the rate of 1.25% (Section 3-10 of the Act). (See the provisions of 86 Ill. Adm. Code 130.101, which is incorporated by reference as if fully set forth in this subsection (b).)*
- 2) *On and after January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under the Act regardless of the form in which those arrangements may be*

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embodied, transmitted, or fixed by any method now known or hereafter developed. (Section 3 of the Act) "Prepaid telephone calling arrangements" means the right to exclusively purchase telephone or telecommunications services that must be paid for in advance and enable the origination of one or more intrastate, interstate, or international telephone calls or other telecommunications using an access number, an authorization code, or both, whether manually or electronically dialed, for which payment to a retailer must be made in advance, provided that, unless recharged, no further service is provided once that prepaid amount of service has been consumed. Prepaid telephone calling arrangements include the recharge of a prepaid calling arrangement. For purposes of this Section, "recharge" means the purchase of additional prepaid telephone or telecommunications services whether or not the purchaser acquires a different access number or authorization code. For purposes of this Section, "telecommunications" means that term as defined in Section 2 of the Telecommunications Excise Tax Act [35 ILCS 630]. "Prepaid telephone calling arrangements" does not include an arrangement whereby the service provider reflects the amount of the purchase as a credit on an account for a customer under an existing subscription plan. (Section 3-27 of the Act)

- c) The date of the sale of service is deemed to be the date of the delivery, to the user, of the tangible personal property that the serviceman transfers as an incident to a sale of service.
- d) *When a serviceman contracts to design, develop and produce special order machinery or equipment, the tax imposed under the Service Occupation Tax shall be based on the serviceman's cost price of the tangible personal property transferred incident to completion of the contracts regardless of that serviceman's annual threshold. (Section 3-10 of the Act)*
- e) *For the purpose of determining the tax base, selling price shall in no event be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred incident to a sale of service may be stated as a distinct item by the serviceman to the service customer and the tax imposed by the Act shall when collected be stated as a distinct item separate and apart from the selling price of the tangible personal property. If the selling price of each item of tangible personal property transferred incident to a sale of service is not stated as a separate item on the serviceman's billing to the service customer, then the tax*

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imposed by the Act shall be based on 50% of the serviceman's entire billing to the service customer (Section 3-10 of the Act), but in no event shall this amount be less than the cost price to the serviceman of the tangible personal property so transferred.

- f) Taxpayers who are registered may purchase all tangible personal property for retransfer by providing their suppliers with valid resale certificates even if in some transactions the cost price of the tangible personal property will be less than 35% of the total gross receipts from the transaction. If the serviceman paid tax to his supplier in the expectation that the cost of parts would be less than 35% of the total transaction selling price, but the actual percentage was more than 35%, the serviceman would be able to take credit for the tax paid to the supplier but would be liable for tax on the selling price of the parts, if stated, or on 50% of the total transaction selling price. In the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, replace the references to 35% in this subsection with 75%. The serviceman may also be liable for penalties due to a failure to file returns.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 140.125 Examples of Nontaxability

The tax does not apply to:

- a) sales of intangible personal property;
- b) sales of real property;
- c) sales of personal services as such;
- d) sales of tangible personal property which come within the protection of the Commerce Clause of the Constitution of the United States (see Subpart E of this Part);
- e) *personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise (Section 3-5(1) of the Act);*

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- f) the retail selling of tangible personal property which is taxable under the Retailers' Occupation Tax Act [35 ILCS 120] or the Use Tax Act [35 ILCS 105];
- g) a sale of tangible personal property for the purpose of resale apart from the purchaser's engaging in a service occupation, made in compliance with Section 2c of the Retailers' Occupation Tax Act (Section 2 of the Act);
- h) sales of tangible personal property as an incident to sales of service:
 - 1) *to or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes* (Section 2(c) of the Act), in accordance with the provisions of 86 Ill. Adm. Code 130.2005, which is effective as if fully set forth in this subsection (h)(1);
 - 2) *to or by any corporation, society, association, foundation or institution operated primarily for the recreation of persons aged 55 years or older which has no compensated officers or employees*, in accordance with the provisions of 86 Ill. Adm. Code 130.2005, which is effective as if fully set forth in this subsection (h)(2) (Section 2(c) of the Act);
 - 3) *to or by any governmental body* (Section 2(c) of the Act), in accordance with the provisions of 86 Ill. Adm. Code 130.2055 and 130.2080, which are effective as if fully set forth in this subsection (h)(3);
 - 4) *to a not-for-profit Illinois county fair association for use in conducting, operating or promoting the county fair* (Section 3-5(2) of the Act);
 - 5) *to any not-for-profit arts or cultural organization that has received an exemption under Section 501(c)(3) of the Internal Revenue Code (26 USCA 501) and that is organized and operated for the presentation or support of arts or cultural programming, activities, or services. On and after July 1, 2001, the qualifying organizations listed above must also be organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations.* (Section 3-5 of the Act)

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In order to qualify for exemption, all the above listed organizations (and on and after July 1, 2001, those described in subsection (h)(5)) must have been issued an active exemption identification number by the Department;

- i) the sale, employment and transfer of such tangible personal property as newsprint and ink for physical incorporation into newspapers or magazines;
- j) the incorporation of tangible personal property into real estate by a construction contractor, which activity constitutes a taxable "use" under the Retailers' Occupation Tax Act and the Use Tax Act, rather than the carrying on of a service occupation;
- k) through June 30, 2003, the sale, employment and transfer, as an incident to a sale of service, of such tangible personal property as pollution control facilities ~~and low sulphur dioxide coal fueled devices~~, in accordance with the provisions of 86 Ill. Adm. Code 130.335, which are effective as if fully set forth in this subsection (k). The sale, employment and transfer, as an incident to a sale of service of such tangible personal property as low sulphur dioxide coal fueled devices, in accordance with the provisions of 86 Ill. Adm. Code 130.335, which are effective as if fully set forth in this subsection (k);
- l) sales of stock tonics, serums and other medicinal products to veterinarians for retransfer as an incident to service in caring for animals that are to be sold or the products of which are to be sold;
- m) sales of sprays and farm chemicals as an incident to service by persons engaged in the service occupation of spraying crops or applying farm chemicals for others, in accordance with the provisions of 86 Ill. Adm. Code 130.1955, which are effective as if fully set forth in this subsection (m);
- n) sale of either new or used farm machinery, equipment or replacement parts transferred as an incident to a sale of service for use in production agriculture or for use in State or federal agricultural programs, in accordance with the provisions of 86 Ill. Adm. Code 130.305, which are effective as if fully set forth in this subsection (n);
- o) *a sale or transfer of machinery and equipment used primarily in the process of manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale*

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or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in a service occupation and the applicable tax is a service occupation tax or service use tax, rather than retailers' occupation tax or use tax. (Section 2 of the Act) (Amended by Public Act 87-876, effective January 1, 1993) The transfer of standard or stock parts in the repair of qualifying exempt manufacturing machinery and equipment is exempt. The provisions of 86 Ill. Adm. Code 130.330 are effective as if fully set forth in this subsection (o);

- p) through August 12, 1999, a sale or transfer of graphic arts machinery and equipment, including repair and replacement parts used primarily for graphic arts production by means of printing or other processes or *defined in Major Group 27 of the U.S. Standard Industrial Classification Manual*. However, effective August 13, 1999 and through June 30, 2003, this exemption applies to a sale or transfer of graphic arts machinery and equipment, including repair and replacement parts used primarily for graphic arts production by means of printing, *including ink jet printing, by one or more of the processes as described in Groups 323110 through 323122 of Subsector 323, Groups 511110 through 511199 of Subsector 511 and Group 512230 of Subsector 512 of the North American Industry Classification System published by the United States Office of Management and Budget, 1997 edition*, in accordance with the provisions of 86 Ill. Adm. Code 130.325, which are effective as if fully set forth in this subsection (p) (Sections 3-5 and 3-30 of the Act);
- q) through June 30, 2003, *sales of oil field exploration, drilling and production equipment and individual replacement parts*, in accordance with the provisions of 86 Ill. Adm. Code 130.345, which are effective as if fully set forth in this subsection (q) (Section 3-5(10) of the Act);
- r) through June 30, 2003, *sales of coal exploration, mining, off highway hauling, processing, maintenance and reclamation equipment and repair parts*, in accordance with the provisions of 86 Ill. Adm. Code 130.350, which are effective as if fully set forth in this subsection (r) (Section 3-5(12) of the Act);
- s) *a sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or lessors under leases of one year or longer, executed or in effect at the time of purchase, to interstate carriers for hire for use as rolling stock moving*

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in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce, in accordance with the provisions of 86 Ill. Adm. Code 130.340, which are effective as if fully set forth in this subsection (s). ~~Effective August 14, 1999, motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, trailers, as defined in Section 1-209 of the Illinois Vehicle Code, and all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof, will qualify as rolling stock under this Section if they carry persons or property for hire in interstate commerce on 15 or more occasions in a 12-month period, in accordance with the provisions of 86 Ill. Adm. Code 130.340 (Sections 2(d) and 2d of the Act);~~

- t) *a sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce, in accordance with the provisions of 86 Ill. Adm. Code 130.340, which are effective as if fully set forth in this subsection (t). ~~Effective August 14, 1999, motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, trailers, as defined in Section 1-209 of the Illinois Vehicle Code, and all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof, will qualify as rolling stock under this Section if they carry persons or property for hire in interstate commerce on 15 or more occasions in a 12-month period, in accordance with the provisions of 86 Ill. Adm. Code 130.340 (Sections 2(d) and 2d of the Act);~~*
- u) *through June 30, 2003, the sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale (Section 2(f) of the Act);*
- v) *sales by teacher-sponsored student organizations affiliated with Illinois elementary and secondary schools, in accordance with the provisions of 86 Ill. Adm. Code 130.2006, which are effective as if fully set forth in this subsection (v) (Section 3-5(6) of the Act);*

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- w) *sales of legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States or any foreign country and bullion*, which shall mean gold, silver or platinum in a bulk state with a purity of not less than 980 parts per 1,000. In no circumstance shall items sold as jewelry or mounted for wear as jewelry qualify for this exemption (Section 3-5(4) of the Act);
- x) sales of modified or custom software are exempt. Sales of canned software in a service transaction are subject to tax. Computer software means all types of software including operational, applicational, utilities, compilers, templates, shells and all other forms. Software is considered to be tangible personal property regardless of the form in which it is transferred or transmitted, including tape, disc, card, electronic means or other media. The sale at retail or transfer of canned software intended for general or repeated use is taxable, including the sale of software which is subject to manufacturer licenses restricting the use or reproduction of the software. Tax applies to the entire charge made to the customer, including charges for all associated documentation and materials. Charges for updates and maintenance of software are considered to be sales of software. Charges for training, telephone assistance, installation and consultation are exempt if they are separately stated from the selling price of software. For purposes of this subsection, the provisions of 86 Ill. Adm. Code 130.1935 are effective as if fully set forth in this subsection (x);
- y) *sales of semen used for artificial insemination of livestock for direct agricultural production*. Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, the purchaser's signature and date of signing, and a statement that the semen purchased will be used for artificial insemination of livestock for direct agricultural production. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit (Section 3-5(14) of the Act);
- z) *beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, sales of personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within*

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the declared disaster area. Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the items being purchased for donation, and a statement that the property purchased will be donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area, and that entity's sales tax exemption identification number. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit (Section 3-5(18) of the Act);

- aa) *beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, sales of personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within six months after the disaster.* Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the items being purchased, and a statement that the property purchased is for use in the performance of infrastructure repairs initiated on facilities located in the declared disaster area within six months after the disaster in this State resulting from a State or federally declared disaster area in Illinois or bordering Illinois. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit (Section 3-5(19) of the Act);
- bb) *beginning July 20, 1999, game or game birds purchased incident to a sale of service at:*
- 1) *a game breeding and hunting preserve area licensed by the Department of Natural Resources (see Section 3.27 of the Wildlife Code [520 ILCS 5/3.27]),*

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- 2) *an exotic game hunting area licensed by the Department of Natural Resources (see Section 3.34 of the Wildlife Code [520 ILCS 5/3.34]), or*
 - 3) *a hunting enclosure approved through rules adopted by the Department of Natural Resources (Section 3-5 of the Act);*
- cc) *fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers (Section 3-5(8) of the Act);*
- dd) *proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed (Section 3-5(9) of the Act);*
- ee) *photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, as photoprocessing is defined in Section 3-15 of the Act, and including photoprocessing machinery and equipment purchased for lease (Section 3-5(11) of the Act);*
- ff) *until May 31, 2000, horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes (Section 3-5(15) of the Act);*
- gg) *effective January 1, 1996 through December 31, 2000, and on and after August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act in accordance with the provisions of 86 Ill. Adm. Code 130.2011, which are effective as fully as if set forth in this*

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subsection (gg) (Section 3-5(16) of the Act);

- hh) effective January 1, 1996 through December 31, 2000, and on and after August 2, 2001, *personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act, in accordance with the provisions of 86 Ill. Adm. Code 130.2012, which are effective as fully as if set forth in this subsection (hh) (Section 3-5(17) of the Act);*
- ii) through June 30, 2003, *aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code, in accordance with the provisions of 86 Ill. Adm. Code 130.351, which are effective as fully as if set forth in this subsection (ii) (Section 3-7 of the Act);*
- jj) effective August 20, 1999, *sales of a motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, a "corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.* (Section 3-5 of the Act) Exemption certificates must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the motor vehicle that is being purchased for immediate donation to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes (see 86 Ill. Adm. Code 130.2005), such entity's tax exemption identification

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number, and a statement that the motor vehicle is being purchased for immediate donation to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. The certificates shall be retained by the retailer and made available to the Department for inspection or audit;

- kk) *food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicine, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article V of the Illinois Public Aid Code [305 ILCS 5/Art. V] who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act [210 ILCS 45] (Section 3-5(13) of the Act);*
- ll) *beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This subsection (ll) does not apply to fundraising events:*
- 1) *for the benefit of private home instruction; or*
 - 2) *for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity (Section 3-5 of the Act). For purposes of this subsection, the provisions of 86 Ill. Adm. Code 130.2009 are effective as if fully set forth in this subsection (ll);*
- mm) *of jet fuel and petroleum products sold to and used in the conduct of the business of sorting, handling and redistribution of mail, freight, cargo or other parcels in the operation of a high impact service facility located within an enterprise zone established pursuant to the Illinois Enterprise Zone Act [20 ILCS 655], provided that the business enterprise has waived its right to a tax exemption of the charges imposed under Section 9-222.1 of the Public Utilities Act [220 ILCS 5/9-222.1] (Section 12 of the Act, referencing Section 1j.1 of the Retailers' Occupation Tax Act, 35 ILCS 120/1j.1). High impact service facilities qualifying under the Act*

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and seeking the exemption for such jet fuel and petroleum products shall be ineligible for the exemptions of taxes imposed under Section 9-222.1 of the Public Utilities Act. High impact service facilities qualifying under the Act and seeking the exemption under Section 9-222.1 of the Public Utilities Act shall be ineligible for the exemption for jet fuel and petroleum products described in this subsection. *The certification of eligibility issued to the high impact service facility by the Department of Commerce and Community Affairs for exemption shall be presented by the high impact service facility to its supplier when making the purchase of jet fuel and petroleum products for which an exemption is granted, together with a certification by the high impact service facility that such jet fuel and petroleum product is exempt from taxation under Section 1j.1 of the Retailers' Occupation Tax Act, and by indicating the exempt status of each subsequent purchase on the face of the purchase order.* (Section 1i of the Act) (Section 12 of the Act, referencing Section 1i of the Retailers' Occupation Tax Act [35 ILCS 120/li]);

- nn) *beginning January 1, 2000 through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts from the use of the commercial, coin-operated amusement and vending machines.* [35 ILCS 115/3-5 (23)] For purposes of this subsection, the provisions of 86 Ill. Adm. Code 130.332 are effective as if fully set forth in this subsection (nn).

(Source: Amended at 28 Ill. Reg. _____, effective _____)

ILLINOIS BOARD OF EXAMINERS

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Certificate of Certified Public Accountant
- 2) Code Citation: 23 Ill. Adm. Code 1400
- 3) Section Number: 1400.60 Adopted Action: Amend
- 4) Statutory Authority: Authorized by Sections 2, 6 and 26 of the Illinois Public Accounting Act (225 ILCS 450/2, 6 and 16)
- 5) Effective Date of Rulemaking: March 5, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 2, 2003; 27 Ill. Reg. 7507
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: There are no substantive differences. Two technical formatting corrections were made
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Board is adjusting the various fees to meet the statutory requirement that fees be "at least sufficient to defray the costs and expenses incident to the (CPA) examination and issuance of the certificate provided for in Section 3 and for the issuance of a certificate provided for in Section 5".
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Ms. Joanne Vician
Executive Director
Illinois Board of Examiners
503 S. Green Street
Champaign IL 62820
(217) 333-1566

The full text of the adopted amendment begins on the next page:

ILLINOIS BOARD OF EXAMINERS

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER VI: BOARD OF EXAMINERSPART 1400
CERTIFICATE OF CERTIFIED PUBLIC ACCOUNTANT

Section

1400.10	Administrative Functions
1400.20	Duties of the Board of Examiners
1400.30	Appointment to the Board of Examiners
1400.40	Board Address
1400.50	Organization and Compensation of the Board of Examiners
1400.55	Admission to the Examination; Issuance of Reciprocal Certified Public Accountant Certificates
1400.60	Filing of the Application and Payment of Fees
1400.70	Rebate of Fees
1400.80	Appeals; Hearings
1400.90	The Educational Requirement
1400.100	Examinations – General
1400.105	Examinations – Misconduct
1400.110	Examinations – Uniform Examination – Non-Disclosure – Security
1400.115	Examinations – Required Confidentiality Statements
1400.116	Examinations – Violations
1400.117	Examinations – Penalties for Violation of Non-Disclosure Provisions
1400.120	Examinations – Frequency
1400.130	Examinations – Scope
1400.140	Examinations – Length
1400.150	Examinations – Preparations and Grading
1400.160	Grading Scale, Condition Candidates, Transfer of Credits, Reciprocity and Out-of-State Candidates
1400.170	Failure in All Subjects – Re-Examination
1400.175	Candidate Request for Grading Review
1400.180	Certified Public Accountant Certificate – Awarding
1400.190	Retention of Records
1400.200	Disposition of Fees
1400.210	Granting Variances

AUTHORITY: Implementing and authorized by Section 26 of the Illinois Public Accounting Act [225 ILCS 450/26].

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SOURCE: Emergency rule at 5 Ill. Reg. 276, effective December 15, 1980, for a maximum of 150 days; adopted at 5 Ill. Reg. 8303, effective July 31, 1981; emergency amendment at 7 Ill. Reg. 7342, effective June 1, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 3342; amended at 8 Ill. Reg. 24720, effective December 12, 1984; amended at 10 Ill. Reg. 4237, effective February 21, 1986; amended at 18 Ill. Reg. 14143, effective August 26, 1994; emergency amendment at 19 Ill. Reg. 984, effective January 18, 1995, for a maximum of 150 days; Transferred from Chapter V, 23 Ill. Adm. Code 1300 (Board of Trustees) pursuant to 225 ILCS 450, January 1, 1994, at 19 Ill. Reg. 6325; amended at 20 Ill. Reg. 6262, effective May 1, 1996; amended at 21 Ill. Reg. 13315, effective September 26, 1997; amended at 28 Ill. Reg. 4548, effective March 5, 2004.

Section 1400.60 Filing of the Application and Payment of Fees

- a) Applicants for the examinations for the certified public accountant certificate under the Act shall obtain an application from the Board Office listed in Section 1400.40(a) and (b). The applicants must file their applications with the Board together with official transcripts of academic records to establish their eligibility. The proper fee as authorized in Section 6 of the Act must accompany each application for examination, re-examination, reciprocity and transfer of examination grades. The schedule of fees is as follows:

1)	Candidate writing for the first time	\$375300	
2)	Candidate transferring conditional credit from another jurisdiction	\$375300	
3)	Candidate for re-examination in all subjects	\$375300	
4)	Candidate writing two half-day sessions	\$280240	
5)	Candidate writing one half-day session	\$250215	
6)	Candidate from another jurisdiction being proctored in Illinois	\$175140	
7)	Application for certificate under Section 5 of the Act	\$345300	
8)	Application for certificate by complete transfer of examination grades pursuant to Section 1400.160(d)	\$345300	
9)	Fee for certification of valid Illinois certified public accountant certificate or duplicate certified public accountant certificate	\$30	
10)	Fee for foreign credentials evaluation	\$250200	
11)	Late application fee	\$75	
<u>12)</u>	<u>NSF/stop pay/returned check fee</u>	<u>\$25</u>	

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- b) The Board shall establish and collect a fee of \$~~50.25~~ per page for letter and legal size copies as reimbursement for the cost of production, handling and shipping of lists and/or mailing labels and \$100 per computer disk of the names and addresses of successful candidates and lists of names and addresses of applicants for examinations released as public information under the provision of Section 2 of the Act.

(Source: Amended at 28 Ill. Reg. 4548, effective March 5, 2004)

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- 1) Heading of the Part: Standards for Certification in Specific Teaching Fields
- 2) Code Citation: 23 Ill. Adm. Code 27
- 3) Section Number: 27.460 Adopted Action:
Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6 and Art. 21
- 5) Effective date of amendment: February 24, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? This rulemaking does contain incorporations by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act.
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: November 7, 2003; 27 Ill. Reg. 17017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section</u>	<u>Action</u>	<u>Illinois Register Citation</u>
27.140	Amendment	28 Ill. Reg. 201; 01 2, 2004
27.200	Amendment	28 Ill. Reg. 201; 01 2, 2004
27.230	Amendment	28 Ill. Reg. 201; 01 2, 2004

- 15) Summary and purpose of amendment: This rulemaking will remove a provision from Part 27 that was inappropriately included in the standards for Technology Education Teachers when these rules were originally promulgated. The language being struck

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(Section 27.460(k)) describes inputs rather than competencies and thus is inconsistent with a standards-based approach. Further, there is concern in the technology education field that the requirement for 2000 hours of work experience (see Section 27.460(k)(2)) blurs the distinction between certification in vocational areas or trades that is based on work experience with certification to teach exploratory technology education programs.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Lee Patton
Certification and Professional Development
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001
217/782-4123

The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 27

STANDARDS FOR CERTIFICATION IN SPECIFIC TEACHING FIELDS

SUBPART A: GENERAL

Section

27.10 Purpose and Effective Dates

SUBPART B: FUNDAMENTAL LEARNING AREAS

Section

27.100 English Language Arts
27.110 Reading
27.120 Reading Specialist
27.130 Mathematics
27.140 Science – A Common Core of Standards
27.150 Biology
27.160 Chemistry
27.170 Earth and Space Science
27.180 Environmental Science
27.190 Physics
27.200 Social Science – A Common Core of Standards
27.210 Economics
27.220 Geography
27.230 History
27.240 Political Science
27.250 Psychology
27.260 Sociology and Anthropology
27.270 Physical Education
27.280 Health Education
27.300 Dance
27.310 Drama/Theatre Arts
27.320 Music
27.330 Visual Arts
27.340 Foreign Language
27.350 General Curricular Standards for Special Education Teachers

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SUBPART C: ADDITIONAL TEACHING FIELDS

Section

27.400	Agricultural Education
27.410	Business, Marketing, and Computer Education
27.420	English as a New Language (ENL)
27.430	Family and Consumer Sciences
27.440	Health Careers
27.450	Library Information Specialist
27.460	Technology Education
27.470	Technology Specialist
27.480	Work-Based Learning Teacher/Coordinator

AUTHORITY: Implementing Article 21 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21 and 2-3.6].

SOURCE: Adopted at 26 Ill. Reg. 6293, effective April 22, 2002; amended at 27 Ill. Reg. 18586, effective December 1, 2003; amended at 28 Ill. Reg. 4553, effective February 24, 2004.

SUBPART C: ADDITIONAL TEACHING FIELDS

Section 27.460 Technology Education

- a) The competent technology education teacher understands the foundations of work, the career development process, occupational skill standards, and workplace skill requirements.
 - 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands the history, organization, and future of work and how work relates to needs and functions of the economy and society.
 - B) understands career development concepts, the relationship between work and learning, and the career planning process.
 - C) understands the use of the relevant Illinois Occupational Skill Standards in the development of curriculum (see "Architectural Drafting Cluster" (2000), "Automotive Technician" (2000), "Chemical Process Technical Operators" (1998), "Entry-Level Truck Driver" (2001), "Finishing and Distribution Cluster" (2000),

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"HVAC/R Technician Cluster" (2001), "Imaging/Pre-Press Cluster" (2000), "Machining Skills Cluster" (1997), "Mechanical Drafting Cluster" (2000), "Metal Stamping Skills Cluster" (1998), "Plastics Molding Cluster" (2001), and "Press Operations Cluster" (2000), all published by the Illinois Occupational Skill Standards and Credentialing Council, 2450 Foundation Drive, Springfield IL 62703-5432; no later editions or revisions are incorporated).

- 2) Performance Indicators – the competent technology education teacher:
 - A) relates workplace cultural expectations to workplace skills.
 - B) develops partnerships with members of the business community to provide learning opportunities for students.
 - C) provides advice in the career planning process.
 - D) selects appropriate skill standards for the program areas.
- b) The competent technology education teacher demonstrates the ability to plan, deliver, and evaluate instruction based upon knowledge of subject matter in the field; student organizations; student, community and work needs; curriculum goals; and findings of educational research.
 - 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands pedagogy unique to the discipline.
 - B) understands the rationale for integrating student organizations' activities into the curriculum.
 - C) understands professional literature relating to the specific content area and to workplace needs.
 - D) understands economic/socio-economic conditions, patterns of business development, and changing labor and career opportunities and their impact on the relevancy of classroom instruction.
 - 2) Performance Indicators – the competent technology education teacher:
 - A) utilizes appropriate pedagogy unique to the individual discipline

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within career and technical education.

- B) creates learning environments and classroom activities that develop life/workplace skills and knowledge in the discipline.
 - C) identifies and utilizes educational research findings that justify teaching strategies.
 - D) applies curricular content and processes in order to achieve the goals of student organizations.
 - E) applies post-secondary admission standards and occupational skill standards when designing curriculum and assessment.
 - F) designs appropriate assessment plans for students.
 - G) develops collaborative partnerships with students, colleagues, community, business/industry, and parents to maximize resources.
 - H) participates in appropriate professional organizations and develops a plan for continued personal and professional growth.
 - I) plans, organizes, and manages laboratories/technical facilities for instruction that meet diverse needs of students (i.e., safety, inventory, filing, requisitioning equipment and materials, maintenance, budgeting).
 - J) implements laws and policies relating to safe environments and incorporates appropriate safety standards, healthy practices, and ergonomic needs.
- c) The competent technology education teacher understands the process of reading and demonstrates instructional abilities to teach reading in the content area of technology education.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands that the reading process is the construction of meaning through the interactions of the reader's background knowledge and experiences, the information in the text, and the purpose of the reading situation.

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- B) recognizes the relationships among the four language arts (reading, writing, listening, and speaking), and knows how to provide opportunities to integrate these through instruction.
 - C) understands how to design, select, modify, and evaluate materials in terms of the reading needs of the learner.
 - D) understands the importance of and encourages the use of literature for adolescents in the curriculum and for independent reading.
 - E) understands the relationship between oral and silent reading.
 - F) understands the role of subject-area vocabulary in developing reading comprehension.
 - G) understands the importance of the unique study strategies required of the specific content area in developing reading comprehension.
 - H) understands the importance of the relationship between assessment and instruction in the planning process.
- 2) Performance Indicators – the competent technology education teacher:
- A) plans and teaches lessons for students that develop comprehension of content-area materials through instructional practices that include analyzing critically, evaluating sources, synthesizing, and summarizing material.
 - B) plans and teaches lessons on how to monitor comprehension and correct confusions and misunderstandings that arise during reading.
 - C) plans and models use of comprehension strategies before, during, and after reading of text.
 - D) provides opportunities for students to develop content-area vocabulary through instructional practices that develop connections and relationships among words, use of context clues, and understanding of connotative and denotative meaning of words.

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- E) plans and teaches lessons that encourage students to write about the content read in order to improve understanding.
 - F) plans and teaches lessons for students to develop study strategies that include previewing and preparing to read text effectively, recognizing organizational patterns unique to informational text, and using graphic organizers as an aid for recalling information.
 - G) plans and teaches units that require students to carry out research or inquiry using multiple texts, including electronic resources.
 - H) provides continuous monitoring of student progress through observations, work samples, and various informal reading assessments.
 - I) analyzes and evaluates the quality and appropriateness of instructional materials in terms of readability, content, length, format, illustrations, and other pertinent factors.
 - J) promotes the development of an environment that includes classroom libraries.
- d) The competent technology education teacher demonstrates fundamental knowledge of the history and nature of technology in connection with other fields of study.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands that technology involves the generation of knowledge and processes to develop products and systems that solve problems and extend human capabilities.
 - B) understands that throughout history technology has been one of the most powerful social, cultural, and economic forces; in turn, these same forces have influenced the development of technology.
 - C) understands that historical data help the technologist and the social scientist determine possible scenarios for the future.
 - D) understands that the rate of technological development and

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diffusion is accelerating.

- E) understands that technology includes a combination of "knowing" and "doing." The "knowing" component includes technological knowledge as well as the ability to apply knowledge from other fields of study to technological activity; the "doing" component includes the ability to apply this diverse knowledge to technological processes.
- F) understands that outcomes of technological research are sometimes the result of specific, goal-directed activity (e.g., putting a human on the moon), while some outcomes are not intended or planned (e.g., Post-it notes and spin-offs).
- G) understands that technological endeavors often replace older forms of technology, resulting in social and environmental consequences.
- H) understands that technology has economic, political, and environmental connections with culture and society.
- I) understands that designing, developing, producing, inventing, innovating, and problem solving are fundamental concepts in technological activity. (These concepts are human activities that are purposely directed toward meeting needs and wants.)
- J) understands that systems are the building blocks in technology. These systems vary in complexity of working knowledge from very little to substantial technological knowledge to use or operate.
- K) understands that the stability of a system is influenced by all of its components, especially those in the feedback loop.
- L) understands that the nature of technological knowledge and activity are related to information, energy, or physical technologies.
- M) understands that a variety of symbols and languages are used to communicate information and that some are universally applied across technologies (e.g., standardized measurement systems and the metric system), while others are unique to various contexts and technologies (e.g., electrical symbols and computer nomenclature).

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- N) understands that technology influences careers by changing the way work is performed, thus creating new types of jobs, modifying current jobs, and reducing the numbers of others.
 - O) understands that technology has its own body of knowledge and processes that are connected within that field, as well as to other fields of study.
 - P) understands that connections among technological topics are valuable and useful in relating procedures to one another and building new knowledge bases.
 - Q) understands that technological knowledge and activity promote advances in science and mathematics; in other cases, advances in science and mathematics have led to advances in technology.
 - R) understands that science and technology utilize similar techniques to investigate and obtain information. These techniques include inquiry, modeling, and forecasting.
 - S) understands that mathematical models, scientific principles, and computer-generated models are used to develop and produce products and systems.
 - T) understands that engineering concepts and principles are used in the development and use of products and systems.
 - U) understands that technological transfer occurs within a technology, between technologies, across other fields, and between countries.
- 2) Performance Indicators – the competent technology education teacher:
- A) communicates the relationship of the systems in technological development via timelines, paradigms, and taxonomies.
 - B) identifies measurement techniques utilizing appropriate representatives of technology, math, science, and engineering.
 - C) communicates career information related to a changing workforce and instills the importance of portfolio development and lifelong

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learning.

- D) determines the significance of a variety of symbols and languages, both universal and unique, that are used to communicate information from technology to technology, technology to human, or human to technology.
 - E) develops curricula integrating technology education with other fields of study.
 - F) develops scenarios depicting how technological change affects human endeavors in the social, cultural, and economic arenas.
 - G) analyzes and describes technological transfer that occurs within a technology, between technologies, across other fields, and between other countries.
- e) The competent technology education teacher understands and is able to design technology.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands that the quality and value of a design depends on how clearly it meets a need, fits its purpose, uses resources appropriately, and addresses constraints (e.g., economic, environmental, aesthetic, and political).
 - B) understands that designing a product, device, process, or system requires considering how it will be developed, managed, used, and assessed for its impact and consequences.
 - C) understands how to balance design tradeoffs, since there is no perfect design that meets all criteria, such as the safest, most reliable, least expensive, and most efficient.
 - D) understands the general developmental process of design and that the design process is iterative and not linear and includes generating ideas; considering constraints such as cost and criteria; and communicating processes and results.
 - E) understands the value and importance of testing in the evaluation

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of good design.

- F) understands the roles of documentation and communication and their impact on quality design.
 - G) understands design decision criteria and their use in determining whether a design solution should be developed. These criteria may include personal, social, cultural, economic, political, and environmental issues.
- 2) Performance Indicators – the competent technology education teacher:
- A) demonstrates the ability to identify practical problems deriving from human needs or wants.
 - B) demonstrates the ability to develop and use design briefs with proper specifications.
 - C) demonstrates the ability to investigate, generate, and select ideas to plan an optimum design that takes into account knowledge of constraints and criteria obtained from research.
 - D) demonstrates the ability to select, plan, and implement the best possible solution that takes into consideration the many tradeoffs and reaches the best compromise.
 - E) demonstrates the ability to design ways to produce products by mass production.
 - F) demonstrates the ability to evaluate a selected design solution and make modifications based on that evaluation.
 - G) demonstrates the ability to use verbal and graphic means to communicate processes, observations, and the results of the entire design process.
 - H) demonstrates the ability to use feedback to consider design steps and to redesign in light of public concern or comment.
 - I) demonstrates the ability to use standards of quality in the design and production of consumer goods.

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- J) demonstrates the ability to use marketing criteria in creating a design (e.g., value and function).
- f) The competent technology education teacher understands and is able to develop technology.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands that developing and producing a product or system involves learning the safe and proper use of resources following instructions and troubleshooting to determine if a design works or if there is a need for redesign.
 - B) understands that resource management involves procurement, inventory, warehousing, waste disposal, energy use, and time and people management, which affect the development of products and systems.
 - C) understands that a prototype is a working model used to test design concepts by making actual observations and necessary adjustments.
 - D) understands that problem-solving strategies, such as working backward or asking probing questions, provide a systematic means for exploring a variety of development and production methods that help enable successful solutions.
 - E) understands that optimization is a procedure used to make a system or design as effective or functional as possible and typically involves a process of experimentation, trial and error, testing, and development.
 - F) understands that quality, safety, and ergonomic design principles (e.g., enhancement of quality of life, productivity, safety, and convenience) influence the development of products and systems.
 - G) understands that teamwork, responsibility, and interpersonal dynamics play a significant role in the success of production and development activities.

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- 2) Performance Indicators – the competent technology education teacher:
 - A) develops a systematic set of procedures and uses them to produce a prototype or model.
 - B) refines a design by using prototypes and testing to ensure quality, efficiency, and productivity of the final production process.
 - C) selects and uses a variety of resources to optimize the development of a production process or system.
 - D) develops and produces a product or system using the criteria and constraints noted in previous trials and tests.
 - E) modifies or develops tools, materials, machines, flow controls, or system operations to meet production constraints.
 - F) implements the appropriate safety precautions for his or her personal safety and the safety of others.
 - G) recognizes that humans are a valuable resource in managing information, energy, and physical technologies.
 - H) documents and communicates processes and procedures using appropriate techniques (e.g., flow charts, drawings, graphics, symbols, spread sheets, graphs, and time charts) in oral and written presentations for different audiences.
- g) The competent technology education teacher understands and is able to manage technology.
 - 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands that operations manuals, owner's manuals, documented protocols, and general directions are essential to ensure the proper use and management of a product or system.
 - B) understands that instrumentation and control of systems and products rely on proper functioning of open- or closed-loop systems, calibration of human or machine-controlled products and systems, and proper interpretation of their use.

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- C) understands that systems analysis requires an understanding of the overall operation of a system, as well as the subsystems and components.
 - D) understands that connecting micro-systems to macro-systems can potentially be used as a means to solve more complex problems.
 - E) understands that problem solving is often required in order to use and operate technology systems because systems do not always work as designed.
 - F) understands that facilitating human efforts can result in appropriate management of capital, time, information, knowledge, energy, materials, and tools necessary to properly use or apply technology.
 - G) understands that computers and electronic media are primary means of communication.
 - H) understands basic internal configuration and component identification of computer stations and their network abilities.
 - I) understands proper methods of computer software installation and computer set-up.
- 2) Performance Indicators – the competent technology education teacher:
- A) interprets the documentation contained in operations and owner's manuals in order to follow protocols and specific directions.
 - B) safely operates and manages systems according to the function for which they have been designed.
 - C) analyzes systems to determine how the various components work together to function as a whole system in order to understand how to change the system.
 - D) monitors, adjusts, and maintains system processes in order to ensure the system's proper function and precision.
 - E) troubleshoots, diagnoses problems, and maintains technological

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systems to ensure proper operation.

- F) applies knowledge and experiences gained from using systems as input for design improvements and to solve different problems.
 - G) develops plans for implementing educational technology in classrooms and labs.
 - H) creates a vision for technological growth in regards to professional development and instructional technology in his or her school district.
 - I) safely and effectively upgrades and maintains both an independent and networked computer workstation.
 - J) loads and maintains computer software.
 - K) locates, analyzes, retrieves, and distributes electronic data (i.e., uses the Internet and/or other electrical forms of media distribution).
 - L) develops and demonstrates scale models of technological informational systems.
 - M) develops a means of mass communication.
- h) The competent technology education teacher understands and is able to assess the effects of the use of technology.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands when the development and application of technology have a role in shaping personal, social, and environmental perspectives and values.
 - B) understands that assessment is an evaluation technique, involving steps and procedures that are iterative and require making trade-offs, analyzing risks, and choosing a best course of action.
 - C) understands acceptance or rejection of the development of technology that correlates directly with the personal, social,

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political, and economic assessment of the value of technology.

- D) understands that human factors, including the principles of safety, health, and comfort, are important in evaluating the impact and consequences of technology.
 - E) understands that trend analysis and patterns of development provide a means for understanding technological and environmental changes, including the resulting impacts and consequences.
 - F) understands that the impact and consequences of technology influence local, national, and global issues.
- 2) Performance Indicators – the competent technology education teacher:
- A) determines the significance of technological trends for individuals, families, communities, and the world.
 - B) uses historical case studies, when appropriate, to develop a perspective on the impact and consequences of technology.
 - C) investigates technology's impact and consequences on social, cultural, and environmental issues using historical and current events and forecasting techniques.
 - D) uses technology assessment procedures to alter and refine products and systems.
 - E) communicates results of technological assessment to a wide variety of audiences (e.g., peers, family, and community) in order to explain a viewpoint on technology.
- i) The competent technology education teacher understands and is able to demonstrate the application of technological context related to information, energy, and physical technologies.
- 1) Knowledge Indicators – the competent technology education teacher:
- A) understands the relationship between facts, data, information, knowledge, logic, and wisdom within the structure of information.

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- B) understands ways in which data and information can be stored and retrieved.
 - C) understands that there are many ways of presenting and transmitting information, such as using graphic and electronic processes and tools.
 - D) understands that data and information are communicated using symbols, icons, graphic images, and languages through a variety of visual, auditory, and tactile stimuli.
 - E) understands that informational technology communication systems utilize a closed-loop system.
 - F) understands that the knowledge and information provided through informational technology systems can shape personal views and concepts of reality.
 - G) understands that cross-cultural values are transmitted at the local, regional, national, and global levels, using various systems of informational technology.
 - H) understands that information has become a commodity for exchange valued by society.
 - I) understands that informational technology systems are used in commercial enterprises (e.g., broadcasting companies and the Internet).
- 2) Performance Indicators – the competent technology education teacher:
- A) develops a means to communicate information through the use of graphics (e.g., printing, film, and drafting).
 - B) accesses, retrieves, organizes, processes, maintains, interprets, and evaluates information from a variety of sources in order to solve a practical problem.
 - C) stores information for retrieval at a later time using various formats such as digital, analog, and graphics.

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- D) in order to understand the communication process, uses computers to communicate information from human to human, machine to human, human to machine, and machine to machine.
 - E) creates a message that includes symbols in order to communicate to a person.
 - F) utilizes informational technology systems in order to communicate over distance and to large, diverse populations.
 - G) researches and develops a means to overcome interference in order to improve the communication process.
 - H) uses mathematical knowledge to encode data into a binary form.
 - I) evaluates the quality of information received in the communications process through such methods as comparing and contrasting sources, examining relevancy, and investigating the background of experts.
 - J) researches ways that the mass media (e.g., newspaper, broadcast and cable channels, and the Internet) transmit messages to the public.
- j) The competent technology education teacher understands and is able to demonstrate knowledge and the application of technological context related to information, energy, and physical technologies.
- 1) Knowledge Indicators – the competent technology education teacher:
 - A) understands how materials, resources, and energy are used as inputs in physical technology systems in order to produce materials and products, transport products and humans, and transform energy into power.
 - B) understands that manufacturing and construction planning and design techniques can reduce costs and produce better products.
 - C) understands that tools, machines, and instrumentation are used to change materials into new forms through the processes of

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separating, forming, and combining.

- D) understands the nature of materials and their uses as a prerequisite for efficient and sustainable use of resources.
 - E) understands that trade-offs must be made in selecting the best materials and resources for the production process.
 - F) understands that the language of industry involves the use of symbols and signs to identify potential hazards, specific technological data, and environmental conditions.
 - G) understands that the management of physical resources is a determining factor in the success of commercial applications of products and systems.
 - H) understands that the optimization of production systems helps to conserve resources, manage waste, and reduce the negative effects that technology has on the natural world.
 - I) understands that the processes associated with transportation systems include receiving, holding/storing, loading, transporting/moving, unloading, and delivering.
 - J) understands that solutions to complex transportation problems must be developed in order to diminish pollution, congestion, accidents, deaths, and over-consumption of fuel.
 - K) understands how power systems transform energy from one form to another.
 - L) understands that the efficiency of power systems is important for conserving energy and producing maximum effectiveness with minimal environmental harm.
 - M) understands that transforming materials from one form to another requires knowledge of materials and processes.
- 2) Performance Indicators – the competent technology education teacher:
- A) designs, develops, operates, and assesses a production system that

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produces products in quantity.

- B) selects and safely uses appropriate tools, machines, and equipment to process materials and to produce useful products.
- C) assesses transportation systems for moving people and products, taking into account such factors as speed, cost, safety, and environmental impacts.
- D) designs, develops, and tests an energy system for the future that is efficient and does not pollute the environment.
- E) tests and experiments with a variety of materials to conform to criteria and constraints of a physical technology system.
- F) applies physical science concepts (e.g., force, motion, mechanical advantage, efficiency, and friction) when working with physical technology systems.
- G) uses a computer to maintain and control a physical technology system.
- H) evaluates and optimizes an existing transportation, power, or production system.
- I) predicts the life expectancy of selected components, using knowledge of materials and testing the function of the components over time.
- J) identifies emerging physical technologies using trends and research techniques.
- K) communicates the results of his or her knowledge and activities in physical technology to others in an effective manner.
- L) researches, prototypes, and tests new energy and power systems that can be used in the future.
- M) incorporates maintenance considerations when designing, using, and monitoring systems. ~~k) In addition to meeting the standards set forth in subsections (a) through (j) of this Section, each technology~~

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~~education teacher shall be required to demonstrate advanced specialization in at least one of the areas listed in subsection (a)(1)(C) of this Section. 1)Knowledge Indicators—the competent technology education teacher understands the body of knowledge identified in the relevant set of Illinois Occupational Skill Standards (see subsection (a)(1)(C) of this Section). 2)Performance Indicator—the competent technology education teacher provides evidence of a minimum of 2000 hours of successful work experience in the specified occupation.~~

(Source: Amended at 28 Ill. Reg. 4553, effective February 24,2004)

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- 1) Heading of the Part: Pupil Transportation Reimbursement
- 2) Code Citation: 23 Ill. Adm. Code 120
- 3) Section Number: 120.90 Adopted Action:
Amendment
- 4) Statutory Authority: 105 ILCS 5/Art. 29
- 5) Effective date of amendment: February 24, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: November 7, 2003; 27 Ill. Reg. 17039
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreement letter was issued.
- 13) Will this amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendments: This rulemaking was developed in response to a problem revealed through a district's application for a modification of an existing rule on pupil transportation reimbursement through the waiver process established under Section 2-3.25g of the School Code. The rule that was the subject of the request is similar to the requirement for districts that own and operate their own transportation services to prorate their total transportation costs across all categories of transportation services, based on the ratio of miles traveled in each category to total system miles (Section 120.90(d)). The same approach is used when a district chooses one contractor to provide all of its transportation services and is expressed in Section 120.90(e).

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Last year, Oak Park District 97 petitioned to be allowed to treat each category of transportation services separately for the purposes of calculating its reimbursement, even though the district employs only one contractor to provide both regular and special education transportation. The district requested that the types of transportation be kept separate because separate, competitive bidding had occurred for each type. That is, there were two separate contracts, but the procurement process had resulted in issuance of both to the same contractor because that entity submitted the low bid in each case.

Although the agency could not approve the district's request, agency staff understood that using the pro-ration mechanism provided in the rules would reduce the district's annual transportation reimbursement from the State by more than \$60,000 (because the higher rate of reimbursement for special education transportation would be "diluted" by combining the two categories). The Board and the staff agreed that the agency should explore a revision to the rule to accommodate the situation that had been brought to light. The amendment presented here delineates the ability to treat categories separately even when there is a single contractor, provided that each contract is let based on the lowest bid among at least two. It is hoped that this provision will resolve the issue faced by Oak Park for that district and potentially for others, without creating unintended incentives that would compromise cost containment.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Tim Imler
Funding and Disbursements
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

The full text of the adopted amendment begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER c: FINANCE

PART 120

PUPIL TRANSPORTATION REIMBURSEMENT

SUBPART A: SCHOOL REIMBURSEMENT

Section

120.10	Definitions
120.20	Transportation and Student Discipline
120.30	Pupil Transportation Services Eligible for Reimbursement
120.40	Pupil Transportation Services and Costs Not Eligible for Reimbursement
120.50	Reimbursable Direct Operating Costs
120.60	Reimbursable Annual Depreciation Allowances
120.70	Deductions from Direct Operating Costs
120.80	Reimbursable Indirect Cost for Pupil Transportation Services
120.90	Cost Proration Related to Pupil Transportation
120.100	Reimbursement Formulas
120.110	Reporting Requirements
120.115	Fully Allocated Costs of Transportation
120.120	Bus Scheduling Services and Software
120.130	Seat Back Reimbursement (Repealed)

SUBPART B: CUSTODIAN REIMBURSEMENT FOR PUPIL TRANSPORTATION

Section

120.200	Definitions
120.210	Custodians Eligible for Reimbursement
120.220	Custodians Not Eligible for Reimbursement
120.230	Responsibilities of Schools
120.235	Responsibilities of Public and Nonpublic Chief Administrative Officers
120.240	Reimbursement
120.245	Responsibilities of the Regional Superintendents of Schools
120.250	Dispute Resolution
120.260	Audit and Enforcement

AUTHORITY: Implementing and authorized by Article 29 of the School Code [105 ILCS 5/Art. 29].

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SOURCE: Adopted at 10 Ill. Reg. 19438, effective October 31, 1986; amended at 10 Ill. Reg. 21675, effective December 11, 1986; amended at 12 Ill. Reg. 4147, effective February 5, 1988; amended at 13 Ill. Reg. 7731, effective May 8, 1989; amended at 16 Ill. Reg. 10213, effective June 10, 1992; emergency amendment at 18 Ill. Reg. 12853, effective August 9, 1994, for a maximum of 150 days; emergency expired January 6, 1995; amended at 21 Ill. Reg. 2165, effective February 1, 1997; amended at 26 Ill. Reg. 1169, effective January 16, 2002; amended at 28 Ill. Reg. 4575, effective February 24, 2004.

SUBPART A: SCHOOL REIMBURSEMENT

Section 120.90 Cost Proration Related to Pupil Transportation

- a) When costs or depreciation allowances are to be prorated among pupil transportation services and other nontransportation related activities, the categories used shall constitute:
 - 1) Regular pupil transportation services;
 - 2) Vocational pupil transportation services;
 - 3) Special education pupil transportation services;
 - 4) Nonreimbursable pupil transportation services; and
 - 5) Nontransportation related activities.
- b) If an employee performs multiple job duties (e.g., district/cooperatives employing a part-time transportation supervisor/director) and at least one job duty is reimbursable under pupil transportation, the salary and district paid employee benefits for such employee shall be prorated to each type of job duty based on the ratio of the number of hours worked in each job to the total hours worked.
- c) The formula for computing the district superintendent and/or joint agreement director expenses as permitted in Section 120.50(a)(2)(E) or 120.50(a)(3) of this Part is listed in this subsection (c).
 - 1) The district superintendent allowable expenditures shall be prorated based on the ratio of the total transportation fund expenditures to the district's total expenditures of all funds. The district's expenditures are to be calculated in the Illinois Local Education Agency Annual Financial Report

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pursuant to 23 Ill. Adm. Code 110 (Program Accounting Manual).

- 2) The joint agreement/cooperative director allowable expenditures shall be prorated based on the ratio of total expenditures/disbursements and transfers for transportation to the total expenditures/disbursements and transfers of the joint agreement. The joint agreement/cooperative total expenditures/disbursements and transfers are to be calculated in the Joint Agreement Annual Financial Report.
- d) District owned/operated transportation systems must prorate all expenses based on the ratios of miles traveled in each category to the total miles traveled in all categories operated by the district. This method of proration includes Salaries and Employee Benefits, unless the district can document the number of hours worked per category to the total number of hours worked per person.
- e) Payments for all contractual transportation services must be prorated based on miles per contractor across all types of transportation provided (i.e., regular, vocational, special education, and/or non-reimbursable)-contract categories, with the exception of the following:
 - 1) Payments to a contractor that ~~Contracts with a company which~~ provides only one type of transportation service;
 - 2) Payments by a district to a contractor that provides multiple types of transportation service, a contract for each of which was separately executed on or after July 1, 2004, based on the lowest bid among at least two bids tendered, as reflected in the district's records on the procurement of these services;
 - 3) Payments to a contractor by a district for costs that are part of a contractual agreement between a cooperative or joint agreement and the contractor; and
 - 4)3) Payments by one district to ~~Expenses related to a district contracting with~~ another district for one type of transportation service.
- f) If a pupil transportation vehicle is used for more than one category of transportation service, the depreciation allowance shall be prorated based on the ratio of the number of miles traveled in each category of service to the total miles traveled in all categories.

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- g) Expenditures charged to the Operations and Maintenance Fund and/or the Education Fund that are directly related to the Pupil Transportation Program Services may be claimed as direct cost reimbursement from the Transportation Program. When the district or joint agreement cannot substantiate the portion of the cost applicable to the pupil transportation program, the expenditures shall be allocated according to the square footage of the bus garage divided by the total square footage of all the district owned buildings and that result multiplied by the total expenditures of each allowable cost. The transportation portion of each allowable cost that is under \$2,500 or which has a useful life less than one year is claimed under Section 120.50(a)(13).

(Source: Amended at 28 Ill. Reg. 4575, effective February 24, 2004)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Fire Truck Revolving Loan Program
- 2) Code Citation: 41 Ill. Adm. Code 290
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
290.10	New Section
290.20	New Section
290.30	New Section
290.40	New Section
290.50	New Section
290.60	New Section
290.70	New Section
290.80	New Section
- 4) Statutory Authority: 20 ILCS 3501/845-70
- 5) Effective Date of Rulemaking: February 26, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 17, 2003, 27 Ill. Reg. 16095
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between proposal and final version:

In the Authority, change “31-27” to “845-75”, “Rural Bond Bank Act [30” to “Illinois Finance Authority Act [20” and “360/3-27” to “3501/845-70”.

In 290.10, add “ “Authority” means the Illinois Finance Authority created by the Illinois Finance Authority Act [20 ILCS 3501] or its successor agency.”.

In 290.10, delete “ “Rural Bond Bank” means the Illinois Rural Bond Bank created by the Rural Bond act [30 ILCS 360] or its successor agency.”.

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In 290.20 (a) and 290.70 (b)(2), change “Illinois Rural Bond Bank” to “Illinois Finance Authority”.

In 290.20 (a) and 290.40, after “equipment” add “needs”, change “and/or” to a comma and after “need” add “and how recently the applicant has received a previous loan under this program.”.

Beginning with 290.20 where it states “Rural Bond Bank” and not “Illinois Rural Bond Bank”, change “Rural Bond Bank” to “Authority”.

In 290.20 (a), after the last period, add “Loans for the purchase of fire trucks shall not exceed \$250,000 in any single fiscal year to any fire department or fire protection district.”.

In 290.30, do not italicize “zero-interest loans for the purchase of fire trucks”.

In 290.40 (d), change “the State Fire Marshal” to “a random drawing”.

In 290.70, do not italicize the text and delete the statutory citation immediately following.

In 290.70 (a), do not italicize “0 percent” and delete the statutory citation.

In 290.70 (b)(2), change “427 East Monroe Street, Springfield, Illinois 62701-1410” to “in care of the Office of the State Fire Marshal”.

In 290.80 (a), change “290.80 of this Part” to “290.70”.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: To provide zero interest loans for the purchase of fire trucks by fire departments, fire protection districts or township fire departments based on financial need.

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- 16) Information and questions regarding these adopted rules shall be directed to:

Joseph August, Chief Counsel
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, IL 62703
(217) 785-4143-4259

The full text of the adopted rules begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED RULES

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHALPART 290
FIRE TRUCK REVOLVING LOAN PROGRAM

Section	
290.10	Definitions
290.20	Purpose
290.30	Eligible Expenditures
290.40	Loan Application Review Committee
290.50	Application Procedure and Content
290.60	Appeal Process
290.70	Repayment Procedures
290.80	Terms and Conditions of Loan Agreement

AUTHORITY: Implementing and authorized by Section 845-75 of the Illinois Finance Authority Act [20 ILCS 3501/845-70].

SOURCE: Adopted at 28 Ill. Reg. 4581, effective February 26, 2004.

Section 290.10 Definitions

The following definitions are used in this Part:

"Authority" means the Illinois Finance Authority created by the Illinois Finance Authority Act [20 ILCS 3501] or its successor agency.

"Committee" means the Loan Application Review Committee established in Section 290.40 of this Part.

"Fire Department" means a unit of local government (as defined in Article VII, Section 1 of the Illinois Constitution of 1970 and in 5 ILCS 70/1.28) in Illinois that provides fire suppression within a geographical area.

"Fire Truck" means an emergency vehicle identified as a pumper, ladder truck, elevating platform, rescue, or squad.

"Office" means the Office of the State Fire Marshal.

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“Program” means the Illinois Fire Truck Revolving Loan Program.

Section 290.20 Purpose

- a) The Office of the State Fire Marshal and the Illinois Finance Authority shall jointly administer a program to provide zero-interest loans for the purchase of fire trucks by a fire department, fire protection district, or township fire department. The Office shall determine loan awards based on equipment needs, financial need, and how recently the applicant has received a previous loan under this program, supplemented by recommendations from the Authority based on creditworthiness. Loans for the purchase of fire trucks shall not exceed \$250,000 in any single fiscal year to any fire department or fire protection district.
- b) Applicants must also have participated in the National Fire Incident Reporting System (NFIRS) for a minimum of the previous two years. Fire departments or fire stations that are for-profit entities, non-profit entities, associations and/or not-for-profit corporations (i.e., that are not governmental bodies) are not eligible to apply for a loan under this program. Units of local government that do not operate fire departments are similarly not eligible (e.g., a municipality that contracts for fire suppression from another municipality or fire district).

Section 290.30 Eligible Expenditures

Funding is available under the Illinois Fire Truck Revolving Loan Program for zero-interest loans for the purchase of fire trucks.

Section 290.40 Loan Application Review Committee

The State Fire Marshal shall appoint a Loan Application Review Committee to determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this program, which eligible fire departments shall be recommended to the Authority to receive a loan under this program for the purchase of a fire truck.

- a) The Committee shall consist of the following nine members:
 - 1) The State Fire Marshal, as chairman;
 - 2) Three Fire Chiefs (one each from a volunteer department, a combination department and a career/municipal fire department);

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- 3) One representative from the Associated Fire Fighters of Illinois;
 - 4) Two representatives from the Illinois banking community (one from the Community Bankers Association of Illinois and one from the Illinois Bankers Association), one of whom will serve as Vice Chairman of the Committee for a period of one year, after which the Vice Chairmanship will rotate to the other banking community representative;
 - 5) One member who is a volunteer firefighter; and
 - 6) One member from the Illinois Association of Fire Protection Districts.
- b) Members shall serve without salary, but may receive reimbursement for reasonable expenses from the Office from appropriations for such purposes.
 - c) All members shall have one vote except for the State Fire Marshal, who shall only vote to break a tie.
 - d) Members shall serve a term of four years. Members shall be appointed for initial terms as follows: two members shall serve terms of one year; two members shall serve terms of two years; two members shall serve terms of three years; and two members shall serve terms of four years. The allocation of initial terms shall be determined by a random drawing.
 - e) At the expiration of their initial terms of office, the members (or their successors) shall be appointed for terms of four years each. Upon the expiration of a member's term of office, the State Fire Marshal shall reappoint that member, or appoint a successor who is a representative of the same interests with which his or her predecessor was identified.
 - f) The State Fire Marshal may, at any time, remove any of the respective appointees for inefficiency or neglect of duty in office. In such instances, the State Fire Marshal shall fill the vacancy for the remainder of the unexpired term by appointing a member who is a representative of the same interests with which his or her predecessor was identified. Upon the death or incapacity of a member, the State Fire Marshal shall fill the vacancy for the remainder of the unexpired term by appointing a member who is a representative of the same interests with which his or her predecessor was identified.

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- g) Appointments shall be made to geographically represent the State.
- h) As determined by the State Fire Marshal, the Committee shall meet and organize within 10 days after the appointment of its members and, at that meeting, shall elect one Secretary of the Committee to serve a term to be fixed by the committee at that meeting.
- i) Regular meetings of the Committee shall occur once in each quarter, or as often as deemed necessary by the State Fire Marshal, at a date, time and place to be fixed by the Committee (or by the State Fire Marshal, should he or she call for the meeting) and at such additional times as the Committee deems necessary, for the consideration of loan applications, reviews, appeals and the transaction of any other business as properly may come before it.

Section 290.50 Application Procedure and Content

- a) Subject to the availability of funds, the Office of the State Fire Marshal will annually issue application forms for zero-interest loans under this program to all fire departments. Each application form provided shall identify the information applicants must include in their loan requests and shall require that the loan application be returned to the Office no later than the late date specified in the application form. Applications shall be returned to the Office of the State Fire Marshal, Attention: Fire Truck Revolving Loan Program, 1035 Stevenson Drive, Springfield, Illinois 62703-4259.
- b) Each loan application shall include the following components:
 - 1) A completed application form supplied by the Office and signed by the duly authorized officers of the fire department.
 - 2) A description of the fire department's need for the proposed fire truck in light of the resources available to the fire department.
 - 3) Identification of the personnel to serve as contacts for information.
 - 4) Budget information, including copies of the two most recent audits (and/or income and expense reports) for the unit of local government, as well as information on the source of loan repayment funds. If repayment plans are based on charitable contributions (local fundraisers, for example), the applicant must provide a history of amounts raised in prior years.

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- 5) Certifications and assurances as the Office and/or Authority may require.
- 6) All other information as requested on the loan application form and in the program guidance section of the application.
- c) Applications received at the Office shall be logged in as received and assigned an Application Number by the Office. Applicants shall be notified by mail that their application has been received.
- d) Applications shall be assessed by blind review, meaning the Committee shall not see the name, address or any specific information that identifies the applicant. The Committee shall review and rank the applications based on assessment of need and information provided in the loan application.
- e) After the Committee's review and ranking of applications, loan dollar amounts will be assigned to the loan applications up to the maximum amount of funding available for loans under this program. Approval of an application by the Committee is not, nor should be, construed as any form of commitment or guarantee on the part of the Authority to the applicant unit that the proposed loan will be made.
- f) Those loan applications recommended for approval shall be forwarded to the Authority for review under its guidelines of creditworthiness. The Authority, after completion of its review, will notify the Committee which loan applications it will approve, subject to the end of the appeals process outlined in Section 290.60.

Section 290.60 Appeal Process

- a) Those applicants whose loans were denied by the Committee or the Authority shall be notified by mail.
- b) Notice of denial shall be deemed received the date of mailing. The applicant has 30 calendar days from that date to forward to the Committee a Request for Reconsideration.
- c) The Request for Reconsideration shall be sent to the Office of the State Fire Marshal, Attention: Fire Truck Revolving Loan Program, 1035 Stevenson Drive, Springfield, Illinois 62703-4259.

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- d) The Request for Reconsideration may be accompanied by supporting documents and information not previously considered by the Committee or Authority. The Committee, or if appropriate, the Authority shall review the Request for Reconsideration. A denial of the Request for Reconsideration shall be final. While a Request for Reconsideration is pending, the application that is the subject of the Request for Reconsideration shall be deemed complete for the purposes of this Part.

Section 290.70 Repayment Procedures

Loans shall be repaid within 20 years.

- a) The rate of interest shall be stipulated on the loan application as 0 percent.
- b) Payments on the loan (principal) shall be made by check on a quarterly basis in 80 equal installments.
 - 1) Loan payments shall be due quarterly on December 30, March 30, June 30 and September 30, with the first payment under each loan due on the second due date following the receipt of the loan.
 - 2) Checks shall be made payable to the "Illinois Finance Authority – Fire Truck Revolving Loan Fund" and mailed to the Illinois Finance Authority in care of the Office of the State Fire Marshal.
 - 3) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5 percent of the payment due; however, the late payment penalty shall be waived when the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period.
- c) A fire department may prepay the balance due on the loan in its entirety on any scheduled payment date, provided that the fire department first contacts the Authority to obtain the total amount of the principal due at that time.

Section 290.80 Terms and Conditions of Loan Agreement

An approved loan application with the Office and the Authority is subject to the following terms:

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- a) Orders for payment will be submitted to the Office of the Comptroller by the Office according to the terms of Section 290.70, Repayment Procedures.
- b) Loan proceeds under this program shall be used exclusively for the purposes listed in Section 290.30 of this Part and shall be expended in accordance with the approved application and the applicant's policies and procedures related to such expenditures. In the event that the loan proceeds are not expended in the manner approved, then the fire department, upon written notification from the Office, shall be required to submit, by the next payment due date, payment of the outstanding principal of the loan.
- c) Loan proceeds shall be obligated no later than six months following the receipt of the loan.
- d) Use of loan proceeds shall be accounted for in accordance with standard accounting practices. Loan recipients shall submit to the Office a report detailing how the loan proceeds were used. This expenditure report, to be submitted on a form supplied by the Office, shall be due not later than nine months following receipt of the loan.
- e) Loan proceeds shall be included in the fire department's budget.
- f) In the event of default that is not cured within 90 calendar days, the Office shall notify the Office of the Comptroller to deduct the amount owed from any payments from other State agencies, and the fire department shall be ineligible for additional loans until good standing has been restored. In addition, the Office and/or the Authority may avail itself of all remedies, rights and provisions of law applicable in the circumstances, and the failure to exercise or exert any rights or remedies provided by law may not be raised as defense by the fire department in default.

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Advertising and Sales Promotion of Life Insurance and Annuities
- 2) Code Citation 50 Ill. Adm. Code 909
- 3) Section Number: 909.90 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Sections 149, 151, 236, 237, 426 and 500-85 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/149, 151, 236, 237, 401, 426, and 505-85].
- 5) Effective Date of Amendment: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the Department of Insurance's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 3, 2003; 27 Ill. Reg. 15265
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:
Changes:
 - a) In Section 909.90(b), 3rd and 4th lines, changed "which" to "that", added a comma after "company", deleted "above" and changed "Such" to "The".
 - b) In Source notes: changed "27" to "28".
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of rulemaking: The Department is eliminating the requirement for companies to formally file a compliance certificate. In the alternative we are obligating companies to perform the certification function themselves and to place such certification on file in-house consistent with other recordkeeping requirements of this Part.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Sara Ross
Supervisor, Life Accident and Health Financial Analysis Unit
320 West Washington
Springfield, Illinois 62767-0001
(217) 782-9760

The full text of the adopted amendment begins on the next page.

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NOTICE OF ADOPTED AMENDMENT

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 909

ADVERTISING AND SALES PROMOTION OF
LIFE INSURANCE AND ANNUITIES

Section	
909.10	Authority
909.20	Definitions
909.30	Applicability
909.40	Form and Content of Advertisements
909.50	Disclosure Requirements
909.60	Identity of Insurer
909.70	Jurisdictional Licensing and Status of Insurer
909.80	Statements about an Insurer
909.90	Enforcement Procedures
909.100	Penalties
909.110	Conflict with Other Rules
909.120	Severability Provision

AUTHORITY: Implementing Sections 149, 151, 236, 237, 426 and 500-85 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/149, 151, 236, 237, 401, 426 and 500-85].

SOURCE: Filed April 26, 1976, effective May 7, 1976; codified at 7 Ill. Reg. 3460; amended at 14 Ill. Reg. 13584, effective August 14, 1990; amended at 15 Ill. Reg. 15665, effective October 18, 1991; amended at 22 Ill. Reg. 3027, effective June 1, 1998; amended at 22 Ill. Reg. 16468, effective September 1, 1998; amended at 26 Ill. Reg. 16500, effective October 28, 2002; amended at 28 Ill. Reg. 4591, effective March 1, 2004.

Section 909.90 Enforcement Procedures

- a) Each insurer shall maintain at its home or principal office a complete file containing a specimen copy of every printed, published or prepared advertisement hereafter disseminated in this State, with a notation indicating the manner and extent of distribution and the form number of any policy advertised. The file shall be subject to inspection by this Department. All the advertisements shall be maintained in the file for a period of either four years or until the filing of the next

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NOTICE OF ADOPTED AMENDMENT

regular report of examination of the insurer, whichever is the longer period of time.

- b) Every insurer subject to the provisions of this Part shall prepare and maintain file with this Department, with its Annual Statement, a certificate of compliance that will be placed on file with the company, together with the materials identified in subsection (a). The certificate shall be executed by an authorized officer of the insurer wherein it is stated that, to the best of his knowledge, information and belief, the advertisements which were disseminated by or on behalf of the insurer in this State during the preceding statement year, or during the portion of such year when this Part was in effect, complied or were made to comply in all respects with the provisions of this Part and the Insurance Laws of this State as implemented and interpreted by this Part.

(Source: Amended at 28 Ill. Reg. 4591, effective March 1, 2004)

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- 1) Heading of the Part: Advertising of Accident and Sickness Insurance
- 2) Code Citation: 50 Ill. Adm. Code 2002
- 3)

<u>Section Numbers</u> : 2002.180 ILLUSTRATION I	<u>Adopted Action</u> : Amendment Amendment
--	---
- 4) Statutory Authority: Implementing Article XXVI and Section 149 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. XXVI, 149 and 401]
- 5) Effective Date of Amendments: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Department of Insurance's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 3, 2003; 27 Ill. Reg. 15269
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:
Changes:
 - a) In Heading: struck "1" and added "I" after "CHAPTER".
 - b) In Section 2002.180(b), 4th line – changed "which" to "that" and added a comma after "company".
 - c) In Section 2002.180(b), 5th line – deleted "above" and changed "Such" to "The".
 - d) Above "2002.ILLUSTRATION I": added "Section 2002.APPENDIX A Guidelines".
 - e) In 2002.ILLUSTRATION I heading: preceded with "Section".

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- f) In Section 2002.ILLUSTRATION I(k)(1), 3rd line: struck period after “drawn”.
- g) In Section 2002.ILLUSTRATION I(k)(4), 4th line: struck period and added semicolon after “bills”.
- h) In Source notes: changed “27” to “28”.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: This rulemaking will eliminate unnecessary paperwork by requiring an insurer to maintain in its advertising file a certificate of compliance with provisions of Illinois insurance laws and regulations in place of the current requirement to submit the certificate to the Department of Insurance. In addition, an outdated term is being replaced by current preferred terminology.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Sara Ross
Supervisor, Life Accident and Health Financial Analysis Unit
Department of Insurance
320 West Washington
Springfield, Illinois 62767-0001
(217) 782-9760

The full text of the adopted amendments begins on the next page.

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NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER 4: DEPARTMENT OF INSURANCE

SUBCHAPTER z: ACCIDENT AND HEALTH INSURANCE

PART 2002

ADVERTISING OF ACCIDENT AND SICKNESS INSURANCE

Section

2002.10	Authority
2002.20	Purpose
2002.30	Applicability
2002.40	Definitions
2002.50	Method of Disclosure of Required Information
2002.60	Form and Content of Advertisements
2002.70	Advertisements of Benefits Payable, Losses Covered or Premiums Payable
2002.80	Necessity for Disclosing Policy Provisions Relating to Renewability, Cancellability and Termination
2002.90	Testimonials or Endorsements by Third Parties
2002.100	Use of Statistics
2002.110	Identification of Plan or Number of Policies
2002.120	Disparaging Comparisons and Statements
2002.130	Jurisdictional Licensing and Status of Insurer
2002.140	Identity of Insurer
2002.150	Group or Quasi-Group Implications
2002.160	Introductory, Initial or Special Offers
2002.170	Statements About an Insurer
2002.180	Enforcement Procedures
2002.190	Severability Provision
2002.APPENDIX A	Guidelines
2002.ILLUSTRATION A	Guideline to Section 2002.20
2002.ILLUSTRATION B	Guideline to Section 2002.30 (a)
2002.ILLUSTRATION C	Guideline to Section 2002.30 (b)
2002.ILLUSTRATION D	Guideline to Section 2002.40 (a)
2002.ILLUSTRATION E	Guideline to Section 2002.40 (h)
2002.ILLUSTRATION F	Guideline to Section 2002.50
2002.ILLUSTRATION G	Guideline to Section 2002.60 (a)
2002.ILLUSTRATION H	Guideline to Section 2002.60 (b)
2002.ILLUSTRATION I	Guideline to Section 2002.70 (a) (1)
2002.ILLUSTRATION J	Guideline to Section 2002.70 (a) (2)
2002.ILLUSTRATION K	Guideline to Section 2002.70 (a) (3)

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2002.ILLUSTRATION L	Guideline to Section 2002.70 (a) (4)
2002.ILLUSTRATION M	Guideline to Section 2002.70 (a) (5)
2002.ILLUSTRATION N	Guideline to Section 2002.70 (a) (8)
2002.ILLUSTRATION O	Guideline to Section 2002.70 (b) (1)
2002.ILLUSTRATION P	Guideline to Section 2002.70 (b) (2)
2002.ILLUSTRATION Q	Guideline to Section 2002.70 (b) (3)
2002.ILLUSTRATION R	Guideline to Section 2002.70 (c) (1)
2002.ILLUSTRATION S	Guideline to Section 2002.70 (c) (2)
2002.ILLUSTRATION T	Guideline to Section 2002.70 (c) (3)
2002.ILLUSTRATION U	Guideline to Section 2002.80
2002.ILLUSTRATION V	Guideline to Section 2002.90 (a)
2002.ILLUSTRATION W	Guideline to Section 2002.90 (b)
2002.ILLUSTRATION X	Guideline to Section 2002.90 (c)
2002.ILLUSTRATION Y	Guideline to Section 2002.90 (d)
2002.ILLUSTRATION Z	Guideline to Section 2002.100 (a)
2002.ILLUSTRATION AA	Guideline to Section 2002.100 (b)
2002.ILLUSTRATION BB	Guideline to Section 2002.100 (c)
2002.ILLUSTRATION CC	Guideline to Section 2002.110 (a) and (b)
2002.ILLUSTRATION DD	Guideline to Section 2002.120
2002.ILLUSTRATION EE	Guideline to Section 2002.130 (a)
2002.ILLUSTRATION FF	Guideline to Section 2002.130 (b)
2002.ILLUSTRATION GG	Guideline to Section 2002.140 (a) and (b)
2002.ILLUSTRATION HH	Guideline to Section 2002.150
2002.ILLUSTRATION II	Guideline to Section 2002.160 (a) (1)
2002.ILLUSTRATION JJ	Guideline to Section 2002.160 (a) (2)
2002.ILLUSTRATION KK	Guideline to Section 2002.160 (a) (4)
2002.ILLUSTRATION LL	Guideline to Section 2002.160 (b)
2002.ILLUSTRATION MM	Guideline to Section 2002.160 (c)
2002.ILLUSTRATION NN	Guideline to Section 2002.170

AUTHORITY: Implementing Article XXVI and Section 149 and authorized by Section 401 of the Insurance Code [215 ILCS 5/Art. XXVI, 149 and 401].

SOURCE: Amended March 31, 1975; codified at 8 Ill. Reg. 5194; amended at 28 Ill. Reg. 4595, effective March 1, 2004.

Section 2002.180 Enforcement Procedures

- a) Advertising File. Each insurer shall maintain at its home or principal office a complete file containing every printed, published or prepared advertisement of its

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individual policies and typical printed, published or prepared advertisements of its blanket, franchise and group policies hereafter disseminated in this or any other state whether or not licensed in such other state, with a notation attached to each such advertisement which shall indicate the manner and extent of distribution and the form number of any policy advertised. Such file shall be subject to regular and periodic inspection by this Department. All such advertisements shall be maintained in said file for a period of either four years or until the filing of the next regular report of examination of the insurer, whichever is the longer period of time.

- b) Certificate of Compliance. Each insurer ~~shall prepare and maintain~~required to file an Annual Statement which is now or which hereafter becomes subject to the provisions of this Part must file with this Department with its Annual Statement a certificate of compliance that will be placed on file with the company, together with the materials identified in subsection (a). The certificate shall ~~be~~Compliance executed by an authorized officer of the insurer wherein it is stated that to the best of his knowledge, information and belief the advertisements which were disseminated by the insurer during the preceding statement year complied or were made to comply in all respects with the provisions of this Part and the Insurance Laws of this State as implemented and interpreted by this Part.

(Source: Amended at 28 Ill. Reg. 4595, effective March 1, 2004)

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Section 2002.APPENDIX A Guidelines**Section 2002.ILLUSTRATION I Guideline to Section 2002.70 (a) (1)**

This Section prohibits words, phrases or illustrations which create deception to the reader by omission or commission. The following examples are illustrations of the prohibitions created by the Section:

- a) An advertisement which describes any benefits that vary by age must disclose that fact in a manner as described in this Part. (See also ILLUSTRATION O.)
- b) An advertisement which uses a phrase such as "no age limit," if benefits or premiums vary by age or if age is an underwriting factor, must disclose that fact in a manner as described in this Part. (See also ILLUSTRATION O.)
- c) "Individualized" advertisements, applications, requests for additional information and similar materials are unacceptable if they state or imply that the recipient has been individually selected to be offered insurance or has had his eligibility for such insurance individually determined in advance, when the advertisement is directed to all persons in a group or to all persons whose names appear on a mailing list.
- d) Advertisements which indicate that a particular coverage or policy is exclusively for "preferred risks" or a particular segment of the population or that a particular segment of the population are acceptable risks, when such distinctions are not maintained in the issuance of policies, are not acceptable.
- e) Advertisements for group or franchise plans which provide a common benefit or a common combination of benefits shall not imply that the insurance coverage is tailored or designed specifically for that group, unless such is the fact.
- f) It is unacceptable to use terms such as "enroll" or "join" to imply group or blanket insurance coverage when such is not the fact.
- g) Any advertisement which contains statements such as "anyone can apply" or "anyone can join" other than with respect to a guaranteed issue policy for which administrative procedures exist to assure that the policy is issued within a reasonable period of time after the application is received by the insurer is unacceptable.

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- h) An advertisement which states or implies immediate coverage or guaranteed issuance of a policy is unacceptable unless suitable administrative procedures exist so that the policy is issued within a reasonable period of time for such immediate coverage or guaranteed issuance coverage after the application is received by the insurer.
- i) Any advertisement which uses any phrase or term such as "here is all you do to apply," "simply" or "merely" to refer to the act of applying for a policy which is not a guaranteed issue policy is unacceptable unless it refers to the fact that the application is subject to acceptance or approval by the insurer.
- j) Applications, request forms for additional information, and similar related materials are unacceptable if they resemble paper currency, bonds, stock certificates, etc.
- k) An advertisement may employ devices which are designed to create reasonable concern in the minds of those to whom they are directed. Unacceptable examples of devices which may create undue concern are:
- 1) the use of phrases such as "cancer kills somebody every two minutes" and "total number of accidents" without reference to the total population from which such statistics are drawn- (As an example of a permissible device, data prepared by the American Cancer Society is acceptable provided the source is noted and it is not overemphasized.);
 - 2) the use of phrases such as "the finest kind of treatment," implying that such treatment would be unavailable without insurance;
 - 3) the reproduction of newspaper articles, etc., containing irrelevant facts and figures;
 - 4) the use of illustrations which unduly emphasize automobile accidents, ~~disabled personseripples~~ or persons confined in beds who are in obvious distress or receiving hospital or medical bills or persons being evicted from their homes due to their hospital bills;
 - 5) the use of phrases such as "financial disaster," "financial distress," "financial shock," or other phrases implying that financial ruin is likely without the insurance advertised where used in an advertisement which comes within Section 2002.70(a)(7) relating to policies covering specified

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illnesses or specified accidents only and other accident and health insurance designed primarily for supplementing an insured's basic insurance program.

- l) An advertisement which uses the word "plan" without identifying it as an "insurance plan" is not permissible.
- m) An advertisement which implies in any manner that the prospective insured may realize a profit from obtaining hospital, medical or surgical insurance coverage is not acceptable.
- n) An advertisement shall not state or imply by word, phrase or illustration that the benefits being offered will supplement any other insurance policy, insurance-type concept, or governmental plan if such is not the fact.
- o) An advertisement of a hospital or other similar facility confinement benefit that makes reference to the benefit being paid directly to the policyholder is misleading unless, in making such a reference, the advertisement includes a statement that the benefits may be paid directly to the hospital or other health care facility if an assignment of benefits is made by the policyholder. An advertisement of medical and surgical expense benefits shall comply with this Part in regard to the disclosure of assignments of benefits to providers of services. Phrases such as "you collect," "you get paid," "pays you," or other words or phrases of similar import are acceptable so long as the advertisement indicates that it is payable to the insured or someone designated by the insured.
- p) An advertisement which refers to "hospitalization for injury or sickness" omitting the word "covered" when the policy excludes certain sicknesses or injuries is unacceptable. Continued reference to "covered injury or sickness" is not necessary where this fact has been prominently disclosed in the advertisement and where the description of sicknesses or injuries not covered are prominently set forth.
- q) An advertisement which refers to "whenever you are hospitalized" or "while you are confined in the hospital" omitting the phrase "for covered injury or sickness," if the policy excludes certain injuries or sicknesses, is unacceptable. Continued reference to "covered injury or sickness" is not necessary where this fact has been prominently disclosed in the advertisement and where the description of sicknesses or injuries not covered are prominently set forth.

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- r) Advertisements which state that benefits are provided when "you go to the hospital" are unacceptable unless the advertisement clearly sets forth the extent of the coverage.
- s) An advertisement which is an invitation to contract and which fails to disclose that the definition of "hospital" does not include a nursing home, convalescent home or extended care facility, as the case may be, is unacceptable.
- t) An advertisement which is an invitation to contract and which fails to disclose any waiting or elimination periods for specific benefits is unacceptable.
- u) An advertisement for a limited policy, or a plan of insurance which covers only certain causes of loss (such as dread disease) or which covers only a certain type of loss is unacceptable if:
 - 1) the advertisement refers to a total benefit maximum limit payable under the policy in a prominent manner;
 - 2) the advertisement states any total benefit limit without stating the periodic benefit payment, if any, and the length of time the periodic benefit would be payable to reach the total benefit limit;
 - 3) the advertisement prominently displays a benefit which would not, as a general rule, be payable under an average claim.
- v) Advertisements which utilize total amounts payable under hospital room and board, medical or surgical coverage or other benefits in a policy, such as benefits for private duty nursing, are unacceptable unless the actual amounts payable per day for such indemnity or benefits are stated. (See also ILLUSTRATION M.)
- w) Examples of claims that may be paid under a policy shall not disclose only maximum benefits unless such maximum benefits are paid for loss from common and probable illnesses or accidents rather than exceptional or rare illnesses or accidents or periods of confinement for such exceptional or rare accidents or illnesses.
- x) When a range of benefit levels is set forth in an advertisement, it must be made clear that the insured will receive only the benefit level written or printed in the policy selected and issued. Language which implies that the insured may select the benefit level at the time of filing claims is unacceptable.

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- y) Language which implies that the amount of benefits payable under a loss-of-time policy may be increased at the time of claim or disability according to the needs of the insured is unacceptable.
- z) An advertisement for loss-of-time coverage which is an invitation to contract which sets forth a range of amounts of benefit levels is unacceptable unless it also states that eligibility for the benefits is based upon condition of health, income, other economic conditions, or other underwriting standards of the insurer if such is the fact.
- aa) The term "confining sickness" is an abbreviated expression and must be explained in an advertisement containing the term. Such an explanation might be as follows:
- "Benefits are payable for total disability due to confining sickness only so long as the insured is necessarily confined and under the care of a physician."
- Statements such as "Lifetime Sickness Benefits" or "Five-Year Sickness Benefits" are incomplete if such benefits are subject to confinement requirements.
- bb) Advertisements for policies whose premiums are modest because of their limited coverage or limited amount of benefits shall not describe premiums as "low," "low cost," "budget" or use qualifying words of similar import. This Part also prohibits the use of words such as "only" and "just" in conjunction with statements of premium amounts when used to imply a bargain.
- cc) Advertisements which state or imply that premiums will not be changed in the future are not acceptable unless the advertised policies so provide.
- dd) An advertisement which does not require the premium to accompany the application must not overemphasize that fact and must make the facts concerning effective date of coverage clear.
- ee) An advertisement which exaggerates the effect of statutorily mandated benefits or required policy provisions or which exaggerates the provisions or implies that such provisions are unique to the advertised policy, is unacceptable. For example, the phrase, "Money Back Guarantee" is an exaggerated description of the ten-day right to examine the policy and is not acceptable.

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- ff) An advertisement which implies that a common type of policy or a combination of common benefits is "new," "unique," "a bonus," "a breakthrough," or is otherwise unusual is unacceptable. Also, the addition of a novel method of premium payment to an otherwise common plan of insurance does not render it "new."
- gg) An advertisement which is an invitation to contract which fails to disclose the amount of any deductible and/or the percentage of any co-insurance factor is unacceptable.
- hh) An advertisement which fails to state clearly the type of insurance coverage being offered is not acceptable.
- ii) Language which states or implies that each member under a "family" contract is covered as to the maximum benefits advertised, when such is not the fact, is unacceptable.
- jj) The importance of diseases rarely or seldom found in the class of persons to whom the policy is offered shall not be exaggerated in an advertisement.
- kk) An advertisement, regardless of the media used, which is designed to produce leads in any manner or subsequent advertisement prior to contact must include information disclosing that an agent may contact the applicant if such is the fact.
- ll) Advertisements for policies designed to supplement Medicare or which are otherwise designed for issue to the elderly shall not employ devices which are designed to create undue anxiety in the minds of such persons. Such phrases as "here is where most people over 65 learn about the gaps in Medicare," or "Medicare is great, but . . ." which otherwise exaggerate the gaps in Medicare coverage, are unacceptable. Phrases or devices which unduly excite fear or concern, dependence upon relatives or charity are unacceptable. Phrases or devices which imply that long sicknesses or hospital stays are common among the elderly are unacceptable.
- mm) An advertisement implying that the coverage is supplemental to Medicare may show the extent it supplements Medicare, but must not refer to the Medicare Program and the proposed coverage to imply that with the coverage and Medicare, the patient will have no uncovered expenses unless that is in fact true.

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(Source: Amended at 28 Ill. Reg. 4595, effective March 1, 2004)

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- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois
- 2) Code Citation: 17 Ill. Adm. Code 810
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
810.10	Amendment
810.20	Amendment
810.35	Amendment
810.37	Amendment
810.45	Amendment
810.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]
- 5) Effective Date of Amendments: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: December 5, 2003, 27 Ill. Reg. 18305
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: In Section 810.45, Fox Chain O'Lakes, in the last entry, strike "> or =" and add "≥".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The prohibited dates for harvesting yellow perch were changed to July 1 through July 31, language was added regarding snagging, definitions for individual site specific fishing regulations were updated, individual site specific fishing regulations by water area were updated and the dates for the 2004 Free Fishing Days were added.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

The full text of the adopted amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section

810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations – Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988;

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amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11386, effective August 14, 2001; emergency amendment at 25 Ill. Reg. 12122, effective September 15, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1210, effective January 16, 2002; amended at 26 Ill. Reg. 4294, effective March 6, 2002; amended at 27 Ill. Reg. 3376, effective February 14, 2003; amended at 28 Ill. Reg. 4607, effective March 1, 2004.

Section 810.10 Sale of Fish and Fishing Seasons

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- a) No fish or parts thereof (including eggs) taken by sport fishing methods (including snagging) may be bought, sold or bartered.
- b) Lake Michigan – The sport fishing season for rainbow smelt shall be from March 1 to April 30.
- c) It is unlawful to fish within 250 yards of an occupied duck or goose blind on Department-owned or -managed sites during the migratory waterfowl season.
- d) Lake Michigan, Calumet River, and the Chicago River including its North Branch, South Branch, and the North Shore Channel – the sport fishing harvest for yellow perch shall not be permitted from July 1 through July 31~~June 1 through June 30~~ annually.

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

Section 810.20 Snagging

- a) Anglers are permitted only one pole and line device to which can be attached no more than two hooks.
- b) Species of Fish and Snagging Catch Limit.
 - 1) Only the following species of fish and catch limit may be taken by snagging:
 - Carp – no catch limit
 - Buffalo – no catch limit
 - Freshwater Drum – no catch limit
 - Salmon (coho and chinook only) – 5 daily, of which not more than 3 may be of the same fish species
 - Paddlefish – 2 per day
 - Bowfin – no catch limit
 - Gizzard shad – no catch limit

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Carp suckers – no catch limit

Longnose gar – no catch limit

Shortnose gar – no catch limit

Suckers – no catch limit

- 2) No sorting of snagged salmon and paddlefish is permitted. Every salmon 10 inches in total length or longer and paddlefish snagged must be taken into immediate possession and included in the daily catch limit. Once the daily limit of salmon or paddlefish has been reached, snagging must cease.
- c) Waters Open to Snagging and Snagging Season.
- 1) Snagging for fish is permitted from September 15 through December 15 and from March 15 through May 15 within a 300 yard downstream limit below all locks and dams of the Illinois River and Mississippi River between Illinois and Missouri. Snagging is permitted from January 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa, except the tailwaters of Lock and Dam 12 and 13 are closed to all fishing from December 1 through March 15.
 - 2) Snagging for fish is permitted year-round within a 100 yard limit upstream or downstream of the dam at Horseshoe Lake in Alexander County.
 - 3) Snagging for chinook and coho salmon only is permitted from the following Lake Michigan shoreline areas from October 1 through December 31; however, no snagging is allowed at any time within 200 feet of a moored watercraft or as posted:
 - A) Lincoln Park Lagoon from the Fullerton Avenue Bridge to the southern end of the Lagoon.
 - B) Waukegan Harbor (in North Harbor basin only).
 - C) Winnetka Power Plant discharge area.

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- D) Jackson Harbor (Inner and Outer Harbors).
- d) Disposition of Snagged Salmon and Paddlefish. All snagged salmon and paddlefish must be removed from the area from which they are taken and disposed of properly, in accordance with Article 5, Section 5-5 of the Fish and Aquatic Life Code.

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

Section 810.35 Statewide Sportfishing Regulations – Daily Catch and Size Limits

- a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.
- b) No fish species may be dressed (fileted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed while taking from, or on, any waters to which length or bag limits and/or daily catch limits apply. While taking from areas designated as "Catch and Release Only", all catch and release species must be immediately released back into the waters from which taken.
- c) Statewide limits by type of fish:
- 1) CHANNEL CATFISH

There are no daily catch or size limits except in those waters listed under Site Specific Regulations.
 - 2) LARGEMOUTH BASS, SMALLMOUTH BASS, SPOTTED BASS

Daily catch limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations. In streams and rivers (excluding the mainstem of the Mississippi, Ohio and Wabash Rivers) the daily creel can contain no more than 3 smallmouth bass. In streams and tributaries statewide, except for the Mississippi, Ohio, Wabash and Illinois Rivers, all smallmouth bass must be immediately released between April 1 and June 15. There is no statewide size limit.

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3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS

- A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36 inches in total length or longer, except as specified under Site Specific Regulations.
- B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate, may be taken per day, except as specified under Site Specific Regulations.
- C) All northern pike taken must be 24 inches in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.
- D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.

4) CRAPPIE (WHITE, BLACK OR HYBRID CRAPPIE)

There are no catch or size limits except in those waters listed under Site Specific Regulations.

5) BLUEGILL AND REDEAR SUNFISH

There are no catch or size limits except in those waters listed under Site Specific Regulations.

6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS, YELLOW BASS AND HYBRIDS

There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, yellow bass and their hybrids, which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the daily limit is 3 fish, either singly or in the aggregate, except in the Mississippi River between Illinois and Missouri where there is a 30 fish daily creel limit for all striped, white, yellow or hybrid striped bass. In the Mississippi River between Illinois and Iowa, there is a 25 fish daily creel on striped bass, white bass, yellow bass and their hybrids, either singly or in the aggregate.

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7) TROUT AND SALMON

Daily catch limit is 5 trout or salmon, either singly or in the aggregate.

8) WALLEYE, SAUGER OR THEIR HYBRID

A) All walleye, sauger, or their hybrid (saugeye) taken must be 14 inches in total length or longer, except in the Mississippi River, Ohio River, Wabash River, or as specified under Site Specific Regulations.

B) Daily catch limit is 6 walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations.

9) INJURIOUS SPECIES

For injurious species, as described in 17 Ill. Adm. Code 805, there are no catch or size limits. Possession of live specimens, progeny thereof, viable eggs, or gametes is prohibited.

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

Section 810.37 Definitions for Site Specific Sportfishing Regulations

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the counties listed. The counties listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.
- b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.
 - 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast

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nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold.

- 2) All jugs set in a body of water shall be under the immediate supervision of the fisherman. Immediate supervision shall be defined as the fisherman being on the water where the jugs are set and readily available to identify jugs to law enforcement officers.
- 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.
- 4) Except that sport fishermen shall be allowed to use trotlines, jugs, and by hand, except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp and buffalo with bow and arrow is permissible.
- 5) Except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
- 6) Including the Fox River south of the Illinois-Wisconsin line to the [Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge](#) ~~McHenry Dam~~.
- 7) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 8) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregate.

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- 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.
- 10) It shall be illegal to possess trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.
- 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.
- 12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.
- 13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.
- 14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.
 - A) Largemouth or Smallmouth Bass
 - B) Walleye, Sauger, or their hybrid
 - C) Bluegill, Redear Sunfish or Pumpkinseed
 - D) Channel or Blue Catfish
- 15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.
- 16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.
- 17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which

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may be 17 inches or longer in length.

- 18) Except that sport fishermen shall be allowed to use trotlines, jugs and bank poles; and carp, carpsuckers and buffalo may be taken by bow and arrow, bow and arrow devices, gigs and spears in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.
- 19) No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed sites.
- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries – including parts of the Lake Shelbyville Fish and Wildlife Management Area), U.S. Army Corps of Engineers, Shelby and Moultrie Counties. ~~Does not include the tailwater.~~
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.
- 23) Daily catch limit for black, white or hybrid crappies, singly or in the aggregate, shall not exceed 20 fish daily, no more than 10 of which can be below 10" in total length and ~~no~~ more than 10 of which can be 10" or longer in total length.
- 24) 15" minimum length limit for walleye with no possession of walleye greater than or equal to 20" and less than or equal to 27" in total length – protected slot limit. ~~10 Fish Daily Creel Limit of which no more than 6 may be walleye.~~
- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.

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- 26) Lake Vermilion – Trotline and jug fishing allowed north of Boiling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates.
- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carpsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.
- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfowl hunting area during the 7 days prior to the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be

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less than 18 inches in total length and greater than or equal to 14 inches in total length.

- 36) Except that sportfishermen may not use a minnow seine, cast net, or shad scoop for bait collecting in Cook County Forest Preserve District Waters (except in the Des Plaines River).
- 37) All smallmouth bass taken must be less than 12 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.
- 39) Powerton Lake shall be closed to boat traffic, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular goose and duck season.
- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well as any tailwaters as defined below:

Evergreen Lake (McLean County) – including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Mackinaw River.

Forbes State Lake (Marion County) – no tailwaters

Fox Chain O' Lakes (Lake/McHenry Counties) – including ~~those portions of~~ the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin-Illinois State line.

Kinkaid Lake (Jackson County) – including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Mingo and Kennekuk Cove Park Ponds (Vermilion County) – no

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tailwaters.

Lake Shelbyville (Moultrie/Shelby Counties) – including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Otter Lake (Macoupin County) – including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) – including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) – including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

Spring Lakes (North and South) (Tazewell County) – no tailwaters.

- 41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 10 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.
- 42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.
- 43) When using live bait, all live bait in excess of 8" in total length shall be rigged with a quick set rig. The hook shall be immediately set upon the strike. A quick set rig is defined as follows: a live bait rig with up to 2 treble hooks attached anywhere on the live bait; single hooks are prohibited. This rule does not apply to trotlines, jug lines, etc., if allowed on the lake.

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

Section 810.45 Site Specific Water Area Regulations

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Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)
Fulton County

Andover Lake, City of Andover
Henry County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Anna City Lake, City of Anna
Union County

- All fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Apple River and tributaries, State of Illinois
Jo Daviess County

- All Fish - 2 Pole and Line Fishing Only (1)
- Smallmouth Bass - 14" Minimum Length Limit
- Trout - Spring Closed Season (11)

Argyle Lake, Argyle Lake State Park
McDonough County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Hybrid Walleye - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish ~~>more than~~ 15" and/or 5 ~~<less~~ than 12" Daily (12)
- Trout - Fall Closed Season (10)

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White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Arrowhead Heights Lake, Village of Camp Point	
Adams County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Arrowhead Lake, City of Johnston City	
Williamson County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Ashland City Old Reservoir #4611, City of Ashland	
Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Ashland City Reservoir, City of Ashland	
Cass County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Auburn Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 6 Fish Daily Creel Limit
Axehead Lake, Cook County Forest Preserve	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Bakers Baker Lake, City of Peru	
LaSalle County	

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All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Baldwin Lake, Baldwin Lake Conservation Area	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Banana Lake, Lake County Forest Preserve District	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)	
Peoria/Fulton Counties	
Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-18" Protected Slot Length Limit (no possession)
Pure Muskellunge	- 42" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Batchtown Wildlife Management Area (33)	
Calhoun County	

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Baumann Park Lake, City of Cherry Valley

Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Beall Woods Lake, Beall Woods Conservation Area

Wabash County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Trout	- Fall Closed Season (10)

Beaver Dam Lake, Beaver Dam State Park

Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Beck Lake, Cook County Forest Preserve District

Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Belk Park Pond, City of Wood River

Madison County

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

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Belleau Lake, Cook County Forest Preserve District

Cook County

- All Fish - 2 Pole and Line Fishing Only (36)
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Belvidere Ponds, City of Belvidere

Boone County

- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Bevier Lagoon, Waukegan Park District

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Bird Park Quarry, City of Kankakee

Kankakee County

- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Borah Lake, City of Olney

Richland County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park

Marion County

- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Bowen Lake, City of Washington

Tazewell County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

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Braidwood Lake State Fish and Wildlife Area (41)

Will County

Recreational Use Restrictions

- Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season

All Fish

- 2 Pole and Line Fishing Only (1)

~~Bluegill or Redear Sunfish (14)~~~~-10 Fish Daily Creel Limit~~

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

Striped, White, or Hybrid Striped Bass

- 17" Minimum Length Limit

Striped, White, or Hybrid Striped Bass
(16)

- 3 Fish Daily Creel Limit

White, Black or Hybrid Crappie (15)

- 10 Fish Daily Creel Limit

Breeze JC's Park Pond, City of Breeze

Clinton County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner

Franklin County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Bullfrog Lake, Cook County Forest Preserve District

Cook County

All Fish

- 2 Pole and Line Fishing Only (1) (36)

Large or Smallmouth Bass

- 14" Minimum Length Limit

Bluegill or Redear Sunfish

- 8" Minimum Length Limit

Bluegill or Redear Sunfish (14)

- 10 Fish Daily Creel Limit

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Bunker Hill Lake, City of Bunker Hill

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Burrells Wood Park Pond

White County

- Channel Catfish - 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve

Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit

Cache River State Natural Area (19)

Pulaski/Johnson Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- All Fish - No Seines

Calhoun Point Wildlife Management Area (33)

Calhoun County

Calumet River

Cook County

- Yellow Perch - 15 Fish Daily Creel Limit
- Yellow Perch - Closed During July

Campbell Pond Wildlife Management Area (19)

Jackson County

Campus Lake – Southern Illinois University, State of Illinois

Jackson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

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Campus Pond – Eastern Illinois University, State of Illinois

Coles County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Canton Lake, City of Canton

Fulton County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale

Jackson County

- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Carlinville Lake #1, City of Carlinville

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Carlinville Lake #2, City of Carlinville

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Carlton Silt Basin, State of Illinois

Whiteside County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Large or Smallmouth Bass - Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)

Clinton/Bond/Fayette Counties

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Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
Carthage Lake, City of Carthage	
Hancock County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
<u>Casey Park Pond, City of Casey</u>	
<u>Clark County</u>	
<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 15 Fish Daily Creel Limit of which only 5 fish over 8" are allowed</u>
<u>Channel Catfish</u>	<u>- 6 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 18" Minimum Length Limit</u>
<u>Large or Smallmouth Bass (14)</u>	<u>- 1 Fish Daily Creel Limit</u>
Cedar Lake, U.S. Forest Service and City of Carbondale	
Jackson County (19)	
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 5 Fish Under 14" and 1 Fish over 18" Daily Creel Limit (38)
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
Centralia Foundation Park Catfish Pond, Centralia Park Foundation	
Marion County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Centralia Lake, City of Centralia	
Marion County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Cermack Quarry, Cook County Forest Preserve District	
Cook County	

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All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District

Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston

Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
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Charleston Side Channel Lake, City of Charleston

Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass(16)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit for Fish Under 10"; 10 Fish Daily Creel Limit for Fish 10" and Longer (23)

Charlie Brown Lake & Pond, City of Flora

Clay County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Charter Oak North – Peoria Park District Lake, Peoria Park District

Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

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Charter Oak South – Peoria Park District Pond, Peoria Park District

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Chauncey Marsh (19)

Lawrence County

Chautauqua Lake North Pool, U.S. Fish and Wildlife Service

Mason County

Recreational Use Restrictions

- Lake Chautauqua North Pool will be closed to boat fishing from October 15 through January 14

- Bank fishing will be allowed in selected areas only

- Ice fishing will be allowed following the January 15 reopening

- All Fish - 2 Pole and Line Fishing Only (1)
- Black, White, or Hybrid Crappie - 9" Minimum Length Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no minimum length limit)

- Black, White, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no daily creel limit)

- Largemouth Bass - 15" Minimum Length Limit (12" minimum length limit when the Illinois River overflows the levee system of the North Pool)

Chenoa City Lake, City of Chenoa

McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Chicago River (including its North Branch, South Branch, and the North Shore Channel)

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Cook County

- Yellow Perch - 15 Fish Daily Creel Limit
- Yellow Perch - Closed During July

Citizen's Lake, City of Monmouth

Warren County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 6 Fish Daily Creel Limit
1 Fish Over 15" and 5 Fish under 12"
Daily Creel Limit (12)
- Trout - Fall Closed Season (10)

Clear Lake, Kickapoo State Park

Vermillion County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)

DeWitt County

- All Fish - 2 Pole and Line Fishing Only (1) (18)
- Large or Smallmouth Bass - 16" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area

Montgomery County

- Channel Catfish - All jugs must be attended at all times while fishing (2)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit

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- Striped, White, or Hybrid Striped Bass - 3 Fish Daily Creel Limit
(16)
- Coles County Airport Lake, Coles County Airport
Coles County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Large or Smallmouth Bass - 14" Minimum Length Limit
- Coleta Trout Pond, State of Illinois
Whiteside County
- Trout - Fall Closed Season (10)
 - Trout - Spring Closed Season (11)
- Columbus Park Lagoon, Chicago Park District
Cook County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - ~~4~~6 Fish Daily Creel Limit
- Commissioners Park Pond, Alsip Park District
Cook County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
- Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
Cook County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Large or Smallmouth Bass - 14" Minimum Length Limit
 - Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
- Coulterville City Lake, City of Coulterville
Randolph County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
- Crab Orchard National Wildlife Refuge – Ann Manns Lake, U.S. Fish and Wildlife Service
(19)
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Large or Smallmouth Bass - 15" Minimum Length Limit

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Crab Orchard National Wildlife Refuge – Crab Orchard Lake, U.S. Fish and Wildlife Service
(19)

Williamson County

- | | |
|--|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (4) |
| Striped, White, or Hybrid Striped Bass
(16) | - 10 Creel/3 Fish 17" or Longer Daily (17) |
| Large or Smallmouth Bass | - 16" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Crab Orchard National Wildlife Refuge – Devil's Kitchen Lake, U.S. Fish and Wildlife Service
(19)

Williamson County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

Crab Orchard National Wildlife Refuge – Little Grassy Lake, U.S. Fish and Wildlife Service
(19)

Williamson County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |

Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and
Wildlife Service

Williamson County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service

Williamson County

- | | |
|--------------------------|--|
| All Fish (30) | - 2 Pole and Line Fishing Only (1) (5) |
| Large or Smallmouth Bass | - 21" Minimum Length Limit |

Crawford Co. Cons. Area – Picnic Pond, Crawford County Conservation Area

Crawford County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Trout | - Fall Closed Season (10) |

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Crawford Co. Cons. Area Ponds, Crawford County Conservation Area

Crawford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)

Jersey County

Crystal Lake, Urbana Park District

Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit

Cypress Creek National Wildlife Refuge – All Ponds, U.S. Fish and Wildlife Service
Johnson/Pulaski/Union Counties

<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Channel Catfish</u>	<u>- 6 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 15" Minimum Length Limit</u>

Cypress Creek National Wildlife Refuge – Cache River from Rt. 37 to Rt. 51 in Ullin, U.S.
Fish and Wildlife ServiceJohnson/Pulaski Counties

<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>All Fish</u>	<u>- No Seines</u>

Dawson Lake & Park Ponds, Moraine View State Park

McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur

Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit (except for Fairview Park – Dreamland Pond,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

which has a 3 Fish Daily Creel Limit)

Deep Pit Lake, Boone County Conservation District

Boone County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park

McHenry County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Des Plaines River Basin (Hoffman Dam to 47th Street Bridge, including tributaries)

Cook County

- Channel Catfish - 15" Minimum Length Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - Catch and Release Only – No Harvest Permitted (9)
- Northern Pike - 30" Minimum Length Limit
- Northern Pike - 1 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye (14) - 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)

Will County

Diamond Lake, City of Mundelein

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)

Pope County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Dolan Lake, Hamilton County Conservation Area

Hamilton County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |

Donnelley State Wildlife Area (33)

Bureau County

Double "T" State Fish and Wildlife Area, State of Illinois

Fulton County

- | | |
|--------------------------------------|--|
| Recreational Use Restrictions | - Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting is prohibited from October 1 through the end of the central zone Canada goose season) |
| | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel or Blue Catfish | - 6 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie | - 10" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 21" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Pure Muskellunge | - 42" Minimum Length Limit |

Douglas Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 46 Fish Daily Creel Limit |

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DuPage County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

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Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
<u>White, Black or Hybrid Crappie</u>	<u>- 9" Minimum Length Limit</u>
<u>White, Black or Hybrid Crappie (15)</u>	<u>- 15 Fish Daily Creel Limit</u>

DuPage River – West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

Large or Smallmouth Bass	- Catch and Release Fishing Only (9)
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East Fork Lake, City of Olney

Richland County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

Elkville City Reservoir, City of Elkville

Jackson County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District

DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Evergreen Lake, City of Bloomington

McLean County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Fairgrounds Pond – Fort Massac State Park, State of Illinois

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Massac County

- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Fairview Park – Dreamland Pond, City of Decatur

Macon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit

Fairies Park Pond, Decatur Park District

Macon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park

Johnson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District

Cook County

- All Fish - 2 Pole and Line Fishing Only (1) (36)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Foli Park Pond, Village of Plano

Kendall County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Forbes State Lake, Stephen A. Forbes State Park (19)

Marion County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|---|----------------------------------|
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| <u>Pure Muskellunge</u> | <u>- 48" Minimum Length (40)</u> |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass (16) | - 3 Fish Daily Creel Limit |
- Forbes State Park Ponds, Stephen A. Forbes State Park (19)
- Marion County
- | | |
|--------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
- Forest Park Lagoon, City of Shelbyville
- Shelby County
- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |
- Fort de Chartres Historic Site (19)
- Randolph County
- Four Lakes, Winnebago County Forest Preserve
- Winnebago County
- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
- Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge ~~McHenry Dam~~) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
- Lake and McHenry Counties
- | | |
|---|--|
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| <u>Large or SmallmouthLargemouth Bass</u> | - 14" Minimum Length Limit (6) |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 6 Fish Daily Creel Limit of which no more than 3 can be Smallmouth Bass</u> |
| Pure Muskellunge | - 48" Minimum Length Limit (40) |

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- Smallmouth Bass - All fish must be immediately released between April 1 and June 15
- ~~Smallmouth Bass~~ - ~~1 Fish 12" or over and 2 Fish under 12"~~
Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye - 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
- Walleye, Sauger, or Hybrid Walleye (14) - 2 Fish ~~≥ > or =~~ 14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)

Fox Ridge State Park (see also Wilderness Pond and Ridge Lake) (19)
Coles County

Fox River, ~~Algonquin~~~~McHenry~~ Dam to confluence with the Illinois River, including tributaries,
State of Illinois
Multiple Counties

- Smallmouth Bass - 1 Fish 12" or over and 2 Fish under 12"
Daily Creel Limit

Frank Holten Lakes, Frank Holten State Park
St. Clair County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
Lee County

- All Fish - 2 Pole and Line Fishing Only (1)

Franklin Creek Mill Pond – Franklin Creek State Park, State of Illinois

Lee County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Fuller Lake (19)
Calhoun County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Fulton County Camping and Recreation Area Waters, Fulton County Board

Fulton County

- | | |
|----------------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12"-15" Protected Slot Length Limit (no possession) |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Blue gill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |

Gages Lake, Wildwood Park District

Lake County

- | | |
|---|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Walleye, Sauger, or Hybrid Walleye | - 16" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | - 3 Fish Daily Creel Limit |

Garfield Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 4 6 Fish Daily Creel Limit |

Gebhard Woods Ponds, Gebhard Woods State Park

Grundy County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Trout | - Spring Closed Season (11) |

Germantown Lake, City of GermantownClinton County

- | | |
|--|---|
| <u>All Fish</u> | <u>- 2 Pole and Line Fishing Only (1)</u> |
| <u>Bluegill or Redear Sunfish (14)</u> | <u>- 15 Fish Daily Creel Limit</u> |
| <u>Channel Catfish</u> | <u>- 6 Fish Daily Creel Limit</u> |
| <u>Large or Smallmouth Bass</u> | <u>- 18" Minimum Length Limit</u> |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 1 Fish Daily Creel Limit</u> |

Giant City Park Ponds, Giant City State Park

Jackson and Union Counties

- | | |
|-----------------------------|----------------------------|
| Largemouth and Spotted Bass | - 15" Minimum Length Limit |
|-----------------------------|----------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Gillespie New City Lake, City of Gillespie
Macoupin County

- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie
Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades -12 Mile Island Wildlife Management Area (33)
Jersey CountyGladstone Lake, Henderson County Conservation Area
Henderson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District
Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro
Montgomery County

- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Gompers Park Lagoon, Chicago Park District

Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - ~~46~~ Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton

Madison County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Governor Bond Lake, City of Greenville

Bond County

- Channel Catfish - All jugs must be attended at all times while fishing (2)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Grayslake Park District (Grayslake and Park Ponds)

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Greenfield City Lake, City of Greenfield

Greene County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession)
- Large or Smallmouth Bass - 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Greenville Old City Lake, Kingsbury Park District

Bond County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Harrisburg New City Reservoir, City of Harrisburg

Saline County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

Grundy County (41)

- Recreational Use Restrictions - Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
- All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
- Walleye, Sauger, or Hybrid Walleye - ~~16~~22" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit

Helmbold Slough (19)

Calhoun County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Hennepin Canal – Mainline & Feeder, Hennepin Canal Parkway State Park

Multiple Counties

- | | |
|--------------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) (13) |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Hennepin-Hopper Lakes, The Wetlands Initiative

Putnam County

- | | |
|--|--|
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Black, White or Hybrid Crappie | - 9" Minimum Length Limit |
| Black, White or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Pure Muskellunge | - 42" Minimum Length Limit |
| Walleye, Sauger or Hybrid Walleye | - 18" Minimum Length Limit |
| Walleye, Sauger or Hybrid Walleye (14) | - 3 Fish Daily Creel Limit |

Herrin Lake #1, City of Herrin

Williamson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Herrin Lake #2, City of Herrin

Williamson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Hidden Springs State Forest Ponds, Hidden Springs State Forest

Shelby County

- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|-------------------------------|----------------------------|
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
- Highland Old City Lake, City of Highland
Madison County
- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Trout | - Fall Closed Season (10) |
- Hillsboro Old City Lake, City of Hillsboro
Montgomery County
- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit |
- Homer Guthrie Pond – Eldon Hazlet State Park, State of Illinois
Clinton County
- | | |
|--------------------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Bluegill or Redear Sunfish (14) | - 10 5 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18 4" Minimum Length Limit |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 1 Fish Daily Creel Limit</u> |
- Homer Lake, Champaign County Forest Preserve District
Champaign County
- | | |
|---------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
- Hormel Pond, Donnelly State Fish and Wildlife Area
Bureau County
- | | |
|--------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
- Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
Alexander County
- | | |
|-------------------------------|---------------------------------------|
| Recreational Use Restrictions | - Only trolling motors in refuge from |
|-------------------------------|---------------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

	October 5-March 1
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1) (28) (34)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Horton Lake, Nauvoo State Park	
Hancock County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Humbolt Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 6 Fish Daily Creel Limit
<u>Hurricane Pond, Fox Ridge State Park</u>	
<u>Coles County</u>	
<u>Recreational Use Restrictions</u>	<u>- Waterfowl Refuge and Hunting Area</u> <u>(19)</u>
<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 5 Fish Daily Creel Limit</u>
<u>Channel Catfish</u>	<u>- 6 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 18" Minimum Length Limit</u>
<u>Large or Smallmouth Bass (14)</u>	<u>- 1 Fish Daily Creel Limit</u>
Illinois & Michigan Canal, State of Illinois	
Grundy/LaSalle/ Will Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Illinois Beach State Park Ponds, Illinois Beach State Park

Lake County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

~~Illinois Department of Natural Resources Building Pond at State Fairgrounds, State of Illinois Sangamon County~~

- | | |
|---------------------|---|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| All Fish | - Catch and Release Fishing Only (9) |

Illinois Department of Transportation Lake, State of Illinois

Sangamon County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Trout | - Fall Closed Season (10) |
| Trout | - Spring Closed Season (11) |

Illinois River – Pool 26 (19)

Calhoun County

Illinois River – Starved Rock and Marseilles PoolsLaSalle and Grundy Counties

- | | |
|---|------------------------------------|
| <u>Large or Smallmouth Bass</u> | <u>- 18" Minimum Length Limit</u> |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 1 Fish Daily Creel Limit</u> |
| <u>Striped, White or Hybrid Striped Bass (16)</u> | <u>- 10 Fish Daily Creel Limit</u> |
| <u>White, Black or Hybrid Crappie (15)</u> | <u>- 10 Fish Daily Creel Limit</u> |

Illinois River – State of Illinois

Multiple Counties

- | | |
|--------------------------|----------------------------|
| Large or Smallmouth Bass | - 12" Minimum Length Limit |
|--------------------------|----------------------------|

Indian Boundary South Pond, Frankfort Square Park District

Will County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Iroquois & Kankakee Rivers and their Tributaries, State of IllinoisMultiple Counties

- | | |
|---|-----------------------------------|
| <u>Walleye, Sauger and Hybrid Walleye</u> | <u>- 16" Minimum Length Limit</u> |
|---|-----------------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Walleye, Sauger and Hybrid Walleye - 3 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District

Cook County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - ~~46~~ Fish Daily Creel LimitJim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Ponds, Jim Edgar/Panther
Creek Fish and Wildlife Area

Cass County

Recreational Use Restrictions - All live bait in excess of 8" must be
rigged with a quick set rig (43)

All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish - 8" Minimum Length Limit

Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Pure Muskellunge - 48" Minimum Length Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond, Jim Edgar/Panther Creek
Fish and Wildlife Area

Cass County

All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish - 8" Minimum Length Limit

Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Trout - Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park

Henry County

Recreational Use Restrictions - All live bait in excess of 8" must be
rigged with a quick set rig (43)

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Johnston City Lake, City of Johnston City

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Williamson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area

Saline County

- Trout - Fall Closed Season (10)

Jones Park Lake, City of East St. Louis

St. Clair County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area

Saline County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)
- Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jubilee College State Park Ponds, Jubilee College State Park

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Kankakee-Iroquois Rivers and their Tributaries, State of Illinois

Multiple Counties

- Walleye, Sauger, and Hybrid Walleye - 16" Minimum Length Limit
- Walleye, Sauger, and Hybrid Walleye (14) - 3 Fish Daily Creel Limit

Kankakee River, from the Kankakee Dam to the mouth of the Kankakee River, including tributaries, State of Illinois

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Multiple Counties

- | | |
|-----------------|---|
| Smallmouth Bass | - 12"-18" Protected Slot Length Limit (no possession) |
| Smallmouth Bass | - 1 Fish over 18" and 2 Fish under 12" Daily Creel Limit (37) |

Kankakee River State Park (19)

Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)

St.Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area – Doza Creek Wildlife Management Area (33)

St.Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Kent Creek

Winnebago County

- | | |
|-------|-----------------------------|
| Trout | - Spring Closed Season (11) |
|-------|-----------------------------|

Kickapoo State Park Lakes & Pond, Kickapoo State Park

Vermilion County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Kincaid City Reservoir, City of Kincaid

Christian County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |

Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jackson County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- Large or Smallmouth Bass - 16" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Kinmundy Reservoir, City of Kinmundy

Marion County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Kishwaukee River and South Branch of Kishwaukee River and Tributaries, State of Illinois

Multiple Counties

- Smallmouth Bass - 14" Minimum Length Limit

Lake Atwood, McHenry County Conservation District

McHenry County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Lake Bloomington, City of Bloomington

McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Carlton, Morrison-Rockwood State Park

Whiteside County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--|--|
| | with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Pure Muskellunge | - 36" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |
| Lake Co. Forest Preserve District Lakes (except Independence Grove Lake), Lake County Forest Preserve District | |
| Lake County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye | - 16" Minimum Length Limit |
| Lake Decatur, City of Decatur | |
| Macon County | |
| All Fish | - 2 Pole and Line Fishing Only (1)(29) |
| White, Black, or Hybrid Crappie | - 10" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 10 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Lake Depue Fish and Wildlife Area (33) | |
| Bureau County | |
| Lake Eureka, City of Eureka | |
| Woodford County | |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Lake George, Loud Thunder Forest Preserve | |
| Rock Island County | |
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville
Morgan County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Lake Kakusha, City of Mendota
LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota
LaSalle County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|-------------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 1 Fish > or = 15" &/or 2 <12" Daily (31) |

Lake Michigan (Illinois Portion), State of Illinois

Lake/Cook Counties

- | | |
|---------------------------------|---|
| Trout and Salmon | - 10" Minimum Length Limit |
| Trout and Salmon | - No more than 5 fish of any one species daily, except for Lake Trout |
| Lake Trout | - 2 Fish Daily Creel Limit |
| Yellow Perch | - 15 Fish Daily Creel Limit |
| Yellow Perch | - Taking of yellow perch from charter boats is prohibited |
| Yellow Perch | - Closed During July |
| <u>Large or Smallmouth Bass</u> | <u>- 21" Minimum Length Limit</u> |
| Large or Smallmouth Bass (14) | <u>- 1 Fish Daily Creel Limit</u> <u>Catch and Release Fishing Only (no possession) (9)</u> |

Lake Milliken, Des Plaines Conservation Area

Will County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Trout | - Spring Closed Season (11) |

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

Vermilion County

- | | |
|--------------------------------------|---|
| <u>Recreational Use Restrictions</u> | <u>- All live bait in excess of 8" must be rigged with a quick set rig (43)</u> |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| <u>Pure Muskellunge</u> | <u>- 48" Minimum Length Limit (40)</u> |

Lake Murphysboro, Lake Murphysboro State Park

Jackson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Nellie, City of St. Elmo

Fayette County

- | | |
|-------------------------------|--|
| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District

Champaign County

- | | |
|---------------------------------|--|
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Trout | - Spring Closed Season (11) |

Lake Owen, Hazel Crest Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Lake Paradise, City of Mattoon

Coles County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |

Lake Paradise Shadow Ponds, City of Mattoon

Coles County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Lake Sara, City of Effingham

Effingham County

- | | |
|--------------------------------------|-----------------------------|
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties

Recreational Use Restrictions

- During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.
- All live bait in excess of 8" must be rigged with a quick set rig (43)
- 14" Minimum Length Limit
- 48" Minimum Length Limit (4)
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Large or Smallmouth Bass

Pure Muskellunge

White, Black, or Hybrid Crappie (15)

White, Black, or Hybrid Crappie

Lake Shelbyville – U.S. Army Corps of Engineers Project Ponds and Wood Lake, and Lake Shelbyville State Fish and Wildlife Management Area Ponds (33)

Moultrie/Shelby Counties

All Fish

Channel Catfish

Large or Smallmouth Bass

White, Black, or Hybrid Crappie

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit

Lake Shermerville, Northbrook Park District
Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only
- 6 Fish Daily Creel Limit

Lake Sinnissippi (19)
Whiteside County

Lake Springfield, City of Springfield
Sangamon County

All Fish

Large or Smallmouth Bass

White, Black, or Hybrid Crappie (15)

White, Black, or Hybrid Crappie

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Lake Storey, City of Galesburg

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Knox County

- | | |
|---|--|
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill and Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| Channel or Blue Catfish (14) | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |
| Pure Muskellunge | - 42" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | - 3 Fish Daily Creel Limit |

Lake Strini, Village of Romeoville

Will County

- | | |
|-----------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

Lake Sule, Flagg-Rochelle Park District

Ogle County

- | | |
|-------------------------------------|--|
| Recreational Use Restrictions | - All live bait in excess of 8" must be rigged with a quick set rig (43) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 5 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| Pure Muskellunge | - 36" Minimum Length Limit |
| White, Black or Hybrid Crappie (15) | - 10 Fish Daily Creel Limit |

Lake Taylorville, City of Taylorville

Christian County

- | | |
|--------------------------------------|-----------------------------|
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| White, Black, or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

Lake Vandalia, City of Vandalia

Fayette County

- | | |
|--|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 17" Minimum Length Limit |
| Striped, White, or Hybrid Striped Bass | - 3 Fish Daily Creel Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(16)

Lake Vermilion, Vermilion County Conservation District

Vermilion County

All Fish

- 2 Pole and Line Fishing Only (1) (26)
(except that sport fisherman may take carp, carpsuckers, buffalo, gar, bowfin, and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices north of Boiling Springs Road, but not within 300 feet around the wetland boardwalk

Large or Smallmouth Bass

- 15" Minimum Length Limit

White, Black, or Hybrid Crappie

- 9" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

- 25 Fish Daily Creel Limit

Lake Victoria, City of South Beloit

Winnebago County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Lake Williamsville, City of Williamsville

Sangamon County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

LaSalle Lake, LaSalle Power Station

LaSalle County

All Fish

- 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Large or Smallmouth Bass

- 18" Minimum Length Limit

Striped, White, or Hybrid Striped Bass
(16)

- 10 Creel/3 Fish 17" or Longer Daily (17)

Levings Lake, Rockford Park District

Winnebago County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site

Coles County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District

Cook County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - ~~46~~ Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District

Cook County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - ~~46~~ Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park

Clark County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14-18" Slot Length Limit (14" to 18" protected)
 Large or Smallmouth Bass (14) - 4 Creel/1 Fish >18" Daily (daily Catch Limit for large or smallmouth bass, singly or in the aggregate, shall not exceed 4 fish per day, no more than one of which shall be greater than 18" in length)

Litchfield City Lake, City of Litchfield

Montgomery County

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit – 1 Fish 15" or Over and 2 Fish Under 15" Total Length (25)
 White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

~~Little Black Slough, Little Black Slough State Natural Area~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

~~Johnson County~~~~All Fish~~~~-2 Pole and Line Fishing Only (1)~~~~All Fish~~~~-No Seines~~

Loami Reservoir, City of Loami

Sangamon County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Lou Yeager Lake, City of Litchfield

Montgomery County

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

~~Lower Cache River, Lower Cache River State Natural Area~~~~Pulaski/Johnson Counties~~~~All Fish~~~~-2 Pole and Line Fishing Only (1)(5)~~~~All Fish~~~~-No Seines~~

Lyerla Lake, Union County Conservation Area

Union County

All Fish

- 2 Pole and Line Fishing Only (1)(5)

Channel Catfish

- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area

Tazewell County

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Macon County Conservation District Ponds (see also Rock Springs Pond and Rock Springs Bike Trail Pond), Macon County Conservation District

Macon County

All Fish

- 2 Pole and Line Fishing Only (1)

Maple Lake, Cook County Preserve District

Cook County

All Fish

- 2 Pole and Line Fishing Only (1) (36)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Marissa City Lake, City of Marissa
St. Clair County

Channel Catfish - 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - ~~46~~ Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (33)
Marshall County

All Fish - 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area – Sparland Unit (19)
Marshall County

Mascoutah Reservoir, City of Mascoutah
St. Clair County

All Fish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Matthiessen Lake, Matthiessen State Park
LaSalle County

All Fish - 2 Pole and Line Fishing Only (1)(5)

Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Channel Catfish - 6 Fish Daily Creel limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Mattoon Lake, City of Mattoon
Coles County

All Fish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County

All Fish - 2 Pole and Line Fishing Only (1) (34)

Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Channel Catfish - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Mauvaise Terre/Morgan Lake, City of Jacksonville Morgan County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Mazonia Lakes & Ponds (excluding Ponderosa Lake), Mazonia State Fish and Wildlife Area (33) Grundy/Kankakee/Will Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
McCullom Lake, City of McHenry McHenry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
McKinley Park Lagoon, Chicago Park District Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 46 Fish Daily Creel Limit
McLeansboro City Lakes, City of McLeansboro Hamilton County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Meredosia Lake – Cass County Portion Only (meandered waters only) (33) Cass County	
Meredosia Lake, Cass County Portion Cass County	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Recreational Use Restrictions - Meandered waters only; All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes

Mermet State Lake, Mermet Lake Conservation Area (33)

Massac County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
 Bluegill or Redear Sunfish - 8" Minimum Length Limit
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Pond, Champaign County Forest Preserve

Champaign County

- All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fishing Wildlife Area

Vermilion County

- All Fish - 2 Pole and Line Fishing Only (1)

Mill Creek Lake, Clark County Park District

Clark County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Pure Muskellunge - 42" Minimum Length Limit
- Mill Pond, Pearl City Park District
Stephenson County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Large or Smallmouth Bass - 14" Minimum Length Limit
 - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mill Race Ponds, Belvidere Park District
Boone County
- Trout - Spring Closed Season (11)
- Miller Park Lake, City of Bloomington
McLean County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Trout - Spring Closed Season (11)
- Mineral Springs Park Lagoon, City of Pekin
Tazewell County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Trout - Fall Closed Season (10)
- Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
Multiple Counties
- Mississippi River (between IL & IA), State of Illinois
Multiple Counties
- Recreational Use Restrictions - Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
 - Tailwaters of Lock and Dam 12 (down to Mill Creek, an Iowa tributary located at River Mile 556.0) and tailwaters of Lock and Dam 13 (down to the downstream end of Stamp Island, River Mile 521.5) closed to all fishing from December 1 through

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NOTICE OF ADOPTED AMENDMENTS

All Fish	- Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures while trolling
Bluegill or Pumpkinseed Sunfish	- 25 Fish Daily Creel Limit singly or in aggregate
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 5 Fish Daily Creel Limit
Northern Pike	- 5 Fish Daily Creel Limit
Paddlefish	- Snagging for paddlefish is permitted from January 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa <u>except the tailwaters of Lock and Dam 12 and 13 are closed to all fishing from December 1 through March 15;</u> daily catch limit is 2 fish
Rock Bass	- 25 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 25 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Iowa
Walleye and Sauger (14)	- 640 Fish Daily Creel Limit <u>with no more than 1 walleye greater than 27" in total length(24)</u>
Walleye	- 15" Minimum Length Limit <u>with a 20-27" Protected Slot Length Limit (24)</u>
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit singly or in aggregate
Yellow Perch	- 25 Fish Daily Creel Limit
Mississippi River (between IL & MO), State of Illinois Multiple Counties Recreational Use Restrictions	- Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- | | |
|--|---|
| <p>All Nongame Species Combined
(Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/ Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/ Hybrid Striped Bass, Trout, Largemouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain/Grass Pickerel, Walleye, Sauger, Paddlefish)</p> | <ul style="list-style-type: none"> - Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed - 100 Total Fish Daily Creel Limit |
| <p>Channel or Blue Catfish (14)
Flathead Catfish
Largemouth, Smallmouth, Spotted Bass
Northern Pike
Paddlefish</p> | <ul style="list-style-type: none"> - 20 Fish Daily Creel Limit - 10 Fish Daily Creel Limit - 12" Minimum Length Limit or - 1 Fish Daily Creel Limit - Snagging for paddlefish is permitted from September 15 through December 15 and March 15 through May 15 within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Missouri; daily catch limit is 2 fish |
| <p>Striped, White, Yellow or Hybrid Striped Bass</p> | <ul style="list-style-type: none"> - 30 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri |
| <p>Walleye and Sauger (14)
White, Black or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> - 8 Fish Daily Creel Limit - 30 Fish Daily Creel Limit |
| <p>Monee Reservoir, Will County Forest Preserve District
Will County</p> | |
| <p>All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass</p> | <ul style="list-style-type: none"> - 2 Pole and Line Fishing Only (1) - 6 Fish Daily Creel Limit - 1 Fish Daily Creel Limit - 15" Minimum Length Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Montrose Lake, City of Montrose
Cumberland County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |

Mt. Olive City Lakes (Old and New), City of Mt. Olive
Macoupin County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| <u>Large or Smallmouth Bass</u> | <u>- 15" Minimum Length Limit</u> |
| <u>Large or Smallmouth Bass (14)</u> | <u>- 3 Fish Daily Creel Limit</u> |

~~Mt. Olive (Old) Lake, City of Mt. Olive
Macoupin County~~

- | | |
|--|---------------------------------------|
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

Mt. Sterling Lake, City of Mt. Sterling
Brown County

- | | |
|--------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |

Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 15" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County

- | | |
|----------|------------------------------------|
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Trout | - Fall Closed Season (10) |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout - Spring Closed Season (11)

Mundelein Park District Ponds , City of Mundelein
Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Nashville City Lake, City of Nashville
Washington County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit

Newton Lake, Newton Lake State Fish and Wildlife Area (41)
Jasper County

- Recreational Use Restrictions - The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit

Norris City Reservoir, City of Norris City
White County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit

North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin County

- Recreational Use Restrictions - Fishing permitted only by persons under 16 years of age

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All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Oakford Conservation Area (Menard County) (19)	
Menard County	
Oakland City Lake, City Lake, City of Oakland	
Coles County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Oblong Lake, City of Oblong	
Crawford County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Ohio River (between Illinois & Kentucky), State of Illinois	
Multiple Counties (19)	
Large or Smallmouth Bass	- 12" Minimum Length Limit
Northern Pike	- No Length or Creel Limit
Muskie or Tiger Muskie	- 2 Fish Daily Creel Limit
Muskie or Tiger Muskie	- 30" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye(14)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 30 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 30 Creel/4 Fish 15" or Longer Daily (32)
Ohio River – Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)	
Multiple Counties	
Large and Smallmouth Bass	- 12" Minimum Length Limit
Old Kinmundy Reservoir, City of Kinmundy	
Marion County	
All Fish	- 2 Pole and Line Fishing Only (1)(5)

DEPARTMENT OF NATURAL RESOURCES

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Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Olson Lake, Rock Cut State Park	
Winnebago County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Omaha City Reservoir, City of Omaha	
Gallatin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Otter Lake, Otter Lake Water Commission	
Macoupin County	
Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Pure Muskellunge	- 48" Minimum Length Limit (40)
Palmyra – Modesto Water Commission Lake, Palmyra/Modesto Water Commission	
Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pana Lake, City of Pana	
Shelby and Christian Counties	
Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit

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Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Paris East & West Lakes , City of Paris

Edgar County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area (see also Willow Lake for additional regulations)

St Clair County

All Fish	- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Pecatonica River and Tributaries, State of Illinois

Winnebago/Stephenson Counties

Smallmouth Bass	- 14" Minimum Length Limit
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Pekin Lake

Tazewell County

Perry Farm Pond, Bourbonnais Park District

Kankakee County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Piasa (19)

Madison/Jersey Counties

Pierce Lake, Rock Cut State Park

Winnebago County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (7)

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Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Pike County Conservation Area (19)	
Pike County	
Pickneyville Lake, City of Pickneyville	
Perry County	
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Pine Creek	
Ogle County	
Trout	- Spring Closed Season (11)
Pine Creek (within the boundaries of White Pines Forest State Park)	
Ogle County	
All Fish	- 2 Pole and Line Fishing Only (1)
Trout	- Spring Closed Season (11)
Pine Lake, Village of University Park	
Will County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Piscasaw Creek	
McHenry County	
Trout	- 9" Minimum Length Limit
Trout	- Spring Closed Season (11)
Pittsfield City Lake, City of Pittsfield	
Pike County	
All Fish	- 2 Pole and Line Fishing Only (1) (7)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length

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- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
 White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Pocahontas Park Ponds, City of Pocahontas
 Bond County

- All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Ponderosa Lake, Mazonia State Fish and Wildlife Area (33)

Grundy County

- All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)

Tazewell County

- Recreational Use Restrictions - Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during regular Canada goose and duck season
- All Fish - 2 Pole and Line Fishing Only (1)
 Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 18" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
 Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
 Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit

Prospect Pond, City of Moline

Rock Island County

- Trout - Fall Closed Season (10)

Pyramid State Park – Captain, Denmark and Galum Areas – All Lakes and Ponds, Pyramid State Park

Perry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 29 15 through March 1)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Pyramid State Park Lakes & Ponds (excluding Captain, Denmark and Galum Areas), Pyramid State Park	
Perry County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Ramsey Lake, Ramsey Lake State Park	
Fayette County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Ramsey Lake State Park Ponds, Ramsey Lake State Park	
Fayette County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Randolph County Lake, Randolph County Conservation Area	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

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- Trout - Fall Closed Season (10)
- Red Hills Lake, Red Hills State Park
Lawrence County
- All Fish - 2 Pole and Line Fishing Only (1)
 - Bluegill or Redear Sunfish - 8" Minimum Length Limit
 - Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Large or Smallmouth Bass - 15" Minimum Length Limit
- Red's Landing Wildlife Management Area (19)
Calhoun County
(Walk-in area closed to trespassing 7 days prior to duck season)
- Redwing Slough / Deer Lake (33)
Lake County
- Rend Lake, U.S. Army Corps of Engineers (22) (33)
Franklin and Jefferson Counties
- Channel Catfish - All jugs must be attended at all times while fishing (2)
 - Large or Smallmouth Bass - 14" Minimum Length Limit
 - Striped, White, Yellow, or Hybrid Striped Bass (8) - 20 Creel/3 Fish 17" or Longer Daily
 - White, Black or Hybrid Crappie (15) - 25 Creel/5 Fish 10" or Longer Daily
- Rend Lake Project Ponds – Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin and Jefferson Counties
- Recreational Use Restrictions - See kids only fishing regulations for North Marcum Campground Pond
 - All Fish - 2 Pole and Line Fishing Only (1)
 - Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 - Channel Catfish - 6 Fish Daily Creel Limit
 - Large or Smallmouth Bass - 14" Minimum Length Limit
 - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Rice Lake Fish and Wildlife Area (33)
Fulton County

DEPARTMENT OF NATURAL RESOURCES

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Ridge Lake, Fox Ridge State Park
Coles County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (19)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Riis Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Riprap Landing (19)
Calhoun County

River Bend Forest Preserve Lakes (Sunset Lake and Shadow Lake), Champaign County Forest Preserve District
Champaign County

<u>All Fish</u>	<u>- 2 Pole and Line Fishing Only (1)</u>
<u>Bluegill or Redear Sunfish</u>	<u>- 8" Minimum Length Limit</u>
<u>Bluegill or Redear Sunfish (14)</u>	<u>- 10 Fish Daily Creel Limit</u>
<u>Channel Catfish</u>	<u>- 6 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	<u>- 15" Minimum Length Limit</u>
<u>Large or Smallmouth Bass (14)</u>	<u>- 1 Fish Daily Creel Limit</u>

Riverside Park Lagoon, Moline Park District
Rock Island County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Rock Creek, State of Illinois
Kankakee County

Trout	- Spring Closed Season (11)
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Rock River, Wisconsin State Line downstream to confluence of the Mississippi River, including tributaries, State of Illinois

Multiple Counties

Smallmouth Bass	- 14" Minimum Length Limit
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Rock Springs Bike Trail Pond, Macon County Conservation District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Macon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District

Macon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Roodhouse Park Lake, City of Roodhouse

Green County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois

Randolph County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Sag Quarry East, Cook County Forest Preserve District

Cook County

- Rainbow Trout - Spring Closed Season (11)

Sahara Woods Fish and Wildlife Area, State of Illinois

Saline County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Fayette County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Salem Reservoir, City of Salem

Marion County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

Wayne County

- All Fish - 2 Pole and Line Fishing Only (1)(5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area

Wayne County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park

Jasper County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

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Sanganois Conservation Area (33) (42)
Mason/Cass/Schuyler/Menard Counties

Sangchris Lake, Sangchris Lake State Park
Christian/Sangamon Counties

Recreational Use Restrictions

- Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season

All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid Crappie (15)
White, Black, or Hybrid Crappie

- 2 Pole and Line Fishing Only (1) (34)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park
Sangamon County

All Fish

- 2 Pole and Line Fishing Only (1)

Schiller Pond, Cook County Forest Preserve District
Cook County

All Fish
Channel Catfish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1) (36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Schuy-Rush Lake, City of Rushville
Schuyler County

All Fish
Channel Catfish
White, Black or Hybrid Crappie

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

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Senior Citizen's Pond, Kankakee River State Park

Kankakee County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Sesser City Lake, City of SesserFranklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park

DeKalb County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (7)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Shawnee National Forest Lakes and Ponds less than 10 acres, U.S. Forest Service

Multiple Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service

Pope County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth and Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Dutchman Lake, U.S. Forest Service

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Johnson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Lake Glendale, U.S. Forest Service

Pope County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Little Cache #1, U.S. Forest Service

Johnson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth or Smallmouth Bass - 15" Minimum Length Limit

Shawnee National Forest – Little Cedar Lake, U.S. Forest Service

Jackson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – One Horse Gap Lake, U.S. Forest Service

Pope County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Pounds Hollow Lake, U.S. Forest Service

Gallatin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Tecumseh Lake, U.S. Forest Service

Hardin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Shawnee National Forest – Turkey Bayou, U.S. Forest Service

Jackson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Whoopie Cat Lake, U.S. Forest Service

Hardin Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District

Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - ~~4~~ 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park

Adams County

- All Fish - 2 Pole and Line Fishing Only (1) (7)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park

Brown County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Large and Smallmouth Bass - 18" Minimum Length Limit
- Large and Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Silver Lake, Dupage County Forest Preserve District

Dupage County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Larger or Smallmouth Bass - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)
<u>White, Black or Hybrid Crappie</u>	<u>- 9" Minimum Length Limit</u>
<u>White, Black or Hybrid Crappie (15)</u>	<u>- 15 Fish Daily Creel Limit</u>
Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area	
Kendall County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- <u>15"14"</u> Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Skokie Lagoons, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit
Small Pit Pond, Boone County Conservation District	
Boone County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Snakeden Hollow State Fish and Wildlife Area – McMaster Lake & Other Site Waters, State of Illinois	
Knox County	
Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)
	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 42" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 5 Fish Daily Creel Limit
Sparta City Lakes, City of Sparta	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Sparta "T" Lake, City of Sparta	
Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Spencer Lake, Boone County Conservation District	
Boone County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Spring Lake, City of Macomb	
McDonough County	
Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Spring Lakes (North & South), Spring Lake Conservation Area (33)

Tazewell County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (7)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Spring Pond, Flagg-Rochelle Park District

Ogle County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Starved Rock State Park (19)

LaSalle County

Staunton City Lake, City of Staunton

Macoupin County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Steven A. Forbes State Park (19) (see also Forbes State Lake and Forbes State Park Ponds)

Marion County

Sterling Lake, Lake County Forest Preserve District

Lake County

- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit

Storm Lake, DeKalb Park District
DeKalb County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (33)
Jersey County

~~Sunset Lake, Champaign County Forest Preserve District
Champaign County~~

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Tampier Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (36)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Taylorville Park District Pond, Taylorville Park District
Christian County

All Fish	- 2 Pole and Line Fishing Only (1)
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Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area
Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Tilton City Lake, City of Tilton Vermilion County	
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Toledo Reservoir, City of Toledo Cumberland County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Turkey Bluff Ponds, State of Illinois Randolph County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 15" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Turner Lake, Chain O'Lakes State Park Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Tuscola City Lake, City of Tuscola Douglas County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Union County Conservation Area Union County	
(All fishing and boat traffic prohibited October 15-March 1)	
Valley Lake, Wildwood Park District Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Valmeyer Lake, City of Valmeyer	
Monroe County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Vanhorn Woods Pond, Plainfield Park District	
Will County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Vernor Lake, City of Olney	
Richland County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Villa Grove East Lake, City of Villa Grove	
Douglas County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Villa Grove West Lake, City of Villa Grove	
Douglas County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Virginia City Reservoir, City of Virginia	
Cass County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Large or Smallmouth Bass - 15" Minimum Length Limit
- Waddams Creek
Stephenson County
Trout - Spring Closed Season (11)
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area
Douglas County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Walton Park Lake, City of Litchfield
Montgomery County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Wampum Lake, Cook County Forest Preserve District
Cook County
All Fish - 2 Pole and Line Fishing Only (1) (36)
Bluegill or Redear Sunfish - Catch and Release Only (9)
Large or Smallmouth Bass - 14" Minimum Length Limit
- Washington County Lake, Washington County Conservation Area
Washington County
All Fish - 2 Pole and Line Fishing Only (1) (5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
- Washington Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish	- 46 Fish Daily Creel Limit
Washington Park Pond, Springfield Park District Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Waverly Lake, City of Waverly Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Weinberg-King Pond, Weinberg-King State Park Schuyler County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Weldon Springs Lake, Weldon Springs State Park DeWitt County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
West Frankfort New City Lake, City of West Frankfort Franklin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
West Frankfort Old City Lake, City of West Frankfort Franklin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
West Salem Reservoir, City of West Salem	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Edwards County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White Hall City Lake, City of White Hall	
Greene County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
White Oaks Lake, City of Bloomington	
McLean County	
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Wilderness Pond, Fox Ridge State Park	
Coles County	
Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (19)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Wildlife Prairie State Park, State of Illinois	
Peoria County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-18" Protected Slot Length Limit (no possession allowed within the protected slot length limit)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Pure or Hybrid Muskellunge	- 42" Minimum Length Limit
William W. Powers Conservation Area (33)	
Cook County	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Willow Lake, Peabody River King State Conservation Area

St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Trout	- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area (33)

Woodford County

All Fish	- 2 Pole and Line Fishing Only (1)
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Woodlawn Pond, Frankfort Square Park District

Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan

Moultrie County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Yellow Creek

Stephenson County

Trout	- Spring Closed Season (11)
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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

Section 810.70 Free Fishing Days

During the period of June 11, 12, 13, 14, 2004~~6, 7, 8, 9, 2003~~, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

(Source: Amended at 28 Ill. Reg. 4607, effective March 1, 2004)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Commercial Fishing in Lake Michigan
- 2) Code Citation: 17 Ill. Adm. Code 850
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
850.25	Amendment
850.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5]
- 5) Effective Date of Amendments: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: December 5, 2003; 27 Ill. Reg. 18395
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Amendments are being made to change the closed season on yellow perch from June until July.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 850
COMMERCIAL FISHING IN LAKE MICHIGAN

Section	
850.5	Introduction
850.10	Possession and Identification of Gear
850.20	Quota
850.25	Seasons
850.30	Restricted Commercial Fishing Areas
850.40	Limited Entry
850.50	License Eligibility and License Provisions
850.60	Application for License
850.80	Suspension or Revocation

AUTHORITY: Implementing and authorized by Sections 1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5].

SOURCE: Adopted at 3 Ill. Reg. 44, p. 46, effective November 1, 1979; codified at 6 Ill. Reg. 877; amended at 6 Ill. Reg. 3846, effective March 31, 1982; amended at 7 Ill. Reg. 2711, effective March 2, 1983; amended at 8 Ill. Reg. 7220, effective May 15, 1984; emergency amendment at 9 Ill. Reg. 4854, effective April 2, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6179, effective April 23, 1985; amended at 10 Ill. Reg. 9789, effective May 21, 1986; amended at 12 Ill. Reg. 7996, effective April 25, 1988; amended at 16 Ill. Reg. 11029, effective June 30, 1992; emergency amendment at 16 Ill. Reg. 12626, effective July 24, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18967, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 17263, effective September 23, 1993, for a maximum of 150 days; emergency expired February 20, 1994; amended at 18 Ill. Reg. 5834, effective April 5, 1994; emergency amendment at 19 Ill. Reg. 5257, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10568, effective July 1, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 5553, effective April 19, 1997; amended at 24 Ill. Reg. 8895, effective June 19, 2000; amended at 28 Ill. Reg. 4697, effective March 1, 2004.

Section 850.25 Seasons

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

The commercial harvest of yellow perch is prohibited from ~~July~~ ~~June~~ 1 through ~~July 31~~ ~~June 30~~, inclusive, annually. All yellow perch incidentally caught in gill nets during this time must be removed immediately from the gill nets as they are brought on board the vessel and returned to the water at once in the same condition as taken.

(Source: Amended at 28 Ill. Reg. 4697, effective March 1, 2004)

Section 850.30 Restricted Commercial Fishing Areas

- a) During the ~~month~~ ~~months~~ of ~~July and~~ August, commercial gill net fishing may be undertaken anywhere in the Illinois portion of Lake Michigan outside of the 1,000 yard distance from any pier, breakwater, or similar structure, or the low water mark on the shore. From the months of September through ~~June~~ ~~May~~, inclusive, commercial fishermen must fish in water depths of at least 5 fathoms (30 feet) or deeper to minimize incidental catch of salmon and trout.
- b) The following described area in Lake Michigan is established as fish refuge and it shall be unlawful for any person to place any commercial fishing device in it: all waters on or adjacent to any area commonly referred to as Julian's Reef, located in a general area bounded by 42 16'00" north latitude on the north, 87 29'00" west longitude on the east, 42 11'00" north latitude on the south and 87 35'00" west longitude on the west, on U.S. lake survey navigational chart #75, edition of April 1972 (National Oceanic and Atmospheric Administration).
- c) During the months of August and September, all gill nets set in the Illinois portion of Lake Michigan in waters up to 20 fathoms (120 feet) in depth shall not be set prior to sunrise and must be removed from the water prior to sunset on the same day.
- d) During the month of ~~July~~ ~~June~~, all gill nets must be placed in waters greater than 20 fathoms (120 feet) in depth to minimize the incidental catch of yellow perch.

(Source: Amended at 28 Ill. Reg. 4697, effective March 1, 2004)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Section Number: 120.336 Adopted Action:
Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective date of amendment: March 3, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: November 14, 2003 (27 Ill. Reg. 17193)
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: No changes have been made to this proposed rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace any emergency amendment currently in effect? No
- 14) Are there any other amendments pending on this Part? Yes

<u>Sections</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
120.310	Amendment	December 19, 2003 (28 Ill. Reg. 18961)
120.530	New Section	February 27, 2004 (28 Ill. Reg. 3685)
- 15) Summary and purpose of amendment: Under this rulemaking, SSA and VA educational benefits are totally exempt from consideration as permitted under Section 1902(r)(2) of the Social Security Act. These amendments align cash and medical policy with food

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

stamp policy. The changes will benefit medical assistance clients, simplify eligibility determinations, and result in only a minimal cost to the Department.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Joanne Scattoloni
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
217/524-0081

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120
MEDICAL ASSISTANCE PROGRAMS

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120.80	Recipient Restriction Program
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120.215	Relationship (Repealed)
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120.218	Institutional Status (Repealed)
120.224	Foster Care Program (Repealed)
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120.235	Exempt Unearned Income (Repealed)
120.236	Education Benefits (Repealed)
120.240	Unearned Income In-Kind (Repealed)

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120.250	Lump Sum Payments and Income Tax Refunds (Repealed)
120.255	Protected Income (Repealed)
120.260	Earned Income (Repealed)
120.261	Budgeting Earned Income (Repealed)
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120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
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120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
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120.308	Client Cooperation
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- 120.322 Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
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- 120.346 Medicaid Qualifying Trusts
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- 120.350 Lump Sum Payments and Income Tax Refunds
- 120.355 Protected Income
- 120.360 Earned Income
- 120.361 Budgeting Earned Income
- 120.362 Exempt Earned Income
- 120.363 Earned Income Disregard – MANG(C)
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- 120.376 Payments from the Illinois Department of Children and Family Services
- 120.379 Provisions for the Prevention of Spousal Impoverishment
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- 120.384 Spend-down of Assets (AABD MANG)
- 120.385 Property Transfers for Applications Filed Prior to October 1, 1989 (Repealed)
- 120.386 Property Transfers Occurring On or Before August 10, 1993

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- 120.387 Property Transfers Occurring On or After August 11, 1993
120.390 Persons Who May Be Included In the Assistance Unit
120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
120.395 Payment Levels for MANG (Repealed)
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- 120.500 Health Benefits for Persons with Breast or Cervical Cancer
120.510 Health Benefits for Workers with Disabilities
120.520 SeniorCare

- 120.TABLE A Value of a Life Estate and Remainder Interest
120.TABLE B Life Expectancy

AUTHORITY: Implementing Articles III, IV, V and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13].

SOURCE: Filed effective December 30, 1977; preemptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; preemptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; preemptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; preemptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective

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March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; preemptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; preemptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985;

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amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective

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September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Ill. Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 7003, effective April 1, 1998; amended at 22 Ill. Reg. 8503, effective May 1, 1998; amended at 22 Ill. Reg. 16291, effective August 28, 1998; emergency amendment at 22 Ill. Reg. 16640, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19875, effective October 30, 1998; amended at 23 Ill. Reg. 2381, effective January 22, 1999; amended at 23 Ill. Reg. 11301, effective August 27, 1999; amended at 24 Ill. Reg. 7361, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 10425, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15075, effective October 1, 2000; amended at 24 Ill. Reg. 18309, effective December 1, 2000; amended at 25 Ill. Reg. 8783, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 10533, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16098, effective December 1, 2001; amended at 26 Ill. Reg. 409, effective December 28, 2001; emergency amendment at 26 Ill. Reg. 8583, effective June 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9843, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11029, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 15051, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16288, effective October 25, 2002; amended at 27 Ill. Reg. 4708, effective February 25, 2003; emergency amendment at 27 Ill. Reg. 10793, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18609, effective November 26, 2003; amended at 28 Ill. Reg. 4701, effective March 3, 2004.

SUBPART H: MEDICAL ASSISTANCE – NO GRANT

Section 120.336 Education Benefits

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NOTICE OF ADOPTED AMENDMENT

The following education benefits ~~a) Those portions of the following education benefits that are actually used for items such as tuition, books, fees, equipment, transportation and child care expenses necessary for school attendance~~ shall be exempt:-

- ~~a)1)~~ Veterans Educational Assistance
Income from educational benefits paid to a veteran or to a dependent of a veteran ~~shall be exempt to the extent that it is applied toward educational expenses.~~
- ~~b)2)~~ Social Security Administration Benefits
Income received as an SSA benefit paid to or for an individual and conditioned upon the individual's regular attendance in a school, college or university, or a course of vocational or technical learning, ~~shall be exempt to the extent that it is applied toward educational expenses.~~
- ~~c)3)~~ All other education grants and loans ~~are totally exempt.~~

(Source: Amended at 28 Ill. Reg. 4701, effective March 3, 2004)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Child Support Enforcement
- 2) Code Citation: 89 Ill. Adm. Code 160
- 3)

	<u>Section Numbers:</u>	<u>Adopted Action:</u>
	160.5	Amendment
	160.60	Amendment
	160.61	Amendment
	160.71	Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes. See Section 160.60(a)(5)(B).
- 8) A copy of the adopted amendments, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 10, 2003; 27 Ill. Reg. 15688
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences Between Proposal and Final Version:

The definition of "Child" has been revised to read: "Child" refers to any child under the age of 18 years and any child under the age of 19 years who is still attending high school (see Section 505 of the Illinois Marriage and Dissolution of Marriage Act[750 ILCS 5/505])."

No other substantive changes have been made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No

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- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: These amendments provide several changes concerning the Department's child support enforcement rules.

A definition of "child" is added by referencing the definition found at Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505]. The term "child" means any child under the age of 18 years and any child under the age of 19 years who is still attending high school. The definition of "child" is significant because an order of child support includes a date on which the support obligation terminates. The termination date shall be no earlier than the date on which the child will attain the age of 18 years, or if the child is still attending high school, the termination date shall be no earlier than the child's 19th birthday or high school graduation, whichever date is first.

New provisions provide a basis for the determination of a support amount when a default support order is necessary. The Department's new standard for determining the costs of raising a child will be calculated by averaging the estimated annual expenditures as reported in a specified publication of the USDA Expenditures on Children and Families Annual Report.

Changes provide that a written statement identifying the place, date and method of delivery, signed by a Department representative, shall be sufficient proof that notice of an administrative support order was served to a client or responsible relative. Also, new text at Section 160.60(f), which mirrors existing text at Section 160.61(e), describes requirements concerning petitions for release from an administrative support order.

Other changes allow a one time credit under circumstances in which the responsible relative has made payment directly to the Title IV-D client, and the court or administrative order for support requires child support payments to be made to the Department, the State Disbursement Unit or the Clerk of the Circuit Court.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Joanne Scattoloni
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

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The full text of the adopted amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONS

PART 160
CHILD SUPPORT ENFORCEMENT

SUBPART A: GENERAL PROVISIONS

Section

- 160.1 Incorporation by Reference
- 160.5 Definitions
- 160.10 Child Support Enforcement Program
- 160.12 Administrative Accountability Process
- 160.15 Application Fee for IV-D Non-TANF Cases
- 160.20 Assignment of Rights to Support
- 160.25 Recoupment

SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

Section

- 160.30 Cooperation With Support Enforcement Program
- 160.35 Good Cause for Failure to Cooperate with Support Enforcement
- 160.40 Proof of Good Cause For Failure to Cooperate With Support Enforcement
- 160.45 Suspension of Child Support Enforcement Upon a Claim of Good Cause

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS

Section

- 160.60 Establishment of Support Obligations
- 160.61 Uncontested and Contested Administrative Paternity and Support Establishment
- 160.62 Cooperation with Paternity Establishment and Continued Eligibility
Demonstration Program (Repealed)
- 160.65 Modification of Support Obligations

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section

- 160.70 Enforcement of Support Orders

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- 160.71 Credit for Payments Made Directly to the Title IV-D Client
160.75 Withholding of Income to Secure Payment of Support
160.77 Certifying Past-Due Support Information or Failure to Comply with a Subpoena
or Warrant to State Licensing Agencies
160.80 Amnesty – 20% Charge (Repealed)
160.85 Diligent Efforts to Serve Process
160.88 State Case Registry

SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS

- Section
160.90 Earmarking Child Support Payments

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

- Section
160.95 State Disbursement Unit
160.100 Distribution of Child Support for TANF Recipients
160.110 Distribution of Child Support for Former AFDC or TANF Recipients Who
Continue to Receive Child Support Enforcement Services
160.120 Distribution of Child Support Collected While the Client Was an AFDC or TANF
Recipient, But Not Yet Distributed at the Time the AFDC or TANF Case Is
Cancelled
160.130 Distribution of Intercepted Federal Income Tax Refunds
160.132 Distribution of Child Support for Non-TANF Clients
160.134 Distribution of Child Support For Interstate Cases
160.136 Distribution of Support Collected in IV-E Foster Care Maintenance Cases
160.138 Distribution of Child Support for Medical Assistance No Grant Cases

SUBPART G: STATEMENT OF CHILD SUPPORT ACCOUNT ACTIVITY

- Section
160.140 Statement of Child Support Account Activity

SUBPART H: DEPARTMENT REVIEW OF DISTRIBUTION OF CHILD SUPPORT

- Section
160.150 Department Review of Distribution of Child Support for TANF Recipients
160.160 Department Review of Distribution of Child Support for Former AFDC or TANF
Recipients

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AUTHORITY: Implementing and authorized by Sections 4-1.7, Art. X, 12-4.3, and 12-13 of the Illinois Public Aid Code [305 ILCS 5/4-1.7, Art. X, 12-4.3 and 12-13].

SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986; emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 9065, effective May 16, 1988; amended at 12 Ill. Reg. 18185, effective November 4, 1988; emergency amendment at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March 21, 1989; amended at 13 Ill. Reg. 7761, effective May 22, 1989; amended at 13 Ill. Reg. 14385, effective September 1, 1989; amended at 13 Ill. Reg. 16768, effective October 12, 1989; amended at 14 Ill. Reg. 18759, effective November 9, 1990; amended at 15 Ill. Reg. 1034, effective January 21, 1991; amended at 16 Ill. Reg. 1852, effective January 20, 1992; amended at 16 Ill. Reg. 9997, effective June 15, 1992; amended at 17 Ill. Reg. 2272, effective February 11, 1993; amended at 17 Ill. Reg. 18844, effective October 18, 1993; amended at 18 Ill. Reg. 697, effective January 10, 1994; amended at 18 Ill. Reg. 12052, effective July 25, 1994; amended at 18 Ill. Reg. 15083, effective September 23, 1994; amended at 18 Ill. Reg. 17886, effective November 30, 1994; amended at 19 Ill. Reg. 1314, effective January 30, 1995; amended at 19 Ill. Reg. 8298, effective June 15, 1995; amended at 19 Ill. Reg. 12675, effective August 31, 1995; emergency amendment at 19 Ill. Reg. 15492, effective October 30, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 1195, effective January 5, 1996; amended at 20 Ill. Reg. 5659, effective March 28, 1996; emergency amendment at 20 Ill. Reg. 14002, effective October 15, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 1189, effective January 10, 1997; amended at 21 Ill. Reg. 3922, effective March 13, 1997; emergency amendment at 21 Ill. Reg. 8594, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9220, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12197, effective August 22, 1997; amended at 21 Ill. Reg. 16050, effective November 26, 1997; amended at 22 Ill. Reg. 14895, effective August 1, 1998; emergency amendment at 22 Ill. Reg. 17046, effective September 10, 1998, for a maximum of 150 days; amended at 23 Ill. Reg. 2313, effective January 22, 1999; emergency amendment at 23 Ill. Reg. 11715, effective September 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 14560, effective December 1, 1999; amended at 24 Ill. Reg. 2380, effective January 27, 2000; amended at 24 Ill. Reg. 3808, effective February 25, 2000; emergency amendment at 26 Ill. Reg. 11092, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17822, effective November 27, 2002; amended at 27 Ill. Reg. 4732, effective February 25, 2003; amended at 27 Ill. Reg. 7842, effective May 1, 2003; emergency amendment at 27 Ill. Reg. 12139, effective July 11, 2003, for a maximum of 150 days; amended

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at 27 Ill. Reg. 18891, effective November 26, 2003; amended at 28 Ill. Reg. 4712, effective March 1, 2004.

SUBPART A: GENERAL PROVISIONS

Section 160.5 Definitions

"Assignment of Medical Support" refers to the transfer of support rights to the Department by the acceptance of Medicaid benefits under 42 USC 1396k and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1].

"Assignment of support" refers to the transfer of support rights to the Department by the acceptance of TANF benefits, pursuant to 42 USC 608(a)(3) and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1] or the Department of Children and Family Services ("DCFS"), in the case of IV-E foster care, pursuant to 42 USC 671(a)(17) and Section 9.1 of the Children and Family Services Act [20 ILCS 505/9.1].

"Assistance Standard" shall have the meaning ascribed to it in 89 Ill. Adm. Code 111.

"Cancellation" refers to the discontinuance of TANF financial and medical benefits for an assistance unit because of the failure to satisfy the conditions of eligibility under the Title IV-A State Plan.

"Child" refers to any child under the age of 18 years and any child under the age of 19 years who is still attending high school (see Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505]).

"Child support enforcement services" refers to those services provided to establish, enforce and collect support, in accordance with an approved State Plan under Title IV-D of the Social Security Act (42 USC 654).

"Date of Collection" for distribution purposes in all cases refers to the date on which (a) a payor of income withholds an amount from a responsible relative's wages or other income to meet a support obligation when there is a served income withholding notice, (b) the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation when there is withholding of UIB, (c) a collection as a result of intercept of a federal income tax refund is received by the Department, or

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(d) in all other instances, a support payment is received by the State Disbursement Unit.

"IV-D account receivable" or "support account" refers to a part of the accounting system in KIDS used to record charges, payments, and account adjustments for a particular account. More than one account may exist for a given caretaker relative and for a given responsible relative. For example, a mother with two children by one father from one marriage, and three children by a second father from another marriage, will have two support accounts if there are two separate support obligations. If children are born in a non-marital relationship, there will be one account per child.

"IV-D program" or "IV-D" refers to the child support program set forth in 42 USC 651 et seq. and this Part.

"IV-E foster care" or "IV-E" refers to the foster care program set forth in 42 USC 670 et seq.

"Initial receipt in the State" for disbursement purposes in all cases refers to the date on which the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation, when there is a withholding of UIB, a collection as a result of intercept of a federal income tax refund is received by the Department, or in all other instances, a support payment is received by the State Disbursement Unit.

"Key Information Delivery System" or "KIDS" refers to the data processing system used to process all IV-D cases in Illinois.

"MANG" refers to Medical Assistance No Grant under the Medicaid Program, Title XIX of the Social Security Act (42 USC 1396k), that is medical assistance to families and individuals wherein no cash payment is made.

"Responsible relative" refers to a person who is responsible, or alleged to be responsible, under law for support of a dependent.

"Support case" refers to a case established in the KIDS for the purpose of providing establishment, enforcement and collection services to dependent children and their custodial parent, in accordance with the provisions of Title IV-D of the Social Security Act (42 USC 654).

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"Support obligation" refers to the duty a non-custodial relative owes to his or her dependents, as set forth in a legally-valid court or administrative order.

"TANF" refers to Temporary Assistance for Needy Families, Title IV-A of the Social Security Act (42 USC 601 et seq.) that is financial and medical assistance available to families with one or more children or on behalf of children in foster care under the guardianship of the Department of Children and Family Services.

"TANF MANG" refers to Medical Assistance No Grant cases in which medical assistance only is available to families with one or more children.

"TANF MANG recipient" refers to a member of a family with one or more children receiving medical assistance only in the current month.

"TANF recipient" refers to a person who is receiving financial and medical assistance under the TANF program in the current month.

"Two business days", for purposes of disbursement of support payments under Subpart F of this Part, shall have the meaning and be qualified in the same manner as in Section 454B of the Social Security Act (42 USC 654b).

"Unreimbursed former AFDC or TANF" refers to the total amount of financial assistance provided to a family unit, in accordance with Title IV-A of the Social Security Act (42 USC 601 et seq.) for which the State and Federal governments have not been reimbursed. The State and Federal governments are limited in the amount of support payments they may retain for "unreimbursed former AFDC or TANF", in accordance with the provisions set forth in Sections 160.100, 160.110 and 160.130 of this Part. The "amount of unreimbursed assistance accrued prior to the former AFDC or TANF cancellation", reported in the Department's "Statements of Child Support Account Activity for Former Recipients" (see Section 160.140), is that limited amount which the Department is entitled to retain.

(Source: Amended at 28 Ill. Reg. 4712, effective March 1, 2004)

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS**Section 160.60 Establishment of Support Obligations**

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a) Definitions

- 1) "FSS" means any Family Support Specialist performing assigned duties, his supervisory staff and any other person assigned responsibility by the Director of the Department.
- 2) "Service" or "Served" means notice given by personal service, certified mail, restricted delivery, return receipt requested, or by any method provided by law for service of summons. (See Sections 2-203 and 2-206 of the Code of Civil Procedure [735 ILCS 5/2-203 and 2-206].)
- 3) "Support Statutes" means the following:
 - A) Article X of ~~The~~ the Illinois Public Aid Code [305 ILCS 5/Art. X];
 - B) The Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5];
 - C) The Non-Support Punishment Act [750 ILCS 16];
 - D) The Uniform Interstate Family Support Act [750 ILCS 22];
 - E) The Illinois Parentage Act of 1984 [750 ILCS 45]; and
 - F) Any other statute in another state which provides for child support.
- 4) "Retroactive support" means support for a period prior to the date a court or administrative support order is entered.
- 5) "Child's needs" means the cost of raising a child as detailed by either:
 - A) the custodial parent's statement of the associated costs, including, but not limited to, providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care; or
 - B) the Department's standard for the costs of raising a child as calculated by averaging the estimated annual expenditures on a child by husband-wife families for all income levels as reported in Table 1 "Estimated annual expenditures on a child by husband-wife families, overall United States" of the USDA Expenditures on

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Children and Families Annual Report (United States Center for Nutrition Policy and Promotion, 3101 Park Center Drive, Room 1034, Alexandria, Virginia 22302) (May 2003). This standard takes ~~taking~~ into account average actual costs of providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care in a manner consistent with health and well being as set forth in this Part.

C) The formula used to calculate the Department's monthly Standard of Need is: Total Average Expenditures, divided by the number of people in the household, divided by the number of years from birth until the age of majority (18 years of age in Illinois), divided by two (obligation for one parent) equals the monthly support obligation.

b) Responsible Relative Contact

1) Timing and Purpose of Contact

A) The Department shall contact and interview responsible relatives in Title IV-D cases to establish support obligations, following the IV-D client interview.

B) The purpose of contact and interview shall be to obtain relevant facts, including income information (for example, paycheck stubs, income tax returns) necessary to determine the financial ability of such relatives for use in obtaining stipulated, consent and other court orders for support and in entering administrative support orders, pursuant to the support statutes.

2) At least ten working days in advance of the interview, the Department shall notify each responsible relative contacted of his support obligation, by ordinary mail, which notice shall contain the following:

A) the Title IV-D case name and identification number;

B) the names and birthdates of the persons for whom support is sought or other information identifying such persons, such as a prior court number;

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- C) that the responsible relative has a legal obligation to support the named persons;
 - D) the date, time, place and purpose of the interview and that the responsible relative may be represented by counsel; and
 - E) that the responsible relative should bring specified information regarding his income and resources to the interview.
- 3) The Department shall notify each Title IV-D client of the date, time and place of the responsible relative interview and that the client may attend if he or she chooses.

c) Determination of Financial Ability

- 1) In cases handled under subsection (d) of this Section, the Family Support Specialist shall determine the amount of child support and enter an administrative support order on the following basis:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	28%
3	32%
4	40%
5	45%
6 or more	50%

- A) "Net Income" is the total of all income from all sources, minus the following deductions:
 - i) Federal income tax (properly calculated withholding or estimated payments);
 - ii) State income tax (properly calculated withholding or estimated payments);
 - iii) Social Security (FICA payments);
 - iv) Mandatory retirement contributions required by law or as a

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condition of employment;

- v) Union dues;
- vi) Dependent and individual health/hospitalization insurance premiums;
- vii) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
- viii) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
- ix) Medical expenditures necessary to preserve life or health; and
- x) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.

B) The deductions in subsections (c)(1)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders which contain provisions for an automatic increase in the support obligation upon termination of such payment period.

2) In de novo hearings provided for in subsection (d)(5)(H) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall determine the minimum amount of child support as follows:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	28%
3	32%
4	40%
5	45%
6 or more	50%

A) "Net Income" is the total of all income from all sources, minus the

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following deductions:

- i) Federal income tax (properly calculated withholding or estimated payments);
 - ii) State income tax (properly calculated withholding or estimated payments);
 - iii) Social Security (FICA payments);
 - iv) Mandatory retirement contributions required by law or as a condition of employment;
 - v) Union dues;
 - vi) Dependent and individual health/hospitalization insurance premiums;
 - vii) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
 - viii) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
 - ix) Medical expenditures necessary to preserve life or health; and
 - x) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.
- B) The deductions in subsections (c)(2)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders that contain provisions for an automatic increase in the support obligation upon termination of such payment period.
- C) The above guidelines shall be applied in each case unless the Department finds that application of the guidelines would be inappropriate after considering the best interests of the child in

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light of evidence including but not limited to one or more of the following relevant factors:

- i) the financial resources and needs of the child;
 - ii) the financial resources and needs of the custodial parent;
 - iii) the standard of living the child would have enjoyed had the marriage not been dissolved, the separation not occurred or the parties married;
 - iv) the physical and emotional condition of the child, and his educational needs; and
 - v) the financial resources and needs of the non-custodial parent.
- D) Each order requiring support that deviates from the guidelines shall state the amount of support that would have been required under the guidelines. The reason or reasons for the variance from the guidelines shall be included in the order.
- 3) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the amount of child support due in accord with Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505].
 - 4) All orders for support shall include a provision for the health care coverage of the child. In all cases where health insurance coverage is not being furnished by the responsible relative to a child to be covered by a support order, the Department shall enter administrative, or request the court to enter support, orders requiring the relative to provide such coverage when a child can be added to an existing insurance policy at reasonable cost or indicating what alternative arrangement for health insurance coverage is being provided. Net income shall be reduced by the cost thereof in determining the minimum amount of support to be ordered.
 - 5) When proceeding under subsection (d) of this Section, the Department shall, in any event, notwithstanding other provisions of this subsection (c) and regardless of the amount of the responsible relative's net income,

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order the responsible relative to pay child support of at least \$10.00 per month.

- 6) In cases where the net income of the responsible relative cannot be determined because of default or any other reason, the Department shall order or request the court to order the responsible relative to pay retroactive support for the prior period in the amount of the child's needs as defined by subsection (a)(5)(A) or (B) of this Section.
- 7) The final order in all cases shall state the support level in dollar amounts.
- 8) If there is no net income because of the unemployment of a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving cash assistance in Illinois, the Department, when proceeding under subsection (d) of this Section, shall order, or, when proceeding under subsection (e) of this Section, shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives. In TANF cases, the Department shall order, when proceeding under subsection (d) of this Section, or, when proceeding under subsection (e) of this Section, shall request the court to order payment of past-due support pursuant to a plan and, if the responsible relative is unemployed, subject to a payment plan and not incapacitated, that the responsible relative participate in job search, training and work programs established under Section 9-6 and Article IXA of the Illinois Public Aid Code [305 ILCS 5/9-6 and Art. IXA].
- 9) The Department shall enter administrative support orders, or request the court to enter support orders, that include a provision requiring the responsible relative to notify the Department, within seven days:
 - A) of any new address of the responsible relative;
 - B) of the name and address of any new employer or source of income of the responsible relative;
 - C) of any change in the responsible relative's Social Security Number;
 - D) whether the responsible relative has access to health insurance coverage through the employer or other group coverage; and

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- E) if so, the policy name and number and the names of persons covered under the policy.
- 10) The Department shall enter administrative support orders, or request the court to enter support orders, that include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of majority or is otherwise emancipated. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. The provision of a termination date in the order shall not prevent the order from being modified.
- 11) The Department shall enter administrative support orders, or request the court to enter support orders, that include provisions for retroactive support when appropriate.
- A) In cases handled under subsection (d) of this Section, the Department shall order the period of retroactive support to begin with the later of two years prior to the date of entry of the administrative support order or the date of the married parties' separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock).
- B) In de novo hearings provided for in subsection (d)(5)(H) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall order the period of retroactive support to begin with the later of two years prior to the date of entry of the administrative support order or the date of the married parties separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock), unless, in cases where the child was born out of wedlock, the hearing officer, after having examined the factors set forth in Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505] decides that another date is more appropriate.
- C) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the date retroactive support is to commence in accord

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with Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X], Sections 510 and 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/510 and 505], and Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14].

- d) Administrative Process
 - 1) Use of Administrative Process
 - A) Unless otherwise directed by the Department, the FSS shall establish support obligations of responsible relatives through the administrative process set forth in this subsection (d), in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:
 - i) presumed paternity as set forth in Section 5 of the Illinois Parentage Act of 1984 [750 ILCS 45/5] and support is sought from one or both parents;
 - ii) alleged paternity and support is sought from the mother;
 - iii) an administrative paternity order entered under Section 160.61 and support is sought from the man determined to be the child's father, or from the mother, or both;
 - iv) an establishment of parentage in accordance with Section 6 of the Illinois Parentage Act of 1984 [750 ILCS 45/6]; and
 - v) an establishment of parentage under the laws of another state, and support is sought from the child's father, or from the mother, or both.
 - B) In addition to those items specified in subsection (b)(2) of this Section, the notice of support obligation shall inform the responsible relative of the following:
 - i) that the responsible relative may be required to pay retroactive support as well as current support; and
 - ii) that in its initial determination of child support under

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- subsection (c) of this Section, the Department will only consider factors listed in subsections (c)(1)(A)(i) through (x) of this Section; and
- iii) that the Department will enter an administrative support order based only on those factors listed in subsections (c)(1)(A)(i) through (x) of this Section; and
 - iv) that in order for the Department to consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14], and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505], either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order; and
 - v) that both the client and the responsible relative have a right to request a de novo hearing within 30 days after the mailing or delivery of an administrative support order, at which time a Department hearing officer may consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14], and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505]; and
 - vi) that unless the client and/or the responsible relative requests a de novo hearing within 30 days after the order's mailing or delivery, the administrative support order will become a final enforceable order of the Department; and
 - vii) that upon failure of the responsible relative to appear for the interview or to provide necessary information to determine net income, an administrative support order may be entered by default or the Department may seek court determination of financial ability based upon the guidelines.
- 2) The FSS shall determine the ability of each responsible relative to provide support in accordance with subsection (c) of this Section when such

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relative appears in response to the notice of support obligation and provides necessary information to determine net income. An administrative support order shall be entered which shall incorporate the resulting support amount therein. The FSS shall also determine (and incorporate in the administrative support order) the amount of retroactive support the responsible relative shall be required to pay by applying the relative's current net income (unless the relative provides necessary information to determine net income for the prior period) to the support guidelines in accordance with subsection (c) of this Section.

- 3) Failure to Appear
 - A) In instances in which the responsible relative fails to appear in response to the notice of support obligation or fails to provide necessary information to determine net income, the FSS shall enter an administrative support order by default, except as provided in subsection (d)(3)(D) of this Section. The terms of the order shall be based upon the needs of the child for whom support is sought, as defined by subsection (a)(5) of this Section. No default order shall be entered when a responsible relative fails to appear at the interview unless the relative shall have been served as provided by law with a notice of support obligation.
 - B) The FSS may issue a subpoena to a responsible relative who fails to appear for interview, or who appears and furnishes income information, when the FSS has information from the Title IV-D client, the relative's employer or any other reliable source indicating that:
 - i) financial ability, as determined from the guidelines contained in subsection (c) of this Section, exceeds the amount indicated in case of default, as indicated in subsection (d)(3)(A) of this Section; or
 - ii) income exceeds that reported by the relative.
 - C) The FSS will not issue a subpoena under subsection (d)(3)(B) of this Section where the information from the Title IV-D client, the responsible relative's employer or other source concerning the relative's financial ability is verified through documentation such

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as payroll records, paycheck stubs or income tax returns.

- D) In instances in which the relative fails or refuses to accept or fully respond to a Department subpoena issued to him pursuant to subsection (d)(3)(B) of this Section, the FSS may enter a temporary administrative support order by default, in accordance with subsection (d)(3)(A) of this Section, and may then, after investigation and determination of the responsible relative's financial ability to support, utilizing existing State and federal sources (for example, Illinois Department of Employment Security), client statements, employer statements, or the use of the Department's subpoena powers, enter a support order in accord with subsection (c)(1) of this Section.
- 4) The Department shall register, enforce or modify an order entered by a court or administrative body of another state, and make determinations of controlling order where appropriate, in accordance with the provisions of the Uniform Interstate Family Support Act [750 ILCS 22].
- 5) An administrative support order shall include the following:
 - A) the Title IV-D case name and identification number;
 - B) the names and birthdates of the persons for whom support is ordered;
 - C) the beginning date, amount and frequency of support;
 - D) any provision for health insurance coverage ordered under subsection (c)(4) of this Section;
 - E) the total retroactive support obligation and the beginning date, amount (which shall not be less than 20 percent of the current support amount) and frequency of payments to be made until the retroactive support obligation is paid in full;
 - F) the amount of any arrearage that has accrued under a prior support order and the beginning date, amount (which shall not be less than 20 percent of the support order) and frequency of payments to be made until the arrearage is paid in full;

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- G) a provision requiring that support payments be made to the State Disbursement Unit;
 - H) a statement informing the client and the responsible relative that they have 30 days from the date of mailing of the administrative support order in which to petition the Department for a release from or modification of the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.102 and subsection (c)(2) of this Section, except that for orders entered as a result of a decision after a de novo hearing, the statement shall inform the client and the responsible relative that the order is a final administrative decision of the Department and that review is available only in accord with provisions of the Administrative Review Law [735 ILCS 5/Art III];
 - I) except where the order was entered as a result of a decision after a de novo hearing, a statement that the order was based upon the factors listed in subsection (c)(1)(A) of this Section and that in order to have the Department consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505], either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order; and
 - J) in each administrative support order entered or modified on or after January 1, 2002, a statement that a support obligation required under the order, or any portion of a support obligation required under the order, that becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of nine percent per annum.
- 6) Every administrative support order entered on or after July 1, 1997, shall include income withholding provisions based upon and containing the same information as prescribed in Section 160.75. The Department shall also prepare and serve income withholding notices after entry of an administrative support order and effect income withholding in the same manner as prescribed in Section 160.75.

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- 7) The Department shall provide to each client and each responsible relative a copy of each administrative support order entered, no later than 14 days after entry of such order, by:
 - A) delivery at the conclusion of an interview where financial ability to support was determined. An acknowledgment of receipt signed by the client or relative or a written statement identifying the place, date and method ~~an affidavit~~ of delivery signed by the Department's representative shall be sufficient for purposes of notice to that person.
 - B) regular mail to the party not receiving personal delivery where the relative fails or refuses to accept delivery, where either party does not attend the interview, or the orders are entered by default.
 - 8) In any case where the administrative support process has been initiated for the custodial parent and the non-marital child, and the custodial parent and the non-marital child move outside the original county, the administrative support case shall remain in the original county unless a transfer to the other county in which the custodial parent and the non-marital child reside is requested by either party or the Department and the hearing officer assigned to the original county finds that a change of venue would be equitable and not unduly hamper the administrative support process.
 - 9) In any case in which an administrative support order is entered to establish and enforce an arrearage only, and the responsible relative's current support obligation has been terminated, the administrative support order shall require the responsible relative to pay a periodic amount equal to the terminated current support amount until the arrearage is paid in full.
- e) Judicial Process
- 1) The Department shall refer Title IV-D cases for court action to establish support obligations of responsible relatives, pursuant to the support statutes (see subsection (a)(3) of this Section) in matters requiring the determination of parentage (except when paternity is to be determined administratively under Section 160.61), when the court has acquired jurisdiction previously and in instances described in subsection (d)(3)(D) of this Section, and as otherwise determined by the Department.

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- 2) The Department shall prepare and transmit pleadings and obtain or affix appropriate signature thereto, which pleadings shall include, but not be limited to, petitions to:
 - A) intervene;
 - B) modify;
 - C) change payment path;
 - D) establish an order for support;
 - E) establish retroactive support;
 - F) establish past-due support;
 - G) establish parentage;
 - H) obtain a rule to show cause;
 - I) enforce judicial and administrative support orders; and
 - J) combinations of the above.
- 3) Department legal representatives shall request that judicial orders for support require payments to be made to the State Disbursement Unit in accordance with Section 10-10.4 of the Illinois Public Aid Code [305 ILCS 5/10-10.4], Section 507.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/507.1], Section 320 of the Uniform Interstate Family Support Act [750 ILCS 22/320], Section 21.1 of the Illinois Parentage Act of 1984 [750 ILCS 45/21.1] and Section 25 of the Non-Support Punishment Act [750 ILCS 16/25].

f) [Petitions for Release from Administrative Support Orders – Extraordinary Remedies](#)

- 1) [Notwithstanding the statements required by subsections \(d\)\(5\)\(H\) and \(d\)\(5\)\(I\) of this Section, more than 30 days after the entry of an administrative support order under subsection \(d\) of this Section, a party](#)

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aggrieved by entry of an administrative order may petition the Department for release from the order on the same grounds as are provided for relief from judgments under Section 2-1401 of the Code of Civil Procedure.

- 2) Petitions under this subsection (f) must:
 - A) cite a meritorious defense to entry of the order;
 - B) cite the exercise of due diligence in presenting that defense to the Department;
 - C) be filed no later than two years following the entry of the administrative paternity order, except that times listed below shall be excluded in computing the two years:
 - i) time during which the person seeking relief is under legal disability;
 - ii) time during which the person seeking relief is under duress;
 - iii) time during which the ground for relief is concealed from the person seeking relief;
 - D) be supported by affidavit or other appropriate showing as to matters not supported by the record.
- 3) Notice of the filing of the petition must be given and a copy of the petition must be served on the other parent, caretaker or responsible relative by certified mail, return receipt requested, or by any manner provided by law for service of process. The filing of a petition under this subsection (f) does not affect the validity of the administrative order.

(Source: Amended at 28 Ill. Reg. 4712, effective March 1, 2004)

Section 160.61 Uncontested and Contested Administrative Paternity and Support Establishment

- a) Definitions
 - 1) "Combined paternity index" means a statistic, stated as an odds ratio in a

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report of genetic testing results, giving the likelihood that the man having undergone the testing is the father of the child relative to the chance that the father is another (unrelated random) man from the same racial background.

- 2) "Genetic testing" means deoxyribonucleic acid (DNA) tests.
 - 3) "Service" or "Served" means notice given by personal service, certified mail, restricted delivery, return receipt requested, or by any method provided by law for service of a summons. (See Sections 2-203 and 2-206 of the Code of Civil Procedure [735 ILCS 5/2-203 and 2-206].)
 - 4) "Non-marital child", as used in this Section and Section 160.62, means a child born out of wedlock for whom paternity has not been established.
 - 5) "Alleged father", as used in this Section and Section 160.62, means a man alleged to be the father of a non-marital child.
 - 6) "Presumed father" shall have the meaning ascribed to that term in the Illinois Parentage Act of 1984 [750 ILCS 45].
- b) Uncontested Administrative Paternity Process
- 1) Except as otherwise determined, the Department shall establish a man's paternity of a child through the administrative process set forth in this Section, in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:
 - A) a non-marital child and support is sought from the alleged father;
 - B) a non-marital child who is in the physical custody of the alleged father or a caretaker relative other than the child's mother, and support is sought from the alleged father or from the mother, or both; or
 - C) presumed paternity as set forth in Section 5(a)(1) and (2) of the Illinois Parentage Act of 1984 [750 ILCS 45/5(a)(1) and (2)] in which a man other than the presumed father has been alleged to be the child's father, and notice has been provided to the alleged and presumed fathers as set forth in this Section.

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- 2) Contact with Responsible Relatives
 - A) Following the IV-D client interview, the Department shall contact and interview:
 - i) alleged fathers to establish paternity and support obligations; and
 - ii) mothers to establish an alleged father's paternity of a child (where the alleged father or a caretaker relative other than the mother has physical custody of the child) and to establish the support obligation of the alleged father, the mother, or both.
 - B) The purpose of contact and interview shall be to obtain relevant facts, including information concerning the child's paternity and responsible relative income information (for example, paycheck stubs, income tax returns) necessary to establish the child's paternity and to determine the responsible relative's financial ability for use in establishing child support obligations.
- 3) At least ten working days in advance of the interview, the Department shall serve upon or provide to the alleged father from whom child support is sought, by ordinary mail, a notice of alleged paternity and support obligation, which notice shall contain the following:
 - A) the Title IV-D case name and identification number;
 - B) the name and birthdate of the non-marital child;
 - C) that the alleged father has been identified as the biological father of the child named in the notice, and that if determined to be the child's father he will have a legal obligation to support the child;
 - D) the date, time, place and purpose of the interview and that the alleged father may be represented by counsel;
 - E) that the alleged father should bring specified information regarding his income and resources to the interview;

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- F) that upon failure of the alleged father to appear for the interview, administrative paternity and support orders may be entered against him by default; and
 - G) that the alleged father may be ordered to pay current support, and retroactive support, and to provide health insurance coverage for the child.
- 4) At least ten working days in advance of the interview, the Department shall serve upon or provide to the child's mother, by ordinary mail, a notice of alleged paternity and support obligation, when a man has been alleged to be the father of the child, the alleged father has physical custody of the child, and support is sought from the mother. The notice shall contain the following:
- A) the Title IV-D case name and identification number;
 - B) the name and birthdate of the non-marital child;
 - C) that the mother has a legal obligation to support the child;
 - D) the date, time, place and purpose of the interview and that the mother may be represented by counsel;
 - E) that the mother should bring specified information regarding her income and resources to the interview;
 - F) that the mother may be ordered to pay current support and retroactive support, and to provide health insurance coverage for the child;
 - G) that the alleged father has been identified as the biological father of the child named in the notice, and that if determined to be the child's father he will have a legal obligation to support the child; and
 - H) that upon failure of the mother to appear for the interview, or to provide necessary information to determine net income:

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- i) an administrative support order may be entered against the mother by default or the Department may seek court determination of financial ability based upon the guidelines; and
 - ii) the Department may enter an order finding the alleged father to be the father of the child.
- 5) At least ten working days in advance of the interview, the Department shall serve upon or provide to the child's mother, by ordinary mail, a notice of alleged paternity and support obligation, when a man has been alleged to be the father of a child, an adult other than a parent of the child has physical custody of the child, and support is sought from the mother and the alleged father. The notice shall contain the following:
 - A) the Title IV-D case name and identification number;
 - B) the name and birthdate of the non-marital child;
 - C) that the mother has a legal obligation to support the child;
 - D) the date, time, place and purpose of the interview and that the mother may be represented by counsel;
 - E) that the mother should bring specified information regarding her income and resources to the interview;
 - F) that the mother may be ordered to pay current support, and retroactive support, and to provide health insurance coverage for the child;
 - G) that the alleged father has been identified as the biological father of the child named in the notice, and that if determined to be the child's father he will have a legal obligation to support the child; and
 - H) that upon failure of the mother to appear for the interview, or to provide necessary information to determine net income:
 - i) an administrative support order may be entered against the

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mother by default or the Department may seek an administrative or court determination of financial ability based upon the guidelines; and

- ii) the Department may enter an order finding the alleged father to be the father of the child on the basis of genetic testing.
- 6) Where the man alleged to be the father of a child is different from a man presumed to be the father under Section 5(a)(1) and (2) of the Illinois Parentage Act of 1984 [750 ILCS 45/5(a)(1) and (2)], the Department shall send a notice to the presumed father which shall contain the following:
- A) the Title IV-D case name and identification number;
 - B) the child's name and birthdate;
 - C) the name of the child's mother;
 - D) that the man to whom the notice is directed has been identified as the child's presumed father;
 - E) that another man has been alleged to be the child's father, and the name of that alleged father;
 - F) that the Department has scheduled an interview with the alleged father for the purpose of determining the child's paternity, and the date, time and place of the interview (the date of the interview shall not be less than ten working days after the date of the notice to the presumed father);
 - G) that if the presumed father fails to appear at the interview to assert his rights as the presumed father, the Department may enter an administrative order finding the alleged father to be the child's father on the basis of genetic testing, or if the alleged father and the child's mother voluntarily sign an acknowledgment that the alleged father is the father of the child; and
 - H) that counsel may accompany the presumed father to the interview.

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- 7) The Department shall notify each Title IV-D client of the date, time and place of the alleged father interview and that the client may attend if the client chooses.
- 8) In cases involving a non-marital child:
 - A) The Department shall provide the alleged father and the child's mother an opportunity to establish paternity by voluntarily signing an acknowledgment of paternity (and, in a case in which there is also a presumed father, an opportunity for the mother and the presumed father to sign a denial of paternity), after being provided with information concerning the implications of signing the acknowledgment (and denial), including parental rights and responsibilities of child support, retroactive support, health insurance coverage, custody, visitation, the right to obtain and agree to be bound by the results of genetic testing, and the right to deny paternity and obtain a contested hearing.
 - B) The Department shall enter and, within 14 days after entry, serve or mail the parties a copy of an administrative paternity order finding the alleged father to be the father of the child in the following circumstances. An acknowledgment of receipt signed by the client or relative or a written statement identifying the place, date, and method ~~an affidavit~~ of delivery signed by the Department's representative shall be sufficient for purposes of notice to that person. The Department shall enter the order where:
 - i) the alleged father and the child's mother (and any presumed father) have voluntarily signed an agreement to be bound by the results of genetic testing, and the results of such testing show that the alleged father is not excluded and that the combined paternity index is at least 500 to 1;
 - ii) the alleged father fails to appear for interview in response to the Department's notice of alleged paternity and support obligation served upon him in a case in which support is sought from the alleged father, or fails to appear for scheduled genetic testing after signing an agreement to be bound by the results of genetic testing;

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- iii) the child's mother fails to appear for interview in response to the Department's notice of alleged paternity and support obligation served upon her in a case where the alleged father has physical custody of the child;
 - iv) the child's mother fails to appear for interview in response to the Department's notice of alleged paternity and support obligation served upon her in a case where an adult other than a parent of the child has physical custody of the child, the alleged father has voluntarily signed an agreement to be bound by the results of genetic testing, the results of genetic testing show that the alleged father is not excluded, and the combined paternity index is at least 500 to 1;
 - v) the alleged father fails to appear for interview in response to the Department's notice of alleged paternity and support obligation served upon him (or fails to appear for genetic testing after agreeing to be bound by the results of genetic testing) in a case where an adult other than a parent of the child has physical custody of the child;
 - vi) the presumed father fails to appear in response to the ~~Department's~~ ~~department's~~ notice to presumed father served upon him, the child's mother, and the alleged father have voluntarily signed an agreement to be bound by the results of genetic testing, the results of genetic testing show that the alleged father is not excluded, and the combined paternity index is at least 500 to 1; or
 - vii) the alleged father fails to appear for interview in response to the Department's notice of alleged paternity and support obligation served upon him, and the presumed father fails to appear in response to the Department's notice to presumed father served upon the presumed father.
- C) The Department shall make a determination that the alleged father is not the father of the child where the results of genetic testing exclude the alleged father.

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- 9) An agreement to be bound by the results of genetic testing under subsection (b)(8)(B) of this Section shall not be valid where the mother or alleged father is a minor, unless the parent or guardian of the minor mother or minor alleged father also signs the agreement to be bound by the results of genetic testing, except where the mother or alleged father is either emancipated or head of his or her own household with the child for whom paternity is being determined.
 - 10) A party aggrieved by entry of an administrative paternity order, pursuant to subsection (b)(8) of this Section, may have the order vacated if, within 30 days after ~~the authorized mailing or service of being served with~~ the order, the party appears in person at the office to which he or she was given notice to appear for an interview pursuant to subsection (b)(3) of this Section and files a written request for relief from the order. The Department shall then proceed with the establishment of paternity under this Section. A party may obtain relief under this subsection (b) only once in any proceeding to establish paternity.
 - 11) The child's mother or the alleged father may void the presumption of paternity created by voluntarily signing an acknowledgment of paternity under Section 12 of the Vital Records Act [410 ILCS 535/12] by signing a rescission of paternity and filing it with the Department by the earlier of:
 - A) 60 days after the date the acknowledgment of paternity was signed; or
 - B) the date of an administrative or judicial proceeding relating to the child, including a proceeding to establish a support order, in which the mother or the alleged father is a party.
 - 12) If the mother or alleged father signs a rescission of paternity, the Department shall process the case under this subsection (b).
- c) Contested Paternity Hearing Officers
- 1) Except as otherwise directed by the Department or provided for in this Part, cases in which paternity is contested shall be referred to Department hearing officers to administratively determine paternity. The Department shall provide the alleged father (and any presumed father) with notice and opportunity to contest paternity at a hearing to determine the existence of

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the father and child relationship. The notice and any administrative hearing shall be governed by 89 Ill. Adm. Code 104.200 through 104.295. Any administrative support order shall be established in accordance with Section 160.60.

- 2) Notice shall be given to all parties in the manner provided for service of a notice of alleged paternity and support obligation under subsections (a) and (b) of this Section or, where necessary, by publication in cases in which the whereabouts of a party or parties are unknown after diligent location efforts by the Department. Where service is by publication, the notice shall be published at least once in each week for three consecutive weeks in a newspaper published in the county in which the administrative proceeding is pending. If there is no newspaper published in that county, then the publication shall be in a newspaper published in an adjoining Illinois county having a circulation in the county in which the administrative proceeding is pending. In addition, where service is by publication, the date of the interview stated in the notice shall not be less than 30 days after first publication of the notice.
- 3) The Department shall enter default paternity determinations in contested administrative cases as provided for under subsection (b) of this Section. However, where notice of the administrative proceedings was served on a party by publication under subsection (c)(2) of this Section, a notice of default paternity determination shall be published in the same manner. The notice of default paternity determination shall contain the information required in an administrative paternity order under subsections (d)(1) through (9) of this Section, except that the notice of default paternity determination shall not include the mother's and father's Social Security numbers. The Department shall not proceed to establish paternity administratively under subsection (c) of this Section in those cases wherein the court has acquired jurisdiction previously or the custodial parent claims good cause for failing to cooperate in the establishment of paternity and is found to be exempt from cooperating as set forth in Section 160.35.
- 4) In any case where the administrative paternity process has been initiated for the custodial parent and the non-marital child, and the custodial parent and the non-marital child move outside the original county, the paternity determination case shall remain in the original county of venue unless a transfer to another county of proper venue is requested by either party and

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the hearing officer assigned to the original county finds that a change of venue would be equitable and not unduly hamper the administrative paternity process.

- d) An administrative paternity order, whether entered under subsection (b) or (c) of this Section, shall include the following:
- 1) the Title IV-D case name and identification number;
 - 2) the name and birthdate of the child for whom paternity is determined;
 - 3) the alleged father's name and his Social Security number, if known;
 - 4) the mother's name and her Social Security number, if known;
 - 5) a finding that the alleged father is the father of the child, and a statement indicating how paternity was determined (for example, agreement to be bound by the results of genetic testing, default, contested hearing);
 - 6) except in cases in which paternity is administratively determined under subsection (b)(8)(B)(ii), (v) or (viii) of this Section, or in a contested hearing under subsection (c) of this Section, a statement informing the client and responsible relative that each has 30 days after the date of mailing (or delivery at the interview) of the administrative paternity order to petition the Department for release from the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.105;
 - 7) in cases in which paternity is administratively determined by default under subsection (b)(8)(B)(ii), (v) or (viii) of this Section, a statement informing the client and responsible relative of the relief available pursuant to subsection (b)(10) of this Section;
 - 8) a statement that more than 30 days after entry of an administrative paternity order, a party aggrieved by entry of the administrative paternity order may petition the Department for release from the order under the provisions of subsection (e) of this Section; and
 - 9) in cases in which paternity is administratively determined in a contested hearing under subsection (c) of this Section, a statement informing the client and responsible relative that the order is a final and binding

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administrative decision, and whether the order is reviewable only under the provisions of the Administrative Review Law [735 ILCS 5/Art. III].

- e) Petitions For Release – Extraordinary Remedies
- 1) Notwithstanding the statements required by subsection (d) of this Section, more than 30 days after entry of an administrative paternity order under subsection (b) or (c) of this Section, a party aggrieved by entry of an administrative paternity order may petition the Department for release from the order.
 - 2) Petitions under this subsection (e) must:
 - A) Cite a meritorious defense to entry of the order.
 - B) Cite the exercise of due diligence in presenting that defense to the Department.
 - C) Be filed no later than two years following the entry of the administrative paternity order, except that times listed below shall be excluded in computing the two years:
 - i) time during which the person seeking relief is under legal disability;
 - ii) time during which the person seeking relief is under duress; and
 - iii) time during which the ground for relief is concealed from the person seeking relief.
 - D) Be supported by affidavit or other appropriate showing as to matters not supported by the record.
 - 3) Notice of the filing of the petition must be given and a copy of the petition must be served on the other parent by certified mail, return receipt requested or by any manner provided by law for service of process. The filing of a petition under this subsection (e) does not affect the validity of the administrative paternity order.

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- f) When the paternity of a child has been administratively established under subsection (b) or (c) of this Section, the Department shall enter an administrative support order under the process set forth in Section 160.60.
- g) In cases in which a final administrative determination of paternity is pending, but there is clear and convincing evidence of paternity based upon the results of genetic testing and upon motion of a party, the Department shall enter a temporary order for support in the manner provided for in Section 160.60.
- h) The Department shall notify the Department of Public Health of final administrative paternity determinations, voluntary acknowledgments of paternity, denials of paternity and rescissions of paternity.
- i) In cases in which a child's certificate of birth is on file in a state other than Illinois and any of the circumstances stated below occur, the Department shall forward to the other state a copy of the final administrative determination of paternity or the voluntary acknowledgment of paternity (and the presumed father's denial of paternity, if applicable) or the rescission of paternity:
 - 1) the Department enters a final administrative determination of paternity; or
 - 2) the paternity of a child is established by voluntary acknowledgment under Section 12 of the Vital Records Act [410 ILCS 535/12]; or
 - 3) the alleged father or the child's mother rescinds a voluntary acknowledgment of paternity under Section 12 of the Vital Records Act [410 ILCS 535/12].
- j) **Judicial Process.** The Department shall refer Title IV-D cases for judicial action to establish a child's paternity and a responsible relative's support obligation pursuant to the Illinois Parentage Act of 1984 [750 ILCS 45], the Revised Uniform Reciprocal Enforcement of Support Act [750 ILCS 20] or the Uniform Interstate Family Support Act [750 ILCS 22], as appropriate, in matters:
 - 1) involving contested paternity, except where the case is appropriate for referral to a Department hearing officer;
 - 2) where the non-marital child was not conceived in Illinois and the alleged father resides in a state other than Illinois;

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- 3) where the court has acquired jurisdiction previously; or
- 4) where the results of genetic testing show that the alleged father is not excluded and the combined paternity index is less than 500 to 1, except where the case is appropriate for referral to a Department hearing officer under subsection (c) of this Section.

(Source: Amended at 28 Ill. Reg. 4712, effective March 1, 2004)

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section 160.71 Credit for Payments Made Directly to the Title IV-D Client

Where the operative court or administrative order for support requires child support payments to be made to the Department, the State Disbursement Unit, or the Clerk of the Circuit Court, the Department will allow a one time credit to its child support accounts receivable for payments made directly to the Title IV-D client, up to the amount of the past due support owed to the Title IV-D client. when:

- a) a court of competent jurisdiction enters an order requiring credit; or
- b) the following circumstances exist:
 - 1) the order for support was entered in Illinois or, if a foreign order, has been registered in Illinois ~~the case is an intrastate case~~; and
 - 2) a balance of support is owed to the Title IV-D client ~~no payments are owed to the State of Illinois under assignment of support rights~~; and
 - 3) there has been no other instance, after the effective date of this Section, in which the Department credited its child support accounts receivable for payments made by the responsible relative directly to the Title IV-D client; and
 - 4) either:
 - A) the Title IV-D client signs a statement specifying the payments that the client is requesting be credited to the accounts receivable; or
 - B) the responsible relative provides the Department with clear and

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convincing documentation (such as copies of canceled checks or money order receipts) showing that the payments for which the relative is requesting credit were made and the Department has given the Title IV-D client opportunity to acknowledge or deny receipt of the payments ~~Title IV-D client signs a statement acknowledging receipt of the payments as child support.~~

(Source: Amended at 28 Ill. Reg. 4712, effective March 1, 2004)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Medication
- 2) Code Citation: 11 Ill. Adm. Code 603
- 3) Section Number: 603.180 Adopted Action:
Amended
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective date of rulemaking: March 1, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is available for public inspection at the IRB Central Office, 100 West Randolph, Suite 11-100, Chicago, Illinois, during the hours of 9:00 a.m. and 5:00 p.m..
- 9) Notice of Proposal published in Illinois Register: 27 Ill. Reg. 15753-10/10/03
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: This rulemaking increases the penalties for TCO₂ positive tests and establishes a post-race quarantine period. The new penalties will be more in line with other racing jurisdictions. This rulemaking was proposed by the Standardbred Security Task Force and unanimously endorsed by the Commission of the Board.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Mickey Ezzo
Illinois Racing Board
James Thompson Center
100 W. Randolph St.
Suite 11-100
Chicago IL 60601

The full text of the adopted amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 603
MEDICATION

Section	
603.10	Pre-Race Saliva Tests
603.20	Racing Soundness Exam
603.30	Foreign Substances and Pharmaceutical Aids Banned
603.40	Twenty-four Hour Ban
603.50	Trainer Responsibility
603.55	Prima Facie Evidence
603.60	Permitted Use of Foreign Substances and Threshold Levels
603.70	Furosemide
603.80	Needles, Syringes and Injectables
603.90	Drugs, Chemicals and Prescription Items
603.100	Detention Barn
603.110	Test Samples
603.120	Referee Samples
603.130	Laboratory Findings and Reports
603.140	Distribution of Purses and Retention of Samples
603.150	Post Mortems
603.160	Penalties
603.170	Veterinarian's Records
603.180	Carbon Dioxide Tests

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 21 Ill. Reg. 3232, effective March 4, 1997; amended at 22 Ill. Reg. 2217, effective January 1, 1998; amended at 22 Ill. Reg. 3594, effective February 1, 1998; amended at 25 Ill. Reg. 15611, effective December 1, 2001; amended at 26 Ill. Reg. 12360, effective August 1, 2002; amended at 27 Ill. Reg. 5027, effective March 7, 2003; amended at 27 Ill. Reg. 7331, effective April 15, 2003; amended at 28 Ill. Reg. 1374, effective January 19, 2004; amended at 28 Ill. Reg. 4751, effective March 1, 2004.

Section 603.180 Carbon Dioxide Tests

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- a) The Board recognizes that an excess level of total carbon dioxide (TCO₂) in the race horse is considered adverse to the best interests of racing and adverse to the best interest of the horse in that such condition alters its normal physiological state. Accordingly, the State Veterinarian may draw blood samples from a horse for the purpose of obtaining a TCO₂ concentration.
- b) Blood samples for TCO₂ shall be drawn pre-race or post-race.
- c) The TCO₂ level in the blood shall not exceed:
 - 1) 39.0 millimoles per liter if the horse is competing on furosemide in accordance with Section 603.70 (Furosemide).
 - 2) 37.0 millimoles per liter if the horse is not competing on furosemide.
- d) In the event a blood sample from a horse contains an amount of TCO₂ that exceeds the levels described in subsection (c), the following penalties shall apply:
 - 1) The first time the laboratory reports an excessive TCO₂ level, the trainer shall be fined ~~\$2,000, not more than \$500 and~~ the purse shall be redistributed: and the trainer shall be ordered suspended for at least 60 days but not to exceed 90 days. In addition, the horse shall be subject to "early detention" for a period identical to the length of the trainer's suspension. "Early detention" shall be defined as pre-race guarded quarantine, on the grounds of the organization licensee, beginning no less than 6½ hours prior to the scheduled post time for the first race. The licensed owner or trainer of the horse shall assign a caretaker to attend and provide surveillance until the horse is brought to the paddock or receiving barn.
 - 2) The second time the laboratory reports an excessive TCO₂ level, the trainer shall be ordered suspended for 180~~not more than 30~~ days and/or fined \$5,000 ~~not more than \$1,000~~ and the purse shall be redistributed. In addition, the horse shall be subject to "early detention" for a period of 180 days.
 - 3) For a third ~~each~~ subsequent report of an excessive TCO₂ level, the trainer shall be ordered suspended for two years and fined ~~subject to a suspension of not longer than 120 days, a fine of \$5,000 not more than~~

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~~\$1,000~~ and the purse shall be redistributed. In addition, the horse shall be subject to "early detention" for a period of 180 days.

- 4) The penalties set forth in subsections (d)(2) and (3) must occur within 5 years after the penalties set forth in subsection (d)(1) are levied.
- e) If the levels of TCO₂ are determined to equal or exceed those set forth in subsection (c), and the licensed owner or trainer of that horse contends in writing to the stewards within 24 hours after notification of the results that such levels are physiologically normal for that particular horse, the licensee may, by such writing, request that the horse be held in quarantine. In the event quarantine is requested, the organization licensee shall make guarded quarantine available, for a period of time to be determined by the stewards but in no event more than 72 hours, at the sole expense of the licensee. During any quarantine, the horse shall be re-tested periodically and, although the horse may not race during the quarantine period, it may be exercised and trained at times prescribed by the organization licensee, consistent with the ability to monitor the horse. The horse will only be fed hay, oats and water during the quarantine period. If the stewards are satisfied, on the basis of the evident facts, the quarantine, and the testing of the horse's blood during the quarantine period, that the level of TCO₂ set forth in subsection (c) is physiologically normal for that particular horse, the stewards shall not order the relief set forth in subsection (d) and the horse shall be permitted to compete. In such case, the stewards, in their discretion, may require that the horse re-establish that the TCO₂ level is physiologically normal to it pursuant to the quarantine procedure set forth in this subsection.
- f) The provisions of Section 603.120 (Referee Samples) shall not apply to blood samples drawn for purposes of carbon dioxide testing.

(Source: Amended at 28 Ill. Reg. 4751, effective March 1, 2004)

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.APPENDIX A, TABLE O
- 4) Date Proposal published in Illinois Register: November 1, 2002; 26 Ill. Reg. 15350
- 5) Date Adoption published in Illinois Register: February 28, 2003; 27 Ill. Reg. 3261
- 6) Summary and Purpose of Expedited Correction: The above-referenced proposed amendments to the Pay Plan rules at 310.APPENDIX A TABLE O were in the rulemaking process when a peremptory amendment (12/2/02; 26 Ill. Reg. 17290) was adopted for the same Table O. The proposed amendments were inadvertently adopted on 2/28/03 without the earlier 12/2/02 changes reflected in the background text. Therefore, this expedited correction incorporates into TABLE O the changes contained in the 12/2/02 peremptory amendment.
- 7) Information and questions regarding this request shall be directed to:

Marianne Armento
Department of Central Management Services
504 William G. Stratton Building
Springfield, Illinois 62702
217/782-5601

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2003
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate

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- 310.300 Educator Schedule for RC-063 and HR-010
- 310.310 Physician Specialist Rate
- 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
- 310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section

- 310.410 Jurisdiction
- 310.420 Objectives
- 310.430 Responsibilities
- 310.440 Merit Compensation Salary Schedule
- 310.450 Procedures for Determining Annual Merit Increases
- 310.455 Intermittent Merit Increase
- 310.456 Merit Zone (Repealed)
- 310.460 Other Pay Increases
- 310.470 Adjustment
- 310.480 Decreases in Pay
- 310.490 Other Pay Provisions
- 310.495 Broad-Band Pay Range Classes
- 310.500 Definitions
- 310.510 Conversion of Base Salary to Pay Period Units (Repealed)
- 310.520 Conversion of Base Salary to Daily or Hourly Equivalents
- 310.530 Implementation
- 310.540 Annual Merit Increase Guidechart for Fiscal Year 2003
- 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

- 310.APPENDIX A Negotiated Rates of Pay
 - 310.TABLE A HR-190 (Department of Central Management Services – State of Illinois Building – SEIU)
 - 310.TABLE AA NR-916 (Department of Natural Resources, Teamsters)
 - 310.TABLE AB VR-007 (Plant Maintenance Engineers, Operating Engineers)
 - 310.TABLE B HR-200 (Department of Labor - Chicago, Illinois – SEIU) (Repealed)
 - 310.TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
 - 310.TABLE D HR-001 (Teamsters Local #726)
 - 310.TABLE E RC-020 (Teamsters Local #330)
 - 310.TABLE F RC-019 (Teamsters Local #25)

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310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2003
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2003
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2003
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2003

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11,

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1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988,

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for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill.

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Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill.

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Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill.

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Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; peremptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; peremptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; emergency expired September 28, 2002; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; peremptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. _____, effective _____; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; peremptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; peremptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004.

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)**

<u>Title</u>	<u>Salary Grade</u>	<u>Code</u>
Apparel/Dry Goods Specialist III	RC-028-12a	01233
Assistant Reimbursement Officer	RC-028-08	02424
Child Development Aide III	RC-028-10	07183
Clinical Laboratory Associate	RC-028-07	08200
Clinical Laboratory Technician I	RC-028-10	08215
Clinical Laboratory Technician II	RC-028-12	08216
Compliance Officer	RC-028-14	08919
Construction Supervisor I	RC-028-13	09561
Construction Supervisor II	RC-028-16	09562
Crime Scene Investigator	RC-028-21	09980
Data Processing Administrative Specialist	RC-028-14	11415
Data Processing Specialist	RC-028-12	11430

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Data Processing Technician	RC-028-09	11440
Data Processing Technician Trainee	RC-028-06	11443
Dental Assistant	RC-028-08	11650
Dental Assistant (Eff. 07-01-01)	RC-028-09	11650
Dental Hygienist	RC-028-12	11700
Dental Hygienist (Eff. 07-01-01)	RC-028-13	11700
Electroencephalograph Technician	RC-028-08	13300
Environmental Equipment Operator I	RC-028-12	13761
Environmental Equipment Operator II	RC-028-14	13762
Environmental Protection Technician I	RC-028-08	13831
Environmental Protection Technician II	RC-028-10	13832
<u>Health Information Associate</u>	<u>RC-028-10</u>	<u>18045</u>
<u>Health Information Technician</u>	<u>RC-028-12</u>	<u>18047</u>
Hearing & Speech Technician I	RC-028-06	18261
Hearing & Speech Technician II	RC-028-09	18262
Historic Site Interpreter	RC-028-09	18955
Historic Site Lead I	RC-028-013	18961
Historic Site Lead II	RC-028-014	18962
Housekeeper II	RC-028-03a	19602
Inhalation Therapist	RC-028-08	21259
Intermittent Unemployment Insurance Technician (Hourly)	RC-028-06H	21690
Laboratory Assistant	RC-028-04	22995
Laboratory Associate I	RC-028-10	22997
Laboratory Associate II	RC-028-12	22998
Legal Research Assistant	RC-028-13	23350
Licensed Practical Nurse I	RC-028-09a	23551
Licensed Practical Nurse II	RC-028-10a	23552
Lock and Dam Tender	RC-028-10	24290
Medical Records Assistant	RC-028-09	26520
Medical Records Technician	RC-028-11	26575
Natural Resource Technician I	RC-028-10	28851
Natural Resource Technician II	RC-028-13	28852
Office Administrative Specialist	RC-028-12	29990
Office Specialist	RC-028-11	30080
Pharmacist Lead Technician	RC-028-09	32007
Pharmacist Technician	RC-028-07	32008
Public Aid Eligibility Assistant	RC-028-08	35825
Radiologic Technologist	RC-028-11	37500
Radiologic Technologist Program	RC-028-12	37507

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

Coordinator		
Ranger	RC-028-13	37725
Rehabilitation Counselor Aide I	RC-028-09	38155
Rehabilitation Counselor Aide II	RC-028-11	38156
Senior Ranger	RC-028-14	40090
<u>Site Interpreter</u>	<u>RC-028-10</u>	<u>41090</u>
Site Technician I	RC-028-10	41131
Site Technician II	RC-028-12	41132
Social Service Community Planner	RC-028-11	41295
State Police Crime Information Evaluator	RC-028-11	41801
State Police Evidence Technician I	RC-028-12	41901
State Police Evidence Technician II	RC-028-13	41902
Statistical Research Technician	RC-028-11	42748
Veterans Service Officer	RC-028-14	47800
Vocational Instructor	RC-028-12	48200

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	S T E P S										Eff.
	1c	1b	1a	1	2	3	4	5	6	7	8 1/1/02
RC-028-03a	1684	1729	1775	1822	1874	1927	1978	2027	2084	2181	2203
RC-028-03aa	1729	1775	1822	1871	1924	1979	2031	2082	2141	2240	2262
RC-028-03am	1780	1826	1874	1922	1976	2030	2083	2133	2192	2292	2315
RC-028-04	1684	1729	1775	1822	1877	1931	1980	2041	2090	2188	2210
RC-028-04a	1729	1775	1822	1871	1927	1983	2033	2096	2147	2248	2270
RC-028-04m	1780	1826	1874	1922	1979	2034	2085	2148	2198	2299	2322
RC-028-06	1786	1834	1883	1933	1992	2050	2114	2173	2237	2340	2363
RC-028-06a	1834	1883	1933	1985	2046	2106	2171	2232	2298	2404	2428
RC-028-06m	1885	1935	1985	2036	2097	2157	2223	2284	2350	2456	2481
RC-028-06H	10.99	11.29	11.59	11.90	12.26	12.62	13.01	13.37	13.77	14.40	14.54
RC-028-06Ha	11.29	11.59	11.90	12.22	12.59	12.96	13.36	13.74	14.14	14.79	14.94
RC-028-06Hm	11.60	11.91	12.22	12.53	12.90	13.27	13.68	14.06	14.46	15.11	15.27
RC-028-07	1840	1889	1940	1992	2053	2119	2184	2249	2317	2430	2454
RC-028-07a	1889	1940	1992	2046	2109	2177	2244	2310	2381	2497	2522

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

RC-028-07m	1941	1991	2044	2097	2160	2228	2295	2362	2432	2548	2573
RC-028-08	1896	1947	1999	2053	2124	2193	2269	2335	2408	2526	2551
RC-028-08a	1947	1999	2053	2109	2182	2253	2331	2399	2474	2596	2622
RC-028-08m	1998	2051	2104	2160	2233	2304	2383	2451	2526	2647	2673
RC-028-09	1961	2014	2068	2124	2196	2274	2349	2429	2505	2627	2653
RC-028-09a	2014	2068	2124	2182	2256	2336	2413	2496	2574	2700	2727
RC-028-09m	2065	2120	2176	2233	2307	2388	2465	2547	2626	2751	2779
RC-028-09a	2013	2067	2123	2181	2254	2337	2416	2502	2576	2704	2731
RC-028-09aa	2067	2123	2181	2240	2316	2401	2482	2571	2647	2779	2807
RC-028-09am	2119	2175	2232	2292	2367	2453	2534	2623	2699	2833	2861
RC-028-10	2029	2084	2141	2199	2286	2361	2443	2523	2606	2740	2767
RC-028-10a	2084	2141	2199	2259	2349	2426	2510	2593	2678	2818	2846
RC-028-10m	2135	2192	2251	2310	2400	2477	2562	2644	2730	2872	2901
RC-028-10a	2101	2158	2217	2278	2369	2451	2538	2625	2711	2877	2906
RC-028-10aa	2158	2217	2278	2340	2434	2519	2608	2698	2787	2960	2990
RC-028-10am	2210	2268	2329	2392	2486	2570	2660	2749	2841	3014	3044
RC-028-11	2110	2167	2226	2287	2373	2454	2545	2633	2715	2859	2888
RC-028-11a	2167	2226	2287	2350	2438	2522	2615	2706	2791	2942	2971
RC-028-11m	2219	2278	2338	2401	2490	2573	2667	2757	2845	2995	3025
RC-028-12	2200	2260	2322	2386	2478	2564	2663	2751	2852	3005	3035
RC-028-12a	2260	2322	2386	2452	2546	2635	2737	2830	2934	3093	3124
RC-028-12m	2312	2373	2437	2503	2598	2686	2789	2883	2988	3148	3179
RC-028-12a	2256	2318	2382	2447	2541	2634	2734	2829	2921	3080	3111
RC-028-12aa	2318	2382	2447	2514	2611	2707	2812	2911	3005	3173	3205
RC-028-12am	2369	2433	2499	2566	2663	2759	2866	2964	3059	3229	3261
RC-028-13	2287	2350	2415	2481	2576	2678	2779	2880	2987	3154	3186
RC-028-13a	2350	2415	2481	2549	2647	2752	2859	2963	3073	3248	3280
RC-028-13m	2401	2466	2533	2601	2699	2805	2913	3017	3129	3304	3337
RC-028-14	2388	2454	2522	2592	2694	2799	2921	3027	3143	3325	3358
RC-028-14a	2454	2522	2592	2664	2769	2880	3005	3118	3238	3426	3460

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RC-028-14m	2505	2573	2643	2715	2822	2933	3059	3172	3292	3480	3515
RC-028-16	2600	2672	2746	2824	2951	3080	3210	3343	3477	3682	3719
RC-028-16a	2672	2746	2824	2906	3036	3173	3307	3442	3581	3793	3831
RC-028-16m	2724	2799	2878	2959	3091	3229	3362	3498	3637	3847	3885
RC-028-21	3351	3453	3556	3661	3849	4036	4225	4417	4600	4887	4936
RC-028-21a	3453	3556	3661	3771	3965	4156	4351	4548	4738	5034	5084
RC-028-21m	3507	3612	3717	3827	4020	4211	4407	4604	4793	5089	5140

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	S T E P S											Eff.
	1c	1b	1a	1	2	3	4	5	6	7	8	1/1/03
RC-028-03a	1784	1829	1875	1922	1974	2027	2078	2127	2184	2281	2304	2327
RC-028-03aa	1829	1875	1922	1971	2024	2079	2131	2182	2241	2340	2363	2387
RC-028-03am	1880	1926	1974	2022	2079	2130	2183	2233	2292	2392	2416	2440
RC-028-04	1784	1829	1875	1922	1977	2031	2080	2141	2190	2288	2311	2334
RC-028-04a	1829	1875	1922	1971	2027	2083	2133	2196	2247	2348	2371	2395
RC-028-04m	1880	1926	1974	2022	2079	2134	2185	2248	2298	2399	2423	2447
RC-028-06	1886	1934	1983	2033	2092	2150	2214	2273	2337	2440	2464	2489
RC-028-06a	1934	1983	2033	2085	2146	2206	2271	2332	2398	2504	2529	2554
RC-028-06m	1985	2035	2085	2136	2197	2257	2323	2384	2450	2556	2582	2607
RC-028-06H	11.61	11.90	12.20	12.51	12.87	13.23	13.62	13.99	14.38	15.02	15.16	15.32
RC-028-06Ha	11.90	12.20	12.51	12.83	13.21	13.58	13.98	14.35	14.76	15.41	15.56	15.72
RC-028-06Hm	12.22	12.52	12.83	13.14	13.52	13.89	14.30	14.67	15.08	15.73	15.89	16.04
RC-028-07	1940	1989	2040	2092	2153	2219	2284	2349	2417	2530	2555	2581
RC-028-07a	1989	2040	2092	2146	2209	2277	2344	2410	2481	2597	2623	2649
RC-028-07m	2041	2091	2144	2197	2260	2328	2395	2462	2532	2648	2674	2701
RC-028-08	1996	2047	2099	2153	2224	2293	2369	2435	2508	2626	2652	2679
RC-028-08a	2047	2099	2153	2209	2282	2353	2431	2499	2574	2696	2723	2750
RC-028-08m	2098	2151	2204	2260	2333	2404	2483	2551	2626	2747	2774	2802
RC-028-09	2061	2114	2168	2224	2296	2374	2449	2529	2605	2727	2754	2782

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RC-028-09a	2114	2168	2224	2282	2356	2436	2513	2596	2674	2801	2829	2857
RC-028-09m	2165	2220	2276	2333	2407	2488	2565	2647	2726	2854	2883	2911
RC-028-09a	2113	2167	2223	2281	2354	2437	2516	2602	2676	2805	2833	2861
RC-028-09aa	2167	2223	2281	2340	2416	2501	2582	2671	2747	2883	2912	2941
RC-028-09am	2219	2275	2332	2392	2467	2553	2634	2723	2800	2939	2968	2998
RC-028-10	2129	2184	2241	2299	2386	2461	2543	2623	2706	2843	2871	2900
RC-028-10a	2184	2241	2299	2359	2449	2526	2610	2693	2778	2924	2953	2982
RC-028-10m	2235	2292	2351	2410	2500	2577	2662	2744	2832	2980	3010	3040
RC-028-10a	2201	2258	2317	2378	2469	2551	2638	2725	2813	2985	3015	3045
RC-028-10aa	2258	2317	2378	2440	2534	2619	2708	2799	2892	3071	3102	3132
RC-028-10am	2310	2368	2429	2492	2586	2670	2760	2852	2948	3127	3158	3190
RC-028-11	2210	2267	2326	2387	2473	2554	2645	2733	2817	2966	2996	3025
RC-028-11a	2267	2326	2387	2450	2538	2622	2715	2807	2896	3052	3083	3113
RC-028-11m	2319	2378	2438	2501	2590	2673	2767	2860	2952	3107	3138	3169
RC-028-12	2300	2360	2422	2486	2578	2664	2763	2854	2959	3118	3149	3180
RC-028-12a	2360	2422	2486	2552	2646	2735	2840	2936	3044	3209	3241	3273
RC-028-12m	2412	2473	2537	2603	2698	2787	2894	2991	3100	3266	3299	3331
RC-028-12a	2356	2418	2482	2547	2641	2734	2837	2935	3031	3196	3228	3260
RC-028-12aa	2418	2482	2547	2614	2711	2809	2917	3020	3118	3292	3325	3358
RC-028-12am	2469	2533	2599	2666	2763	2862	2973	3075	3174	3350	3384	3417
RC-028-13	2387	2450	2515	2581	2676	2778	2883	2988	3099	3272	3305	3337
RC-028-13a	2450	2515	2581	2649	2747	2855	2966	3074	3188	3370	3404	3437
RC-028-13m	2501	2566	2633	2701	2800	2910	3022	3130	3246	3428	3462	3497
RC-028-14	2488	2554	2622	2692	2795	2904	3031	3141	3261	3450	3485	3519
RC-028-14a	2554	2622	2692	2764	2873	2988	3118	3235	3359	3554	3590	3625
RC-028-14m	2605	2673	2743	2817	2928	3043	3174	3291	3415	3611	3647	3683
RC-028-16	2700	2772	2849	2930	3062	3196	3330	3468	3607	3820	3858	3896
RC-028-16a	2772	2849	2930	3015	3150	3292	3431	3571	3715	3935	3974	4014
RC-028-16m	2826	2904	2986	3070	3207	3350	3488	3629	3773	3991	4031	4071
RC-028-21	3477	3582	3689	3798	3993	4187	4383	4583	4773	5070	5121	5171

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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RC-028-21a	3582	3689	3798	3912	4114	4312	4514	4719	4916	5223	5275	5327
RC-028-21m	3639	3747	3856	3971	4171	4369	4572	4777	4973	5280	5333	5386

Effective July 1, 2003

	S T E P S											Eff.
	1c	1b	1a	1	2	3	4	5	6	7	8	1/1/04
RC-028-03a	1884	1929	1975	2022	2074	2127	2178	2227	2284	2381	2429	2452
RC-028-03aa	1929	1975	2022	2071	2124	2179	2231	2282	2341	2440	2489	2513
RC-028-03am	1980	2026	2074	2122	2176	2230	2283	2333	2392	2492	2542	2567
RC-028-04	1884	1929	1975	2022	2077	2131	2180	2241	2290	2388	2436	2460
RC-028-04a	1929	1975	2022	2071	2127	2183	2233	2296	2347	2448	2497	2521
RC-028-04m	1980	2026	2074	2122	2179	2234	2285	2348	2398	2499	2549	2574
RC-028-06	1986	2034	2083	2133	2192	2250	2314	2373	2437	2540	2591	2616
RC-028-06a	2034	2083	2133	2185	2246	2306	2371	2432	2498	2604	2656	2682
RC-028-06m	2085	2135	2185	2236	2297	2357	2423	2484	2550	2658	2711	2738
RC-028-06H	12.22	12.52	12.82	13.13	13.49	13.85	14.24	14.60	15.00	15.63	15.94	16.10
RC-028-06Ha	12.52	12.82	13.13	13.45	13.82	14.19	14.59	14.97	15.37	16.02	16.34	16.50
RC-028-06Hm	12.83	13.14	13.45	13.76	14.14	14.50	14.91	15.29	15.69	16.36	16.68	16.85
RC-028-07	2040	2089	2140	2192	2253	2319	2384	2449	2517	2631	2684	2710
RC-028-07a	2089	2140	2192	2246	2309	2377	2444	2510	2581	2701	2755	2782
RC-028-07m	2141	2191	2244	2297	2360	2428	2495	2562	2633	2754	2809	2837
RC-028-08	2096	2147	2199	2253	2324	2393	2469	2535	2608	2731	2786	2813
RC-028-08a	2147	2199	2253	2309	2382	2453	2531	2599	2677	2804	2860	2888
RC-028-08m	2198	2251	2304	2360	2433	2504	2583	2653	2731	2857	2914	2943
RC-028-09	2161	2214	2268	2324	2396	2474	2549	2630	2709	2836	2893	2921
RC-028-09a	2214	2268	2324	2382	2456	2536	2614	2700	2781	2913	2971	3000
RC-028-09m	2265	2320	2376	2433	2507	2588	2668	2753	2835	2968	3027	3057
RC-028-09a	2213	2267	2323	2381	2454	2537	2617	2706	2783	2917	2975	3005
RC-028-09aa	2267	2323	2381	2440	2516	2601	2685	2778	2857	2998	3058	3088
RC-028-09am	2319	2375	2432	2492	2567	2655	2739	2832	2912	3057	3118	3149

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RC-028-10	2229	2284	2341	2399	2486	2561	2645	2728	2814	2957	3016	3046
RC-028-10a	2284	2341	2399	2459	2549	2627	2714	2801	2889	3041	3102	3132
RC-028-10m	2335	2392	2451	2510	2600	2680	2768	2854	2945	3099	3161	3192
RC-028-10a	2301	2358	2417	2478	2569	2653	2744	2834	2926	3104	3166	3197
RC-028-10aa	2358	2417	2478	2540	2635	2724	2816	2911	3008	3194	3258	3290
RC-028-10am	2410	2468	2529	2592	2689	2777	2870	2966	3066	3252	3317	3350
RC-028-11	2310	2367	2426	2487	2573	2656	2751	2842	2930	3085	3147	3178
RC-028-11a	2367	2426	2487	2550	2640	2727	2824	2919	3012	3174	3237	3269
RC-028-11m	2419	2478	2538	2601	2694	2780	2878	2974	3070	3231	3296	3328
RC-028-12	2400	2460	2522	2586	2681	2771	2874	2968	3077	3243	3308	3340
RC-028-12a	2460	2522	2586	2654	2752	2844	2954	3053	3166	3337	3404	3437
RC-028-12m	2512	2573	2638	2707	2806	2898	3010	3111	3224	3397	3465	3499
RC-028-12a	2456	2518	2582	2649	2747	2843	2950	3052	3152	3324	3390	3424
RC-028-12aa	2518	2582	2649	2719	2819	2921	3034	3141	3243	3424	3492	3527
RC-028-12am	2569	2634	2703	2773	2874	2976	3092	3198	3301	3484	3554	3589
RC-028-13	2487	2550	2616	2684	2783	2889	2998	3108	3223	3403	3471	3505
RC-028-13a	2550	2616	2684	2755	2857	2969	3085	3197	3316	3505	3575	3610
RC-028-13m	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3636	3672
RC-028-14	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660	3696
RC-028-14a	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770	3807
RC-028-14m	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830	3868
RC-028-16	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052	4092
RC-028-16a	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4174	4215
RC-028-16m	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234	4276
RC-028-21	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378	5431
RC-028-21a	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5541	5595
RC-028-21m	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601	5656

(Source: Expedited correction at 28 Ill. Reg. _____, effective _____)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of February 23, 2004 through March 1, 2004 and have been scheduled for review by the Committee at its March 23, 2004 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
4/7/04	<u>Secretary of State</u> , Issuance of Licenses (92 Ill. Adm. Code 1030)	10/31/03 27 Ill. Reg. 16410	3/23/04
4/8/04	<u>Pollution Control Board</u> , Permits (35 Ill. Adm. Code 309)	9/19/03 27 Ill. Reg. 14765	3/23/04
4/8/04	<u>Department of Public Health</u> , Illinois Home Health Agency Code (77 Ill. Adm. Code 245)	12/12/03 27 Ill. Reg. 18507	3/23/04
4/8/04	<u>Department of Public Health</u> , Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)	12/1/03 27 Ill. Reg. 17957	3/23/04
4/9/04	<u>Department of Human Services</u> , Determination of Need (DON) and Resulting Service Cost Maximums (SCMs) (89 Ill. Adm. Code 679)	11/21/03 27 Ill. Reg. 17320	3/23/04
4/9/04	<u>Department of Natural Resources</u> , Firewood Collection (17 Ill. Adm. Code 170)	1/2/04 28 Ill. Reg. 298	3/23/04
4/9/04	<u>Department of Natural Resources</u> , Rental of Boats and Boating Facilities (17 Ill. Adm. Code 210)	1/2/04 28 Ill. Reg. 302	3/23/04

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

4/11/04	<u>Emergency Management Agency</u> , Fees for Analytical Testing of Community Drinking Water Supply Samples for Radionuclides (32 Ill. Adm. Code 336)	12/19/03 27 Ill. Reg. 18940	3/23/04
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DEPARTMENT OF PUBLIC AID

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: 148.126 Proposed Action: Amendment
- 4) Date Notice of Proposed Amendments Published in the Illinois Register: January 30, 2004 (28 Ill. Reg.1649)
- 5) Reason for the Withdrawal: This proposed rulemaking, and an identical emergency rule that was effective January 10, 2004, provide a reimbursement level increase for hospitals under Safety Net Adjustment Payments. Federal public notice requirements at 42 CFR 447.205 were met by publication of the proposed amendments in the Illinois Register. The proposed and emergency provisions specify that the payment increase will only be made during fiscal year 2004 for the quarter ending March 31, 2004. Since the payment increase is time-limited for a period covered by the emergency provisions, the amendments proposed at 29 Ill. Reg. 1649 are no longer necessary and are being withdrawn.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF CORRECTION TO NOTICE ONLY

- 1) Heading of the Part: Individuals Access to Services
- 2) Code Citation: 59 Ill. Adm. Code 109
- 3) Register citation of proposed or adopted rulemaking and other pertinent action: The proposed rulemaking was published on January 9, 2004 at 28 Ill. Reg. 476. The Department later published a Notice of Public Hearing on February 20, 2004 at 28 Ill. Reg. 3578.
- 4) The information being corrected is as follows: In the Notice of Public Hearing, DHS incorrectly stated that the proposed rules were published at page 1006 on February 9, 2004. The correct page and date of the proposal was page 476 on January 9, 2004. The Department apologizes for any problem this inadvertent error may have caused.

PROCLAMATIONS

2004-28**John Willis Menard Day**

WHEREAS, the distinguished African American poet, journalist, and public servant, John Willis Menard, was born in Kaskaskia, Illinois, on April 3, 1838 and spent his childhood on a nearby farm; and

WHEREAS, in his 1879 volume of poetry, Lays in Summer Lands, Menard included the poem, "A Visit to My Native Home," which referred to his Illinois home with nostalgic sentiment; and

WHEREAS, the Illinois State Library holds Menard's earliest existing publication, his fiery 1860 manifesto "An Address to the Free Colored People of Illinois"; and

WHEREAS, during the Civil War, Menard resided in Washington, D.C., and worked with the Interior Department on matters relating to emigration and resettlement of African Americans abroad; and

WHEREAS, during the Reconstruction, Menard moved to Louisiana and was active in educational and public service activities. This period of his life culminated in 1868, when he was victorious in a special election to become the U.S. Representative for the 2nd Congressional District of Louisiana; and

WHEREAS, due to the prejudice of the House of Representatives, Menard was denied the congressional seat that he fairly won; and

WHEREAS, on February 27, 1869, Menard took advantage of an offer to challenge that denial in person. This event marked the first time in the history of Congress that an African American spoke in the House of Representatives during legislative proceedings; and

WHEREAS, Menard then re-located to Florida, where he lived for nearly twenty years and gained fame in Jacksonville and in Key West as a newspaper editor, poet, and community leader; and

WHEREAS, Menard spent his final years in Washington, DC, where he died on October 8, 1893; and

WHEREAS, during the month of February 2004, the Illinois Historic Preservation Agency will sponsor appropriate Menard commemorative events in Randolph and Sangamon counties, and on February 25, 2004, the Illinois State Society of Washington D.C. will sponsor a reception honoring John Willis Menard:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim February 25, 2004, as JOHN WILLIS MENARD DAY in Illinois, in honor of his outstanding contributions to our nation.

Issued by the Governor February 23, 2004.

Filed by the Secretary of State February 24, 2004.

2004-29**Women In Construction Week**

PROCLAMATIONS

WHEREAS, the National Association of Women in Construction (NAWIC) has distinguished itself as the voice of women in construction in Illinois for over 42 years; and

WHEREAS, since its inception, the NAWIC has formed seven different chapters throughout the State, their work with community development and educational programs has greatly benefited Illinois; and

WHEREAS, based on its core values, which are “Believe in ourselves as women, persevere with the strength of our convictions, dare to move into new horizons,” the NAWIC has unceasingly promoted the employment and advancement of women in the construction industry; and

WHEREAS, the construction community, represented by the NAWIC, has been a driving force in fostering community development through renovation and beautification projects, promotion of skilled trades careers, and a positive vision for the future of Illinois and the entire United States:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 7-13, 2004, as WOMEN IN CONSTRUCTION WEEK in Illinois and encourage all citizens to join me in congratulating the organization on its many accomplishments.

Issued by the Governor February 26, 2004.

Filed by the Secretary of State February 27, 2004.

ILLINOIS ADMINISTRATIVE CODE

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